



Meeting Marine Conservation Targets

Overview of Legislative Changes to
Canada's *Oceans Act* and
the *Canada Petroleum Resources Act*



Context

- The Government of Canada is committed to protecting 5% of Canada's marine and coastal areas by 2017 and 10% by 2020.
 - On Oceans Day (June 8, 2016), Minister LeBlanc announced a 5-point plan for meeting targets, including a plan to examine how the *Oceans Act* can be updated to facilitate the designation process for MPAs.
 - Fisheries and Oceans Canada (DFO), Natural Resource Canada (NRCan) and Indigenous and Northern Affairs Canada (INAC) are working with the Department of Justice (DoJ) on a bill to amend the *Oceans Act* and the *Canada Petroleum Resources Act*.
 - Responsible Ministers include Fisheries, Oceans, and the Canadian Coast Guard, Natural Resources Canada, and Indigenous and Northern Affairs Canada.



Proposed Revisions to the *Oceans Act*

- Create a new authority to designate an Interim Protection MPA using a Ministerial Order (MO), leading to a two-stage MPA establishment process:
 1. An Interim Protection MPA to designate the initial MPA boundary based on preliminary science and consultations and “freeze the footprint” of current activities (i.e. ongoing activities continue, prohibit new activities, some ongoing activities regulated under federal fisheries legislation may be restricted further); and,
 2. Within five years after the Interim Protection MPA is established, a Governor in Council (GiC) MPA regulation to designate the final MPA based on additional science and consultations.
- Amend the *Oceans Act* to require that the precautionary principle be applied when designating *Oceans Act* Marine Protected Areas (OA MPAs);
- Update and clarify existing Enforcement Officer powers under the OA as required, including the allowance for enforcement of new OA MOs;
- Update the fines provisions of the OA to align with the *Environmental Enforcement Act*.



Proposed Revisions to the *Canada Petroleum Resources Act*

- Amending the *Canada Petroleum Resources Act* to allow for the making of prohibition orders prohibiting oil and gas activities in designated *Oceans Act* Marine Protected Areas (OA MPAs) when and where appropriate;
 - Companion piece to the OA MO to “freeze the footprint”
- Creating a new authority for the Minister of Natural Resources Canada and the Minister of Indigenous and Northern Affairs Canada to cancel an interest in designated OA MPAs and to provide for compensation for the cancelled interest(s)
 - NRCan/INAC to lead negotiations with interest owners.



Questions?

For more information on proposed revisions to Canada's **Oceans Act** please contact:

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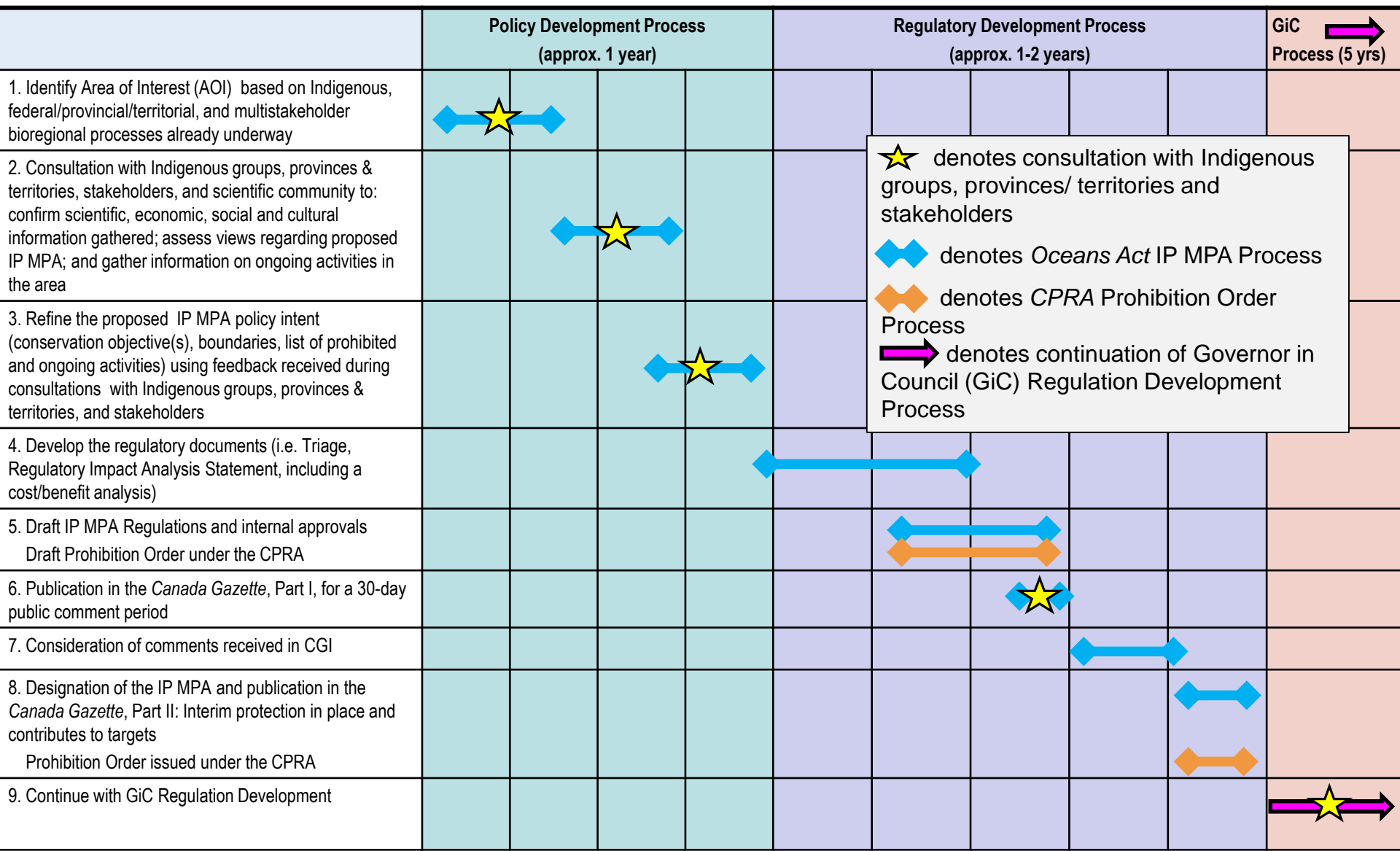
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Annex: Proposed* Steps to Designate an Interim Protection (IP) MPA via Ministerial Order



* This slide provides an overview of the IP MPA designation process based on the assumption that the proposed amendments receive Royal Assent.