

# *Survey of Canadian Federal, Provincial, Territorial Climate Change Legal Provisions*

The following table outlines current climate change legal provisions across Canada. These provisions are found in Canadian legislation intended to address climate change and related subjects, as well as legislation for other purposes. The majority of the research for this survey was conducted on CANLii and reflects search results in all jurisdictions for the following terms: 'climate change', 'global warming', 'greenhouse gas'.

Following the federal legislation, provinces and territories are listed alphabetically. Search terms and useful language are highlighted in yellow.

Note that the research took place on October 17 and 24, 2014. As such, it may not capture all climate change provisions or reflect all recent developments.

Legislation	Context	Excerpt
<b>Federal</b>		
<i>Canada Emission Reduction Incentives Agency Act</i> , SC 2005, c 30, s 87	This Act establishes the Canada Emission Reduction Incentives Agency.	Preamble:  "Recognizing that the reduction or removal of greenhouse gases is necessary to fight <b>climate change</b> and can also result in cleaner air, achieve other environmental objectives and advance the competitiveness and efficiency of Canadian industry;"
<i>Order Giving Notice of Decisions not to add Certain Species to the List of Endangered Species</i> , SI/2006-110.	Statement setting out the reasons for not adding five populations of the beluga whale, porbeagle shark, and two populations of the white sturgeon to the list.	"... Historical commercial hunting has been the main cause of the declines in some populations, although belugas are also threatened by natural factors including ice entrapments and predators such as polar bears and killer whales. A variety of other human activities may also put beluga whales at risk, including noise and disturbance resulting from vessel traffic, <b>climate change</b> , contaminants and hydro-electric dams....

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	Decide not to add to beluga whale to the list due to the need to further consult with the Nunavut Wildlife Management Board.	
<i>Proclamation declaring the Wednesday of Canadian Environment Week in June of each year to be Clean Air Day Canada, SI/99-42</i>		"Whereas the citizens of Canada recognize the need for individual and community action by governments, industry and the general public to reduce harmful emissions that contribute to air pollution and climate change;"
<i>Canada Foundation for Sustainable Development Technology Act, 2001</i>	Establishes foundation to fund sustainable development technology.	s.2 "eligible project" « travaux admissibles » 'eligible project' means a project carried on, or to be carried on, primarily in Canada by an eligible recipient to develop and demonstrate new technologies to promote sustainable development, including technologies to address issues related to climate change and the quality of air, water and soil."
	Considerations for the appointment of directors.  (Also considerations for the appointment of members, s.15)	s.11 "The appointment of directors shall be made having regard to the following considerations: (a) the need to ensure, as far as possible, that at all times the board will be representative of (i) persons engaged in the development and demonstration of technologies to promote sustainable development, including technologies to address issues related to climate change and the quality of air, water and soil..."

Legislation	Context	Excerpt
<b>Alberta</b>		
<p><i>Climate Change and Emissions Management Act, 2003</i></p> <p>Other regulations under this Act (with no other specific mention of climate change) include:</p> <p><i>Specified Gas and Reporting Regulation, 2004</i></p> <p><i>Climate Change and Emissions Management Fund Administration Regulation, 2009</i></p> <p><i>Renewable Fuels Standard Regulation, 2010</i></p>	<p>This Act states Alberta's greenhouse gas emissions reductions targets and provides authority for the Minister to engage in a number of activities in order to meet these targets.</p> <p>This Act also establishes the Climate Change and Emissions Management Fund.</p>	<p>s.4 "Sectoral agreements For the purposes of meeting the specified gas emission targets referred to in <a href="#">section 3</a> the Minister may, with the approval of the Lieutenant Governor in Council, enter into agreements with representatives of different sectors of the Alberta economy respecting</p> <p>(...)</p> <p>(n) the payment of money into the Climate Change and Emissions Management Fund"</p>
		<p>s.5 "The Lieutenant Governor in Council may make regulations respecting emission offsets, credits and sink rights for the purpose of achieving reductions in specified gas emissions consistent with specified gas emission targets established under <a href="#">section 3</a> and any sectoral agreements entered into under <a href="#">section 4</a>, and the regulations may include, without limitation, provisions</p>

Legislation	Context	Excerpt
		<p>(...)</p> <p>(g) respecting the payment into the <b>Climate Change</b> and Emissions Management Fund of any or all amounts payable to the Government through the operation of the regulations under this section."</p>
		<p>s.7(1)</p> <p>"The Minister may establish or participate in programs and other measures to carry out the purposes of this Act including, without limitation,</p> <p>(a) programs and measures for the purpose of reducing specified gas emissions,</p> <p>(b) programs and measures related to the removal of specified gases from the atmosphere through the use of sinks,</p> <p>(c) <b>programs and measures related to adaptation to the effects of climate change,</b></p> <p>(d) programs and measures related to energy conservation and energy efficiency, and</p> <p>(e) programs and measures to develop alternative energy and renewable energy sources."</p>
		<p>s.10 (1)</p> <p><b>"Climate Change and Emissions Management Fund</b></p> <p>10(1) The Climate Change and Emissions Management Fund is established.</p> <p>(...)</p> <p>(3) The Fund may be used only for <b>purposes related to reducing emissions of specified gases or improving Alberta's ability to adapt to climate change, including,</b> without limitation, the following purposes:</p> <p>(a) energy conservation and energy efficiency;</p> <p>(...)</p> <p>(g) <b>climate change adaptation programs and measures;</b></p> <p>(...)</p>
<i>Specified Gas Emitters Regulation, 2007</i>	This regulation establishes emissions intensity limits for facilities in Alberta	

Legislation	Context	Excerpt
	<p>which emitted over 100,000 tonnes in 2003 or any subsequent year.</p> <p>It also describes how emissions offsets, fund credits, or emissions performance credits, may be used to meet emissions intensity limits.</p>	
<i>Fuel Tax Act, 2006</i>		<p>s.63(6)</p> <p>"The Minister or the Minister responsible for the <a href="#">Climate Change and Emissions Management Act</a> or any regulation under that Act may collect and use information as necessary for the purposes of formulating or analyzing tax, fiscal, enforcement or renewable fuels standard policy."</p>
<b>British Columbia</b>		
<p><i>Carbon Tax Act, 2008</i> [SBC 2008] Chapter 40</p>	<p>This Act establishes a carbon tax in British Columbia.</p> <p>In brief, a purchaser of a designated fuel must pay the government the rate for the specific fuel at the time of purchase (Part 3, s.8). This applies to persons who reside or carry out business in B.C.,</p>	<p>Regulations 84(3)</p> <p>(3) Without limiting this section, the Lieutenant Governor in Council may make regulations, including regulations that are considered necessary as a result of an amendment to Schedule 1 or 2, as follows:</p> <p>(...)</p> <p>(n) providing for exemptions from the payment of tax, or for refunds of all or part of the tax paid, <b>with respect to a fuel or combustible that is the source for greenhouse gas emissions</b> that are subject to</p> <ul style="list-style-type: none"> <li>(i) section 2 (1) (b) of the <i>Greenhouse Gas Reduction (Cap and Trade) Act</i>,</li> <li>(ii) section 76.3 (1) of the <i>Environmental Management Act</i>, if equivalent</li> </ul>

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	<p>including those who bring fuel into B.C or transfer fuel within in (s.?).</p> <p>Fuel rates are indicated in Schedule 1 and calculated based on their respective carbon content.</p> <p>The Lieutenant Governor in Council is able to make regulations under this Act.</p>	<p>emissions are captured and stored, or captured and sequestered, in accordance with subsection (2) of that section, or</p> <p>(iii) section 76.4 (b) of the <i>Environmental Management Act</i>;</p> <p>(o) providing for exemptions from the payment of tax, or for refunds of all or part of the tax paid, with respect to a fuel or combustible that</p> <p>(i) is used to operate equipment that captures and stores, or captures and sequesters, <b>greenhouse gas</b> in accordance with the regulations, or</p> <p>(ii) does not or did not emit <b>greenhouse gas</b> into the atmosphere when the fuel or combustible is or was used, as a result of the <b>greenhouse gas</b> being captured and stored, or captured and sequestered, in accordance with the regulations;</p> <p>(...)</p>
<p><b><i>Greenhouse Gas Reduction Targets Act, 2007</i></b> [SBC 2007], Chapter 42</p>	<p>This Act establishes B.C.'s greenhouse gas emissions reductions targets. It also required public sector organizations (PSO) to become carbon neutral by 2010.</p> <p>Both and Minister and the public sector organizations themselves are required to produce carbon neutral action reports.</p>	<p>(As there are numerous references to greenhouse gases and emissions in this Act, only a few significant excerpts are provided.)</p> <p>Part 1- BC Greenhouse Gas Emissions Targets</p> <p>s.2</p> <p>(1) The following targets are established for <b>the purpose of reducing BC greenhouse gas emissions</b>:</p> <p>(a) by 2020 and for each subsequent calendar year, BC <b>greenhouse gas emissions</b> will be at least 33% less than the level of those emissions in 2007;</p> <p>(b) by 2050 and for each subsequent calendar year, BC <b>greenhouse gas emissions</b> will be at least 80% less than the level of those emissions in 2007.</p> <p>(2) By December 31, 2008, the minister must, by order, <b>establish BC greenhouse gas emissions targets</b> for 2012 and 2016.</p>

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	The Lieutenant Governor in Council may make regulations under this Act.	(3) The minister may, by order, establish BC greenhouse gas emissions targets for other years or periods.
		<p>Progress reports on reducing BC greenhouse gas emissions</p> <p>s.4 Beginning with a report on 2008 BC greenhouse gas emissions, and continuing with a report for every subsequent even-numbered calendar year, the minister must, as soon as reasonably practicable for each year, make public a report respecting</p> <ul style="list-style-type: none"> <li>(a) a determination of the BC greenhouse gas emissions level for the relevant calendar year,</li> <li>(b) the progress that has been made toward achieving the targets under section 2,</li> <li>(c) the actions that have been taken to achieve that progress, and</li> <li>(d) the plans to continue that progress.</li> </ul>
	Part 2- Carbon Neutral Public Sector	<p>Targets for carbon neutral public sector</p> <p>s.5</p> <ul style="list-style-type: none"> <li>(1) Each public sector organization must be carbon neutral for the 2010 calendar year and for each subsequent calendar year.</li> <li>(2) The Provincial government must be carbon neutral for the 2008 and 2009 calendar years in relation to its PSO greenhouse gas emissions that are directly related to public officials travelling on public business for which the travel expenses are covered by the consolidated revenue fund.</li> <li>(3) In advance of the obligation under subsection (1), for the 2008 and 2009 calendar years, each public sector organization must pursue actions to minimize its PSO greenhouse gas emissions.</li> </ul>

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		<p>Requirements for achieving carbon neutral status</p> <p>s.6 "(1) In order to be carbon neutral for a calendar year, a public sector organization must</p> <p>(a) pursue actions to minimize its PSO greenhouse gas emissions for the calendar year,</p> <p>(b) determine its PSO greenhouse gas emissions for that calendar year in accordance with the regulations, and</p> <p>(c) no later than the end of June in the following calendar year, apply emission offsets in accordance with the regulations to net those emissions to zero."</p>
<p><b><i>Carbon Neutral Government Regulation</i></b>  <i>BC Reg 392/2008</i></p>	<p>This regulation further specifies the carbon neutral requirements for public sector organizations. It outlines the types of emissions deemed to be PSO greenhouse gas emissions.</p> <p>The Schedule outlines these specified gasses and their "Global Warming Potential" (measured at a 100-year time horizon).</p>	<p>s.4</p> <p>(2) Subject to subsection (3), the following greenhouse gas emissions are deemed to be PSO greenhouse gas emissions:</p> <p>(a) direct emissions and indirect energy emissions from the heating, air conditioning and lighting of a building or portion of a building owned or leased by the public sector organization, other than the heating, air conditioning and lighting of a building that is leased to another public sector organization;</p> <p>(b) direct emissions and indirect energy emissions from the operation of appliances, equipment and machinery, other than mobile combustion sources, owned or leased by the public sector organization;</p> <p>(c) direct emissions from the operation of a vehicle or other mobile combustion source, other than a public transit or school bus owned or leased by the public sector organization;</p> <p>(d) in relation to the Provincial government, direct emissions and indirect energy</p>

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		<p>emissions from the supply of travel and accommodation services to a public official who is travelling on public business for which travel expenses and accommodation expenses are covered by the consolidated revenue fund;</p> <p>(e) direct emissions from the production of office paper purchased by the public sector organization for use in its business.</p>
<p><i>Special Direction No.10 to the British Columbia Utilities Commission, BC Reg 245/2007</i></p>	<p>Biomass contracts</p>	<p>s.4            "In considering a biomass contract under section 71 (2) of the Act, the commission may not find that a biomass contract is not in the public interest solely by reason of the factor described in section 71 (2) (d) of the Act and must be primarily guided by the following factors, which are of material value to the authority's ratepayers:            (a) the acquisition of energy by the authority under a biomass contract will reduce the risk to the authority of future costs associated with the production of gases that contribute to <b>global climate change</b>;            (...)"</p>
<p><b>Manitoba</b></p>		
<p><i>The Climate Change and Emissions Reductions Act, 2008</i>            Regulations under this act (referencing this Act, but no other specific mention of climate change) include:   <i>Prescribed Landfills</i></p>		<p>Preamble:            "AND WHEREAS <b>reducing greenhouse gas emissions and adapting to the effects of climate change</b> will require co-operative, complementary and compatible activities across all sectors of the Manitoba economy..."</p> <p>s.2            Purpose            "The purpose of this Act is <b>to address climate change</b>, to encourage and assist Manitobans in reducing emissions, to set targets for reducing emissions and to promote sustainable economic development and energy security."</p>

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<p><i>Regulation Man Reg 180/2009</i></p> <p><i>Greening of Government Vehicles Regulation, Man Reg 37/2013</i></p> <p><i>Green Building Regulation Man Reg 38/2013</i></p> <p><b>Coal-fired Emergency Operations Regulation, Man Reg 186/2009</b></p>		
	<p>Targets and Programs</p> <p>Subsection 3 allows the Minister to determine the method for calculating emissions and emissions offsets</p>	<p>s.3(4) "Considerations re making determinations In making a determination under subsection (3), the minister shall have regard for relevant methodologies and principles that are used in other jurisdictions, including those that participate with Manitoba in regional or <b>international climate change partnerships</b>, and must consult with experts considered knowledgeable about standards for calculating emissions and offsets."</p>
		<p>s.4 <b>"Programs and agreements to combat climate change</b> To assist in meeting the emissions reduction targets established under section 3 and <b>in adapting to the effects of climate change</b>, the minister may (a) establish or participate in programs and other measures to reduce emissions; and (b) enter into agreements to establish targets and to undertake co-operative,</p>

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		<p>complementary or compatible activities</p> <p>(i) with a person,</p> <p>(ii) with representatives of different sectors of the Manitoba economy, or</p> <p>(iii) if the Lieutenant Governor in Council approves, with the Government of Canada or of another province or a territory, or with an agency of any of them, or with the government of another jurisdiction."</p>
	Reporting	<p>s.5(1)</p> <p>"Report on <b>climate change</b></p> <p>For 2010, 2012 and every fourth year after 2012, the minister must prepare a report that</p> <p>(a) <b>assesses the current and predicted impacts of climate change for Manitoba;</b> and</p> <p>(b) describes the government's policies, programs, incentives and measures for assisting Manitobans and others to <b>reduce emissions and adapt to the effects of climate change.</b></p>
	Regulations	<p>s.20(1)</p> <p>Regulations</p> <p>20(1) The Lieutenant Governor in Council may make regulations</p> <p>(a) prescribing as a greenhouse gas a gas that, in the opinion of the Lieutenant Governor in Council, <b>can reasonably be anticipated to cause or contribute to climate change;</b></p>
<p><i>Water Resources Conservation Act, 2000</i></p>		<p>Preamble:</p> <p>WHEREAS the conservation and protection of Manitoba's water resources, and of the ecosystems associated with and reliant upon those water resources, are essential to the long-term environmental, economic and social well-being of Manitoba;</p> <p>AND WHEREAS it is desirable to establish a water resource management scheme that will ensure that removal of water from Manitoba's water basins is not done in quantities that could, individually or collectively, have significant adverse effects on the ecological integrity of Manitoba's water resources or their associated ecosystems;</p>

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		AND WHEREAS, in light of the fact that future domestic needs and the potential effects of climate change are unknown, such a scheme should be based on the precautionary principle and on sustainable water resource management practices;
<i>Polar Bear Protection Act, 2002</i>	This Act establishes the International Polar Bear Conservation Centre.	s.1.2 Purpose of conservation centre 1.2 The conservation centre has the following purposes: (a) to support and facilitate research related to the conservation of polar bears, including research on polar bear husbandry and the impact of climate change on polar bears;
<i>Provincial Planning Regulation, Man Reg 81/2011</i>	SCHEDULE Part 2: Introduction	Why Provincial Land Use Policies  {...}  In moving toward the sustainable development of Manitoba, planning must address a number of strategic priorities concurrently, such as sustainable infrastructure, clean energy, public health and safety, climate change mitigation and adaptation, economic diversification and competitiveness, housing affordability, resource conservation and water quality protection.
		Principles of Provincial Land Use Policies  (...)  Mitigation and adaptation — the ability to anticipate, mitigate and adapt to change speaks to a community's resiliency. Managing change, such as shifts in population, demographics, economics, ecology and climatic norms requires that local plans and policies

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		<p>be flexible, not static. It requires local capacity to anticipate challenges and evaluate land use and development decisions on the basis of how well they mitigate the negative effects of change or adapt to those effects.</p> <p>(...)</p> <p>Integration — land use decisions, policies and programs must also be integrated at different scales, levels and times. Decision makers must consider how land use decisions will influence other planning tools such as financial plans, capital works budgets, programming and initiatives, watershed management plans, climate change action plans and vice versa. Such integration helps to ensure that the resources for implementation are available and that potential barriers are recognized and accounted for.</p>
	<p>Part 3 Provincial Land Use Policies</p> <p>Policy Area 1: General Development</p>	<p>PROVINCIAL INTEREST</p> <p>Manitobans live in a rapidly changing environment. For example, more extreme weather events and departures from climate norms now represent a significant risk to Manitoba. Our communities, ecosystems and economy are vulnerable to the impacts of climate variability and shifts in bioclimate and land use decisions should recognize these risks and strive to reduce vulnerability of communities and make them more resilient.</p>

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		<p>It is important to the Province that Manitoba's communities are environmentally, socially and economically resilient. From a land use perspective, this means <b>fostering planning and development practices that support climate change mitigation and adaptation</b>, promote healthy and fiscally sustainable communities, encourage diversity and protect cultural integrity.</p> <p>(...)</p> <p>(...)</p> <p>In addition to these practices, the Province encourages innovative and best practice approaches to land use and development <b>to help address provincial commitments to climate change mitigation</b>, sustainable development, energy efficiency, and accessibility. For example, green building technologies and tools can improve the energy and resource efficiency of our built form and <b>reduce the greenhouse gas footprint</b> of buildings.</p>
	1.1 Protection People, Property and Investment	<p>Policies</p> <p>1.1.1 Planning and development decisions must direct development to areas that are suitable for the proposed use and where risk can be prevented or minimized. Factors to be taken into account when assessing risk include</p> <p>(...)</p>

Legislation	Context	Excerpt
		e) the vulnerabilities of development to the potential effects of climate change; and
	Policy Area 3: Agriculture	It is expected that rising fuel costs and climate change may place an increased demand on the production and protection of local food sources. Producing food for local consumption reduces food miles traveled, increases the nutritional content of the food, and ensures a more secure food source for Manitobans. The Province encourages local authorities to plan for agriculture by fostering an atmosphere conducive to agricultural production, specialization, diversification and value-added processing. This will contribute to the economic development of rural communities, reduce land use conflicts for agricultural operations and enhance the use of agricultural land for food and other agricultural production.
	Policy Area 4: Renewable Resources, Heritage and Recreation	Heritage resources often support traditional lifestyles and provide opportunities for aesthetic enjoyment, recreational use, tourism, cultural and heritage appreciation, and sustainable development. In many cases, this land helps maintain life-supporting ecological processes, biological diversity and helps offset and abate the potential problems of soil erosion, pollution, species extinction and climate change. Economic benefits are also accrued from recreational use, as natural land attracts visitors into the area who may purchase a range of goods and services such as guiding, accommodation, food and beverages, souvenirs, transportation needs and other recreational activities. It is for these values and opportunities that the Province has an interest in the conservation, protection and development of significant heritage

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		resources through sound land use planning.
	Policy Area 5: Water	<p>An integrated approach is also critical for mitigating and adapting to the effects of future climate change, such as increases in the severity and frequency of droughts or floods. With increasing water demand from a variety of users, more water sources nearing full allocation, and the risk of drought, water scarcity is a real threat.</p> <p>To reduce vulnerability to such a risk, communities need to develop strategies for prioritizing water allocation and implementing water conservation measures. Land use planning is a tool for implementing these strategies and measures and can help build a community's resiliency to risk and change.</p>
	Policy Area 6: Infrastructure	<p>Decisions about infrastructure should also consider the impacts of climate change. Due to its long life span, infrastructure built today may still be in place when changes in climate have created conditions that can make that same infrastructure vulnerable. For example, warmer temperatures have the potential to cause increased melting of permafrost that could reduce the length of winter road use.</p> <p>Decisions about where to locate new roads, pipes and other key infrastructure facilities need to consider potential vulnerabilities, and adaptation measures should be built into construction.</p>
	Part 4: Development Plans	It is also intended that development plan by-law policies be mutually supportive of the policies of other local or regional plans, including integrated watershed management plans, transportation plans, municipal

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		emergency and business continuity plans and <b>climate change action plans</b> .
		<p>2(2) For the purposes of subsection (1), and without limitation, a planning authority must consider</p> <p>2(2) the following when preparing its development plan:</p> <p>(a) the development plans for the areas within the same region as the planning authority, and in particular the development plans for the areas adjacent to the planning area;</p> <p>(b) local environmental plans, including <b>any applicable climate change action plans</b>;</p>
	Studies to be done as part of development plans	<p>4(1) In preparing, amending or replacing a development plan, a planning authority must undertake</p> <p>4(1) the analysis and surveys of the planning area that are appropriate and necessary, including analysis and surveys of</p> <p>(...)</p> <p>(j) <b>the vulnerabilities of the planning area to climate change</b>; and</p>
<i>The Environment Act, 1987</i>	Provisions respecting development proposals	<p>s.12.0.2 Climate change considerations 12.0.2 When considering a proposal, the director or minister must take into</p>

Legislation	Context	Excerpt
		account — in addition to other potential environmental impacts of the proposed development — the amount of greenhouse gases to be generated by the proposed development and the energy efficiency of the proposed development
<b>Nova Scotia</b>		
<p><i>Regulations Respecting Greenhouse Gas Emissions, 2009</i></p> <p><i>NS Reg, 260/2009</i></p>	<p>These regulations apply to facilities in Nova Scotia which emit more than 10,000 metric tonnes of carbon dioxide-equivalent greenhouse gases a year.</p> <p>This regulation establishes emissions caps for all facilities in the province.</p>	<p>Compliance periods and emissions caps</p> <p>s.4</p> <p>(2) The emission caps must be met and each facility owner must ensure that the emission caps are met.</p> <p>(3) A facility owner must coordinate with other facility owners to reduce greenhouse gas emissions and must implement measures to meet the emission caps.</p> <p>(4) The Minister may allocate a maximum greenhouse gas emission to an individual facility but the allocated maximum must not increase the total amount of greenhouse gases specified in an emission cap.</p>
	<p>Annual report</p> <p>s.5(1)</p> <p>Facilities owners must submit annual reports to the Minister of Environment</p>	<p>s.5(2)</p> <p>An annual report must include all of the following information about all of the facility owner's facilities:</p> <p>(...)</p> <p>(g) the total quantity in metric tonnes of direct emissions of carbon dioxide from each facility and the generation units of all of the following:</p> <p>(i) greenhouse gases and global warming potentials,</p> <p>(ii) carbon dioxide,</p> <p>(iii) methane and nitrous oxide,</p> <p>(iv) sulphur hexafluoride, hydrofluorocarbons and perfluorocarbons by individual species;</p>

Legislation	Context	Excerpt
		(...)
<p><i>Environmental Goals and Sustainable Prosperity Act, SNS 2007, c 7</i></p>	<p>Programs and Measures</p>	<p>s.7(1)  7 (1) The Governor in Council may establish or participate in programs and other measures to carry out the purpose of this Act, including  (a) programs and measures for the purpose of reducing greenhouse gas emissions;  (b) programs and measures related to adaptation to the effects of climate change;</p>
<p><i>Water Resources Protection Act, SNS 2000, c 10</i></p>		<p>Preamble:</p> <p>WHEREAS Nova Scotia's water resources are essential to life and well-being in the Province and to related environmental and economic objectives and therefore must be conserved and allocated to ensure long-term self-sufficiency and utilization to the greatest benefit of the population  AND WHEREAS the future domestic need for water is unknown, the availability of potable water is undetermined and the impact of climate change on precipitation, and hence water supplies, is uncertain and management of the resource must be based on sustainability and reflect the precautionary principle relative to future supply requirements;  AND WHEREAS large-scale removals of water, individually or cumulatively, may compromise both the ecological integrity of a system and sustainability of the resource:</p>
<p><b>Ontario</b></p>		
<p><i>Water Opportunities Act, 2010</i></p>	<p>Mentioned in Part III- Municipal Water Sustainability Plans and Performance Indicators and Targets.</p>	<p>Part III, s.26 (2)  4. An assessment of risks that may interfere with the future delivery of the municipal service, including, if required by the regulations, the risks posed by climate change and a plan to deal with those risks</p>

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	The contents of the municipal plans must include 6 factors, including:	
<i>Lake Simcoe Protection Act, 2008</i>	Mentioned in the Preamble:	Lake Simcoe is an essential part of Ontario’s natural environment and a critical resource, especially for people who live, work and play within the watershed of the Lake. <b>In the face of climate change</b> , invasive species, and the pressures of population growth and development, strong action is needed to protect and restore the ecological health of the Lake Simcoe watershed for the present generation and for future generations. There are many benefits of promoting environmentally sustainable land and water uses, activities and development practices in the Lake Simcoe watershed. Public bodies, aboriginal communities, businesses and individuals share an interest in the ecosystem of the Lake Simcoe watershed and have shared responsibility for its health.
	Mentioned in the Objectives of the Plan	s.4 (f) to <b>improve</b> the Lake Simcoe watershed’s <b>capacity to adapt to climate change</b> ;
<i>Far North Act, 2010</i>	Mentioned in the Land Use Planning section. Provides for the establishment of joint bodies (First Nations and the Minister of Natural Resources) to discuss land use planning.	s.7(7) Far North policy statements (7) If the joint body recommends a statement to the Minister under clause (4) (a), the Minister shall submit the statement to the Lieutenant Governor in Council and, with the approval of the Lieutenant Governor in Council, issue the statement as a Far North policy statement if the Minister is of the opinion that the statement takes into account the objectives set out in <a href="#">section 5</a> and if the statement relates to any of the following matters: 1. Cultural and heritage values. 2. Ecological systems, processes and functions, including <b>considerations for cumulative effects and for climate change adaptation and mitigation</b> . 3. The interconnectedness of protected areas. 4. Biological diversity. 5. Areas of natural resource value for potential economic development.

Legislation	Context	Excerpt
		<p>6. Electricity transmission, roads and other infrastructure.</p> <p>7. Tourism.</p> <p>8. Other matters that are relevant to land use planning under this Act if the Minister and the joint body agree to the matters. 2010, c. 18, s. 7 (7).</p>
<i>Environmental Bill of Rights, 1993</i>	<p>Part III- The Environmental Commissioner</p> <p>The Environmental Commissioner is to report annually to the Speaker of the Assembly on the progress of Ontario's green house gas emissions.</p>	<p>s.58.2(2)</p> <p>(2) Each report under subsection (1) shall include a review of any annual report on greenhouse gas reductions or climate change published by the Government of Ontario during the year covered by the report under subsection (1). 2009, c. 12, Sched. F, s. 1</p>
<i>Ontario Water Resources Act, 1990</i>	<p>Water transfers: Great Lake Watersheds</p>	<p>34.6(3)</p> <p>7. The transfer, in the case of a new transfer, or the transfer of the additional amount, in the case of an increased transfer, is implemented so as to ensure that it complies with any other criteria that are prescribed by the regulations for the purpose of implementing Article 209 (Amendments to the Standard and Exception Standard and Periodic Assessment of Cumulative Impacts) of the Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement of 2005, including criteria relating to climate change or other significant threats to the Great Lakes-St. Lawrence River Basin. 2007, c. 12, s. 1 (12).</p>
		<p>34.6(5)</p> <p>Climate change, etc.</p> <p>(5) When the Minister publishes an assessment under subsection (4), the Minister shall highlight the parts of the assessment that, in his or her opinion, give consideration to climate change and other significant threats to the waters of the Great Lakes-St. Lawrence River Basin. 2007, c. 12, s. 1 (12).</p>

Legislation	Context	Excerpt
<b>Quebec</b>		
<i>Sustainable Forest Development Act, CQLR c A-18.1</i>		<p>Preamble:</p> <p>(...)</p> <p>AS forests play a crucial role in maintaining ecological processes and the ecological balance at local, national and global levels, in particular by helping to counter climate change, protect land and water ecosystems and preserve biodiversity;</p>
	<p>Chapter V Chief Forester</p> <p>Allowable cuts are determined by the chief forester.</p>	<p>s.48</p> <p>(...)</p> <p>The allowable cuts determined by the chief forester with regard to forest development activities carried out after 31 March 2018 correspond, for a given development unit or local forest, to the maximum volume of timber of a particular species or group of species that may be harvested annually, while at the same time ensuring the renewal and evolution of the forest on the basis of the applicable sustainable forest development objectives, including those having to do with</p> <p>(1) the sustainability of forests;</p> <p>(2) the impact of climate change on forests;</p> <p>(...)</p>
<i>Regulation respecting greenhouse gas emissions from motor vehicles CQLR c Q-2, r17</i>	Chapter 1: Object, Scope and Definitions	<p>s.1</p> <p>1. The objective of this Regulation is to reduce emissions of manmade greenhouse gases likely to cause climate change and threaten environment quality.</p> <p>To that end, the Regulation specifies the greenhouse gas maximum emission standards that must be met, starting in 2009, by various categories of motor</p>

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		<p>vehicles and, to assist in the achievement of that objective, establishes a system of charges for emissions in excess of the maximum standards. The Regulation also recognizes the possibility, for certain persons, of earning credits and trading them to realize the target reduction.</p> <p>To ensure as much flexibility as possible in the achievement of its objective, this Regulation, in addition to <b>making the efforts to reduce greenhouse gas progressive</b>, sets maximum emission standards for broad categories of motor vehicles covering a range of models, and bases the calculation of fees on the effort made to reduce the emissions of a vehicle fleet as a whole.</p>
<i>Environment Quality Act</i>	<p>Division V Water Resource Protection and Management</p> <p>§ 1. — Withdrawal of surface water or groundwater</p>	<p>s.31.76 31.76. The Minister's power of authorization under this subdivision must be exercised so as to ensure the protection of water resources, particularly by fostering sustainable, equitable and efficient management of the resources <b>in light of the precautionary principle and the effects of climate change</b>.2006, c. 46, s. 48; 2009, c. 33, s. 3.</p> <p>Application.</p>
	<p>The Minister may implement water conservation and efficiency programs. The objectives of these programs are to include:</p>	<p>31.101 (3) making sure that measures prescribed or recommended for all Basin water users to ensure water conservation and efficiency are regularly reviewed and updated to <b>adjust to the actual and potential impacts</b> of the cumulative effects of past, present and reasonably foreseeable future withdrawals and consumptive uses <b>and of climate change</b> on the Basin ecosystem.</p>
		<p>31.102 31.102. The Minister must conduct an assessment of the cumulative impacts of water withdrawals and consumptive uses in the St. Lawrence River Basin on the Basin ecosystem, particularly on the waters and water-dependent natural resources of the Basin, in accordance with the requirements of the Agreement. The</p>

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		<p>assessment must be conducted in coordination with the assessments that the other parties to the Agreement are required to conduct within the Great Lakes-St. Lawrence River Basin.</p> <p>The assessment must evaluate the application of the prevention principle and the precautionary principle as well as the effects of past and reasonably foreseeable future withdrawals and consumptive uses, the effects of climate change and any other factor that may significantly damage the Basin's aquatic ecosystems.</p>
	<p>Division VI Depollution of the Atmosphere</p> <p>§ 1. — Climate change action plan and cap-and-trade system</p>	<p>s.46.3</p> <p>46.3. The Minister prepares a multiyear climate change action plan, including measures aimed at reducing greenhouse gas emissions, and submits it to the Government. The Minister is responsible for the implementation and coordination of the action plan.</p>
		<p>s.46.4</p> <p>To fight global warming and climate change, the Government sets, by order, an overall greenhouse gas reduction target for Québec for each period it determines, using 1990 emissions as the baseline.</p> <p>Determination of targets.</p> <p>The Government may break that target down into specific reduction or limitation targets for the sectors of activity it determines.</p> <p>Criteria.</p> <p>When setting targets, the Government considers such factors as</p> <ol style="list-style-type: none"> <li>(1) the characteristics of greenhouse gases;</li> <li>(2) advances in climate change science and technology;</li> </ol>

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		<p>(3) the economic, social and environmental consequences of climate change, and the likely impact of the emission reductions or limitations needed to achieve the targets; and</p> <p>(4) emission reduction goals under any program, policy or strategy to fight global warming and climate change or under any Canadian intergovernmental agreement or international agreement made for that purpose.</p>
		<p>46.16 All sums collected under this subdivision or regulations under this subdivision and all greenhouse gas emission charges collected in accordance with a regulation under subparagraph e.1 of the first paragraph of <a href="#">section 31</a> are credited to the Green Fund in accordance with <a href="#">section 15.4</a> of the <a href="#">Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs</a> (chapter M-30.001) and are to be used to finance greenhouse gas reduction, limitation or avoidance measures, the mitigation of the economic and social impact of emission reduction efforts, public awareness campaigns and adaptation to global warming and climate change, or to finance the development of and Québec's participation in related regional and international partnerships.</p>
		<p>s.46.18 46.18. Every year, the Minister publishes</p> <p>(1) the greenhouse gas emissions inventory for the year that occurs two years before the year of publication; and</p> <p>(2) an exhaustive and, if applicable, quantitative report on the measures implemented to reduce greenhouse gas emissions and to fight climate change.</p>
<b>Regulations respecting halocarbons</b>	Division 1: Scope, Purpose and Interpretation	<p>s.2 2. The purpose of this Regulation is to ensure the protection of the stratospheric ozone layer against depletion caused by emissions into the atmosphere of</p>

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<i>CQLR c Q-2, r 29</i>		halocarbons used in particular in refrigeration or air conditioning systems. Its purpose is also to minimize the increase in the greenhouse effect linked to emissions of certain halocarbon replacements that is one of the sources of man-induced climate change.
		s.3 “halocarbon” means a chemical compound that may contain up to 3 carbon atoms or, in the case of a PFC, more than 3 carbon atoms, the structure of which may include hydrogen, fluorine, chlorine, bromine or iodine, that is stable enough to reach the stratosphere and that may react with stratospheric ozone or be the source of climate change; it includes the substances set out in Schedule I, whether existing alone or in a mixture, and includes the isomers of any such substance; (halocarbure)
<i>An Act Respecting the Régie de l'Énergie, CQLR c R-6.01</i>	Chapter VI.3 lists financing measures to reduce greenhouse gas emissions and mitigate climate change.	CHAPTER VI.3 FINANCING OF MEASURES TO REDUCE GREENHOUSE GAS EMISSIONS AND FIGHT CLIMATE CHANGE 2006, c. 46, s. 48; 2009, c. 33, s. 3.
<i>An Act Respecting the Ministère du Développement Durable, de l'Environnement et des Parcs, CQLR c M-30.001</i>	Organization of the Department	s.1 The Minister of Sustainable Development, Environment and Parks is designated under the name of Minister of Sustainable Development, the Environment and the Fight Against Climate Change.
	s.15.1 establishes a Green Fund for financing measures or programs within ministerial functions.	s.15.4.3 When a department's activities include the implementation of measures targeted by the multi-year climate change action plan, the Minister of Sustainable Development, Environment and Parks may conclude an agreement with the

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		minister responsible for the department concerned allowing the latter to debit the sums required for those activities from the Fund.
Quebec residual materials management policy CQLR cQ-2, r35.1		
<b><i>Water Withdrawal and Protection Regulation, CQLR c Q-2, r 35.2</i></b>	Schedule IV Vulnerability of Surface Water  The physical vulnerability of the withdrawal site must be assessed using the most restrictive of the following methods 1)A historical review 2)A high rating assessment	(2) a high rating assessment by a professional who certifies in writing that the location of the withdrawal site is a cause for concern because of the hydro-dynamic characteristics of the body of water, of water extraction, development or harnessing projects upstream, of a forecast increase in water demand, <b>or of the anticipated effects of climate change.</b>

## NOT YET IN FORCE

<p><b>Federal</b></p>	<p><b>Nunavut Planning and Project Assessment Act, 2013</b></p>	<p>Part 3 Assessment of Projects to be Carried Out in a Designated Area.</p> <p>Impact statement — guidelines</p> <p>101. (1) The Board must issue guidelines in respect of the preparation by the proponent of a statement of the ecosystemic and socio-economic impacts of the project.</p> <p>(This language was also used in s.103(1)(d) and s.122(1) as factors to be considered by the Board and the federal environmental assessment panel review.</p>	<p>s.101(3) Content of impact statement</p> <p>The guidelines must specify which of the following types of information the proponent is required to include in the impact statement:</p> <p>(a) a description of the project, the purpose of, and need for, the project;</p> <p>(b) the anticipated effects of the environment on the project, including effects associated with natural phenomena, such as meteorological and seismological activity, and <b>climate change</b>;</p> <p>(...)</p>
<p><b>Manitoba</b></p>	<p><b>The Peatlands Stewardship and Related Amendments Act</b></p>	<p>Part 5 General Provisions</p>	<p>s.51 Agreements 51 With the approval of the Lieutenant Governor in Council, the minister may enter into agreements for the purposes of this Act, including, without limitation, <b>agreements relating to climate change mitigation</b> and research relating to peatlands, and partnerships respecting the use and development of Crown peatlands.</p>