



MINUTES OF PROCEEDINGS

OTTAWA, Tuesday, September 24, 2024

(77)

[English]

The Standing Senate Committee on Energy, the Environment and Natural Resources met this day at 5:29 p.m., in room B30, Senate of Canada Building, the chair, the Honourable Paul J. Massicotte, presiding.

Members of the committee present: The Honourable Senators Arnot, Francis, Gold, P.C., Kutcher, Manning, Massicotte, Miville-Dechéne, Petten, Prosper, Saint-Germain, Tannas, Verner, P.C., Wells (*Newfoundland and Labrador*), White and Woo (15).

Other senators present: The Honourable Senator Robinson (1).

Participating in the meeting: Jesse Good and Avalon Jennings, analysts, Library of Parliament.

Pursuant to the order of reference adopted by the Senate on Thursday, June 6, 2024, the committee continued its examination of Bill C-49, An Act to amend the Canada—Newfoundland and Labrador Atlantic Accord Implementation Act and the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation Act and to make consequential amendments to other Acts.

WITNESSES:

Natural Resources Canada:

Abigail Lixfeld, Senior Director, Renewable and Electrical Energy Division;

Annette Tobin, Director, Offshore Management Division;

Daniel Morin, Senior Legislative and Policy Advisor;

Lauren Knowles, Deputy Director, Offshore Management Division;

Jean-François Roman, Counsel, Natural Resources Canada, Legal Services.

Parks Canada:

Lori Macadams, Director, National Marine Conservation Area Establishment.

Department of Fisheries and Oceans:

Christie Chute, Senior Director, Programs Sector, Marine Planning and Conservation.

The committee resumed clause-by-clause consideration of Bill C-49.

Resuming debate on the motion in amendment of the Honourable Senator Prosper that Bill C-49 be amended in clause 111, on page 86,

(a) by replacing line 1 with the following:

“111 (1) The heading before section 6 and subsection 6(1) of the Act are replaced by the”;

(b) by adding the following after line 2:

“Conditions Precedent for Certain Regulations, Decisions, etc.”;

(c) by adding the following after line 12:

“(2) The Act is amended by adding the following after subsection 6(2):

6 (3) The Federal Minister or the Regulator, as the case may be, shall consult with any council, government or other entity authorized to act on behalf of an affected Indigenous group, community or people that holds rights recognized and affirmed by section 35 of the *Constitution Act, 1982* before

(a) a regulation is made under section 2.1, section 59.1 or 98.2, subsection 98.3(2), section 128 or 153, subsection 188.25(1), or section 210.126;

(b) a decision is made under subsection 38.1(2);

(c) a directive is issued under section 41;

(d) the implementation of a fundamental decision is either made under section 34 or a fundamental decision is set aside or that setting aside is overruled under section 35;

(e) a licence is issued under section 91;

(f) a call for bids is made under paragraph 93(1)(a); or

(g) an authorization is issued under section 142.011.”.

After debate, the question being put on the motion in amendment, it was negated on the following vote:

YEAS

The Honourable Senators

Prosper, Verner, Wells (*Newfoundland and Labrador*) — [3]

NAYS

The Honourable Senators

Arnot, Gold, Kutcher, Massicotte, Petten, Saint-Germain, White, Woo — [8]

ABSTENTIONS

The Honourable Senator

Francis — [1]

It was agreed that clause 111 carry.

It was agreed that clauses 112 to 121 carry, on division.

It was agreed that clauses 122 to 132 carry, on division.

It was agreed that clauses 133 to 143 carry, on division.

It was agreed that clauses 144 to 154 carry, on division.

It was agreed that clauses 155 to 165 carry, on division.

It was agreed that clauses 166 to 176 carry, on division.

It was agreed that clauses 177 to 187 carry, on division.

It was agreed that clauses 188 to 198 carry, on division.

It was agreed that clauses 199 to 209 carry, on division.

It was agreed that clauses 210 to 220 carry, on division.

It was agreed that clause 221 carry, on division.

It was agreed that the title carry.

It was agreed that the bill, as amended, carry.

It was agreed that the Law Clerk and Parliamentary Counsel be authorized to make necessary technical, grammatical, or other required non-substantive changes as a result of the amendments adopted by the committee, in both official languages, including updating cross-references and renumbering of provisions.

The committee discussed observations.

It was agreed that observations be appended to the committee's report.

After debate, it was agreed that an observation submitted by the Honourable Senator Prosper be appended to the committee's report.

It was agreed that the Subcommittee on Agenda and Procedure be empowered to approve the final version of the observations being appended to the report, in both official languages, taking into consideration this meeting's discussions, and with any necessary editorial, grammatical or translation changes as required.

It was agreed that the chair report Bill C-49, with amendments and observations, to the Senate, in both official languages.

At 6:35 p.m., the committee adjourned to the call of the chair.

ATTEST:

Ferda Simpson

Clerk of the Committee