

President Transition E-Binder – Table of Contents (August 29, 2019)

1. Agency Profile
 - a. Impact Assessment Agency of Canada
 - b. Impact Assessment Process Overview
 - c. Snapshots of ongoing projects under CEAA 2012 and IAA
 - i. Map of Ongoing Reviews and Anticipated Project Submissions
 - ii. Project Tracker
2. Agency Organizational Chart and Key Biographies
 - a. Agency Organizational Chart
 - b. Agency Vice-President Biographies
3. Agency Internal Governance Committees
4. Overview of the *Impact Assessment Act* (2019)
5. Background note – Recent regulations made under the *Impact Assessment Act* (2019)
6. Memorandum to President - Upcoming Decisions through the Federal Election
 - a. Memorandum to President – Project Decisions during Caretaker Convention
 - b. Caretaker Convention and Writ Decisions Tables
 - c. Memo on Advertising (to come)
7. Memorandum to Minister – Decision Making Authorities During the Federal Election
8. Delegation of Spending and Financial Authorities
 - a. Delegation of Spending and Financial Authorities Chart
 - b. Notes to the Agency’s Delegation of Spending and Financial Authorities Chart
9. Agency Departmental Plan 2019-20
10. Agency Departmental Results Report 2017-18

IMPACT ASSESSMENT AGENCY OF CANADA

MISSION

- The Agency is responsible for providing high-quality impact assessments and coordinating Crown Indigenous consultation related to the review of major projects under federal jurisdiction.

BUDGET AND FULL-TIME EQUIVALENTS (FTEs) FOR 2019-20 (SEE ANNEX A)

- For 2019-20, the Agency's budget is \$68.2M before EBP and has 446 funded FTEs, of which 382 are filled (as of August 19, 2019).
- In 2018-19, the Agency received \$258 million over 5 years to implement the impact assessment system.
- The Agency has five regional offices: Vancouver, Edmonton, Toronto, Quebec City, and Halifax. There is also a satellite office in St. John's.

KEY FEDERAL PARTNERS AND EXTERNAL STAKEHOLDERS

- Federal Partners: Departments with environmental, social, health, and economic expertise; life-cycle regulators (Canada Energy Regulator, Canadian Nuclear Safety Commission, Offshore Boards).
- External stakeholders: Proponents of major projects; provinces and other jurisdictions with mandates related to impact assessment; Indigenous peoples; industry associations; environmental groups and local communities.

OPERATING CONTEXT AND MAJOR CHALLENGES AND PRESSURES

- The *Impact Assessment Act* (IAA) came into force on August 28, 2019, expanding the Agency's mandate and responsibilities as the single Agency responsible for impact assessment and the Crown coordinator for Indigenous consultation of major projects. Under the IAA, the Agency is responsible for assessing the positive and negative environmental, economic, social, and health impacts of potential major projects.
- The IAA repealed and replaced *Canadian Environmental Assessment Act, 2012* (CEAA 2012). It includes transitional provisions for projects that began under previous legislation.
- Under the IAA:
 - Impact assessments are carried out on designated projects. These projects can either be designated by the *Physical Activities Regulations* or they can be designated by the Minister of Environment and Climate Change under s. 9.
 - The *Information and Management of Time Limits Regulations* enable the new impact assessment system to function and enhance clarity, transparency and predictability in the process.
- During the Parliamentary review of the IAA, it received a high profile in the press. While supported by the mining industry and many Indigenous communities and environmental groups, it was not well supported by the oil and gas industry and certain provinces. There will be considerable scrutiny given to the implementation of the IAA, particularly with respect to how the Agency meets its legislated timelines.
- The Agency is in the early stages of implementing the IAA, which has involved: the development of regulations; new policy and guidance; the negotiation of agreements with other jurisdictions; memoranda of understanding with federal authorities; development of a new public registry; and the hiring of new FTEs.
- Currently, 73 projects are being reviewed pursuant to federal legislation.
 - Of these 73 projects, 71 assessments are being conducted under CEAA 2012.
 - Under the IAA, the Agency is reviewing two projects (planning phase).
 - Over the next 90 days, the Agency expects to receive submissions for 12 new projects.

ANNEX A - BUDGET AND FTES

IMPACT ASSESSMENT AGENCY OF CANADA FINANCIAL INFORMATION AND FULL-TIME EQUIVALENTS FOR 2019-20

Operating (Voted)	Capital (Voted)	Transfers (Voted)	Other (Voted)	Statutory	Total	FTEs
\$ 61,512,120	\$ 0	\$ 14,525,184	-\$ 8,001,000	\$ 6,138,709	\$ 74,175,013	446 funded FTEs

Transfers : \$1.5M in Grants and \$13.025M in Contributions

Other : \$8.001M in Vote Netted Revenue

Ongoing Reviews and Anticipated Project Submissions



August 29, 2019

Project Tracking Dashboard: Projects subject to IAA (As of 29 August 2019)

Project	Phase	Phase Days elapsed	Next Milestone	DATE	Status	Responsible	Expert Departments	Status
Marten Falls Community Access Road	Planning	1 of 180	Engagement on Initial PD, potential issues and IA process starts	September 9, 2019	On track to meet milestone	Agency	DFO, ECCC, NRCan, TC, HC, ISC, CTA, ESDC, WAGE, IC (FEDNOR)	Public comment period from September 9, 2019 to September 29, 2019 on the project in support of the Agency's determination of the need for an IA.
Webequie Supply Road	Planning	1 of 180	Engagement on Initial PD, potential issues and IA process starts	September 9, 2019	On track to meet milestone	Agency	DFO, ECCC, NRCan, TC, HC, ISC, CTA, ESDC, WAGE, IC (FEDNOR)	Public comment period from September 9, 2019 to September 29, 2019 on the project in support of the Agency's determination of the need for an IA.
Cedar LNG*	Initial contact	0 of 180	Receipt of Initial Project Description	August 29, 2019	On track to meet milestone	Proponent	DFO, NRCan, ECCC, HC, TC, ESDC, WAGE	The Initial Project Description is expected to be submitted on August 29, 2019.

*Anticipated receipt of PD – no project page on CIAR.

Marten Falls 1/180



Webequie Supply Road 1/180



Cedar LNG 0/180



Upcoming Milestones
Cross-country Transportation Policy - Proposed for Review (2019)

August 29, 2019

Project Tracking Dashboard: Key Projects Subject to CEAA 2012 (As of 29 August 2019)

Project	Phase	Phase Days elapsed	Next Milestone	DATE	Status	Responsible	Expert Departments	Status
Bay du Nord	EIS and Draft EA Report	48 of 365	EIS submitted	September 29, 2019	On track to meet milestone	Proponent	DFO, HC, ECCC, DND, NRCan, CNLOPB	A new 300 day timeline will be introduced. Clock is continuously on once the final EIS is accepted. Draft EIS to be submitted February 13, 2019, but review process is off the clock and only for CEAA and FAs.
Frontier Oil Sands Mine	Timeline 3 – Panel Report until EA Decision	35 of 218	Agency produces potential conditions, draft CCR and review comments from Aboriginal groups	?	On track to meet milestone	?	?	?
Regional Assessment	Assessment by Committee	121 of 250	Draft Regional Assessment report completed and released for comment	November 1, 2019	On track to meet milestone	Committee	NLOPB, ECCC, DFO, NRCan, PCA, CIRNA, HC, TC, DND	The committee is currently conducting their analysis and drafting the report, along with additional engagement on the assessment

Anticipated Initial Project Descriptions in next 3 months

Project	Description	Regional Office	Anticipated PD Received date	Current Status
Projet Gazoduq	Construction and operation of an underground natural gas transmission line greater than 750 km long from the existing infrastructures in eastern Ontario to a future natural gas liquefaction complex (Énergie Saguenay Project) in Saguenay.	Québec	September 15, 2019	The project is under the responsibility of the NEB Under CEAA 2012. The proponent has initiated the pre-application process with the NEB under the NEB Act, but the process Under CEAA 2012 has not been triggered yet. The proponent is planning on submitting its project description shortly after the coming into force and its Impact Statement by the end of 2019.
Tilbury LNG Phase 2 Expansion	FortisBC proposes to expand its existing LNG production and storage facilities in Delta, BC. LNG production would be increased from 0.27 mtpa to 3.5 mtpa, and LNG storage would be increased from 46,000 m3 to 184,000 m3.	Pacific and Yukon	September 16, 2019	Draft PD received on July 16, 2019. Project likely to be captured under new Regulations and IAA. The official Project Description is expected to be submitted by mid-September 2019.
Prairie Lights Power Plant	The Project is a 360 megawatt sweet gas power plant. The Project will be located on provincial Crown land in the Municipal District of Greenview, Alberta.	Prairie and Northern	September 18, 2019	The official Project Description is expected to be submitted in fall 2019.
Hays LNG	Project includes the construction, operation and decommissioning of a fifteen million tonnes per annum liquefied natural gas (LNG) facility and marine terminal for the export of LNG and natural gas liquids to Asia-Pacific markets.	Pacific and Yukon	September 20, 2019	The Agency will provide comments on the proponent's draft Initial Project Description on August 28. The proponent has indicated that it intends to formally submit an Initial Project Description early Fall.
MTT Catalyst Recycling Facility	MTT Recycling Ltd. is proposing the construction and operation of the MTT Catalyst Recycling Facility (the Project), to be located in Nisku, Alberta. The facility would accept spent catalyst (i.e. hazardous waste), exclusively, from refineries and upgraders throughout Alberta and	Prairie and Northern	September 23, 2019	The official Project Description is expected to be submitted in fall 2019.

Project	Description	Regional Office	Anticipated PD Received date	Current Status
	convert it into hydrocarbons (i.e. diesel fuel) and metal concentrate for resale. The Project would consist of the construction of silos for the storage of spent catalyst, a hydrocarbon storage tank, a warehouse which will house processing equipment, and rail infrastructure for export of recycled products to international markets. The warehouse and rail infrastructure are existing on the proposed site.			
Value Chain Solutions Inc. Heartland Complex	The Value Chain Solutions Inc. Heartland Complex expansion is being proposed to produce premium medium crude oil products and higher value refined products such as high Cetane Diesel and Low Sulphur Marine Fuel. The first Phase design capacity is designed to produce 77.5 thousand barrels per day of diluted bitumen. With the expansion with growth potential planned to be 500+thousand barrels per day of diluted bitumen. The Project would be located in the Alberta Industrial Heartland northeast of Fort Saskatchewan.	Prairie and Northern	September 30, 2019	The official Project Description is expected to be submitted in fall 2019.
Castle Mountain Project	Teck intends to use the Castle deposit to increase the mine life at Fording Swift Operations, however keep the daily production capacity at the same rate of 27,400 t/d. Teck indicated that the Project would result in an increased surface disturbance of 41 %.	Pacific and Yukon	October 1, 2019	Initial discussion with proponent. Not yet clear if project will be captured under new regulations (if not, potential candidate for designation). PD expected by late fall 2019.
Elan South Coal Mine	The Elan South Coal Mine, proposed by Atrum Coal Ltd., is an open pit metallurgical coal mine located north of Blairmore, Alberta. The proponent is currently completing environmental baseline studies and field mapping/trenching to determine the extent of the coal reserve and to finalize the mine plan. At this time, the proponent has not confirmed the anticipated production capacity of the proposed mine. However, the Elan South coal deposit is estimated to contain a reserve of approximately 97 Mt of metallurgical coal and the proponent anticipates that the production capacity of the mine will exceed the threshold defined in the Regulations Designating Physical Activities.	Prairie and Northern	October 14, 2019	The Agency met with the proponent on June 10, 2019 to discuss the project and timing of regulatory submissions. The official Project Description is expected to be submitted in fall 2019.

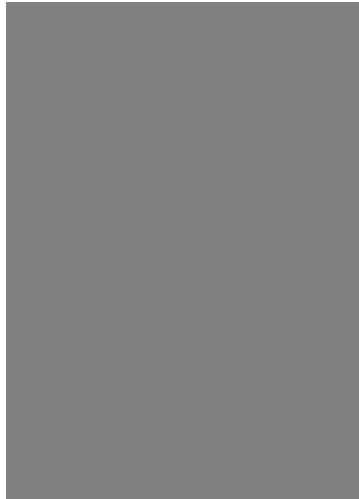
Project	Description	Regional Office	Anticipated PD Received date	Current Status
Cape Breton Island Airport	The proposed Cape Breton Island Airport will provide direct transportation access for tourists to western and northern Cape Breton Island. It will serve a broad range of small recreational and commercial general aviation aircraft. The proposed location of the airport is the southwest corner of Cape Breton Island, on a relatively flat plateau on Cambellton Mountain, approximately 8 km east of the town of Inverness. The site is Crown owned (Province of Nova Scotia) and accessible by an existing road.	Atlantic	November 1, 2019	The draft Project Description was submitted to the Agency on April 18, 2019. Comments regarding the draft Project Description were sent to the proponent on April 29, 2019. The Agency has no information on when a final Project Description will be submitted.
RAM Project	The proponent is proposing an in-situ bitumen harvesting, processing, and merchant customization project that would be located approximately 10 km south of Fort McMurray, AB. The maximum input capacity of the central processing facility at full buildout (up to eight phases) would be 50,876 m3/d. The proponent indicated that at this time, it is unsure of whether or not the Project will involve a rail component.	Prairie and Northern	November 1, 2019	The official Project Description is expected to be submitted in fall 2019.
Suncor Base Plant Expansion	The proponent is proposing an expansion to their base plant near Ft. MacMurray, AB.	Prairie and Northern	November 4, 2019	The official Project Description is expected to be submitted Fall 2019.

Impact Assessment Agency of Canada

Executive Organizational Structure

1. David McGovern – President
 - a. Jean-Sebastien Rochon - A/Director and Legal Counsel
 - b. Vacant – Chief of Staff
2. Terry Hubbard – Vice-President – Operations
 - a. Lisa Walls – Director General – Operations Transition and Readiness
 - b. Kurt Saunders – Director – Review Panels
 - c. Colette Spagnuolo – Acting Director General – Crown Consultation
 - d. Steve Chapman – Chief Science and Knowledge Officer
 - e. Jennifer Saxe – Director General – Regional Operations
 - i. Regina Wright – Regional Director – Pacific and Yukon
 - ii. Barbara Pullishy – Regional Director – Prairies and Northern
 - iii. Anjala Puvananathan – Regional Director – Ontario
 - iv. Anne-Marie Gaudet – Regional Director – Quebec
 - v. Mike Atkinson – Regional Director Atlantic
3. Alan Kerr – Vice-President – Corporate Services and CFO
 - a. Christopher Walters – Director – Communications
 - b. Jean-Paul Lalonde – Director – IM/IT
 - c. Vacant – Director – Finance and Administration and DCFO
 - d. Sylvain Campeau – Director – HR and Employee Wellness
 - e. Stewart Lindale – Acting Chief Innovation and Evolution Officer
 - f. Sharonne Katz – Director – Planning, Results and Executives Services
4. Christine Loth-Bown – Vice-President – External Relations and Strategic Policy
 - a. Eric Advokaat – Director General – Engagement
 - i. Erin Groulx – Director – Engagement
 - b. Brent Parker – Director General – Strategic Policy
 - i. Miriam Padolsky – Director – Science Policy
 - ii. Susan Winger – Director – Indigenous Policy
 - c. Vacant – Director General – Intergovernmental Affairs and Legislative and Regulatory Affairs
 - i. Tara Frezza – Director – Intergovernmental Relations
 - ii. Stephanie Lane – Director- Legislative and Regulatory Affairs

Alan Kerr, Vice-President, Corporate Services and Chief Financial Officer



Alan Kerr was appointed Vice-President of the Corporate Services Sector and Chief Financial Officer in 2016.

Prior to joining the Agency, Alan was General Manager responsible for ATCO's operations and business activities in Europe and the Middle East, based in Budapest, Hungary.

Alan held a variety of senior leadership roles with the Royal Canadian Navy and in National Defence Headquarters. He is a Chartered Professional Accountant (CPA) and a Chartered Management Accountant (CMA) and holds a Bachelor of Arts degree in Commerce and a Master of Science degree in National Resource Strategy and was recognized for his exceptional service and was appointed Officer of the Order of Military Merit by the Governor General of Canada in 2003.

Alan Kerr, Vice-président, Services intégrés et dirigeant principal des finances

Alan Kerr a été nommé vice-président des Services intégrés et dirigeant principal des finances en 2016.

Avant d'entrer au service de l'Agence, Alan était directeur général responsable des opérations et des activités commerciales d'ATCO en Europe et au Moyen-Orient, poste pour lequel il était affecté à Budapest, en Hongrie.

Alan a occupé plusieurs postes de direction dans la Marine royale canadienne et au quartier général de la Défense nationale. Il est comptable professionnel agréé (CPA) et comptable en management accrédité (CMA) et il détient un baccalauréat ès arts en commerce ainsi qu'une maîtrise ès sciences en stratégie nationale sur les ressources. En 2003, il a été honoré pour ses

services exceptionnels et nommé officier de l'Ordre du mérite militaire par le gouverneur général du Canada.

Terry Hubbard, Vice-President, Operations Sector



Terry Hubbard was appointed Vice-President of the Operations Sector on September 10, 2018.

Prior to joining the Agency, Terry was Director General of the Petroleum Resources Branch with Natural Resources Canada. In this role, he was responsible for Canada's oil and gas policy, including overseeing the development and implementation of Canada's pipeline safety and offshore oil and gas regulatory regimes.

Terry worked as the Government lead on legislative proposals to modernize the National Energy Board (NEB). He has significant background and experience on environmental assessment and regulatory matters having had the responsibility of policy oversight for the NEB and for the Canada-Newfoundland and Canada-Nova Scotia Offshore Petroleum Boards.

Terry graduated of the University of Saskatchewan where he obtained both his Bachelor and Master of Arts degrees in economics.

Terry Hubbard, Vice-président, secteur des Opérations

Avant de se joindre à l'Agence, Terry occupait le poste de directeur général au sein de la Direction des ressources pétrolières à Ressources naturelles Canada. À ce titre, il était responsable de la politique pétrolière et gazière du Canada, notamment en supervisant l'élaboration et la mise en œuvre des régimes canadiens de réglementation concernant la sécurité des pipelines et des hydrocarbures extracôtiers.

Terry a travaillé en tant que leader du gouvernement lors de propositions législatives visant à moderniser l'Office national de l'énergie (ONE). Il possède des connaissances et une expérience approfondies en matière d'évaluation environnementale et de questions réglementaires. Il était responsable de la surveillance des politiques à l'ONE et pour les Offices Canada–Terre-Neuve et Canada–Nouvelle-Écosse des hydrocarbures extracôtiers.

Terry est titulaire d'un baccalauréat et d'une maîtrise ès arts en économie de l'Université de la Saskatchewan.

Christine Loth-Bown, Vice-President of the External Relations and Strategic Policy Sector



Christine Loth-Bown is the Vice President of External Relations and Strategic Policy. She was appointed to this role in August 2018. Prior to this, she was the Vice President, Policy Development from April 2016 to August 2018. Reporting to the President, Christine is responsible for legislative, regulatory and policy elements of environmental assessment. In addition, she is responsible for external relations and engagement.

Before joining the Agency, Christine was the Director General of Ecosystems Management at Fisheries and Oceans Canada.

Christine has over 24 years experience in policy development and program implementation. She has held senior roles at the Canadian Tourism Commission (CTC) and Fisheries and Oceans Canada (DFO). Christine has led the development and implementation of legislation and regulations. She has also played a leadership role in the development of a number strategic policy initiatives, and corporate planning frameworks.

Christine holds a Master of Arts in Canadian Studies from Carleton University, Ottawa, Ontario and a Bachelor of Arts (Honours) in Canadian Studies and Political Science from Glendon College, York University, Toronto, Ontario.

She is a recreational boater and lives in Ottawa with her husband and son.

Christine Loth-Bown, vice-présidente du secteur des Relations extérieures et des Politiques stratégiques

Christine Loth-Bown est la vice-présidente du secteur des Relations extérieures et des Politiques stratégiques. Elle a été nommée à cette fonction en août 2018. Avant cela, elle était vice-présidente de l'Élaboration des politiques depuis avril 2016. Relevant du président, Christine est responsable des aspects législatifs, réglementaires et stratégiques de l'évaluation environnementale. Elle est également responsable des relations extérieures et de l'engagement.

Avant de se joindre à l'Agence, Christine était directrice générale de la Gestion des écosystèmes à Pêches et Océans Canada.

Christine possède plus de 24 ans d'expérience dans les domaines de l'élaboration de politiques et de la mise en œuvre de programmes. Elle a occupé des postes supérieurs à la Commission canadienne du tourisme et à Pêches et Océans Canada. Christine a dirigé l'élaboration et la mise en œuvre de lois et de règlements. Elle a aussi joué un rôle de leadership dans l'élaboration de plusieurs initiatives de politiques stratégiques et de cadres de planification intégrée.

Christine est détentrice d'une maîtrise ès arts en études canadiennes de l'Université Carleton, à Ottawa, et d'un baccalauréat ès arts (avec distinction) en études canadiennes et en sciences politiques du Collège Glendon de l'Université York, à Toronto, en Ontario.

Elle pratique la navigation de plaisance et vit à Ottawa avec son mari et son fils.

Canadian Environmental Assessment Agency Governance Committees

Table of Contents

Executive Steering (ES)3

Executive Management Coordination and Weekly Planning (EMC).....4

Senior Management Committee (SMC)5

Evolution Steering Committee (ESC)7

Human Resources Committee (HRC).....8

Finance and Corporate Planning Committee (FCPC)9

Policy and Operations Committee (POps)11

Information Management and Information Technology Committee (IM/ITC)13

Secretariat Roles and Responsibilities14

Best Practices for Preparing Documents for Committees and Collaboration.....15

Executive Steering (ES)

Executive Steering provides the key steering and priority-setting function for the Agency's overall governance. ES identifies key priorities for SMC and its sub-committees and adjusts Forward Agendas accordingly. This Committee supports the President in strategic decisions for the governance and functioning of the Agency.

ES meets at the discretion of the President.

Membership

- Chair
 - Ron Hallman, President
- Secretariat
 - Tammy Paul, Chief of Staff
- Members
 - Terry Hubbard, Vice President Operations
 - Alan Kerr, Vice-President, Corporate Services and Chief Financial Officer
 - Christine Loth-Bown, Vice-President, External Relations and Strategic Policy

Executive Planning and Coordination Committee (EPCC)

EPCC provides a weekly look-ahead for coordinating Agency activities and for tracking and managing identified issues. Members discuss upcoming issues and review key tracking documents including the Portfolio Look Ahead, Ministerial correspondence and upcoming Cabinet business.

Membership

- Chair
 - Ron Hallman, President
- Secretariat
 - Tammy Paul, Chief of Staff
- Members
 - John-Sébastien Rochon, A/Director, Legal Services and General Counsel
 - Terry Hubbard, Vice-President, Operations
 - Alan Kerr, Vice-President, Corporate Services and Chief Financial Officer
 - Christine Loth-Bown, Vice-President, External Relations and Strategic Policy
 - Jennifer Saxe, Director General, Regional Operations
 - Christopher Walters, Director, Communications

Senior Management Committee (SMC)

The Senior Management Committee is the Agency's key decision-making body. SMC reviews and approves key Agency policies as recommended by respective subcommittees. It also provides a forum to ensure information exchange across sectors and regions, and direction on Agency planning and reporting activities while coordinating the development of action plans and strategies to address Agency and Sector priorities. Updates and progress reports concerning high-profile projects and emerging issues/trends will be regular agenda items.

SMC also approves key Agency planning and reporting documents, including the Departmental Plan, the Departmental Results Report, and Annual Financial Statements. Memoranda to Cabinet or Treasury Board Submissions may also be provided to SMC for review.

SMC meets bi-weekly or as required by the Chair.

Membership

- Chair
 - Ron Hallman, President
- Vice Chair
 - Christine Loth-Bown, Vice-President, External Relations and Strategic Policy
- Secretariat
 - Mary Kay Lamarche, Evaluation Manager
- Members
 - Eric Advokaat, Director General, External Relations and Engagement
 - Mike Atkinson, Regional Director, Atlantic
 - Doris Aubin, Director General, Crown Consultations
 - Sylvain Campeau, Director, Human Resources and Wellness
 - Steve Chapman, Chief Science and Knowledge Officer
 - Anne-Marie Gaudet, Regional Director, Quebec
 - Erin Groulx, Director, Engagement
 - Terry Hubbard, Vice-President, Operations
 - Alan Kerr, Vice-President, Corporate Services and Chief Financial Officer
 - Jean-Paul Lalonde, Director, Information Services and Chief Information Officer
 - Stewart Lindale, Chief Innovation and Transformation Officer
 - Miriam Padolsky, Director, Science Policy
 - Brent Parker, A/Director General, Strategic Policy
 - Tammy Paul, Chief of Staff
 - Sharonne Katz, Director, Planning, Results and Executive Services
 - Barbara Pullishy, Regional Director, Prairie and Northern Region
 - Anjala Puvananathan, Regional Director, Ontario
 - Jean-Sébastien Rochon, A/Director, Legal Services, and General Counsel
 - Serge Samoïsette, Director, Finance and Administration and Deputy Chief Financial Officer
 - Kurt Saunders, Director, Review Panels
 - Jennifer Saxe, Director General, Regional Operations
 - Lisa Walls, Director General, Operations Transition and Readiness
 - Christopher Walters, Director, Communications
 - Susan Winger, Director, Indigenous Policy

- Regina Wright, Regional Director, Pacific and Yukon
- Tara Frezza, A/Director, Intergovernmental Affairs
- Stephanie Lane, A/Director, Legislative and Parliamentary Affairs

Evolution Steering Committee (ESC)

The Evolution Steering Committee provides oversight and strategic direction to facilitate the implementation of Bill C-69 and to enable the Canadian Environmental Assessment Agency's transition to the Impact Assessment Agency of Canada. It complements but does not replace or duplicate existing committee roles and mandates. ESC reviews and provides direction to key responsible delivery agents on strategic priorities and potential delivery risks. The Committee supports organizational communication, coordination and alignment, and tracks overall progress on the implementation of Bill C-69.

SMC, the President, or the Minister of Environment and Climate Change will approve implementation products and processes depending on the issue. ESC may task SMC, HRC, FCPC, POps, and IM/ITC with specific activities to ensure that appropriate recommendations pertaining to the approval of Bill C-69 implementation products and processes are provided for approval.

ESC meets weekly or as required.

Membership

- Chair
 - Ron Hallman, President
- Secretariat
 - Stewart Lindale, Chief Innovation and Transformation Officer
- Members
 - Terry Hubbard, Vice-President, Operations
 - Alan Kerr, Vice-President, Corporate Services and Chief Financial Officer
 - Christine Loth-Bown, Vice-President, External Relations and Strategic Policy
 - Tammy Paul, Chief of Staff
 - Jean-Sébastien Rochon, A/Director, Legal Services and General Counsel
 - Lisa Walls, Director General, Regional Operations Transition and Readiness

Human Resources Committee (HRC)

The Human Resources Committee provides ES advice related to overall human resources management, including executive resourcing, workforce- and workplace-related matters. HRC also provides a forum for advancing Public Service Renewal initiatives and aligning the HR Strategy to support key government initiatives or objectives.

The Committee addresses workforce and workplace issues, including HR planning, labour relations, classification, resourcing, employment equity, official languages, compensation, values and ethics, employee well-being, harassment prevention, training and development, awards and recognition, occupational health and safety, and performance management activities.

The Committee approves guidelines to address items within its mandate and makes recommendations to SMC when new policies or adjustments to existing policies are required.

HRC meets bi-monthly or as determined by the Chair.

Membership

- Chair
 - Ron Hallman, President
- Vice-Chair
 - Terry Hubbard, Vice-President, Operations
- Ex Officio
 - Alan Kerr, Vice-President, Corporate Services and Chief Financial Officer
 - Christine Loth-Bown, Vice-President, External Relations and Strategic Policy
- Secretariat
 - Stephanie Lewis, Administrative Assistant, Human Resources
- Members
 - Sylvain Campeau, Director, Human Resources and Wellness
 - Anne-Marie Gaudet, Regional Director, Quebec
 - Erin Groulx, Director, Engagement (Training on IA)
 - Michèle Scrimger, Manager, Centre of Expertise
 - Miriam Padolsky, Director, Science Policy (attends as Champion for Blueprint 2020)
 - Anjala Puvananathan, Regional Director, Ontario
 - Serge Samoisette, Director, Finance and Administration and Deputy Chief Financial Officer
 - Jennifer Saxe, Director General, Regional Operations

Finance and Corporate Planning Committee (FCPC)

The Finance and Corporate Planning Committee advises the President and SMC in fulfilling the Agency's obligations related to financial management, corporate planning, administration services and reporting activities. FCPC is responsible for ensuring overall sound financial management and stewardship of the Agency's financial resources and for providing oversight of administration services including contracting activities. FCPC develops and approves the Agency's long-term strategic corporate, financial and administration services plans. FCPC also reviews and recommends for SMC approval financial, and administration management policy instruments, business cases, major resource allocation requests; and monitoring and reporting on the Agency's overall financial and administrative performance.

FCPC also supports the President in fulfilling responsibilities related to the Agency's system of internal control as outlined in the Policy on Financial Management and the *Financial Administration Act*.

The Committee provides advice on the interpretation and application of existing or proposed government and Agency financial and administration policies and procedures, financial forecasts and reports, financial controls and compliance monitoring, resource allocation and re-allocation, administration services including procurement, internal or external audit and evaluation reports, and associated management action plans, and corporate planning and reporting activities including the Departmental Plan, the Departmental Results Report and the Management Accountability Framework.

The Committee approves guidelines to address items within its mandate and makes recommendations to SMC when new policies or adjustments to existing policies are required. The Committee approves periodic Agency financial forecasts and procurement reports, and recommends quarterly and annual financial or corporate reports for SMC consideration.

The following are sub Working Groups to FCPC

- Business Continuity Plan Working Group
- Grants and Contributions Oversight Committee: Under development
- National Policy Committee for Occupational Health and Safety: Under development
- Agency Debt Write-off Committee

FCPC meets bi-monthly or as determined by the Chair.

Membership

- Chair
 - Ron Hallman, President
- Vice Chair
 - Alan Kerr, Vice-President, Corporate Services and Chief Financial Officer
- Ex Officio
 - Terry Hubbard, Vice-President, Operations
 - Christine Loth-Bown, Vice-President, External Relations and Strategic Policy
- Secretariat
 - Lori Morse, Administrative Assistant, Finance and Administration
- Members

- Eric Advokaat, Director General, External Relations and Engagement
- Mike Atkinson, Regional Director, Atlantic
- Doris Aubin, Director General, Crown Consultations
- Sylvain Campeau, Director, Human Resources and Wellness
- Sharonne Katz, Director, Planning, Results and Executive Services
- Serge Samoisette, Director, Finance and Administration, and Deputy Chief Financial Officer
- Kurt Saunders, Director, Review Panels
- Lisa Walls, Director General, Regional Operations Transition and Readiness
- Tara Frezza, A/Director, Intergovernmental Affairs

Policy and Operations Committee (POps)

The Policy and Operations Committee discusses implementation of existing and future legislation (including but not limited to *Canadian Environmental Assessment Act, 2012*, the James Bay and Northern Quebec Agreement, and the Northeastern Quebec Agreement, the proposed Impact Assessment Act), regulations, agreements, policies, Cabinet Directives and operational guidance on the proposed Impact Assessment Act including approaches to Indigenous consultation and public engagement. This collaboration and sharing of best practices across sectors and regions helps the Agency identify appropriate solutions. The Committee also provides advice and guidance on proposed new or revised work in those areas. Updates and progress reports concerning high-profile projects and emerging issues/trends are also regular agenda items.

The Committee approves guidelines to address items within its mandate and makes recommendations to SMC when new policies or adjustments to existing policies are required.

POps meets bi-weekly or as determined by the Chair.

Membership

- Chair
 - Christine Loth-Bown, Vice-President, External Relations and Strategic Policy
- Vice Chair
 - Terry Hubbard, Vice-President, Operations
- Ex Officio
 - Jean-Sébastien Rochon, A/Director, Legal Services and General Counsel
 - Alan Kerr, Vice-President, Corporate Services and Chief Financial Officer
- Secretariat
 - Audra White, Junior Policy Analyst, Science Policy
- Members
 - Eric Advokaat, Director General, External Relations and Engagement
 - Mike Atkinson, Regional Director, Atlantic
 - Doris Aubin, Director General, Crown Consultations
 - Sylvain Campeau, Director, Human Resources and Wellness
 - Steve Chapman, Chief Science and Knowledge Officer
 - Jean-Philippe Croteau, Manager, Environmental Assessments
 - Anne-Marie Gaudet, Regional Director, Quebec
 - Erin Groulx, Director, Engagement
 - Mary Kay Lamarche, Evaluation Manager, Planning, Results and Executive Services
 - Jean-Paul Lalonde, Director, Information Services and Chief Information Officer
 - Stewart Lindale, Chief Innovation and Transformation Officer
 - Steve Mongrain, Senior Policy Advisor
 - Miriam Padolsky, Director, Science Policy
 - Brent Parker, A/Director General, Strategic Policy
 - Lisa Poier, A/Associate Regional Director, Pacific and Yukon
 - Barbara Pullishy, Regional Director, Prairie and Northern Region
 - Anjala Puvananathan, Regional Director, Ontario
 - Serge Samoisette, Director, Finance and Administration and Deputy Chief Financial Officer
 - Kurt Saunders, Director, Review Panels
 - Jennifer Saxe, Director General, Regional Operations

- Colette Spagnuolo, Associate Director, Review Panels
- Lisa Walls, Director General, Regional Operations Transition and Readiness
- Christopher Walters, Director, Communications
- Susan Winger, Director, Indigenous Policy
- Regina Wright, Regional Director, Pacific and Yukon
- Tara Frezza, A/Director, Intergovernmental Affairs
- Stephanie Lane, A/Director, Legislative and Parliamentary Affairs

Information Management and Information Technology Committee (IM/ITC)

The Information Management and Information Technology Committee provides advice on the Agency's IM/IT and ATIP requirements, including the implementation of the Agency's IM/IT strategic plan, oversight of IM/IT investments and alignment of IM/IT actions and initiatives with Agency priorities and government direction. IM/ITC assists SMC in fulfilling its obligations related to achieving and maintaining compliance with all relevant government IM/IT and Access to Information and Privacy policies and standards.

The Committee approves guidelines to address items within its mandate and makes recommendations to SMC when new policies or adjustments to existing policies are required.

IM/ITC meets quarterly or as determined by the Chair.

Membership

- Chair
 - Alan Kerr, Vice-President, Corporate Services and Chief Financial Officer
- Vice Chair
 - Jean-Paul Lalonde, Director, Information Services and Chief Information Officer
- Ex Officio
 - Terry Hubbard, Vice-President, Operations
 - Christine Loth-Bown, Vice-President, External Relations and Strategic Policy
- Secretariat
 - David Deshaies, Project Manager
- Members
 - Steve Chapman, Chief Science and Knowledge Officer
 - Dave Kowalski, Performance and Evaluation Officer
 - Brent Parker, A/Director General, Strategic Policy
 - Barbara Pillishy, Regional Director, Prairie and Northern Region
 - Natercia Quintanilha, Manager, CEA Registry
 - Shelley Rolland-Poruks, Manager, Corporate and Digital Communications
 - Stephanie Lane, A/Director, Legislative and Parliamentary Affairs

Secretariat Roles and Responsibilities

Each Committee will maintain a Secretariat. The Secretariat is responsible for:

- 1) Maintaining a forward agenda and coordinating items with SMC and other committees, as appropriate.
- 2) Ensuring consistent reporting out of meeting agendas and decisions on Atrium in the correct format within 10 business days of each meeting.
- 3) Utilizing the generic Governance/Gouvernance e-mail address for booking all meetings and for communications with members. As a best practice, secretariats may choose to create an email distribution list for its committee members to facilitate easy communications.
- 4) Maintaining an up-to-date listing of the membership of its Committee representatives and proposing membership changes to the Corporate Secretariat as they arise. Membership changes are recommended by respective Vice-Presidents for approval of the President. Once membership changes are approved, updating the outlook generic email distribution list for the committee.
- 5) Maintaining records, as appropriate, on GCDocs and distributing documents, at least 48 hours in advance, by providing links to GCdocs, as appropriate, rather than creating paper binders or emailing large documents. The Secretariats will appropriately maintain permissions in GCdocs for the security of the documents.
- 6) Ensuring bilingual SMC materials are provided to members in advance of the meetings in accordance with Agency service standards. Agenda items for which materials are not ready for distribution may be deferred to a subsequent meeting.

Please note that a pre-brief may be scheduled for all committees chaired by the President. When any changes are made to documents prior to the pre-brief, please inform the Secretariat in advance of the pre-brief to ensure appropriate documents are distributed.

Best Practices for Preparing Documents for Committees and Collaboration

- **Be conscious of the purpose of the item when preparing documents:** Documents must be concise and to the point. Clearly establish the objective of the item and what you are seeking of the committee and the level of information that is required for committee consideration. Be conscious of the time allotted for the agenda item. In general terms, a briefing deck is the most effective tool to provide a roadmap for an effective and efficient discussion of most items.
- **Be clear in the decision/feedback you are seeking:** Be targeted in the feedback you are seeking. Be pointed in the presentation, as to what input is being sought and as to what decisions you are seeking. Presenters may wish to ask targeted questions in pre-material sent to committee members. In the presentation, be clear as to who was consulted and what the result of those consultations bore. In seeking feedback, be conscious of the decentralized Agency work force when seeking input (time zones, different contexts, roles and responsibilities).
- **Prepare and provide documents well in advance:** Provide bilingual presentation documents to the Secretariat in accordance with Agency service standards to ensure they can be distributed to members in time to review before committee meetings. Agenda items may be deferred to subsequent meetings if documents are not available in time.
- **Be open to feedback at sessions:** Collaborate before bringing an item forward for decision to ensure key perspectives are integrated. Be open to feedback. Collaboration brings diversity of views and allows the Agency to build better solutions. Recognize that you as the presenter may be the subject matter expert, but you may not be aware of competing activities or the full impact on the Agency.
- **Understand whom the consulted party represents:** Themselves, their group, their sector, the regions (i.e. when speaking with a regional rep that does not mean they speak for all). Adjust routing slips on decision documents to identify key consulted parties.
- **Present document as if participants have read documentation prior to meeting:** Do not read slides, but ensure you address the most salient issues. Meetings are for seeking feedback and/or approval.



Overview of the *Impact Assessment Act*

Level 1 Training

Outline

- **Module 1 – Introduction**
- **Module 2 – Overview of the *Impact Assessment Act* and Regulations**
- **Module 3 – Cooperation and Participation**
- **Module 4 – Impact Assessment Process**
- **Module 5 – Other Relevant Provisions**
 - **Transitional Provisions**
 - **Federal Lands**
 - **Regional and Strategic Assessments**



Module 1 - Introduction



What is an Impact Assessment

It is a planning and decision-making tool used to assess:

- positive and negative environmental, economic, health, and social effects of proposed projects
- impacts to Indigenous groups and rights of Indigenous peoples

The *Impact Assessment Act* outlines a process for assessing the impacts of major projects and projects carried out on federal lands or outside of Canada.

The **Impact Assessment Agency of Canada** is responsible for conducting impact assessments under the *Impact Assessment Act*

Purposes of the *Impact Assessment Act*

- To foster **sustainability**, ensure respect of Government's commitments with respect to the **rights of Indigenous peoples**
- To include environmental, social, health and economic factors within the **scope of assessments**
- To establish a **fair, predictable** and **efficient** impact assessment process that enhances Canada's **competitiveness** and promotes **innovation**
- To consider **positive** and **adverse effects**
- To include early, inclusive and meaningful **public engagement**
- To promote nation-to-nation, Inuit-Crown, and government-to-government **partnerships with Indigenous peoples**
- To ensure **decisions** are based on **science**, **Indigenous knowledge** and other sources of **evidence**
- To assess **cumulative effects** within a region

Module 2 – Overview of the *Impact Assessment Act* and Regulations



The *Impact Assessment Act*

The *Impact Assessment Act*:

- Lays out the impact assessment process and timelines
- Identifies factors that must be taken into account during the impact assessment and decision-making
- Provides tools to support cooperation and coordination with other jurisdictions
- Enables the Agency to support participant engagement through funding programs
- Requires transparency through information made publicly available on the Registry
- Provides tools and authorities to ensure compliance

Projects Subject to the Act

- Designated projects are described in the *Physical Activities Regulations* (Project List)
- Minister may designate any project not described in regulations, based on factors set in the legislation
- Non-designated projects on federal lands and outside Canada are assessed by federal authorities before decisions are made

Project Examples

Major projects within the following sectors or groups can be found on the Project List:

- Renewable energy
- Oil and gas
- Linear and transportation-related
- Marine and freshwater
- Mining
- Nuclear
- Hazardous waste
- Federal lands and protected areas



Regulations

Designated Projects

Physical Activities Regulations

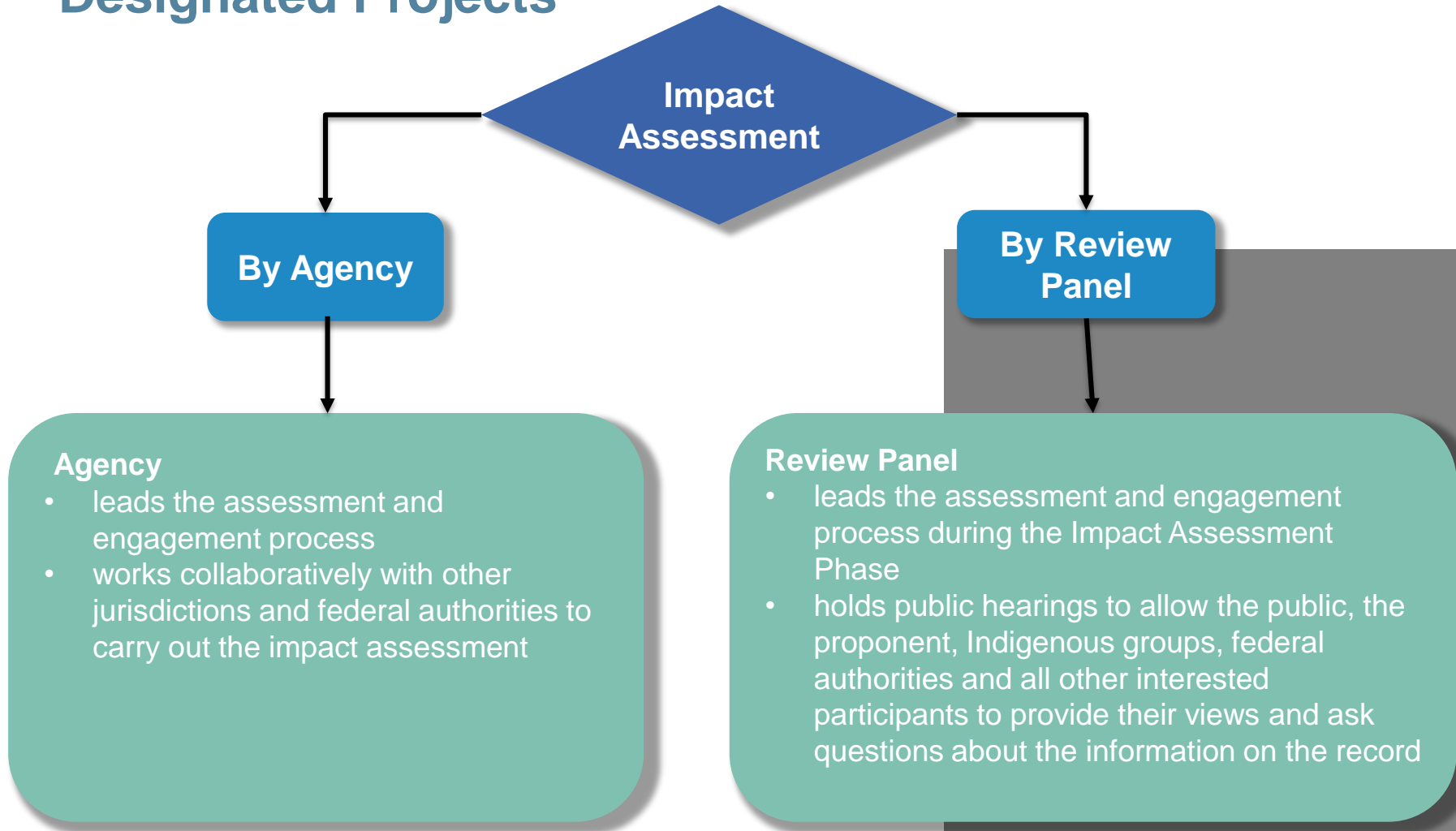
- Describes designated projects (Project List)
- The Project List focuses federal impact assessments on projects that have the most potential for adverse environmental effects in areas of federal jurisdiction

Information and Management of Time Limits Regulations

- Outlines the information that the proponent must provide to support early planning
- Outlines the documents the Agency must provide to guide the impact assessment
- Provides the circumstances in which the Agency may suspend the legislated timelines

Types of Impact Assessment

Designated Projects



Prohibitions

Designated Projects

ss.7(1)

A proponent is prohibited from carrying out a **designated project**, in whole or in part, if it may cause effects that are within federal jurisdiction **unless**:

- No impact assessment is required
- Proponent complies with the conditions of the decision statement; or
- Agency permits the proponent to carry out an act or thing, subject to any conditions in order to provide the necessary information required for a possible impact assessment

Federal authorities are prohibited from making any decision that would enable a **designated project** to be carried out **unless**:

- **no impact assessment is required**; or
- **the effects** of the designated project **are in the public interest**

Module 3 – Cooperation and Participation



Participants Involved in the Impact Assessment Process



Proponent



Indigenous Groups



Public



Federal Jurisdictions



Other Jurisdictions



Impact Assessment
Agency of Canada



Minister



Governor in Council



Review Panel

Cooperation with other Jurisdictions

“One project, one assessment”

By working with other jurisdictions in impact assessments, we can reduce duplication and increase efficiency and certainty.

Ways We Can Cooperate



Cooperation with Jurisdictions

Cooperation agreements with jurisdictions to ensure coordinated assessments

Par.114(1)(c)

Tools to improve efficiency and effectiveness: delegation, substitution and joint review panels

s.29

ss.31(1)

ss.39(1)

Benefits

“one project, one assessment”

EFFICIENCY

Reduced duplication, shared activities, joint documentation

CLARITY

Clear, predictable process, leading to a common understanding of the evidence and potential impacts

RIGOUR

Meets the requirements of all jurisdictions



Participation of Indigenous Peoples

Agency coordinates engagement and consultation for all federal assessments (par.155(b))

Must take into account Indigenous-led assessments and Indigenous knowledge, rights and culture (ss.22(1))

Indigenous governments have greater opportunities to exercise powers and duties under the Act (par.114(1)(d) and (e)).

Objectives: Rights of Indigenous peoples are respected; greater opportunities and support for capacity to participate in impact assessments

Adverse impacts on rights must be considered in key decisions (ss. 9(2), ss.16(2), ss.63(d))



Public Participation and Transparency

Objectives:

- greater public trust in impact assessment and decision-making
- timely opportunities for meaningful public participation



- **Meaningful public participation** opportunities available during early planning and impact assessment (s.27) and (par.51(1)c)
- **Meaningful public participation** based on principles that are defined in the [Interim Context](#): Public Participation under the Impact Assessment Act
- Enhanced **Canadian Impact Assessment Registry** to provide greater access to information, including rationale for decisions (s.104-108)
- **Participant funding program** to include broader eligible activities (s.75)

Module 4 – Impact Assessment Process



Impact Assessment Process Overview

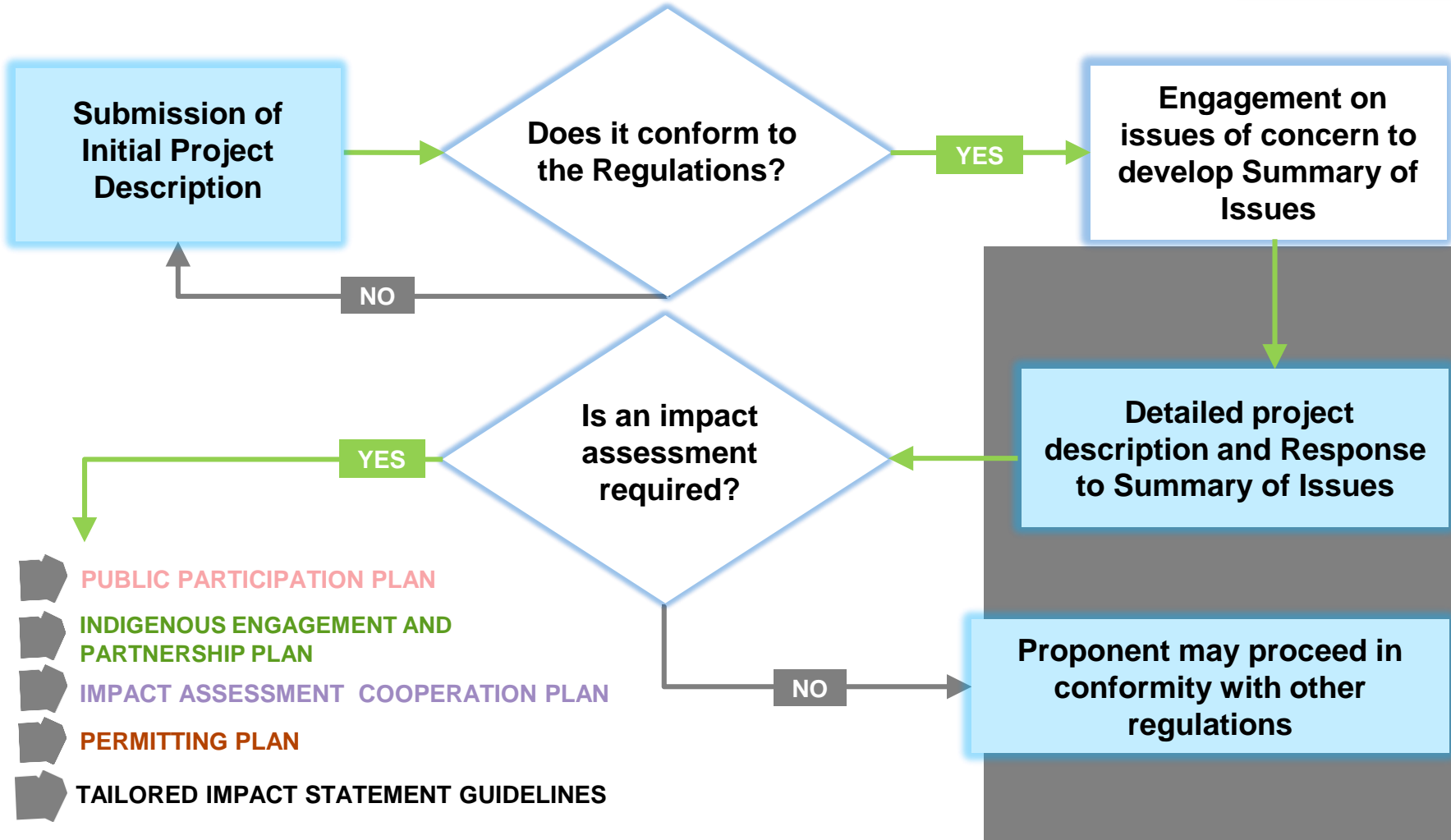


Phase 1: Planning

TIMEFRAME: 180 DAYS

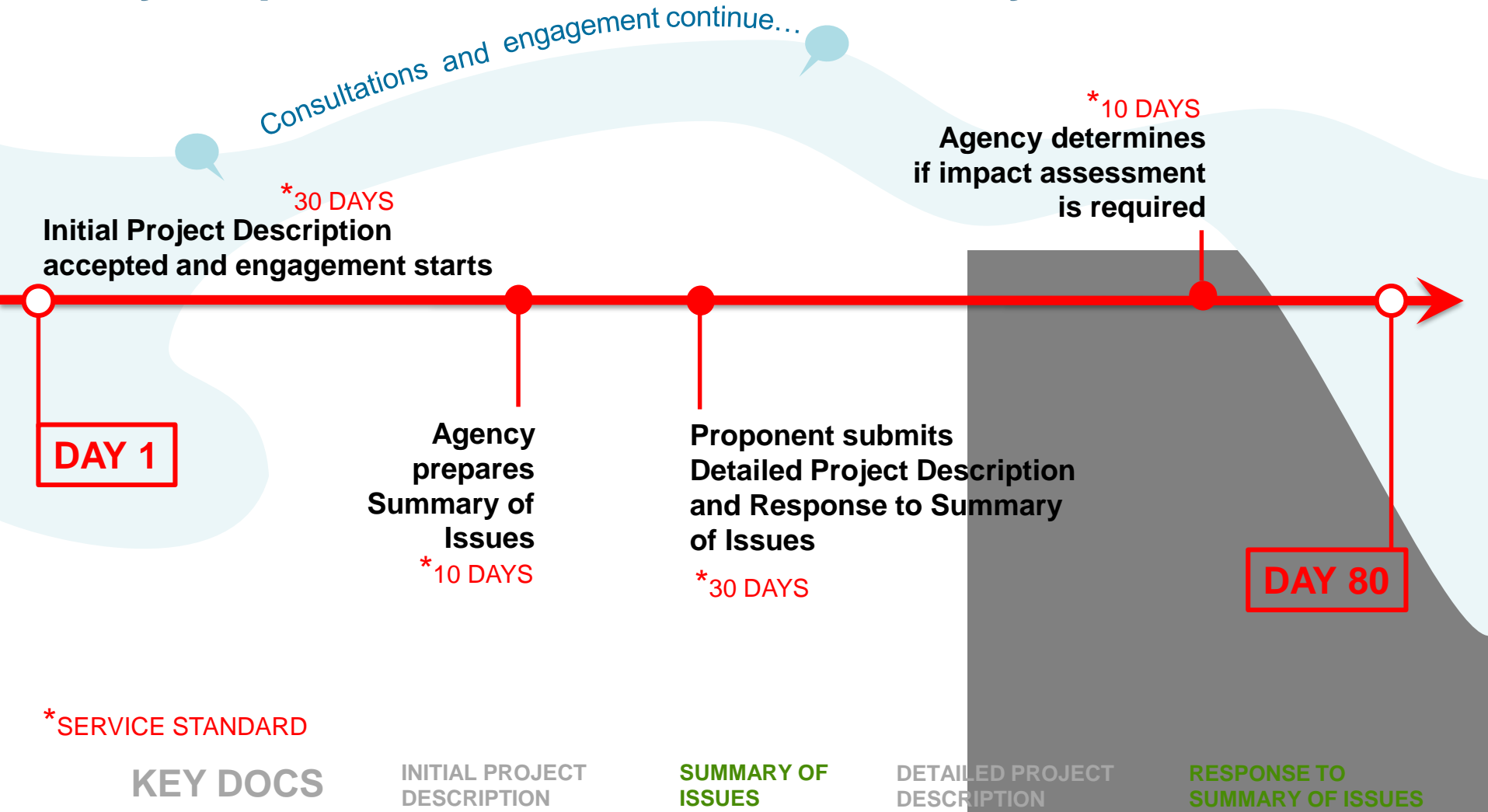
Agency decision

Proponent



Phase 1: Planning

Key Steps and Timelines for First 80 Days



Phase 1: Planning

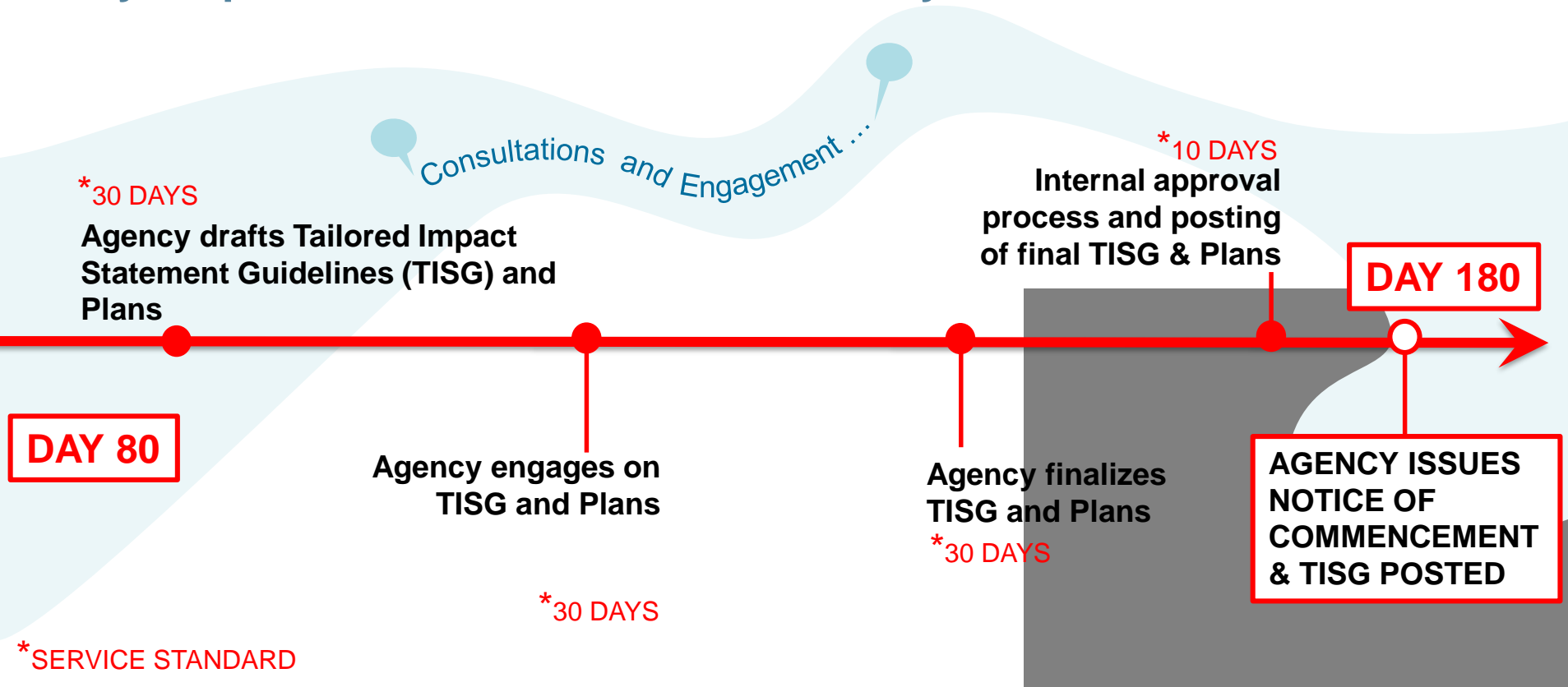
The first 80 days

Purpose

- To introduce proposed projects into the impact assessment process
- To engage with Indigenous peoples and the public to identify issues and concerns, including potential impacts to Indigenous rights, related to proposed projects
- To produce a Detailed Project Description and to respond to identified issues and concerns
 - Proponents may alter the project description to respond to issues and concerns or to alter project design
 - This early planning opportunity can help avoid key issues coming up later in the assessment process
- To determine whether an impact assessment is required

Phase 1: Planning

Key Steps and Timelines For Next 100 Days



KEY DOCUMENTS

- IMPACT ASSESSMENT COOPERATION PLAN
- INDIGENOUS ENGAGEMENT PARTNERSHIP PLAN
- PERMITTING PLAN
- PUBLIC PARTICIPATION PLAN



TAILORED IMPACT STATEMENT GUIDELINES

Phase 1: Planning

The remaining 100 days

Purpose

- To identify opportunities and plan for collaboration/cooperation with other jurisdictions
 - Impact Assessment Cooperation Plan
- To provide clarity and certainty around meaningful participation and consultation throughout the impact assessment process
 - Public Partnership Plan
 - Indigenous Engagement and Partnership Plan
- To provide clarity to proponents on anticipated regulatory needs for the project to proceed
 - Permitting Plan
- To tailor guidelines that will clearly identify studies and information requirements for the Impact Statement developed by the proponent
 - Tailored Impact Statement Guidelines

Phase 1: Tailored Impact Statement Guidelines and Scope of Factors to be considered

The **Tailored Impact Statement Guidelines** outline all information and studies the Agency determines necessary to conduct the impact assessment

- The Agency will consult with Federal Authorities, other participants and experts
- The Guidelines form the basis of the proponent's Impact Statement preparation
- The Impact Statement must meet the requirements identified in the Guidelines

The Agency determines the **scope** of the **impact assessment factors** to be taken into account in the Impact Statement and outlines the scope in the Guidelines



Phase 1: Factors to be Considered in an Impact Assessment

Subsection 22(1)

(a)	Changes to the environment or to health, social or economic conditions (including malfunctions, accidents and cumulative effects)
(b)	Mitigation measures
(c)	Impacts on any Indigenous group and on the rights of Indigenous peoples
(d)	The purpose and need for the project
(e)	Alternative means of carrying out the project
(f)	Alternatives to the designated project
(g)	Indigenous knowledge provided with respect to the designated project
(h)	The extent to which the designated project contributes to sustainability
(i)	The extent to which the effects of the designated project hinder or contribute to the Government of Canada's ability to meet its environmental obligations and its commitments in respect of climate change
(j)	Any change to the designated project that may be caused by the environment
(k)	The requirements of the follow-up program in respect of the designated project

Phase 1: Factors to be Considered in an Impact Assessment (continued)

Subsection 22(1)	
(l)	Considerations related to Indigenous cultures raised with respect to the designated project
(m)	Community knowledge provided with respect to the designated project
(n)	Comments received from the public
(o)	Comments from a jurisdiction that are received in the course of consultations conducted under section 21
(p)	Any relevant assessment referred to in section 92, 93 or 95
(q)	Any assessment conducted by or on behalf of an Indigenous governing body
(r)	Any study or plan that is conducted or prepared by a jurisdiction — or an Indigenous governing body — that is in respect of a region related to the designated project
(s)	The intersection of sex and gender with other identity factors
(t)	Any other matter relevant to the impact assessment that the Agency or the Minister requires to be taken into account

Phase 1: Guidance on Planning Phase Documents

The Practitioner's Guide to Federal Impact Assessments under the *Impact Assessment Act* contains documents and templates to guide practitioners in the development of Planning Phase documents:

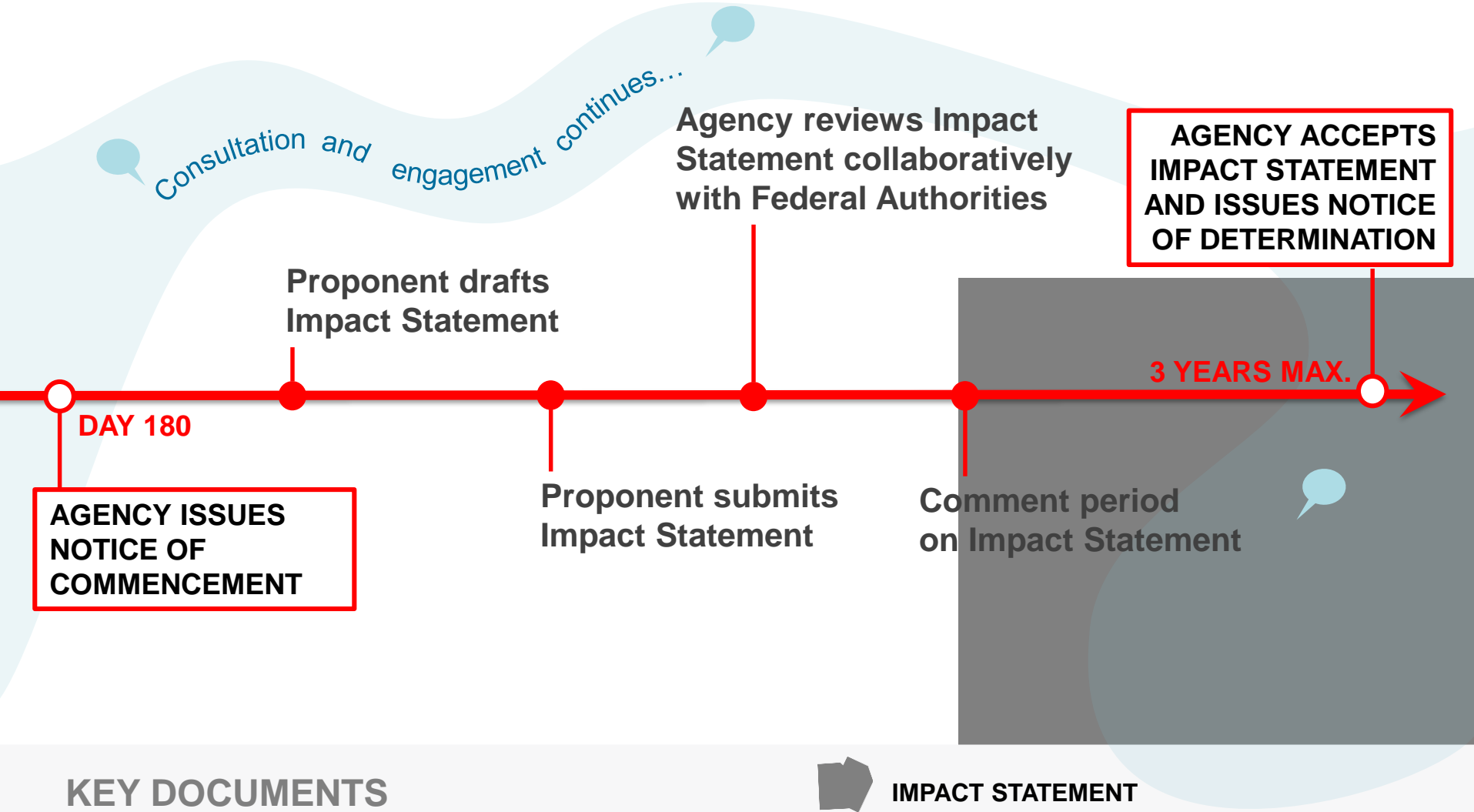
Overview document	Template
Cooperation Plan	Cooperation Plan Template
Permitting Plan	Permitting Plan Template
Public Participation Plan	Public Participation Plan Template
Indigenous Engagement and Partnership Plan	Indigenous Engagement and Partnership Plan Template
(Not applicable)	Tailored Impact Statement Guidelines Templates

Phase 1: Objectives of Products

Initial Project Description	High-level description of the proposed project
Summary of Issues	List of issues provided by the Agency following engagement and cooperation discussions
Response to the Summary of Issues	Notice prepared by the proponent outlining how they plan to address the issues described in the Summary of Issues
Detailed Project Description	Document containing updated information about the designated project and information about the possible environmental, social, health and economic effects of the project
Public Participation Plan	Document outlining how the public would be engaged throughout the impact assessment process
Indigenous Engagement and Partnership Plan	Document describing how Indigenous groups would be engaged throughout the impact assessment process
Impact Assessment Cooperation Plan	Document describing how the Agency will work with other jurisdictions throughout the impact assessment process
Permitting Plan	Document outlining the anticipated permits, licenses and authorizations required for the designated project
Tailored Impact Assessment Guidelines	Document outlining the information required in the proponent's Impact Statement
Notice of Commencement	Notice issued by the Agency before the end of the 180-day time limit that sets out the information and studies necessary to conduct the impact assessment

Phase 2: Impact Statement

Key Steps and Timelines



Phase 2: Impact Statement Process

Purpose

To outline and evaluate impacts of a project (Proponent)

- **Proponent** prepares its **Impact Statement** based on the Tailored Impact Statement Guidelines
 - These guidelines are the result of **scoping** that took place in the Planning Phase
 - They describe the necessary information and studies that are required in the proponent's Impact Statement
- **Proponent** gathers information through studies and by engaging with **Indigenous groups** and the **public** to inform the **Impact Statement**
- **Proponent** seeks advice from the **Agency** and federal authorities, as necessary, to better reflect the guideline requirements in the Impact Statement

Phase 2: Impact Statement

Determining if Information Requirements are Met

The Agency determines whether the information requirements set out in the Tailored Impact Statement Guidelines have been met, informed by contributions from:

- Federal authorities
- Other jurisdictions
- Indigenous groups
- Public or other participants

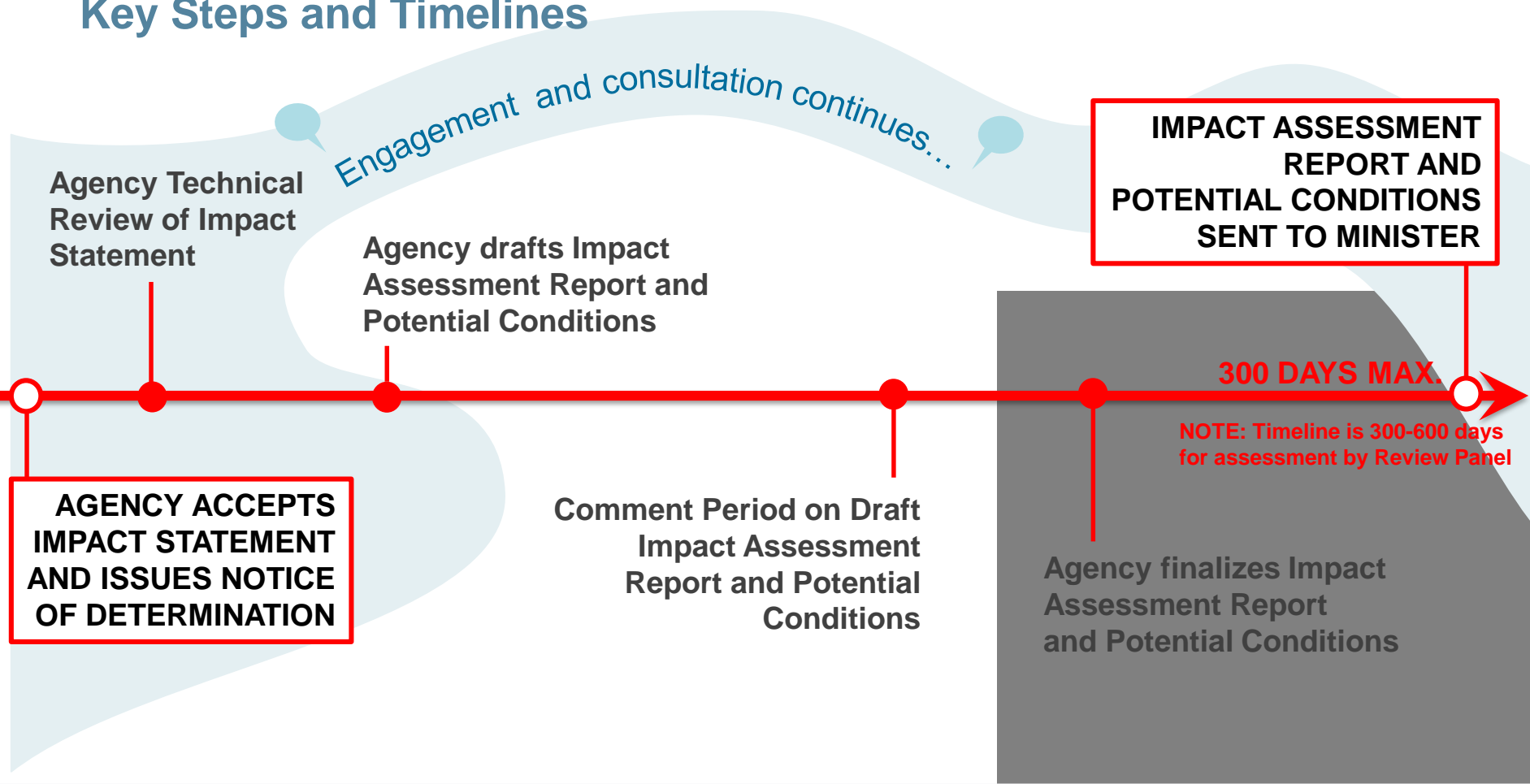
Where information requirements have not been met, the Agency will request this information from the proponent

No new information beyond what was required in the Guidelines can be requested without strong rationale

The Agency accepts the Impact Statement and posts a Notice of Determination once they are satisfied that it meets requirements detailed in the Guidelines

Phase 3: Impact Assessment

Key Steps and Timelines



KEY DOCUMENTS

POTENTIAL CONDITIONS CONSULTATION REPORT



FINAL IMPACT ASSESSMENT REPORT

Phase 3: Impact Assessment

Impact assessments

- Consider sustainability, the positive and negative environmental, health, social and economic impacts of designated projects, including gender based analysis plus
- Take into account a number of factors that include a consideration of Indigenous rights, knowledge and culture
- Are conducted by either the Agency or a review panel

ss.22(1)

ss.22(1)

s.25

ss.51(1)

Phase 3: Impact Assessment Process

Purpose

To outline and evaluate impacts of a project (Agency), including

- Analysis of the Proponent's Impact Statement
 - Technical review of the Impact Statement
- Preparation of a draft Impact Assessment Report and draft potential conditions
 - Engagement with public and Indigenous groups to seek their views
 - Consultation with Indigenous groups
 - Potentially, co-development of parts of Impact Assessment Report and potential conditions with Indigenous groups
- Finalized Impact Assessment Report and potential conditions that are sent to the Minister to inform the public interest decision

Phase 3: Impact Assessment Report

Document that supports the Minister's public interest determination

ss.60(1)

The report must include:

- Analysis of positive and adverse effects that may be caused by the project, taking into account all impact assessment factors
- Adverse effects within federal jurisdiction or that are “direct or incidental” (result from federal decisions) and the extent to which those effects are significant
- How the Agency / Review Panel took into account and used any Indigenous knowledge provided
- Summary of any comments received from the public
- Recommendations with respect to any mitigation measures and follow-up program, including Agency / Review Panel's rationale and conclusions

ss.22(1)

Phase 3: Impact Assessment

Assessments by Review Panel

- **Within 45 days of the notice of commencement**, the Minister may refer an impact assessment to a review panel if he/she considers it is in the public interest
- The review panel **holds hearings** open to the public and prepares the **Impact Assessment Report**
- All impact assessments of designated projects regulated by the **Canada Energy Regulator** and **Canadian Nuclear Safety Commission** are referred to an integrated review panel. This panel process meets the requirements of the respective regulators' Acts and the *Impact Assessment Act*, resulting in one report (including proposed conditions)

ss.36(1)

par.51(1)(c)

s.43

ss.51(2)(3)

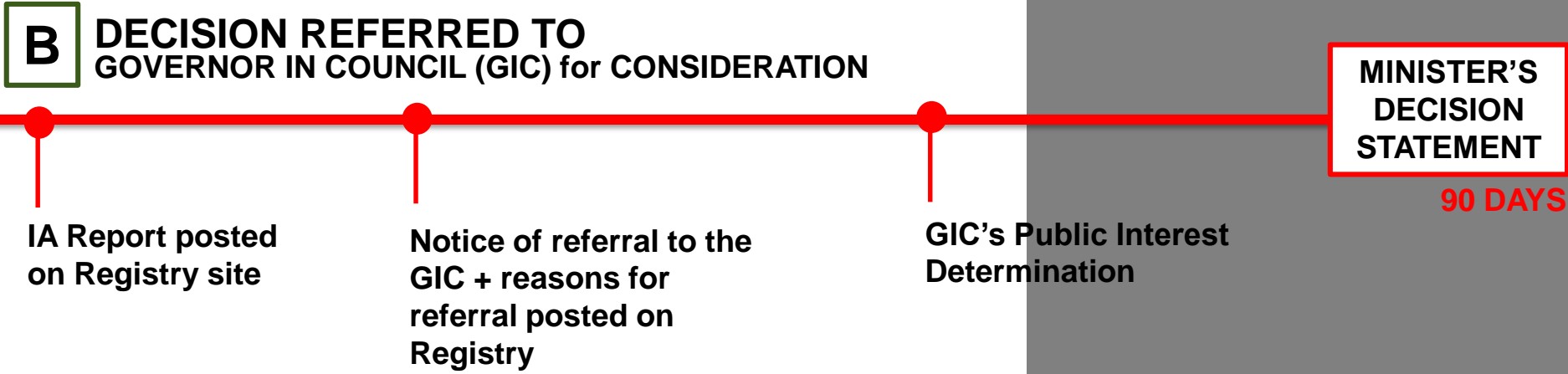
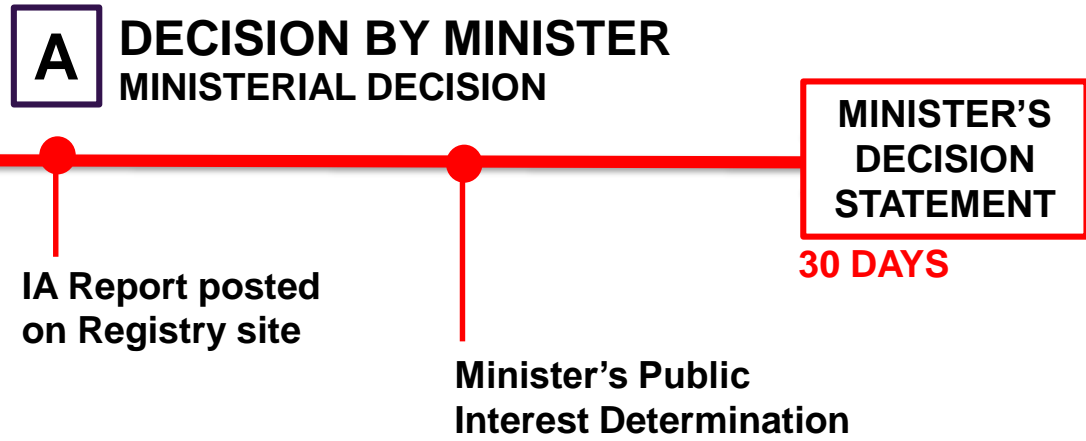
ss.37(1)

Timeline: up to 600 days from establishment of review panel

Phase 4: Decision-Making

Key Steps and Timelines (Impact Assessment by Agency)

ss. 60 (1)
s. 62
ss. 65 (3)



Phase 4: Decision-Making

par. 60(1)a

s.62

s.63

Purpose

Determination by the Minister, or by Governor in Council (Cabinet) on whether the adverse effects, and adverse direct or incidental effects, are in the public interest

Public interest determination is based on the Impact Assessment Report and a consideration of the following factors:

- Project's contribution to sustainability
- Extent to which adverse effects within federal jurisdiction and the adverse direct or incidental effects are significant
- Associated mitigation measures
- Impacts on Indigenous groups and adverse impacts on rights
- Extent that project's effects hinder or contribute to Canada's environmental obligations and climate change commitments

Phase 4: Decision-Making (cont.)

- Decision statement issued by the Minister to the proponent must include:
 - public interest determination
 - reasons for the determination
 - enforceable conditions
 - expiry date
 - project description
- For greater flexibility and adaptive management, the Minister can amend decision statements

s.65

ss.68(1)



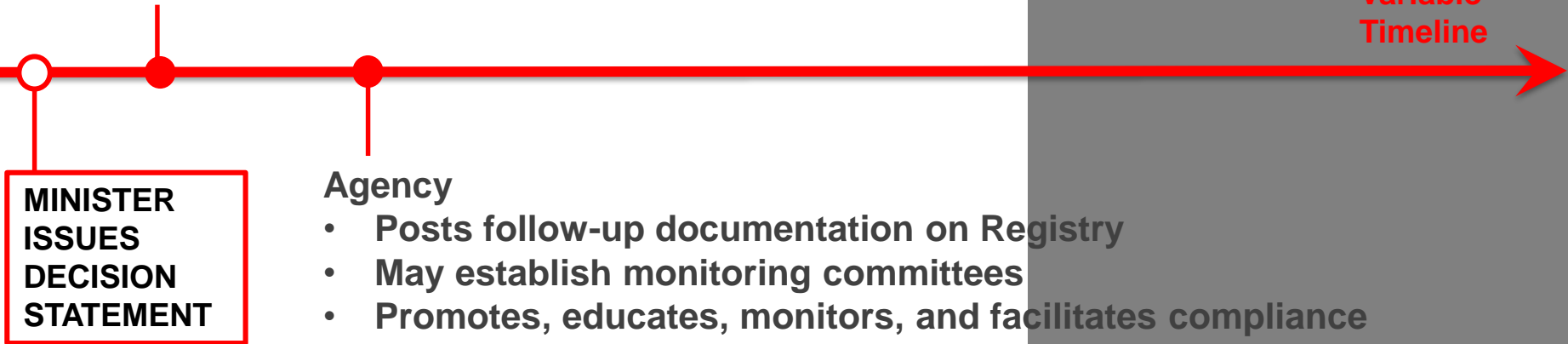
Phase 5: Post Decision

Key Steps and Timelines

Proponent

- Seeks regulatory approvals, as required
- Begins project within time limits identified in the Decision Statement
- Implements follow-up program
- Complies with conditions associated with Decision Statement

Variable
Timeline



Phase 5: Post Decision (cont.)

Follow-up and Monitoring

Purpose

- To verify the accuracy of predictions laid out in the Impact Assessment Report
- To verify the effectiveness of the mitigation measures
- To provide opportunities for Indigenous peoples and the public to participate in monitoring
- To encourage continuous improvements to impact assessments

Phase 5: Post Decision (cont.)

Amendments to Decision Statement

s. 68

- A new authority is provided to the Minister to amend a decision statement
- The Minister may:
 - Add or remove a condition or amend a condition, or
 - Modify the designated project's description
- The determination of public interest cannot be changed
- A notice of the intended amendment and an invitation for public comment must be posted on the Registry
- After considering comments received, the final amendment and reasons for it must be posted on the Registry

s. 68(1)

Phase 5: Post Decision Compliance and Enforcement

Purpose

s. 155 (f)

- To promote, educate, monitor, and facilitate compliance with the *Impact Assessment Act* and conditions set out in decision statements
- To undertake compliance and enforcement activities to prevent non-compliance and adverse environmental effects
- To promote a consistent and transparent approach to compliance with, and enforcement of, the *Impact Assessment Act*

Ability to establish Environmental Monitoring Committees to help provide additional confidence in the science and evidence used

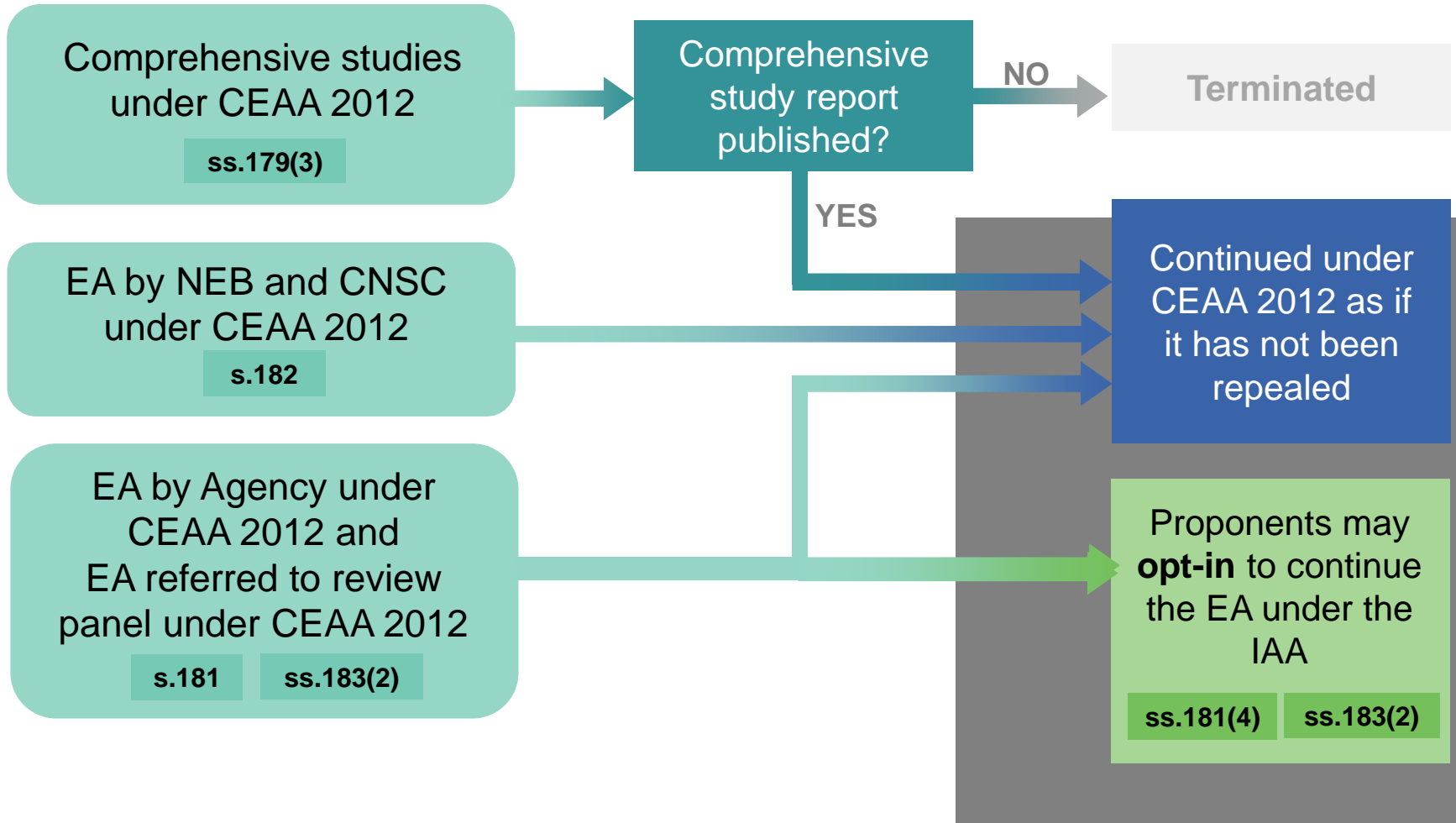
Provisions to verify compliance, issue orders and correct non-compliance

- Designated enforcement officers and analysts
- A new penalty scheme with increased fines

Module 5 – Other Relevant Provisions



Transitional Provisions



Federal Lands

s. 81-91

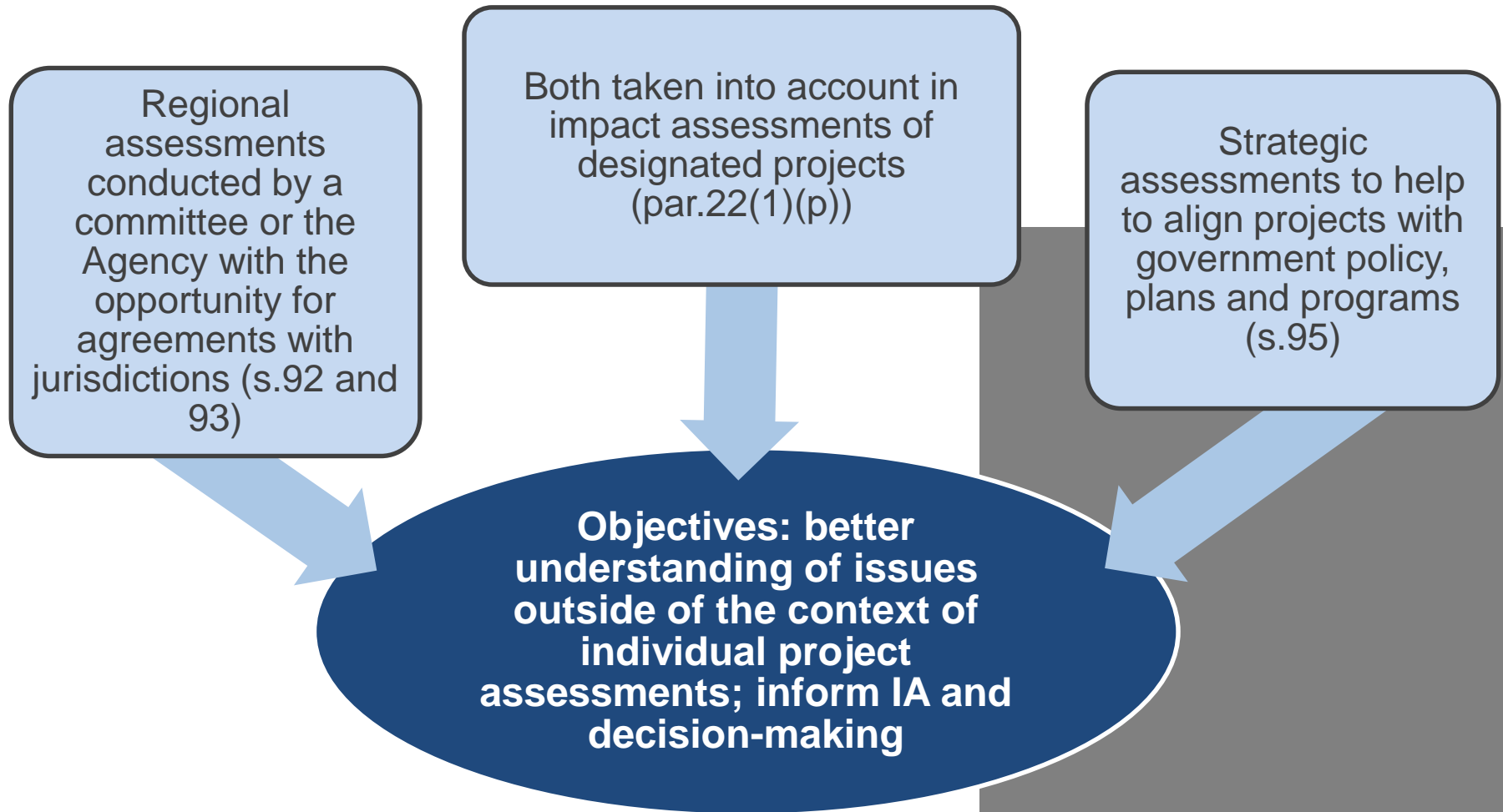
Authorities, including federal authorities, must not carry out projects on **federal lands** or **outside Canada** if they are likely to cause significant adverse environmental effects

- The determination of whether a project is likely to cause significant adverse environmental effects must be based on the following factors:
 - adverse impacts on the rights of the Indigenous peoples of Canada
 - Indigenous knowledge provided with respect to the project
 - community knowledge provided with respect to the project
 - comments received from the public under subsection 86(1)
 - mitigation measures that are technically and economically feasible

If the project is outside Canada, the authority's determination need not include a consideration of the factors set out in paragraphs (1)(a) and (b).

- Classes of projects that would not be subject to the *Impact Assessment Act* provisions for projects on federal lands and outside Canada is proposed to be included in a Ministerial Order

Regional and Strategic Assessments



Conclusion



What you learned!

This document provides a brief introduction to the *Impact Assessment Act* and the process for federal impact assessments in Canada.

- Impact assessment is a planning and decision-making tool
- Participant engagement opportunities are available throughout the process

There are 5 phases:

1. **Planning:** Documents developed in the Planning Phase specify information requirements and engagement opportunities throughout the impact assessment process
2. **Impact Statement:** The proponent outlines and evaluates potential impacts of a designated project
3. **Impact Assessment:** The Agency outlines and evaluates potential impacts of a designated project
4. **Decision-making:** Public interest decisions made by the Minister or Governor in Council are based on information in the Impact Assessment Report and the public interest factors
5. **Post Decision:** Compliance is verified through a follow-up program and activities to promote, educate, monitor, and facilitate compliance with the *Impact Assessment Act* and Decision Statement

Further Reference Documents

This document provides a brief introduction to the *Impact Assessment Act* and the process for federal impact assessments in Canada.

- Further guidance is provided in the *Practitioner's Guide to Federal Impact Assessments under the Impact Assessment Act*: <https://www.canada.ca/en/environmental-assessment-agency/services/policy-guidance/practitioners-guide-impact-assessment-act.html>
- The full text of the *Impact Assessment Act*: <https://www.parl.ca/DocumentViewer/en/42-1/bill/C-69/royal-assent>
- Canadian Impact Assessment Registry: <https://www.ceaa-acee.gc.ca/050/evaluations/Index?culture=en-CA>
- *Physical Activities Regulations*: <http://canadagazette.gc.ca/rp-pr/p2/2019/2019-08-21/pdf/g2-15317.pdf> (SOR 2019-285)
- *Information and Management of Time Limit Regulations*: <http://canadagazette.gc.ca/rp-pr/p2/2019/2019-08-21/pdf/g2-15317.pdf> (SOR 2019-283)

Thank you!



ANNEX



Key Definitions

Designated project

Designated project is clearly defined in section 2 of the *Impact Assessment Act*.

In general, it includes one or more physical activities that

(a) are carried out in Canada **or** on federal lands; and

(b) are designated by the *Physical Activities Regulations* **or** by a ministerial order.

It also includes any physical activity that is incidental to those physical activities.

Effects

unless the context requires otherwise, means changes to the environment or to health, social or economic conditions and the positive and negative consequences of these changes.

Environment

the components of the Earth, and includes

(a) land, water and air, including all layers of the atmosphere;

(b) all organic and inorganic matter and living organisms; and

(c) the interacting natural systems that include components referred to in paragraphs (a) and (b).

Key Definitions (cont.)

Effects within federal jurisdiction

Effects within federal jurisdiction are clearly defined in section 2 of the *Impact Assessment Act*. In general, they are effects related to a physical activity or a designated project that change:

- (a) environmental components within the legislative authority of Parliament such as fish, other aquatic species or migratory birds;
- (b) the environment on federal lands, in another province or outside Canada;
- (c) the environment in a way that impacts Indigenous peoples of Canada through impacts to their physical and cultural heritage, their current use of lands and resources for traditional purposes, or any structure, site or thing that is of historical, archaeological, paleontological or architectural significance;
- (d) the health, social or economic conditions of the Indigenous peoples of Canada; and
- (e) a health, social or economic matter that is within the legislative authority of Parliament

Impact assessment

impact assessment means an assessment of the effects of a designated project that is conducted in accordance with this Act.

Sustainability

the ability to protect the environment, contribute to the social and economic well-being of the people of Canada and preserve their health in a manner that benefits present and future generations.

Background note – Recent regulations made under the *Impact Assessment Act*

The *Physical Activities Regulations* and the *Information and Management of Time Limits Regulations* were published in the *Canada Gazette, Part II*, on August 21, 2019 and came into force at the same time as the *Impact Assessment Act* (IAA) on August 28, 2019.

In February 2018, the Government published the *Consultation Paper on Approach to Revising the Project List* and the *Consultation Paper on Information Requirements and Time Management Regulations*. The Government considered the comments received during that consultation period and modified the approaches to the proposed regulations, in consideration of the comments received.

On May 1, 2019, the Discussion Paper on the Project List and the Discussion Paper on the Information Requirements and Time Management Regulatory Proposal were released for a 30-day public consultation. These discussion papers included regulatory proposals and stood in place of publishing draft regulations in *Canada Gazette, Part I*.

Physical Activities Regulations (GiC regulation)

Under the IAA, impact assessments are carried out on “designated projects.” These designated projects can either be designated by the *Physical Activities Regulations* (the Project List), or they can be designated by the Minister of Environment and Climate Change under s. 9 of the IAA. A project that matches a description on the Project List would be a designated project, and will be required to enter into the planning phase, where a determination would be made on whether or not it requires a full impact assessment.

The government’s objective in creating the Project List under the IAA was to focus on major projects with the greatest potential for adverse environmental effects in areas of federal jurisdiction and to provide clarity and certainty as to which projects are subject to the IAA.

Stakeholder and Indigenous Views on the Project List

Industry stakeholders were generally supportive of the approach to focus on projects with the greatest potential for adverse effects and on providing clarity when the IAA applies. Most recommended that projects already regulated by provinces or for which standard mitigations were already routinely used be excluded from the Project List. Some industry sectors, in particular, oil and gas and mining sectors, questioned the consistency of the application of the approach across project types, and perceived their industry as over-represented on the Project List.

Indigenous governments and communities expressed disappointment and felt that the proposed Project List did not sufficiently address the changes they had suggested.

Environmental groups expressed disappointment with the proposed Project List and viewed it as too narrow and missing many project types with potential environmental effects. In the opinion of these groups, the approach should have considered a wider range of effects including effects on Indigenous communities and rights, and terrestrial species at risk.

Information and Management of Time Limits Regulations (Ministerial regulation)

The *Information and Management of Time Limits Regulations* enable the new impact assessment system to function and enhance clarity, transparency and predictability in the process, by setting out:

- Information that proponents must provide during the planning phase in their initial and detailed Project Descriptions;
- Criteria under which legislated time limits could be suspended:
 - If the proponent requests that the timeline be suspended, for any activity, until such time as the activity is completed;
 - For the proponent to provide information related to a design change, or change in construction or operation plans by the proponent that could change the potential impacts of the project;
 - In the event of non-payment by the proponent of recoverable costs, until such time as the payment is received;
- Guidelines and plans the Agency must deliver by the end of the planning phase to guide the impact assessment;
- Format requirements for proponent information;
- A requirement that participant funding be available for all designated projects; and,
- The time limit for the Minister to respond to a request that a regional or strategic assessment be conducted.

Stakeholder and Indigenous Views on the Information and Management of Time Limits Regulations

Overall, there was agreement that information required in the initial and detailed Project Description should support the objectives of the planning phase, and should align with what can be reasonably expected from proponents at each stage. However, there were differing views about what information requirements should be included in the initial as compared to the detailed Project Description, and about the level of detail required at each stage.

Stakeholders generally expressed support for the approach to suspend timelines only in accordance with criteria set out in regulation. However, the Agency also received feedback from Indigenous peoples on the proposed proponent-driven approach to the suspension of timelines, including suggestions that it should also be possible for the Agency to suspend timelines for unanticipated information needs and reasons identified by potentially affected Indigenous groups.

There was strong support across stakeholder groups for prescribing in regulations the documents that the Agency will be required to deliver at the end of early planning. We heard that requirements and expectations need to be clear from the outset – including an understanding of the information that is required to complete the assessment, what studies are needed, who needs to be consulted, and what permits might eventually be needed.

Canadian Environmental Agency canadienne
Assessment Agency d'évaluation environnementale

160 Elgin St., 22nd floor
Ottawa ON K1A 0H3

160, rue Elgin, ne etage
Ottawa ON K1A 0H3

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P0-000063

MEMORANDUM TO PRESIDENT

POTENTIAL PROJECT PROCESS AND DECISION STEPS UNDER *THE CANADIAN ENVIRONMENTAL ASSESSMENT ACT, 2012* AND THE *IMPACT ASSESSMENT ACT* DURING THE 2019 FEDERAL ELECTION

(For Decision)

PURPOSE

To inform you of the potential public consultation and decision activities under the *Canadian Environmental Assessment Act, 2012 (CEAA 2012)*, and the *Impact Assessment Act (IAA)* that may occur prior to and during the 2019 federal election, and seek your concurrence with the Canadian Environmental Assessment Agency's proposed path forward.

SUMMARY

- The next Federal Election is set for the fall of 2019. The Government must exercise restraint and scrutiny to its activities during both the "pre-writ" and Caretaker Convention periods (the periods). Federal environmental assessment processes under *CEAA 2012* and those under the *IAA* will occur during the periods.
- The Agency is proposing to make interim policy and guidance documents publicly available and continue engaging with key stakeholders, Indigenous groups, and provinces and territories, to ensure readiness for implementation of the *IAA* upon coming into force.
- Certain projects may require ministerial decisions and/or public consultation activities, in accordance with *CEAA 2012* or the *IAA*, during the periods. These projects are summarized in Annex I.

REDACTED TEXT

- The Joint Review Panel assessing the Frontier Oilsands Mine Project in Alberta will submit its report to the Minister of Environment and Climate Change on/or before July 25, 2019. The Joint Review Panel assessing the Milton Logistics Hub in Ontario completed its public hearings on July 17, 2019.
- The Agency has proposed a path forward for projects of interest to manage potential public consultation activities and ministerial decisions currently forecasted during the periods. The Agency has already provided the necessary information to the Privy Council Office (PCO) in order to advertise these consultations.
- The Agency has briefed the Minister of Environment and Climate Change's Office (MINO) and PCO on the proposed approach and projects of interest. The policy engagement activities have not been shared with PCO or MINO.
- The Agency will keep you updated, as appropriate, leading up to and during the periods on the timing of potential activities and decisions.

CONTEXT

Under the Caretaker Convention, the government must act with restraint during an election, confining itself to necessary public business, either routine or urgent. The Caretaker Convention applies once the writ of elections has been dropped until the new Cabinet has been sworn in. PCO is considering the period after the House rises for the summer until the writ is dropped (i.e., July and August) as the "pre-writ" period. Although the Caretaker Convention does not formally apply during the "pre-writ" period, heightened scrutiny is still expected for government activities and the use of public resources.

Under *CEAA 2012*, legislated timelines apply to certain process and decision points within a federal environmental assessment, while other points are not legislated as to when they must occur. The *IAA* may also be in force during the periods, with some projects beginning the Planning Phase. The types of process or decision points that may require an exercise of restraint during the periods under *CEAA 2012* and the *IAA* include:

- decisions by the Minister on whether to designate physical activities not described in the *Regulations Designating Physical Activities (CEAA 2012)*;
- decisions by the Minister on whether to refer a designated project to an environmental assessment by a review panel (*CEAA 2012*);
- decisions by the Minister on the likelihood of whether a designated project will cause significant adverse environmental effects (*CEAA 2012*);
- issuance of a Decision Statement by the Minister on whether a designated project can proceed subject to enforceable conditions (*CEAA 2012*); and
- public engagement and Indigenous consultation activities by the Agency (*CEAA 2012* and the *IAA*).

The Agency assessed the geographic scope (national or regional) and level (high, moderate or low) of public interest associated with designated projects that may require public consultation or decision points during the periods.

The Agency will work towards maximizing the number of decisions it seeks from the Minister prior to the periods. Most of the public consultation activities or decision points anticipated are dependent on the submission of required information by proponents to allow the environmental assessments to continue.

To prepare for the coming into force of the *IAA*, the Agency has been actively engaging with key stakeholders, Indigenous groups and other jurisdictions on the proposed impact assessment framework to increase awareness and to support the development of policy and guidance documents. During the periods, the Agency is proposing that ongoing engagement with key Indigenous groups, stakeholders and the public continue, including making public key policy and guidance documents that support implementation of the *IAA*. The Agency is also proposing to continue engaging with provincial and territorial counterparts to further the conversation on opportunities for cooperation and harmonization of impact assessment processes, and with certain Indigenous groups, such as modern treaty partners. A list of anticipated policy-related activities can be found in Annex I.

PROJECTS OF INTEREST

Goliath Gold Project

Treasury Metals Inc. is proposing an open-pit and underground gold mine, located 20 kilometres east of the City of Dryden, Ontario. The Project has generated a high level of regional interest from the public, Indigenous groups and media.

The draft Environmental Assessment Report was recently posted for a 30-day public comment period through to July 12, 2019.

REDACTED TEXT

Offshore Exploratory Drilling Projects

Three offshore exploratory drilling projects may require public consultation activities on draft Environmental Assessment Reports during the fall 2019:

- CNOOC International Offshore Flemish Pass Drilling Project located in the Flemish Pass Basin, over 400 kilometres east of St. John's, Newfoundland and Labrador in the Atlantic Ocean;
- Husky Energy Exploration Drilling Project located approximately 350 kilometres east of St. John's, Newfoundland and Labrador in the Atlantic Ocean; and
- Newfoundland Orphan Basin Exploration Drilling Project located 343 to 496 kilometres northeast of St. John's, Newfoundland and Labrador in the Atlantic Ocean.

All three projects have generated a moderate level of regional public interest in Newfoundland and Labrador. The Agency has requested information from all three proponents that it requires to continue the environmental assessments. Should any of the proponents submit the required information for their respective projects, the Agency may complete the technical review and prepare the associated draft Environmental Assessment Reports. The Agency is forecasting that the 30-day public comment period on draft Environmental Assessment Reports could occur in September 2019, which it proposes to carry out. However, the Agency would then need to consider any comments received and finalize the reports.

REDACTED TEXT

Regional Environmental Assessment — Offshore Newfoundland

The Regional Assessment focuses on the effects of existing and anticipated offshore oil and gas exploratory drilling in the offshore area east of Newfoundland and Labrador. The Regional Assessment aims to improve the efficiency of the environmental assessment process as it applies to oil and gas exploration drilling, while at the same time ensuring the highest standards of environmental protection continue to be applied and maintained. The assessment will build upon the experience and knowledge gained in assessing previous projects, reduce duplication in processes and information, and result in more efficient project reviews for exploration projects.

The Regional Assessment Committee is conducting the Regional Environmental Assessment and is currently meeting with Indigenous groups and the community, and plans to continue to do so through the periods, until October 2019. In November 2019, the Regional Assessment Committee plans to release its draft Regional Assessment Report for public review.

REDACTED TEXT

Referral to a Review Panel Time Limit

Two projects are likely to commence an environmental assessment under *CEAA 2012* before the coming into force of the *IAA*. The 60-day time limit for the Minister to exercise the discretionary authority to refer them to a review panel will occur during the periods. Moreover, these determinations are not posted publicly.

REDACTED TEXT

Designation Requests under Subsection 14(2) of CEAA 2012

The Agency is awaiting required information to complete its analysis and recommendations for seven designation requests under *CEAA 2012*. Should the *IAA* come into force before the Agency receives this information, which is likely, the designation requests would be terminated. The Agency would subsequently consider them as designation requests under section 9 of the *IAA* and continue with its preparation of advice to the Minister accordingly. The timing of ministerial decisions would be dependent on the receipt of required information from proponents, but are likely to fall within the periods.

REDACTED TEXT

Public Consultation Activities

Based on current timelines, several projects (approximately 39) may require public consultation activities during the periods. However, these projects are all dependent on the receipt of required information to continue the environmental assessments. Given that these project activities would not require any ministerial decisions and are low profile, the Agency would propose to carry them out as normal.

Review Panels

Review Panels are independent of the government and are each mandated by the Minister to manage their own review processes, including holding public hearings as each Review Panel deems appropriate. It is possible that, during the Caretaker Period, some Review Panels may consult the public seeking review participants' views on issues relevant to the environmental assessment. This would be considered business as usual. Review Panel activities anticipated over the writ period include:

Frontier Oilsands Mine:

The Joint Review Panel assessing the Frontier Oilsands Mine Project in Alberta will submit its report to the Minister on/or before July 25, 2019.

REDACTED TEXT

Milton Logistics Hub:

The Joint Review Panel assessing the Milton Logistics Hub in Ontario completed its public hearings on July 17, 2019.

Roberts Bank Terminal 2:

The Review Panel assessing the Roberts Bank Terminal 2 Project completed its public hearings on June 24, 2019, and is now preparing its report, expected in late 2019 or early 2020.

Grassy Mountain Coal:

The Review Panel assessing the Grassy Mountain Coal Project is analysing information Impact statement information provided by the proponent and others. Once the Review

Panel determines the information is complete, it will schedule public hearings, likely late 2019 or early 2020.

POLICY ACTIVITIES OF INTEREST

Publications Posted for Public Comment

During the pre-writ period, the Agency is preparing to make available to the public key policy and guidance documents, including guidance on gender-based analysis and the consideration of sustainability under the *IAA*. These documents provide additional context and detail that support implementation of the *IAA*. In addition, the Agency will make available the proposed Canada-B.C. Cooperation Agreement for Impact Assessment and seek public comment, including targeted Indigenous and stakeholder engagement.

International Negotiations

The Agency, in support of Global Affairs Canada, is anticipated to participate in a substantive session of the Intergovernmental Conference on Biodiversity beyond National Jurisdiction, scheduled to take place in New York City on August 19-20, 2019. The objective of the session is to review and analyse proposed text that will inform a new international legally binding instrument under the United Nations Convention on the Law of the Sea.

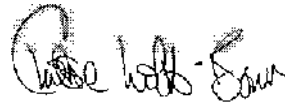
Workshops with Indigenous Communities

The Agency is proposing to host workshops with Indigenous communities to discuss policy approaches under the *IAA*. These workshops are being scheduled to capture Indigenous communities that were unable to participate in workshop sessions held across the country over the winter and spring of 2019.

REDACTED TEXT

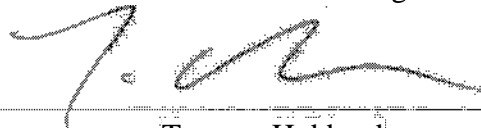
NEXT STEPS

- The Agency will work to accelerate seeking ministerial decisions so they can occur prior to the periods, to the extent possible.
- The Agency will keep you apprised of the timing, as it becomes more certain, of potential public consultation activities and decisions points that occur during the periods.
- The Agency will work with federal partners to share the details on its approach and will keep MIND and PCO apprised of the timing on potential decisions.
- The Agency will track and bring to your attention any new engagement activities anticipated to take place over the periods.



JUL 19 2019

Christine Loth-Bown
Vice-President
External Relations and Strategic Policy



Terence Hubbard
Vice-President
Operations

JUL 19 2019

I concur

I do not concur



JUL 22 2019

Ron Hallman

Attachments

- *Annex I — Caretaker convention and writ period decisions, consultations and policy activities*

Drafting Officer's Name: Terry Hubbard, Vice-President
Directorate/ Branch: Operations
Phone No: 613-948-2665
Date Drafted: May 27, 2019

CARETAKER CONVENTION AND WRIT PERIOD DECISIONS, CONSULTATIONS AND POLICY ACTIVITIES

The tables below includes a list of decisions and activities anticipated to take place during the pre-writ and election periods. The list will be updated as new activities are identified and timelines are adjusted.

Table 1 - Summary Table of Projects with Ministerial Decision Points

Table 2 - Summary Table of Projects with Public Consultations

Table 3 - Summary Table of Projects with Public Consultations — Review Panel Projects

Table 4 - Anticipated Policy Engagement Activities

Table 1- Summary Table of Projects with Ministerial Decision Points

Page 2

**is withheld pursuant to sections
est retenue en vertu des articles**

21(1)(a), 21(1)(c)

**of the Access to Information Act
de la Loi sur l'accès à l'information**

Table 2 - Summary Table of Projects with Public Consultations
(Not including Review Panels)

Moderate National/High Regional Public Interest — 9 Projects

The Agency would consult with PCO as to whether it can proceed with the public consultation, announcement of Agency decision or announcement of Minister's decision.

Project Name	Process Step	Special Issues
Aggrandissement terminale contrecoeur - QUE	Public comment on draft EA Report	Fall 2019 - Proponent dependent
Springbank Off-Stream Reservoir Project — PNR	Public comment on draft EA Report	November 2019 - Proponent dependent
Goliath Gold Project — ONT	Public comment on draft EA Report	June 2019 — underway
Bay du Nord — ATL	Public Comment on EIS summary	Fall 2019 - Proponent dependent
Cochrane Hill Project — ATL	Public comment on EIS summary	Fall 2019 - Proponent dependent
Lake St. Martin Water Diversion Project — PNR	Public comment on EIS summary	Fall 2019 - Proponent dependent
Projet d'aménagement d'un quai en eau profonde au Port de Quebec — secteur Beauport — QUE	Periode de commentaire public sur un mis a jour du projet et les modifications au l'etude d'impact	Fall 2019 - Proponent dependent

Low National/Moderate Regional Public Interest — 12 Projects

The Agency's President would determine whether it can proceed with the public consultation, announcement of Agency decision or announcement of Minister's decision.

Project Name	Process Step	Special Issues
Beaver Dam Project — ATL	Public comment on draft EA Report	Aug 2019 — forecasted Proponent dependent
CNOOC International Offshore Flemish Pass Drilling Project—ATL	Public comment on draft EA Report	Sept 2019 — forecasted Proponent dependent
Husky Energy Exploration Drilling Project — ATL	Public comment on draft EA Report	Oct/Nov 2019 — forecasted Proponent dependent
Newfoundland Orphan Basin Exploration Drilling Project—ATL	Public comment on draft EA Report	Oct/Nov 2019 — forecasted Proponent dependent
Projet Mine de lithium Baie James — QUE	Public comment on draft EA Report	December 2019 — forecasted Proponent dependent
Projet Mine Rose Lithium — QUE	Public comment on draft EA Report	December 2019 — forecasted Will termination on CiF of IAA Proponent dependent
Fifteen Mile Stream — ATL	Public Comment on EIS summary	Fall 2019 - Proponent dependent
Lynn Lake Gold Project — PNR	Public Comment on EIS summary	Fall 2019 - Proponent dependent

Regional Environmental Assessment — Offshore Newfoundland—ATL	Submission of Regional Assessment Report to Minister	Fall 2019 completion date, based on MOU
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Low National/Low Regional Public Interest — 17 Projects

The Agency would proceed with the public consultation, announcement of Agency decision or announcement of Minister's decision.

Project Name	Process Step	Special Issues
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Table 3 - Summary Table of Projects with Public Consultations — Review Panel Projects**High National Public Interest — 9 Projects — None with Decision Points**

Review Panels are independent of the government and in control of their own review processes. It is possible that some Panels may consult the public during the Caretaker Period but no public hearings or Review Panel Report submissions other than for the Milton Project and the Frontier Project as described below are currently predicted.

Project Name	Process Step	Special Issues
Frontier Oilsands Mine Project — PNR	Review Panel to submit its report before July 25, 2019	Joint Review Panel with Alberta Energy Regulator
Deep Geologic Repository for Low and Intermediate Level Radioactive Waste — ONT	Proponent expected to submit additional information in January 2020.	Joint Review Panel with Canadian Nuclear Safety Commission
Roberts Bank Terminal 2 Project- PYR	Public hearings May 14 to June 24, 2019 Panel report in Winter 2020	
Milton Logistics Hub Project — ONT	Public hearings June 19 to July 17, 2019 Panel report in Winter 2020	Joint Review Panel with Canadian Transportation Agency
Grassy Mountain Coal Mine Project — PNR	Panel has requested additional information from the proponent — Review Panel hearings expected in Winter 2020	Joint Review Panel with Alberta Energy Regulator
Amisk Hydroelectric Project — PNR	Panel not yet appointed — Agency has requested information from the proponent	
Pacific Future Energy Refinery Project — PYR	Panel not yet appointed — Agency has requested information from the proponent	
Kitimat Clean Refinery Project — PYR	Panel not yet appointed — Agency has requested information from the proponent	
Marathon Platinum Group Metals and Copper Mine Project — ONT	Proponent is not moving forward with the project at this time	

Table 4 - Anticipated Policy Engagement Activities

Pre-Writ Period: From Parliament Rising to the Start of the Election Period

Date	Activity	Agency Lead	Purpose
June 2019	Posting of Interim Policy and Guidance Documents	ERSP Sector	Posting, for public comment, guidance on Public Participation, GBA+, and Sustainability.
June 25, 2019	EA Administrators Call	Tara Frezza	Discuss status of readiness and policy development.
June 27, 2019	Multi-Interest Advisory Committee Meeting	Christine Loth-Bown	Final meeting to discuss status of legislation and next steps towards implementation.
June — August 2019	Canada-B.C. Cooperation Agreement for IA.	Tara Frezza	Engage with Indigenous communities and groups and stakeholders
June — August 2019	Indigenous capacity support program	Susan Winger	Posting of funding opportunity for new program; 6 weeks+ posting period
July 2019	Abstract: Alberta Society of Professional Biologists Conference	Susan Tiege	Overview of Impact Assessment Act for Conference in November 2019 in Banff
July 2019	Targeted engagement on Regional Assessment Policy	Kevin Blair/ Brent Parker	Seek input from key stakeholder on new RA framework
July 2019	Posting of Interim Policy and Guidance Documents	ERSP Sector	Posting, for public comment, guidance on Plan templates, Public Interest Determination, Need-Purpose-Alternatives, and Environmental Obligations and Climate Change,

June — August 2019	Cooperation Agreement with PTs	Tara Frezza	Engage with interested provinces on development of Cooperation Agreements
August 19-30, 2019	Substantive Session of the Intergovernmental Conference on Biodiversity Beyond National	Yordanka Stoimenova/Tara Frezza	Review and analyze text that will form the agreement.
July/August (TBC)	TAC and IAC Meetings	Miriam Padolsky/Susan Winger	Initiate new advisory committees and seek views on Agency interim policies
August 2019	Posting of Interim Policy and Guidance Documents	ERSP Sector	Posting, for public comment, guidance on Preparing a project description, Tailored Impact Statement Guidelines, Indigenous Participation in IA, Impact on Indigenous Rights, Collaboration with Indigenous-led assessments, Indigenous knowledge
On-going	Treaty Negotiations	Susan Winger	Various negotiations led by CIRNA
On-going	Technical dialogue with small groups and National Indigenous Organizations	Susan Winger	Discussions to incorporate feedback on policy proposals, and inform development of further approaches, including future cooperation regulations

Election Period: From Start of the Election Period to Swearing in of Cabinet

Date	Activity	Agency Lead	Purpose
On-going	Public comments on Interim Policy and Guidance Documents	ERSP Sector	Receiving input, and engaging in technical discussions, especially with indigenous partners (NIOs, regional organizations, Inuit regions) Holding open calls with Indigenous groups to provide information on products and receive feedback
September 2019	Workshops with Indigenous communities	Susan Winger	Workshops to receive comments on policy approaches, where not completed in spring 2019 (i.e. Quebec FNs, s. Ontario FNs, Metis regions)
September 22-25	Transportation Association Fall Meeting	Tara Frezza	Update on IAA
September 26	WaterPower Canada Conference	Christine Loth-Bown	“Fire-side chat” on changing regulatory environment for Impact Assessment.

October 24	Presentation at Glendon College/York University	Christine Loth-Bown	Presentation regarding the legislative process, consultation and public policy on IAA.
October 29-30	OAIA	Anjala Puvananathan	Update on IAA (TBC)
October/November	Public Comment period on Regional Assessment Policy	Kevin Blair/Brent Parker	Seek public input on new RA Framework
November 7, 2019	4th Annual Indigenous Consultation Atlantic	Susan Winger	Presentation on Indigenous knowledge in IA
TBC	TAC and IAC Meetings	Miriam Padolsky/Susan	Continue to seek views on Agency interim policies
TBC	Impact Assessment Training for External Stakeholders and Indigenous Groups	Training Team	Support implementation of the Impact Assessment Act, training external stakeholders and Indigenous groups on the new assessment framework.

JUN 12 2019

PO - 000119

MEMORANDUM TO PRESIDENT

ADVERTISEMENT DURING 2019 GENERAL ELECTION PERIOD

(For Decision)

TIMELINE

Your approval and signature are requested by **June 14, 2019**.

PURPOSE

To obtain your approval and signature to proceed with advertising for environmental assessments during the 2019 general federal elections.

SUMMARY

- Treasury Board's Directive on the Management of Communications requires departments listed in Schedules I, I.I and II of the *Financial Administration Act* to suspend advertising activities on June 30 in a year in which there is a fixed general federal election. This new requirement aligns with the pre-election period for political and third-party advertising, as per the *Elections Modernization Act*.
- The Government of Canada's Policy on Communications and Federal Identity provides deputy heads with the authority to approve advertising during general federal elections.
- It is standard practice for the Agency to place advertisements in the media for public comment periods and applications for participant funding for projects undergoing environmental assessments (EAs). This has proven to be the most effective means to provide the public with notice of participation opportunities and meet legislative requirements under CEAA 2012.
- After consultations with PCO and the Treasury Board of Canada Secretariat, it was determined that advertising in relation to the EA process falls within the parameters of advertising permitted during general federal elections.
- We are seeking your concurrence to continue to place advertisements in support of the EA process during the 2019 general federal election period.

BACKGROUND

- In accordance with Treasury Board's Directive on the Management of Communications, departments listed in Schedules I, I.I and II of the *Financial Administration Act* are now required to suspend advertising activities on June 30 in a year in which there is a fixed general federal election. This new requirement aligns with the pre-election period for political and third party advertising, as per the *Elections Modernization Act*.

- The Government of Canada's Policy on Communications and Federal Identity provides deputy heads with the authority to approve advertising during general federal elections that is:
 - required by statute or regulation for legal purposes;
 - to inform the public of a danger to health, safety or the environment;
 - to post an employment or staffing notice; or
 - to undertake specific advertising that is deemed urgent.”
- The Directive on the Management of Communications also states that heads of communications are responsible for “suspending advertising and public opinion research activities the day that the Governor in Council issues a writ for a general federal election and resuming only when the newly elected government is sworn into office, unless approved by the deputy head.”
- Public funds may not be used for public opinion research or advertising during the election campaign. Exceptions may be granted for public notices for legal purposes, or for reasons of public health and safety, employment or staffing notices, and carried out in the name of the department, as approved by the deputy head.
- A copy of the signed memo by deputy head should be shared with the Privy Council Office (PCO) for their awareness. During the general election period, PCO will have to be notified in advance of any ad placements.

CONSIDERATIONS

- Section 28 of *Canadian Environmental Assessment Act, 2012* (CEAA 2012) specifies that the Agency, as responsible authority, “must ensure that the public is provided with an opportunity to participate” in an environmental assessment (EA).
- The legislation specifies that the Agency must post a public notice on the EA Registry Internet site inviting comments for different stages of the EA process for all projects designated under the Act.
- It has been standard practice for the Agency to place advertisements in the media for public comment periods and applications for participant funding for projects undergoing an environmental assessment, in addition to posting on the Registry. This has proven to be the most effective method to provide the public with notice of participation opportunities. Widening the depth and breadth of public participation ensures better quality EAs. The Agency also relies on paid advertisement to reach communities in remote locations, especially indigenous audiences.
- Specific provisions regarding public participation opportunities under the *Canadian Environmental Assessment Act 2012* are as follows:
 - Opportunity for public to comment (*Canadian Environmental Assessment Act, 2012 - S.C. 2012, c. 19, s. 52 (Section 86)*) : (3) The Minister must provide reasonable public notice of and a reasonable opportunity for anyone to comment on draft guidelines, codes of practice, agreements, arrangements or criteria under this section.
 - Marginal note: Public participation (*Canadian Environmental Assessment Act, 2012 - S.C. 2012, c. 19, s. 52 (Section 24)*): (24) Subject to section 28, the

responsible authority must ensure that the public is provided with an opportunity to participate in the environmental assessment of a designated project.

- In accordance with the Policy on Communications and Federal Identity, the Agency uses a variety of ways and means to promote comment periods during the EA process. In addition to earned media as a means of communications, the Agency uses paid advertisements, including print, Web, and radio to optimally reach remote communities.
- After consultations with PCO and the Treasury Board of Canada Secretariat, it was determined that advertising in relation to the environmental assessment process (see Annex I for examples) fall within the parameters of advertising permitted during general federal elections. The funds for these activities were already planned. No additional funding is required.

RECOMMENDATION

It is recommended that you approve advertising for environmental assessments during the 2019 general election period as permitted in the Policy of Communications and Federal Identity.



Alan Kerr
Vice-President
Corporate Services and CFO

I concur

I do not concur

Please discuss



Ron Hallman **JUN 14 2019**

Attachment (1):

- *Annex I — Overview of Advertising Activities for the Canadian Environmental Assessment Agency after June 30, 2019*

Drafting Officer's Name: Marissa Harfouche
Directorate/ Branch: Communications Division Phone No: 613-219-2789
Date Drafted: June 5, 2019

Canadian Environmental
Assessment Agency President

Agence canadienne
d'évaluation environnementale

President

160 Elgin St., 22nd floor
Ottawa ON K1A 0H3

160, rue Elgin, 22e étage
Ottawa ON K1A 0H3

AUG 01 2019

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MEMORANDUM TO MINISTER

**DECISION MAKING AUTHORITIES UNDER THE CANADIAN ENVIRONMENTAL
ASSESSMENT ACT, 2012 AND THE IMPACT ASSESSMENT ACT DURING
THE 2019 FEDERAL ELECTION**

(For Decision and Signature)

TIMELINE

Your decision and signature is requested by August 21, 2019 (internal deadline).

PURPOSE

To seek your decision on whether to authorize the President of the Canadian Environmental Assessment Agency to make certain decisions under the *Canadian Environmental Assessment Act, 2012 (CEAA 2012)* and under the *Impact Assessment Act (not in force) (IAA)* during the 2019 federal election Caretaker Convention period (Caretaker period).

SUMMARY

- The next federal election is set for fall 2019. The Government must exercise restraint and scrutiny to its activities during the Caretaker period. Federal environmental assessment processes under *CEAA 2012* will continue to occur during this period, including actions subject to legislated timelines.
- Certain projects may require ministerial decisions in accordance with *CEAA 2012* during the Caretaker period. These projects are summarized in Annex 1.
- Under subsection 108(2) of *CEAA 2012*, you may authorize the President of the Agency to exercise any of your decision-making powers under that Act. This will continue under subsection 160(2) of the *IAA*, once it comes into force.
- The Agency recommends that you authorize the President of the Agency, during the Caretaker period, to make certain decisions regarding:
 - designation: whether or not to require a federal environmental assessment for projects not identified by the Project List Regulations under subsection 14(2) of *CEAA 2012*;
 - substitutions: authority to approve substitution under subsection 32(1);
 - referrals to review panels: decisions on referral to a review panel under subsection 38(1) of *CEAA 2012*; and
 - timeline extensions: decisions on extensions to time limits for assessments under subsection 27(3) of *CEAA 2012*.
- The Agency is also proposing that you authorize the President of the Agency to exercise these same decision-making powers under the *IAA*, once it comes into force.
- The recommendation is based on the following reasons:
 - the recommended decision-making authorities are largely routine but required;
 - to facilitate continued government business during the election period and until a Minister of Environment and Climate Change is appointed (re-appointed); and
 - the currently forecasted associated projects to these decision-making authorities are considered low profile.
- Any decisions taken during this period would comply with legislative requirements and consider obligations of officials to exercise restraint during the Caretaker period.

CONTEXT

Under the Caretaker Convention, the government must act with restraint during an election, confining itself to necessary public business, either routine or urgent. The Caretaker Convention period applies once the writ of elections is issued and lasts until the swearing in of the new Cabinet.

Under *CEAA 2012*, legislated timelines apply to certain decision points within a federal environmental assessment, while other decision points are not subject to legislated timelines. The types of decision points that may require an exercise of restraint during the periods under *CEAA 2012* include:

- decisions on whether to designate physical activities not described in the *Regulations Designating Physical Activities* (subsection 14(2) of *CEAA 2012*);
- decisions on whether to approve substitution of the federal environmental assessment process to another jurisdiction (subsection 32(1) of *CEAA 2012*);
- decisions on whether to exercise your discretion to refer an environmental assessment of a designated project to a review panel (subsection 38(1) of *CEAA 2012*);
- decisions on whether a designated project is likely to cause significant adverse environmental effects (*CEAA 2012*);
- decisions on whether to extend the time limit within which you must make decisions under subsection 52(1) (subsection 27(3) of *CEAA 2012*); and
- establishment of conditions with which the proponent of a designated project must comply as set out in a Decision Statement issued by you following an environmental assessment.

Subsection 108(2) of *CEAA 2012* provides that the President of the Agency is its chief executive officer and may exercise all of your powers under *CEAA 2012* as authorized by you.

Following coming into force of the *IAA*, there will be similar decision points within a federal impact assessment that may be required during the Caretaker period. These include:

- decisions on whether to designate physical activities not described in the *Physical Activities Regulations* (subsection 9(1) of the *IAA*);
- decisions on whether to approve substitution of the impact assessment process to another jurisdiction (subsection 31(1) of the *IAA*); and
- decisions on whether to exercise your discretion to refer the impact assessment of a designated project to a review panel (subsection 36(1) of the *IAA*).

Subsection 160(2) of the *IAA* provides that the President of the Agency is its chief executive officer, and may exercise all of your powers under *IAA* as authorized by you.

UPCOMING DECISION-MAKING AUTHORITIES OF INTEREST

Designation Requests under Subsection 14(2) of CEAA 2012 and Subsection 9(1) of the IAA
Subsection 14(2) of *CEAA 2012* provides you with the authority to designate projects not described in the *Regulations Designating Physical Activities*, as designated projects requiring a federal environmental assessment under *CEAA 2012*. Subsection 9(1) of the *IAA* gives you the authority to designate projects not described in the *Physical Activities Regulations* as designated projects.

Redacted text

Granting Substitution under Subsection 32(1) of CEAA 2012 and 31(1) of IAA

Subsection 32(1) of *CEAA 2012* requires that where you believe that an environmental assessment of another jurisdiction is an appropriate substitute for the environmental assessment under *CEAA 2012*, you must, on receipt of a request of a province, approve the substitution. Conversely, under subsection 31(1) of *IAA*, you may approve the substitution on receipt of a request of a jurisdiction.

Redacted text

Referral to a Review Panel Time Limit under Subsection 38(1) of CEAA 2012

Subsection 38(1) of *CEAA 2012* provides you with the authority to refer a project that is subject to an environmental assessment to a review panel, if in your opinion it is in the public interest.

Redacted text

Decision to Extend the Time-Period of the Minister's Subsection 52(1) Decision under Subsection 27(3) of CEAA 2012

Subsection 27(2) requires you to make your subsection 52(1) decision no later than 365 days following the date on which the Notice of Commencement is posted on the Registry internet site. Subsection 27(3) provides you with the power to extend this time period by a maximum of three months as necessary to cooperate with another jurisdiction.

Redacted text

Decision on Significant Adverse Environmental Effects under Section 52 of CEAA 2012


Redacted text

RECOMMENDATION

- The Agency recommends that you authorize the President of the Agency under subsection 108(2) of *CEAA 2012* to make the following decisions during the Caretaker period:
 - whether to designate physical activities not described in the *Regulations Designating Physical Activities* under subsection 14(2) of *CEAA 2012*;
 - whether to approve substitution of the federal environmental assessment process to another jurisdiction under subsection 32(1) of *CEAA 2012*;
 - whether to extend the time limit within which you must make decisions under subsection 52(1) (subsection 27(3) of *CEAA 2012*); and
 - whether to refer the environmental assessment of a designated project to a review panel under subsection 38(1) of *CEAA 2012*.
- The Agency recommends that you also authorize the President of the Agency under subsection 160(2) of *IAA* to make the following decisions during the Caretaker period, should the *IAA* be in force:
 - whether to designate physical activities not described in the *Physical Activities Regulations* under subsection 9(1) of *IAA*;
 - whether to approve substitution of the impact assessment process to another jurisdiction under subsection 31(1) of *IAA*; and
 - whether to refer a designated project to an impact assessment by a review panel under subsection 36(1) of *IAA*.

NEXT STEPS

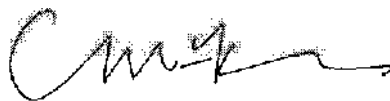
- Should you concur with the recommendation, your signature on Attachment I will serve as the official authorization of certain decision-making authorities to the President of the Agency during the period.
- Should you concur with the recommendation, the Agency will keep you apprised of any decisions made on your behalf during the Caretaker period.



Ron Hallman
President
c.c. Stephen Lucas

I concur ___

I do not concur ___



AUG 08 2019

Catherine McKenna

Attachments (2):

- *Attachment I — Authorization of decision-making authorities under CEAA 2012 and the Impact Assessment Act*
- *Annex I — Summary Table of Projects with Ministerial Decision Points during the Caretaker Convention*

ATTACHMENT I

Authorization of decision-making authorities under CEAA 2012 and the Impact Assessment Act



Ottawa, Canada K1A 0H3

**AUTHORIZATION UNDER THE *CANADIAN ENVIRONMENTAL ASSESSMENT ACT, 2012*
AND THE *IMPACT ASSESSMENT ACT***

I, the undersigned Minister of the Environment, pursuant to subsection 108(2) of the *Canadian Environmental Assessment Act, 2012* do hereby authorize the President of the Canadian Environmental Assessment Agency to exercise my power under

- subsection 14(2) of that Act to designate physical activities as designated projects subject to an environmental assessment under the *Canadian Environmental Assessment Act, 2012*;
- subsection 32(1) of that Act to approve the substitution of an assessment to be carried out by another jurisdiction for an environmental assessment under the *Canadian Environmental Assessment Act, 2012*; and
- subsection 38(1) of that Act to exercise the discretionary authority to refer the environmental assessment of a designated project to a review panel.

AUTHORIZATION UNDER THE *IMPACT ASSESSMENT ACT*

I, the undersigned Minister of the Environment, pursuant to subsection 160(2) of the *Impact Assessment Act*, upon its coming into force, do hereby authorize the President of the Impact Assessment Agency of Canada to exercise my power under

- subsection 9(1) of that Act to designate physical activities as designated projects subject to an impact assessment under the *Impact Assessment Act*;
- subsection 31(1) of that Act to approve the substitution of an impact assessment to be carried out by another jurisdiction for an impact assessment under the *Impact Assessment Act*; and
- subsection 36(1) of that Act to exercise the discretionary authority to refer the impact assessment of a designated project to a review panel.

The above authorizations will apply from the date on which the writ is issued for the 2019 federal election until the swearing in of a new Cabinet.

A handwritten signature in cursive script, appearing to read 'Cm', written in black ink.

The Honourable Catherine McKenna, P.C., M.P.

Signed at Ottawa, Ontario on AUG 08 2019

Canada

ANNEX I

Summary Table of Projects with Ministerial Decision Points during the Caretaker Convention

Summary of Potential Project Decision Points during the Caretaker Convention

Project Name	Process Step	Special Issues
---------------------	---------------------	-----------------------

Page 10

**is withheld pursuant to sections
est retenue en vertu des articles**

21(1)(a), 21(1)(c)

**of the Access to Information
de la Loi sur l'accès à l'information**

Delegation of Spending and Financial Authorities Chart

		1 - SPENDING AUTHORITIES																							2 - FINANCIAL AUTHORITIES		3 - OTHER AUTHORITIES						
		EXPENDITURE INITIATION AUTHORITIES											FAA S.32	TRANSACTION AUTHORITIES											FAA S.34	FAA S.33	OTHER AUTHORITIES						
		A1	A2	A3	A4	A5	A6	A7	A8	A9	A10	A11		A12	CONTRACTING AUTHORITIES FAA S.41						OTHER TRANSACTION AUTHORITIES						E	F	G1	G2	G3	G4	G5
Area of Responsibility		Salaries and Benefits	Travel	Relocation	Training and Development	Hospitality	Conferences	Events	Grants and Contributions	Ex-Gratia Payments	Claims by and against the Crown	Computers, IMIT Equipment	All Other Expenditures	Commitment Authority pursuant to FAA Section 32 (all expenditures)	Low Dollar Value Procurement (Goods & Services)/Requisition cards (45K)	Goods	Service Contracts - Composite Electronic Bidding System	Service Contracts - Competitive	Service Contracts - Non-Competitive	Call up against Standing Offer/Supply Arrangement (incl. Temporary Help)	Emergency Contracts	Terms and Conditions of Appointment of Panel Members	Memorandum of Understanding (Mut. L.A. Collaborative Arrangements Revenue Agreements)	Grants and Contributions (Sign Agreements)	Real Property Services Agreements	Occupancy/Incident	Corporation pursuant to FAA Section 34	Payment Authority pursuant to FAA Section 33 (all payments)	Debts write off	Waiver of Interest and Administrative Charges	Deduction and Set off FAA s.155	Write-off and Disposal of Materials	Disposal of Surplus Assets

Every officer of the Agency appointed on a permanent or temporary basis to positions indicated in this Chart and on the List of Equivalent Positions, is hereby delegated spending and financial related signing authorities within the limits stipulated in The Notes to the Agency's Delegation of Spending and Financial Authorities Chart and in accordance with all relevant legislation, regulations, policies and directives.

MAR 26 2019

Minister: Catherine McKenna Date:


President: Ron Hallman Date:

6 Mar. 19

Level	OPERATIONAL POSITIONS	Agency	A1	A2	A3	A4	A5	A6	A7	A8	A9	A10	A11	A12	FAA S.32	C1	C2	C3	C4	C5	C6	C7	C8	D1	D2	D3	D4	FAA S.34	FAA S.33	G1	G2	G3	G4	G5	
L1	President	Agency	F	F	F	F	R	F	R	F	F	F	R	F	F	F	R	R	R	R	F	R	F	F	F	F	F	F	F	R	R	R	R	R	
L2	Section Head	Area Served	R	R	F	R	R	R	R	F				R	F	F	R	R	R	R	F	R		F	F			F							
L3	a. Director General	Area Served	R	R	F	R	R		R	R				R	F	F	R								F			F							
	b. Regional Director	Area Served	R	R		R	R		R					R	F	F	R											F							
	c. Director / Executive Director	Area Served	R	R		R			R					R	F	F	R								F			F							
L4	Manager / Chief of Staff / VP Executive Assistants	Area Served	R										R	R	F	F									F			F							
L5	Administrative Assistant	Area Served													F	F													F						
Level	FUNCTIONAL POSITIONS	Agency	A1	A2	A3	A4	A5	A6	A7	A8	A9	A10	A11	A12	FAA S.32	C1	C2	C3	C4	C5	C6	C7	C8	D1	D2	D3	D4	FAA S.34	FAA S.33	G1	G2	G3	G4	G5	
L6	Chief Financial Officer	Agency	F	F		R	R	R	R		R	R	R	F	F	F	R	R	R	R	F	R		F	F	F	F	F	F	R	R	R	R	R	
L7	Deputy Chief Finance Officer	Agency	R	F										F	F	F	R	R	R	R	F	R		F		F		F	F						
L8	Director, Human Resources	Agency	F												F																				
L9	Chief Information Officer	Agency											R		F	F																			
L10	Director, Communications	Agency												R	F	F																			
L11	Manager, Administrative Services	Agency													F	F	R	R	R	R	F	R			F										
L12	Procurement Officer	Agency														F	R	R	R	R	F	R													
L13	Finance Officer / ECCC Finance Officer	Agency																											F						
L14	PSPC - Pay Verification Advisor	Agency																										R							
L15	Administration Services Officer	Agency													F	F																			

Note 1: This Chart must be read in conjunction with the Notes to the Agency's Delegation of Spending and Financial Authorities which more fully describes the authorities and their terms, conditions and limitations.
 Note 2: Approvals are permitted on the Agency's behalf by other departments.

Symbols Used in the Instrument of Delegation
 F: Full authority within area of responsibility and budget.
 R: Restricted authority subject to restrictions set out in the Delegation of Spending and Financial Authorities Chart and accompanying Rules and within limitations of governing legislation, regulations, policies, directives, area of responsibility and budget.



**Notes
to the Agency's Delegation of
Spending and Financial Authorities
Chart**

February 2019

Contents

Introduction.....	4
Management Practices and Controls.....	5
Delegation to Positions	5
Sub-Delegation of Authorities	5
Financial Limitations on Delegated Authority	5
Required Training (Treasury Board)	6
Suspension of Authorities.....	6
Segregation of Duties.....	6
Conflict of Interest [Personal Benefit].....	7
Fraud	7
Financial Administration Principles	7
Authorities for Financial Management	7
Spending Authorities	8
Expenditure Initiation	8
Commitment Authority.....	8
Transaction/Contract Authority	8
Financial Authorities.....	8
Certification Authority.....	8
Payment Authority	8
Other Authorities	9
Contracting Principles.....	9
Interpretation of Authorities Contained in the Chart	9
General.....	9
Layout	9
Area of Responsibility	9
Symbols.....	10
Organizational Levels	10
Operational Positions	10
Functional Positions.....	10
Spending Authorities	11
Expenditure Initiation Authorities	11
Salaries and Benefits.....	11
Travel	12
Relocation	13
Training and Development	14
Hospitality.....	15
Conference Attendance and Sponsorship	17
Events.....	18
Grants and Contributions	19
Ex Gratia Payments.....	20
Claims against the Crown	21
Computers, IM/IT Equipment.....	22
All Other Expenditures	22
Commitment Authority pursuant to FAA Section 32.....	23

Contracting Authorities (FAA Section 41)	24
Low Dollar Value (LDV) Procurement (Goods and Services)/Acquisition Cards (<\$5K)	25
Goods	25
Services – Competitive Electronic Bidding System	26
Services – Competitive	27
Services – Non-Competitive	28
Call-up against Standing Offer or Supply Arrangement (including Temporary Help Services)	29
Emergency Contracting	29
Terms and Conditions of Appointment for Panel Members	30
Other Transaction Authorities	30
Memorandum of Understanding (MoU, ILA, Collaborative Arrangements, Revenue Agreements)	30
Grants and Contributions (Sign Agreement)	31
Real Property Service Agreements	32
Occupancy Instrument	32
Financial Authorities	33
Certification pursuant to FAA Section 34	33
Payment Authority pursuant to FAA Section 33	35
Other Authorities	36
Debt write-off	36
Waive or reduce interest or administrative charges	37
Deduction and Set-Off FAA Section 155	37
Write-off and Disposal of Materials	38
Disposal of Surplus Assets	38
ANNEX A	40
ANNEX B	41
AUTHORITY TO SIGN THE SPECIMEN SIGNATURE RECORD	41
Operational Positions Based on the Organizational Structure	41
Functional Positions	41

Introduction

The Delegation of Spending and Financial Authorities Chart (the Chart) and its accompanying notes are the Canadian Environmental Assessment Agency's, and successor Agency's¹, (the Agency) framework for the Minister and the President to delegate and communicate the signing authorities to be exercised by officers of the Agency, thus empowering others to act on their behalf concerning financial matters.

This document is accompanied by the following annexes:

- A. Delegation of Spending and Financial Authorities Chart
- B. Authority to Sign the Specimen Signature Record

These documents have been prepared in compliance with directives, policies and guidelines established by Treasury Board (TB) for the financial administration of the Agency and support the Minister and President in carrying out his/her responsibilities for managing the Agency and its programs and priorities in compliance with legislation, regulations, Treasury Board policies, and financial authorities (TB Policy on Financial Management). Furthermore, these documents provide guidance and assistance to employees with delegated spending and financial authorities in understanding and applying those authorities in the performance of their duties.

By signing the Chart, the Minister establishes the maximum delegated authority to each relevant position. The President subsequently delegates those authorities, or lesser authorities, to the individuals holding those positions. The President may not delegate greater authorities than presented in the Chart.

Delegated spending and financial authorities are exercised exclusively for the delivery and administration of approved Agency programs as defined in the Appropriation Acts. Prior to making a decision to spend public funds, the Cost Centre Manager (CCM) will engage in work and budget planning exercises that consider the appropriateness and legitimacy of proposed expenditures. Expenditure of public funds must fall within scope of the mandate of the Agency and the delivery of its programs, and meet established program objectives while taking into consideration value for money, cost-effectiveness and efficiency. The CCM must ensure to exercise delegated spending and financial authorities only for fulfilling assigned responsibilities within the approved mandate and scope of operations and in alignment with budgetary and statutory limitations.

Cost Centre Managers must ensure that a proposed expenditure:

- Is directly linked to Agency objectives, strategic priorities and expected results;
- Is the most cost effective method of achieving the desired results;
- Is compliant with government legislation, regulations, directives and policies;
- Is able to pass the test of public scrutiny; and,
- Is within approved budget allocations.

Note that all financial authority limits, expressed in the Notes, are inclusive of all applicable taxes.

¹ Bill C-69 is before Parliament. When the Bill is promulgated, CEAA will transition to the Impact Assessment Agency of Canada (IAAC).

Management Practices and Controls

Management practices, key controls and principles of delegation are established to safeguard and ensure the effectiveness of transparency and accountability when exercising spending and financial signing authorities, to exercise sound stewardship and to provide assurance that the spending of public funds is appropriate and legitimate. These standards ensure that individuals who are delegated authorities are held responsible and accountable for their actions and all requirements of independence, prudence and probity are respected. It is the responsibility of the delegated personnel to ensure that they understand the extent of their authority and financial accountability.

The Delegation of Spending and Financial Authorities Chart (the Chart) reflects the authority limits that the Minister and President have granted to positions within the Agency. The authority limits for a specific position may be restricted as deemed necessary for operational purposes. The Area of Responsibility indicated in the Chart is a key limitation in the exercise of delegated authorities. Delegation from the President does not eliminate the delegated officer from ensuring that sufficient controls exist within their area of responsibility. The delegation merely sets out the lowest level at which the authority may be exercised. Therefore, it is important to refer to the signed Chart (Annex A) and these notes to identify the authorities actually vested in a given position.

Delegation to Positions

Authorities are delegated to positions identified by title, not to individuals identified by name. Therefore, regardless of a person's status as an employee or a non-employee (for example, a contractor) that person can obtain a spending or financial delegation authority. However, it requires the delegated persons to have successfully completed training before being granted delegated authority.

The operational positions identified in the Chart are accountable for a budget and the delivery of program and strategic priorities. The functional positions identified are for those where the incumbents hold specialized expertise based on specific roles and responsibilities within the Agency or client Department, which require function-specific knowledge, skills and attributes.

An individual who occupies a position that has been delegated financial authority, as per the Chart, may not exercise these authorities until they have been delegated the authority by the President and completed an approved Specimen Signature Record.

Sub-Delegation of Authorities

An individual whose position has been delegated with financial authorities by the Minister and President shall not sub-delegate such authorities to another individual or position. When a person receives delegated authority, that person cannot ask another person in the organization to use this delegation on his or her behalf. The President may delegate authority to an individual to "act" in a position. Where that individual has been appointed to an "acting" role, he/she assumes the delegated financial authorities of the position in which he/she is acting. At any specific time, only one individual for a specific position can be delegated spending and financial signing authorities for the identified Areas of Responsibility.

Financial Limitations on Delegated Authority

Financial limitations on delegated authority are identified within the Chart as **F = Full Authority** (authority to the limit of the allocated budget and Area of Responsibility, and is limited by governing legislation, regulations, policies and

directives) or **R = Restricted Authority** (conditional authority subject to restrictions set out in this document, and is limited by governing legislation, regulations, policies and directives).

Required Training (Treasury Board)

No person exercises delegated authorities unless the required training has been completed successfully and knowledge associated with the professional and legal responsibilities has been validated. Training requirements are specified in the following Treasury Board policy instruments: [Policy on Learning, Training and Development](#) and the [Directive on the Administration of Required Training](#). The following required training is offered by the Canada School of Public Service;

- Managers: G510 – Manager Authority Delegation Training Checkpoint (which includes G110, G510 and C451)
- Managers: Recertification after 5 years (C451-1)
- Executives: G610 – Executive Authority Delegation Training Assessment
- Executives: Recertification after 5 years (G610)

Suspension of Authorities

The suspension of delegation of financial authorities may result from:

- 1) A situation of non-compliance, as determined by a compliance monitoring process;
- 2) A situation in which the revalidation of knowledge leading to the validation of the delegated signing authorities within Treasury Board's Required Training was not completed within the prescribed time; or
- 3) Circumstances under which due diligence has not been exercised.

Note: A compliance monitoring process is defined as a process of verification (i.e., account verification) that is designed and operated to ensure compliance while taking into account the relative importance of risks associated with each transaction.

When a compliance monitoring process establishes that a critical point in terms of non-compliance has been reached, the Chief Financial Officer (CFO) will send a letter to suspend the delegation of financial authorities to the concerned employee. Note that the CFO resolves all cases of non-compliance and can take corrective actions which can include additional training, changes to procedures and systems, the suspension or removal of delegated authority, disciplinary action, and other measures, as appropriate.

When the revalidation of knowledge within Treasury Board's Required Training is not completed within the prescribed time, the situation is brought to the attention of the CFO to suspend the delegated financial authorities of the concerned employee. Following suspension, financial delegation authority may be reinstated after completion of the Treasury Board's required training.

Segregation of Duties

The same individual must not exercise the following:

- 1) both transaction authority (Section 41 of the FAA) and certification authority (Section 34 of the FAA) on the same transaction unless the transaction is a low-risk and low-value transaction (acquisition card transactions); or,
- 2) both certification (Section 34 of the FAA) and payment authority (Section 33 of the FAA) on the same transaction.

In the event that processes or circumstances do not allow for the separation of duties, as described above, alternate control measures must be implemented and documented.

Conflict of Interest [Personal Benefit]

Delegated officers must not exercise any authorities with respect to a transaction in which he/she is a party where he/she may be perceived as deriving a personal benefit, partially, directly or indirectly (i.e., the individual is linked to/identified in the transaction – not impartial - thereby adding the element of a personal component). Such transactions can result in an actual or perceived conflict of interest and require close scrutiny and independent authorization. These can be transactions related to salaries and benefits (including awards and recognition, learning and development – training), travel, relocation, isolated post allowances and travel assistance benefits, conference attendance fees, membership fees and hospitality. With respect to these transactions, individuals with delegated authorities must not exercise:

- Any element of **Spending Authority**: Expenditure Initiation Authorities (Column A of the Chart), Commitment Authority pursuant to FAA Section 32 (Column B of the Chart), Transaction Authorities - Contracting Authorities (Column C of the Chart) and Other Transaction Authorities (Column D of the Chart), or
- **Certification Authority** pursuant to FAA Section 34 (Column E of the Chart), or
- **Payment Authority** pursuant to FAA Section 33 (Column F of the Chart).

In order to ensure that such transactions can withstand the most rigorous of public scrutiny and to shield the activity(ies) from appearances of any impropriety or bad judgement, authorization must be exercised by the next higher reporting level with the appropriate delegated spending and financial signing authorities, notwithstanding the restricted authority delegated to incumbents of positions identified under Certification Authority pursuant to FAA Section 34 (Column E of the Chart) with specific conditions.

The Chief Financial Officer (L6) may exercise spending authority (initiation and commitment) and certification authority in lieu of the President for expenditures from which the President (L1), or those reporting directly to the President, can directly or indirectly benefit.

Under no circumstances can such transactions be manipulated, to conceal parties involved, in order to circumvent established key controls, by substitution or omission of information regarding individuals party to the transactions and/or by arranging for such transactions to be initiated and approved by subordinates or peers with delegated authority.

Fraud

Financial delegation is one of the basic elements essential to the prevention of fraud as it clearly defines the lines of authority, delegation of responsibilities and separation of incompatible functions.

Financial Administration Principles

Authorities for Financial Management

For the purposes of this document, financial signing authorities have been identified as **spending authorities, financial authorities and other authorities**. The Chart maintains the separation of these three types of authorities.

Spending Authorities

Spending authority consists of three elements: expenditure initiation authority, commitment authority, and transaction authority.

Expenditure Initiation

Expenditure initiation authority is the authority to incur an expense or make an obligation to obtain goods or services that will ultimately result in the disbursement of public funds. Types of expenditure initiation authority include:

- the decision to hire staff;
- ordering of goods or services;
- authorizing travel, relocation or hospitality; or
- entering into an arrangement for program purposes.

This authority is aligned closely with managerial, budgetary and operational responsibilities. It provides CCM the primary responsibility for initiating expenditures to be charged to their budget and ensuring that the necessary authority exists for making an expenditure which Parliament has approved through annual appropriation acts.

Commitment Authority

Commitment authority (FAA Section 32) is the authority delegated by the President to the incumbents of positions to ensure that there are sufficient unencumbered funds available before entering into a contract or other obligation on behalf of the Agency.

Transaction/Contract Authority

Transaction authority (FAA Section 41) is the authority delegated by the Minister for the purpose of allowing delegated personnel to sign goods and services contracts, within limits determined by the Treasury Board and in consideration of other authoritative legislation, and to sign off on legal entitlements on behalf of the Agency.

Financial Authorities

Financial authorities include certification authority (FAA Section 34) and payment authority (FAA Section 33).

Certification Authority

Certification authority (FAA Section 34) is the authority delegated by the Minister to positions, to certify before payment that a good and /or service has been received as per the conditions outlined in a contract or other type of procurement vehicle.

Payment Authority

Payment authority (FAA Section 33) is the authority delegated by the Minister to financial officers, to ensure that all payments and other charges requisitioned against the Consolidated Revenue Fund (CRF), are timely, properly authorized and legal as prescribed by the *Treasury Board Directive on Payments*.

The designated FAA Section 33 officer is required to ensure that a payment is a lawful charge against an appropriation and does not result in expenditure in excess of the appropriation, nor reduce the balance available in the appropriation to a level that is insufficient to meet commitments charged against it.

Other Authorities

The Chart identifies other categories of authorities which will be further detailed in Section G of this document.

Contracting Principles

It is government policy to conduct contracting in a manner that will:

- stand the test of public scrutiny for prudence and probity, facilitate access, encourage competition and reflect fairness in the spending of public funds;
- ensure effective and efficient results for operational requirements;
- support long-term industrial and regional development and other appropriate national objectives, including aboriginal economic development; and,
- comply with the government's obligations under the North American Free Trade Agreement (NAFTA), the World Trade Organization Agreement on Government Procurement, the Agreement on Internal Trade (AIT) and any other applicable trade agreements.

The incumbents occupying positions that have been delegated contracting authority must exercise this authority with prudence so that the contracting authority (on behalf of the Minister) is acting and is seen to be acting within the letter and the spirit of the *Government Contracts Regulations*, the Treasury Board Contracting Policy and the Government's procurement policy instruments.

The contracting officer, in conjunction with the CCM, is responsible for determining the most appropriate action for purchasing the goods and/or services (i.e., bidding process, standing offer, request to Public Services and Procurement Canada (PSPC), etc.) and providing this service to the CCM whose budgets will eventually be charged with the expenditure item.

Interpretation of Authorities Contained in the Chart

General

The Chart has been designed to comply with the Treasury Board Directive on Delegation of Spending and Financial Authorities, to meet the requirements for the financial administration and management of the Agency's programs.

Layout

Authority is delegated to specific position levels by "Organizational Structure", "Finance and Human Resources" and "Other Functional Positions". Within these position levels, authorities have been categorized by "Operational and Functional Positions" and the positions are restricted to the area of responsibility. The various types of authorities are indicated in the columns divided in sections 1 to 3, subsections A to G.

Area of Responsibility

Agency - the incumbent of the position has authority to act where indicated, on behalf of the Agency.

Area Served - the incumbent of the position has authority to act, where indicated on behalf of his/her area of responsibility.

Symbols

The authority limits in Columns A1 to G5 of the Chart define the authority level of the delegated authority and shall be interpreted as follows:

1. **“F”** indicates **full authority** within area of responsibility and budget;
2. **“R”** indicates a **restricted authority** subject to restrictions set out in these Notes, and within limitations of governing legislation, regulations, policies, directives, area of responsibility and budget.

Organizational Levels

The following section identifies the generic position titles to which authority has been delegated in the Chart. It is understood that the individuals appointed to these positions shall have the necessary knowledge and training to exercise the financial authorities in a responsible and prudent manner.

Operational Positions

Positions L1 to L5 are accountable for a budget and the delivery of program and strategic priorities. They reflect the organization’s hierarchy.

LIST OF EQUIVALENT POSITIONS

Operational Positions (L1 to L5) Positions responsible for a budget or program delivery

Level	Operational Position	Area of Responsibility	Equivalent Positions
L1	President	Agency	
L2	Sector Head	Area Served	Any EX or EX-equivalent position reporting directly to L1 (e.g., Vice-Presidents, CFO and Senior General Counsel).
L3	a) Director General	Area Served	Any EX or EX-equivalent position reporting directly to an L2.
L3	b) Regional Director	Area Served	Any EX or EX-equivalent position reporting directly to an L2.
L3	c) Director / Executive Director	Area Served	Any EX or EX-equivalent position reporting directly to an L2.
L4	Manager / Chief of Staff / VP Executive Assistant	Area Served	Any position reporting directly to an L1, L2 or L3 and managing a budget.
L5	Administrative Assistant (*See Note)	Area Served	Administrative Support.

*Note For acquisition card usage with prior approval from a manager.

Note for Operational Positions L1 to L5: In order to have authorities delegated to an Operational Position, a unique cost centre and budget must be assigned to that position. Also, at any point in time, only one Operational Position can have authorities against a specific cost centre. In other words, two operational positions at the same levels (Sector Head (L2), Director (L3), and Manager (L4)) cannot both have authority over the same cost centres.

Functional Positions

Positions L6 to L14 apply to incumbents holding specialized expertise based on specific roles and responsibilities within the department, and which require function-specific knowledge, skills and attributes.

LIST OF EQUIVALENT POSITIONS

Positions where the incumbent holds specialized expertise based on specific roles and responsibilities within the Agency and which require specific knowledge, skills and specific attributes

Level	Functional Position	Area of Responsibility	Equivalent Positions
L6	Chief Financial Officer	Agency	none
L7	Deputy Chief Financial Officer	Agency	none
L8	Director, Human Resources	Agency	none
L9	Chief Information Officer	Agency	none
L10	Director, Communications	Agency	none
L11	Manager, Administrative Services	Agency	none
L12	Procurement Officer	Agency	none

Level	Functional Position	Area of Responsibility	Equivalent Positions
L13	Finance Officer / Environment and Climate Change Canada (ECCC)	Agency	Manager of Accounting Operations and Reporting; Financial Officers / Analysts; ECCC Finance Officer for Electronic Authorization Purposes.
L14	Public Service Pay Centre (PSPC) – Pay Verification Advisor (*See note 1)	Agency	Compensation Advisor; Compensation Team Lead; Compensation Manager.
L15	Administration Services Officer (**See note 2)	Agency	

*Note 1: Approvals are performed on the Agency’s behalf by other departments.

**Note 2: For acquisition card usage with prior approval from a manager.

1. Spending Authorities

Spending authorities include:

- 1) Expenditure Initiation Authorities
- 2) Commitment Authorities pursuant to FAA Section 32
- 3) Transaction Authorities pursuant to FAA Section 41 (Contracting Authorities)
- 4) Transaction Authorities – Other Transaction Authorities

Expenditure Initiation Authorities

Cost Centre Managers (CCM) exercise these authorities when making decisions to obtain goods or services that will result in the eventual expenditure of funds from an appropriation. The objective of the expenditure initiation authorities is to give CCM primary responsibility for initiating expenditures charged to their budgets.

Expenditure initiation is the authority to approve expenditures or make an obligation to obtain goods or services that will result in the eventual expenditure of funds. This would include the decision to hire staff, to order supplies or services, to authorize travel, relocation or hospitality, and to enter into some other arrangement for program purposes. This authority is aligned with managerial, budgetary and operational responsibilities (Treasury Board [Directive on Delegation of Spending and Financial Authorities](#)).

A1. Salaries and Benefits

This is the authority to request and approve human resource actions, such as the staffing of vacant and new positions, and pay actions such as requests for overtime, payment in lieu of accrued compensatory or vacation leave, and other employee related benefits, such as bilingual bonus and shift premiums.

The President receives specific delegated authorities, functions, or duties from the Central Agencies such as those specified in the Staffing Delegation Accountability Agreement. It is within the President’s authority to sub-delegate certain elements of these authorities to the incumbents of positions in the Agency pursuant to various employee-employment related Acts, regulations, directives and collective agreements (e.g., official languages, grievances, leave, etc.).

All sub-delegated CCM are required to read both the Delegation of Spending and Financial Authorities Guide and the Agency’s Human Resources Delegation Instrument before exercising their authorities. They may consult a Human Resources Advisor when exercising their expenditure initiation authority.

Expenditure Initiation - Authority Limits

Human Resources	President	Sector Head	Director General	Regional Director	Director/ Executive Director	Manager/ Chief of Staff / VP Exec Assistant	CFO	DCFO	Director, Human Resources
Salaries and Benefits	Full	Restricted	Restricted	Restricted	Restricted	Restricted	Full	Restricted	Full
Long Service Awards	Full	no authority	no authority	no authority	no authority	no authority	Full	Restricted	Full

References:

[Agency’s Human Resources Delegation Instrument](#)

A2. Travel

This is the authority to approve requests for travel on official government business, including the authorization for travel advances and charges to the Departmental Travel Expense Card (DTEC).

In cases where travel is considered an event, please refer to the section A7 “Events” of this Guide.

Business travel includes travel related to attending a conference, travel related to training, trips for meetings and travel of other persons travelling on government business. It includes transportation by air, ground and marine modes of transportation, as well as meals and accommodation services such as hotels, motels, corporate residences, apartments, private non-commercial accommodation, and government and institutional accommodation.

For Public Service employees and other persons (non-federal government employees, such as volunteers travelling as part of volunteer agreements and individuals travelling as part of a letter of invitation) travelling on government business, travel shall be undertaken in accordance with the [National Joint Council \(NJC\) Travel Directive](#), the [TB Directive on Travel, Hospitality, Conference and Event Expenditures](#) (THCEE) and the Agency’s Guideline on Travel, Hospitality, Conferences, and Event Expenditures. For other groups, including the President, executive group, persons on contract and students, the [TB Special Travel Authorities](#) should also be consulted. The rates and allowances to be reimbursed for government business travel are stipulated in Appendices B, C and D of the [Travel Directive](#). Travel expenses must be treated as an amount payable under the contract for services rendered. All travel expenses payable should be specified and the costs should be included as part of the overall cost of the contract.

The authority to enter into a contract with persons outside the Public Service is contained in the Contracting Policy.

Cost Centre Managers (CCM) with appropriate delegation level are responsible for pre-approving travel by the most practical and economical means and ensuring that all travel arrangements are consistent with the provisions of the [NJC Travel Directive](#) and the [TB Directive on Travel, Hospitality, Conference and Event Expenditures](#). Pre-approval from the delegated manager with Expenditure Initiation Authority must be obtained either in writing or through electronic means, using the Agency’s financial system, prior to booking of travel arrangements. Expenditure Initiation Authority may be exercised in the completion and approval of an **individual trip request** (prepared respecting applicable policies by the person travelling and submitted to a delegated manager for authorization) or a **Blanket Travel Authority - BTA** (prepared in accordance with agency guidelines respecting applicable policies by a delegated manager for an employee).

Expenditure Initiation – Authority Limits

TRAVEL*	Module (as per NJC Travel Directive)	President	Sector Head	Director General	Regional Directors	Director/ Executive Director	CFO	DCFO
Travel within headquarters area (local travel)**	3.1	Full	Restricted	Restricted	Restricted	Restricted	Full	Full
Travel outside headquarters area – no overnight stay	3.2	Full	Restricted	Restricted	Restricted	Restricted	Full	Full
Travel in Canada and continental U.S.A. including Alaska	3.3	Full	Restricted	Restricted	Restricted	Restricted	Full	Full
International travel	3.4	Full	no authority	no authority	no authority	no authority	Full	Full
President’s travel	3.2 to 3.4	no authority	no authority	no authority	no authority	no authority	Full	Full
Exceptions to the NJC Travel Directive – for employees only up to \$10,000	3.1 to 3.4	Full	no authority	no authority	no authority	no authority	no authority	no authority

* Travel undertaken by Ministers and their exempt staff, in support of Agency business, is not subject to the travel expenditure initiation approvals noted in this section.

** Local Travel: travel within the normal office location and working environs of an employee, using means such as taxis, public transit, personal vehicle or government fleet vehicles for the conduct of the government's day to day business, can be authorized by the appropriate CCM.

References:

[TB Directive on Travel, Hospitality, Conference and Event Expenditures;](#)

[National Joint Council \(NJC\) Travel Directive;](#)

[TB Special Travel Authorities;](#)

[Agency’s Guideline on the Management of Travel, Hospitality, Conference and Event Expenditures;](#)

Treasury Board’s Decision no. 828699 of February 8, 2001, renewed on October 7, 2004 - exceptions to the provisions of the National Joint Council (NJC).

A3. Relocation

This is the authority to approve requests for relocation.

Relocation is the authorized move of an employee from one place of duty to another or the authorized move of an employee from the employee's place of residence to the employee's first place of duty upon appointment to a position in the Public Service.

The [National Joint Council \(NJC\) Relocation Directive](#) applies to Public Service employees, employees/appointees in the Executive Group (EX) and Governor in Council appointees (GIC). Reimbursement of relocation expenses must respect the terms of this Directive.

Employee - a person employed in the federal Public Service who is performing continuing full-time duties of a position and whose salary is paid out of the Consolidated Revenue Fund (employees performing continuing full-time duties on a seasonal basis are also included). The term also means a deputy minister, or any other person appointed by the Governor in Council to a position classified within the occupational groups comprising the Senior Management, Administrative and Foreign Service, Scientific and Professional, and Technical categories.

Appointee - a person recruited from outside the Public Service and appointed or on assignment to a department or agency listed in Schedules I and IV of the Financial Administration Act. On relocation to the first place of employment, a person is deemed not to be an employee for the purposes of this Directive.

Before the process is initiated, it is important to contact the Designated Relocation Coordinator of the Agency to ensure eligibility.

The process of relocation is initiated with an approved letter of offer or equivalent staffing document that contains therein a requirement to relocate. The initiating document is an output of the staffing process and since the action relates to matters of personnel/staffing, managers must refer to and cross-reference the [Agency’s Human Resources Delegation Instrument](#) to determine and confirm that the President has delegated the specific powers, functions, or duties pursuant to various employee-employment related Acts, Regulations, directives and collective agreements, etc. to the position the manager occupies (i.e., the CCM must ensure that both the Financial and Human Resources delegation instruments are respected when considering activities and expenditures related to the relocation of an employee).

Expenditure Initiation – Authority Limits

RELOCATION	President	Sector Head	Director General
Relocation costs	Full	Full	Full

References:

[National Joint Council \(NJC\) Relocation Directive;](#)
[Agency’s Human Resources Delegation Instrument.](#)

A4. Training and Development

This is the authority to approve requests for training and development.

The [TB Directive on Travel, Hospitality, Conference and Event Expenditures](#) defines training as: Fees paid for formal learning activities, which include a curriculum and established learning objectives, and where the primary purpose is to enable participants to maintain or acquire skills or knowledge.

Training costs normally consist of registration/admission fees and the cost of textbooks and other materials required to complete course requirements.

In cases where training and development activities are not related to core mandate or are not event-exempted, please refer to section A7 “Events” of this Guide.

All sub-delegated CCM are required to read both the Delegation of Spending and Financial Authorities Guide and the [Agency’s Human Resources Delegation Instrument](#) before exercising their authorities.

Expenditure Initiation – Authority Limits

TRAINING AND DEVELOPMENT	President	Sector Head	Director General	Regional Director	Director/ Executive Director	CFO
Training and development costs up to \$10,000	Full	Restricted	Restricted	Restricted	Restricted	Restricted
Training and development costs over \$10,000	Full	No authority	No authority	No authority	No authority	No authority
President’s training costs	No authority	No authority	No authority	No authority	No authority	Restricted

References:

[Agency’s Human Resources Delegation Instrument.](#)

A5. Hospitality

This is the authority to approve hospitality.

Hospitality consists of the provision of meals, beverages or refreshments in events that are necessary for the effective conduct of government business and for courtesy, diplomacy or protocol purposes.

The [TB Directive on Travel, Hospitality, Conference and Event Expenditures](#), dictates that hospitality, including with any of the following elements, is only provided to non-public servants and the minimum required number of public servants for reasons of courtesy, diplomacy or protocol:

- Alcoholic beverages;
- Entertainment activities;
- Local transportation to and from an event or activity; and
- Facility rental and associated items which are directly and inherently for hospitality purposes.

In some circumstances and within restrictions defined in the [TB Directive on Travel, Hospitality, Conference and Event Expenditures](#), hospitality can be provided to federal government employees. When only public servants are present, hospitality can only be provided in situations where:

- Participation is required in operational meetings, training or events that extend beyond normal working hours including where:
 - There are no nearby or appropriate facilities to obtain [refreshments](#) or meals; or
 - Staff dispersal is not effective or efficient.

In all cases, the provision of food and beverages must be in accordance with the cost limits in the [TB Directive on Travel, Hospitality, Conference and Event Expenditures](#).

In cases where hospitality is considered an Event, please refer to the section A7 “Events” of this Guide.

Expenditure Initiation – Authority Limits

HOSPITALITY	Minister	President	Sector Head	Director General	Regional Directors	CFO
Hospitality costs not exceeding \$1,500	Full	Restricted*	Restricted*	Restricted*	Restricted*	Restricted*
Hospitality costs over \$1,500 and up to \$3,000	Full	Restricted*	Restricted*	Restricted*	No authority	Restricted*
Hospitality costs over \$3,000 and up to \$10,000	Full	Restricted*	No authority	No authority	No authority	No authority
Hospitality costs when only federal government employees and contractors are in attendance	Full	Restricted*	Restricted*	No authority	No authority	Restricted*
Hospitality for employee recognition award ceremony or National Public Service Week	Full	Restricted*	No authority	No authority	No authority	No authority
Hospitality costs up to \$10,000 where the President is in attendance	Full	No authority	No authority	No authority	No authority	Restricted*
Hospitality costs exceed \$10,000	Full	No authority	No authority	No authority	No authority	No authority

Note: Any hospitality costs that are \$3,000 or more must be reviewed and validated by Finance and Administration.

Restricted* means that only the Minister has the authority regardless of the dollar amount if any of the following situations apply:

- Alcoholic beverages are being served or will be provided
- Food and beverage costs exceed the maximum or standard cost per person
- Entertainment will be provided
- Hospitality or entertainment will be provided to a spouse or to a person accompanying an event participant
- Hospitality paid by federal government will be extended at the residence of a federal employee

Note: With the exception of the Minister, an individual who is a participant at a hospitality event may not approve the expenditure initiation for hospitality. In such circumstances, the approval of higher authority is to be obtained.

References:

[Directive on Travel, Hospitality, Conference and Event Expenditures;](#)

[National Joint Council Travel Directive;](#)

[Section 12.\(1\)\(b\) of the Financial Administration Act;](#)

[National Public Service Week: Serving Canadians Better Act.](#)

A6. Conference Attendance and Sponsorship

This is the authority to approve attendance at a conference or the sponsorship of a conference.

A conference refers to a congress, convention, seminar, symposium or other formal gathering, which are usually organized by a third party, external to government, where participants debate or are informed of the status of a discipline (e.g., sciences, economics, technology, management). Guest speakers are often part of such conferences that involve employees and/or non-public servants. Retreats, work-planning meetings and training seminars or courses that provide training are not considered as conferences.

The objective of attending a conference will be principally to support the delivery of the Agency’s operational activities and should be specified in the applicable conference approval document. Where travel is involved the travel authorization elements (i.e., objective of the travel, category, number of travellers, mode of transportation, accommodations, meals and incidentals) will apply, as well as the rationale for the minimum number of necessary conference participants.

The number of employees attending a conference from the agency will be the minimum necessary to achieve the agency’s objective. Where multiple employees will be attending the same conference, this constitutes an event, and the total planned conference costs will be provided for approval to the most senior approval authority as defined under section A7 “Events” of this Guide.

Expenditure Initiation – Authority Limits

CONFERENCES	President	Sector Head	CFO
Conference costs less than \$10,000	Full	Restricted	Restricted
Conference costs over \$10,000	Full	No authority	No authority
President in attendances at the conference	No authority	No authority	Restricted

Note: Any conference costs that are \$10,000 or more must be reviewed and validated by Finance and Administration.

References:

[TB Directive on Travel, Hospitality, Conference and Event Expenditures](#)

A7. Events

This is the authority to approve events.

Events involve gatherings of individuals (both public and/or non-public servants) engaged in activities other than operational activities of the department. Examples of events include, but are not limited to:

- Management and staff retreats;
- Participation in conferences;
- Awards and recognition ceremonies; and
- Departmental celebrations.

This may include participants from other levels of government or foreign governments, foreign or political dignitaries, national or international organizations, industry representatives and public interest groups.

For the purpose of an event approval, total costs include items, such as conferences fees, professional services, hospitality, accommodation, transportation, meals and other relevant costs including those for participants on travel

status. Total costs exclude salary costs for Federal Government Employees, as well as other departmental fixed operating costs.

Considerations

In situations where the Agency is organizing the event with a total departmental cost in excess of \$25,000 and other departments are participating, it is incumbent on the lead organizing Sector to obtain estimated costs for the total of the participants from other federal departments. The participating departments are required to provide the estimated cost information including total estimated participant costs related to travel.

In circumstances where multiple levels of authority are required for an event and/or provision of hospitality, a single approval approach is to be followed. The highest approval authority would therefore provide the sole approval for the elements under this directive.

Expenditure Initiation – Authority Limits

EVENT	Minister	President	Sector Head	Director General	Regional Directors	CFO
Event costs not exceeding \$25,000	Full	Restricted	Restricted	Restricted	Restricted	Restricted
Event costs over \$25,000 but less than \$50,000	Full	Restricted	No authority	No authority	No authority	No authority
President in attendance and event costs over \$10,000 but less than \$50,000 or President and Sector Head in attendance and event costs less than \$10,000.	Full	No authority	No authority	No authority	No authority	Restricted
Event costs exceed \$50,000	Full	No authority	No authority	No authority	No authority	No authority

NOTE: Any event costs that are \$25,000 or more must be reviewed and validated by Finance and Administration.

References:

[TB Directive on Travel, Hospitality, Conference and Event Expenditures](#)

A8. Grants and Contributions

This is the authority to approve the funding of a grant or contribution project for individuals, organizations and other levels of government to participate in any of the four Funding Programs, as follow:

- Participant Funding Program
- Policy Dialogue Program
- Research Program
- Indigenous Capacity Support Program for IA

Grants and contributions are transfer payments made in accordance with the [TB Policy on Transfer Payments](#), and [TB Directive on Transfer Payments](#). Treasury Board and Agency policies, directives and guides governing Transfer Payments must be consulted and respected.

Transfer payments are payments, which are made on the basis of an appropriation for which no goods, or services are directly received, but which may require the recipient to provide a report or other information subsequent to receiving payments.

A grant is a transfer payment made to an individual or organization which is not subject to accounting or audit, but for which eligibility and entitlement may be verified or for which the recipient may need to meet pre-conditions.

A contribution is a conditional transfer payment to an individual or organization for a specified purpose pursuant to a contribution agreement that is subject to accounting and audit.

The Grants and Contributions Oversight Committee is responsible for reviewing available financial resources and for recommending annual allocations to the four programs, in line with TBS agreements. Subsequently, the Gs & Cs Oversight Committee may recommend reallocations during the fiscal year. The President has the authority to sign off on these allocations/reallocations.

Based on the program budget, and following the requirements set forth in a multi-year framework, signed by the President for each program, authorization to initiate expenditure is delegated as per A8 of the Chart (Grants and Contributions). This expenditure initiation may be for a project that involves disbursement of funds to multiple recipients (e.g., participant funding for an environmental assessment). The funding allocation to recipients is based on the recommendation of the Funding Review Committee. Authority to sign agreements with recipients is specified under D2 of the Chart (Grants and Contributions (Sign Agreements)).

Expenditure Initiation – Authority Limits

GRANTS AND CONTRIBUTIONS	President	Sector Head	Director General	Director/ Executive Director
Grants and contribution allocations not exceeding \$100,000	Full	Full	Restricted	Restricted
Grants and contribution allocations exceeding \$100,000	Full	Full	No authority	No authority

Note: Funding allocations should be recommended by the Funding Review Committee

References:

[TB Policy on Transfer Payments;](#)

[TB Directive on Transfer Payments.](#)

A9. Ex Gratia Payments

This is the authority to approve ex-gratia payments under the [TB Directive on Payments](#).

An ex-gratia payment is a benevolent payment made by the Crown used only when there is no other statutory, regulatory or policy vehicle to make such a payment. The payment is made in the public interest for loss or expenditure incurred where the Crown has no obligation of any kind or has no legal liability, or where the claimant has no right of payment or is not entitled to relief in any form. It is a discretionary payment arising from a moral obligation or policy reason on the part of the Crown. The two qualifying conditions of an ex gratia payment are that there is **no** legal liability (does not require issues of legal liability to be resolved) **AND** it must be in the public interest to make the payment (i.e., there is a connection/link between some policy, action or inaction by a public body or publicly supported authority and the harm being compensated) .

In potential *ex gratia* cases, a review of applicable federal or provincial statutes, private or public programs, contract provisions, commercial insurance, recovery from outside parties, Treasury Board’s program funding or grant and contribution authorities must be carried out to confirm that there are no other means of compensation. If there is no other source of funds, no liability on the part of the Crown, and no limitation or restriction imposed in existing schemes which would prohibit it, payment may be made *ex gratia*.

Employee claims for damaged, lost, stolen or destroyed personal effects **must be treated as claims and not as *ex gratia* payments**. Compensation for the effects (replacement or repair, whichever is most appropriate) could be authorized when the decision-maker considers that the effects are reasonably related to the performance of the employee’s duties at the time of the loss or damage.

Expenditure Initiation – Authority Limits

EX-GRATIA	President	CFO
Ex-Gratia payments less than \$2,000	Full	Restricted
Ex-Gratia payments over \$2,000	Full	No authority

Note: Legal Services must review all claims for *ex gratia* payments

References:

[TB Directive on Payments;](#)

A10. Claims against the Crown

This is the authority to approve payments for the settlement of liability claims against the Crown under the [TB Directive on Payments](#).

A claim against the Crown is a claim in tort or extra-contractual claim for compensation to cover losses, expenditures or damages sustained by a claimant arising from government operations.

Claims being made that are covered by other authorities, governing instruments or policies are to be processed pursuant to those other authorities. The [TB Directive on Payments](#) **does not apply** to the relocation of household property and travel claims, or to the traditional remedies for settling bidding or contract performance disputes. These are treated in the [NJC Relocation Directive](#), [NJC Travel Directive](#), and [TB Contracting Policy](#) respectively. Claims for recovery of losses of public money are governed by the [TB Directive on Public Money and Receivables](#).

CCM are encouraged to consult with their Financial Management Advisor (FMA) before recommending such payments.

A legal opinion from Legal Services must be obtained for all claims over \$25,000.

In consideration of payment to settle a liability claim against the Crown, a release shall be obtained except where it would not be administratively expedient.

For a claim against servants of the Crown, one must ensure that the [TB Policy on Legal Assistance and Indemnification](#) is considered early in the process. Legal Services from the Department of Justice Canada advise on legal assistance at public expense and must be consulted.

All claims under the *Canadian Human Rights Act*, in view of their sensitive nature, shall be referred to Legal Services for their review and advice.

Expenditure Initiation – Authority Limits

CLAIMS AGAINST THE CROWN	President	CFO
Claims payments up to \$25,000	Full	Restricted
Claims payments over \$25,000	Full	No authority

Note: A legal opinion from Legal Services must be obtained for all claims over \$25,000.

References:

- [TB Directive on Payments;](#)
- [TB Policy on Legal Assistance and Indemnification;](#)
- [TB Directive on Public Money and Receivables;](#)
- [TB Contracting Policy;](#)
- [NJC Relocation Directive;](#)
- [NJC Travel Directive.](#)

A11. Computers, IM/IT Equipment

This is the authority for acquisition of computers and IM/IT equipment that are not under the authority of Shared Services Canada.

Expenditure Initiation – Authority Limits

COMPUTERS AND IM/IT EQUIPMENT	President	CIO*	CFO	Director / Executive Director	Manager / Chief of Staff / VP Exec Assistant
Peripherals and components on the microcomputer National Master Standing Offers	Restricted	Restricted	Restricted	Restricted	Restricted
Printers, scanners and toners if purchased using a call-up against the Shared Services National Master Standing Offers	Restricted	Restricted	Restricted	No authority	No authority
Other IM/IT equipment such as docking stations, monitors, and systems such as desktops, notebooks and tablets must be purchased via Shared Services Canada	No authority	No authority	No authority	No authority	No authority

Note: Communicate with the Manager, IT Operations & Security for the purchase of computers and IM/IT equipment through the generic mailbox ceaa.ITServices-ServicesTI.acee@ceaa-acee.gc.ca.

A12. All Other Expenditures

This is the authority to requisition goods and services expenditures that are not specified in the previous sections.

Expenditure Initiation – Authority Limits

Expenditure Type	President	Sector Head	Director General	Regional Director	Director / Executive Director	Manager/ Chief of Staff / VP Exec Assistant	CFO	DCFO	Director of Communication
Acquisition of goods and services not specified in other sections	Full	Restricted	Restricted	Restricted	Restricted	Restricted	Full	Full	No authority
Acquisition of goods and services for President and Sector Heads	No authority	No authority	No authority	No authority	No authority	No authority	Full	Full	No authority
Sponsorship	Full	No authority	No authority	No authority	No authority	No authority	Full	Full	Restricted
Memberships in private clubs (*See Note)	No authority	No authority	No authority	No authority	No authority	No authority	No authority	No authority	No authority

***Note:** Private club membership does not include membership in a professional body, for example, the Chartered Professional Accountants of Canada, the Canadian Medical Association or the Canadian Bar Association. The Agency will not reimburse the cost for the Association for Professional Executives (APEX) membership.

References:

[TB Directive on Payments;](#)

[TB Directive on Public Money and Receivables.](#)

B – Commitment Authority pursuant to FAA Section 32

This is the authority to approve FAA Section 32.

FAA Section 32

- (1) *No contract or other arrangement providing for a payment shall be entered into with respect to any program for which there is an appropriation by Parliament or an item included in estimates then before the House of Commons to which the payment will be charged unless there is a sufficient unencumbered balance available out of the appropriation or item to discharge any debt that, under the contract or other arrangement, will be incurred during the fiscal year in which the contract or other arrangement is entered into.*
- (2) *The deputy head or other person charged with the administration of a program for which there is an appropriation by Parliament or an item included in estimates then before the House of Commons shall, as the Treasury Board may prescribe, establish procedures and maintain records respecting the control of financial commitments chargeable to each appropriation or item.*

In summary the delegated authority needs to:

S32 (1) Verify Unencumbered Balance: Delegated authority needs to ensure that a sufficient unencumbered balance is available in his/her own budget; and,

S32 (2) Manage Commitments: After confirmation of a sufficient unencumbered balance, a commitment is recorded and updated according to [CEAA Budgeting and Commitment Control Guideline](#) .

References:

[Financial Administration Act](#);
[CEAA Budgeting and Commitment Control Guideline](#).

C – Contracting Authorities (FAA Section 41)

Contracting authority is the authority to procure goods and services and sign related contracts. This authority may not be exercised without the supporting signature of the appropriate manager who has expenditure initiation authority and commitment authority.

The objective of government procurement contracting is to acquire goods and services and to carry out construction in a manner that enhances access, encourages competition and reflects fairness in the spending of public funds and results in best value and withstands the test of public scrutiny in matters of prudence and probity or, if appropriate, the optimal balance of overall benefits to the Crown and the Canadian people.

When a requirement contains a blend of goods, services and/or construction, the required authority will be based on the element constituting the largest portion of the total requirement. For example, when the goods component is ancillary to the services component of a requirement, the services authorities should be used.

Note: All dollar limits inclusive of all applicable taxes (GST, HST, PST, QST, etc).

In accordance with chapter 6 of the Public Works and Government Services [Supply Manual](#):

- 1) Contracts are entered into by Her Majesty the Queen as represented by a minister. The authority to enter into contracts is generally in the legislation constituting the department or agency and conferring certain powers on a minister. The [Department of Public Works and Government Services Act](#) confers the Minister's contracting authority. The Minister's authority is delegated to the Deputy Head, who then sub-delegates to officers throughout the Department in order to carry out the internal contract process.

The financial limits are established by Treasury Board pursuant to the [Financial Administration Act](#) and are set out in the [Treasury Board Contracting Policy](#).

Contracting officers are delegated authorities to enter into contracts and to sign and amend contracts in accordance with the level of responsibility of the position they occupy.

References:

[Treasury Board Contracting Policy](#);
[Public Works and Government Services Supply Manual](#);
[Department of Public Works and Government Services Act](#);
[Financial Administration Act](#).

C1. Low Dollar Value (LDV) Procurement (Goods and Services)/Acquisition Cards (<\$5K)

This is the authority to procure low dollar value goods and services. The goods and services may be acquired with an acquisition card (maximum \$5,000 per transaction), a local purchase order, by using a call-up against a standing offer or by such instrument as determined by the Manager, Administration.

When identifying LDV procurement requirements and exercising LDV authorities, delegated officers must not split or artificially divide requirements to meet the LDV threshold. In addition, delegated officers should determine the most appropriate procurement strategy that would obtain best value and ensure timeliness, efficiency and cost effectiveness, and support accountability in procurement activities by documenting rationales to support the selected procurement method and the basis of valuation.

Where an acquisition card is to be used, the cardholder must ensure that they obtain expenditure initiation approval, in accordance with the Agency instrument, from an individual with the delegated spending authority in those circumstances where the cardholder does not have that authority.

Contracting - Authority Limits

Low Dollar Value Procurement / Acquisition Cards	President	Sector Head	Director General / Regional Director / Director / Executive Director	Manager/ Chief of Staff / VP Executive Assistant	Admin Assistant	CF O	DCF O	CIO	CIO / Director Comms	Manager Admin. / Procure. Officer / Admin Services Officer
Goods and Services up to \$5,000 per transaction	Full	Full	Full	Full	Full	Full	Full	Full	Full	Full
Goods and Services from \$5,000 to \$25,000 per transaction *	Full	No authority	No authority	No authority	No authority	Full	Full	No authority	No authority	No authority

* Must be justified by a note to file.

References:

[Supply Manual>Chapter 3 -Low Dollar Value Procurements;](#)

[Acquisitions Program Policy Suite;](#)

[Public Works and Government Services Supply Manual; Guidelines on Contractual Arrangements.](#)

C2. Goods

This is the authority to procure goods with the use of local purchase orders.

The following types of goods **must be** purchased through Standing Offers:

- Administrative and Management Support Services
- Clothing, Accessories and Insignia
- Fuels, Lubricants, Oils and Waxes
- Furniture
- General Purpose Automatic Data Processing Equipment (including Firmware), Software, Supplies and Support Equipment
- Ground Effect Vehicles, Motor Vehicles, Trailers, and Cycles
- Information Processing and Related Telecommunication Services
- Office Supplies and Devices
- Personnel Recruitment
- Professional Services
- Office Machines, text processing systems and visible recording equipment
- Court Reporting
- Translation Services

Contracting - Authority Limits

Goods	President	Sector Head	Director General /Regional Director / Director /Executive Director	CFO	DCFO	Manager Administration/ Procurement Officer
Procurement of goods with the local purchase orders up to \$25,000 (total contract value, including amendments)	Restricted	Restricted	Restricted	Restricted	Restricted	Restricted

Note: IM/IT Equipment must be purchased via Shared Services Canada except for equipment listed under A11.

References:

[Public Works and Government Services Supply Manual;](#)

[Acquisitions Program Policy Suite;](#)

[Guidelines on Contractual Arrangements.](#)

C3. Services – Competitive Electronic Bidding System

This is the authority to procure services through contracts placed if proposals have been solicited through:

- 1) A public notice by means of an approved electronic information service of procurement opportunities (e.g., the Government Electronic Tendering Service); or

A public notice in the “Government Business Opportunities” publication, or such other procurement methods as may be approved by the Treasury Board.

Contracting - Authority Limits

Services – Competitive Electronic Bidding System	President	Sector Head	CFO	DCFO	Manager Administration/ Procurement Officer
Contract not to exceed \$1M for the original or \$0.5M for the total of all amendments	Restricted	Restricted	Restricted	Restricted	Restricted
Contracts not to exceed \$2M for the original contract or \$1M for the total of all amendments	Restricted	Restricted	Restricted	Restricted	No authority

References:

- [Supply Manual>Chapter 3 -Low Dollar Value Procurements;](#)
- [Acquisitions Program Policy Suite;](#)
- [Public Works and Government Services Supply Manual;](#)
- [Guidelines on Contractual Arrangements.](#)

C4. Services – Competitive

This is the authority to procure services where the process used for the solicitation of bids assures that a reasonable and representative number of suppliers are given an opportunity to bid, by one of two scenarios:

- A. First Scenario
 - a) Giving public notice, in a manner consistent with generally accepted trade practices, of a call for bids with respect to a proposed contract; or
 - b) Inviting bids on a proposed contract from at least three qualified suppliers on a suppliers’ list, and where at least two valid bids were received, the lowest or the bid offering the best value, as determined by the contracting authority, was accepted.
- B. Second Scenario
 - a) Giving public notice, in a manner consistent with generally accepted trade practices, of a call for bids respecting a proposed contract; or
 - b) Inviting bids on a proposed contract from at least three qualified suppliers on a suppliers’ list, and only one valid bid is received, and fair value to the Crown will be obtained as determined by the contracting authority.

Contracting - Authority Limits

Services – Competitive	President	Sector Head	CFO	DCFO	Manager Administration/ Procurement Officer
Contract not to exceed \$200K for the original or \$100K for the total of all amendments	Restricted	Restricted	Restricted	Restricted	Restricted
Service Contracts which total value, including all amendments, is \$100,000 or less with Former Public Servants in Receipt of a Pension*	Restricted	Restricted	Restricted	Restricted	Restricted

Services – Competitive	President	Sector Head	CFO	DCFO	Manager Administration/ Procurement Officer
Contracts not to exceed \$400K for the original contract or \$200K for the total of all amendments	Restricted	Restricted	Restricted	Restricted	No authority

* Treasury Board approval is required to enter into any contract which total value exceeds \$100,000 with Former Public Servants in Receipt of a Pension, and Treasury Board approval is required to amend any contract which total value exceeds \$100,000 with Former Public Servants in Receipt of a Pension.

References:

- [Supply Manual>Chapter 3 -Low Dollar Value Procurements;](#)
- [Acquisitions Program Policy Suite;](#)
- [Public Works and Government Services Supply Manual;](#)
- [Guidelines on Contractual Arrangements.](#)

C5. Services – Non-Competitive

This is the authority to procure services where a bid/proposal is solicited from single source or where the conditions of a competitive solicitation are not met.

Contracting - Authority Limits

Services –Non-Competitive	President	Sector Head	CFO	DCFO	Manager Administration/ Procurement Officer
Contract not to exceed \$25,000 for the original and the total of all amendments	Restricted	Restricted	Restricted	Restricted	Restricted
Service Contracts, for which total value, including all amendments, is \$25K or less, with Former Public Servants in Receipt of a Pension*	Restricted	Restricted	Restricted	Restricted	Restricted
Contracts exceeding \$25,000	Restricted	No authority	Restricted	No authority	No authority

* Treasury Board approval is required to enter into any contract for which total value exceeds \$25,000 with Former Public Servants in Receipt of a Pension; the fee component in any contract must be abated if the individual has been retired for less than one year and is in receipt of a pension; Treasury Board approval is required to amend any contract whose total value exceeds \$25,000.

References:

- [Supply Manual>Chapter 3 -Low Dollar Value Procurements;](#)
- [Acquisitions Program Policy Suite;](#)
- [Public Works and Government Services Supply Manual;](#)
- [Guidelines on Contractual Arrangements.](#)

C6. Call-up against Standing Offer or Supply Arrangement (including Temporary Help Services)

This is the authority to enter into contracts for the acquisition of goods or services within the terms of a standing offer or supply arrangement.

A Standing Offer is an offer from a potential supplier to supply goods, services or both, on the pricing basis and under the terms and conditions stated in the standing offer. Standing offers are established by competitive bidding or negotiation. A separate contract is entered into each time a call-up is made against a standing offer.

A Supply Arrangement is a method of supply used by Public Works and Government Services Canada (PWGSC) to procure goods and services. Like standing offers, it is not a contract and neither party is legally bound as a result of signing a supply arrangement alone. Supply arrangements include a set of predetermined conditions that will apply to bid solicitations and resulting contracts. They allow client departments to solicit bids from a pool of pre-qualified suppliers for specific requirements. This differs from standing offers that only allow client departments to accept a portion of a requirement already defined and priced. Many supply arrangements include ceiling prices which allow client departments to negotiate the price downward based on the specific requirement.

Contracting - Authority Limits

Call-up against Standing Offer or Supply Arrangement	President	Sector Head	CFO	DCFO	Manager Administration/ Procurement Officer
Standing Offers	Full	Full	Full	Full	Full
Supply Arrangements	Full	Full	Full	Full	Full

References:

[Supply Manual>Chapter 3 -Low Dollar Value Procurements;](#)
[Acquisitions Program Policy Suite;](#)
[Public Works and Government Services Supply Manual;](#)
[Guidelines on Contractual Arrangements.](#)

C7. Emergency Contracting

This is the authority to enter into contract in cases of pressing emergency.

Treasury Board defines a pressing emergency as a situation where delay in taking action would be injurious to the public interest. Emergencies are normally unavoidable and require immediate action that would preclude the solicitation of formal bids. An emergency may be an actual or imminent life-threatening situation, a disaster which endangers the quality of life or has resulted in the loss of life, or one that may result in significant loss or damage to Crown property.

Contracting - Authority Limits

Emergency Contracting	President	Sector Head	Director General	Director Regional	CFO	DCFO	Manager Administration/ Procurement Officer
Total contract value not to exceed \$500K	Restricted	Restricted	Restricted	Restricted	Restricted	Restricted	Restricted
Total contract value not to exceed \$1M	Restricted	Restricted	No authority	No authority	Restricted	No authority	No authority

Note: A report must be sent to the Treasury Board Secretariat within 30 days of authorization or beginning of the work.

References:

- [Guidelines on Contractual Arrangements;](#)
- [Acquisitions Program Policy Suite;](#)
- [Public Works and Government Services Supply Manual.](#)

C8. Terms and Conditions of Appointment for Panel Members

This authority is given solely for the purpose of determining the terms and conditions of appointment for the services of ministerial appointed panel members or mediators in support of the [Canadian Environmental Assessment Act, 2012](#).

Contracting - Authority Limits

Appointment for Panel Members	President
Determining the terms and conditions	Full

References: [Canadian Environmental Assessment Act, 2012](#).

D – Other Transaction Authorities

This is the authority to enter into agreements, MOU, real property agreements, etc.

D1. Memorandum of Understanding (MoU, ILA, Collaborative Arrangements, Revenue Agreements)

This is the authority to enter into and sign Memorandum of Understanding, collaborative arrangements, and revenue related agreements when the Agency is providing goods or services, paying or receiving money, or there is an explicit agreement to work cooperatively to achieve public policy objectives with other government departments (OGDs), other levels of government, non-governmental organizations, the private sector, universities, as well as individual Canadians, in order to advance the Agency’s objectives. In doing so, the Agency is extending its own capacity beyond the public good by recovering from those who directly benefit from activities that relate specifically to the Agency’s mandate (as described within the [Canadian Environmental Assessment Act, 2012](#)).

Termination of an Agreement

In cases where the Agency invokes a termination clause to terminate an agreement before the original end-date, approval from the delegated authority that provided the Transactional Authority approval would normally be

required. Note that the Sector Head, at their discretion, may provide approval to terminate an agreement in lieu of the President. In addition, in cases of termination, advice from *Legal Services* usually should be sought.

Finally, should there be the potential for negative publicity or other implications to the Agency or Government of Canada resulting from the termination of the agreement, senior management and/or Communications should be advised, in advance, accordingly.

All agreements or MOUs in this section are subject to [CEAA Budgeting and Commitment Control Guideline](#). Sector Heads may refer to their Financial Management Advisor (FMA) for further guidance.

Other Transaction Authorities - Authority Limits

Memorandum of Understanding (MoU, ILA, Collaborative Arrangements, Revenue Agreements)	President	Sector Head	CFO	DCFO
Agreements	Full	Full	Full	Full

References:

[Canadian Environmental Assessment Act, 2012](#);
[CEAA Budgeting and Commitment Control Guideline](#).

D2. Grants and Contributions (Sign Agreement)

This is the authority to sign grants and contributions agreements and amendments.

This authority cannot be exercised unless the expenditure initiation authority (A8) and FAA Sec.32 for this Grant or Contribution project has already been exercised.

Treasury Board and Agency policies, directives and guides governing Grants and Contributions must be consulted and respected.

Termination of an Agreement

In cases where the Agency invokes the Termination clause (in the G&C agreement) to terminate an agreement before the original end-date, approval from the delegated authority that provided expenditure initiation normally would be required.

In addition, in cases of Termination, advice from Legal Services usually would be sought before advising the recipient of the Termination pursuant to the termination clause of the agreement.

Finally, should there be the potential for negative publicity or other implications to the Agency or Government of Canada resulting from the Termination of the agreement, Senior Management and/or Communications should be advised in advance, accordingly.

Other Transaction Authorities - Authority Limits

Grants and Contributions	President	Sector Head	Director General	Director/ Executive Director	Manager/ Chief of Staff / VP Executive Assistant	CFO
Agreements and Amendments	Full	Full	Full	Full	Full	Full

References:

- [TB Policy on Transfer Payments;](#)
- [TB Directive on Transfer Payments;](#)
- [CEAA Budgeting and Commitment Control Guideline.](#)

D3. Real Property Service Agreements

This is the authority to enter into real property agreements such as Specific Services Agreements (SSA), Tenant Direct Requests with Public Services and Procurement Canada (PSPC) service providers and Tenant Requirement Packages.

An SSA is a funding agreement between the Agency and PSPC where the Agency will be paying PSPC to undertake a project on the Agency's behalf (often real property or engineering services projects). A "SSA" is the written agreement between Agency (the "client") and PSPC that defines the scope, terms and conditions of a project and the work to be undertaken, details about invoicing/payment - basically it is the client's (the Agency's) financial authority approval for the project.

Only certain functional positions in the Agency have the authority to negotiate and approve an "SSA" with PSPC. PSPC uses a form, usually referred to as an "SSA", to obtain the financial approval from the agency to commence the project. This form is available online [PWGSC-TPSGC 5031-v2](#).

A Tenant Direct Request is a written agreement between a client department occupying space in a PSPC managed facility and PSPC's service provider to provide certain real property services within the terms set out in the contract between PSPC and the provider.

A Tenant Requirement Package is a written agreement between a client department and PSPC outlining a department's accommodation requirements when PSPC is acquiring new or expansion space on behalf of a tenant department.

Other Transaction Authorities - Authority Limits

Real Property	President	CFO	DCFO	Manager Administration
Service Agreements	Full	Full	Full	Full

References:

- [TB Policy on Service;](#)
- [TB Guideline on Service Agreements: An Overview;](#)
- [Public Works and Government Services Supply Manual;](#) and
- [TB Guidelines on Contractual Arrangements.](#)

D4. Occupancy Instrument

This is the authority to sign Occupancy Agreements.

An Occupancy Instrument (OI) is a written agreement between PSPC's Real Property Branch and a tenant department that defines the amount and type of space occupied by a tenant in a PSPC managed building, including the related rental costs. The OI also identifies the funding accountabilities of both PSPC and the Agency. Where the Agency has funding responsibilities (e.g., reimbursing arrangements, additional services), the OI serves as the agreement used for invoicing and payment.

Other Transaction Authorities - Authority Limits

Occupancy Instrument	President	CFO
Occupancy Agreements	Full	Full

References:

[TB Policy on Management of Real Property;](#)
[Guide to the Management of Real Property.](#)

2. Financial Authorities

Includes FAA Section 34 (Certification Authorities) and FAA Section 33 (Payment Authorities).

Certification pursuant to FAA Section 34

FAA Section 34 (1) states:

No payment shall be made in respect of any part of the federal public administration unless, in addition to any other voucher or certificate that is required, the deputy of the appropriate Minister, or another person authorized by that Minister, certifies:

- A. in the case of a payment for the performance of work, the supply of goods or the rendering of services,
 - i. that the work has been performed, the goods supplied or the service rendered, as the case may be, and that the price charged is according to the contract, or if not specified by the contract, is reasonable,
 - ii. where, pursuant to the contract, a payment is to be made before the completion of the work, delivery of the goods or rendering of the service, as the case may be, that the payment is according to the contract, or
 - iii. where, in accordance with the policies and procedures prescribed under subsection (2), payment is to be made in advance of verification, that the claim for payment is reasonable; or
- B. in the case of any other payment, that the payee is eligible for or entitled to the payment.

FAA Section 34 (2) states:

The Treasury Board may prescribe policies and procedures to be followed to give effect to the certification and verification required under subsection (1).

Persons with this delegated authority DO NOT exercise the following:

- A. Certification authority and payment authority on the same payment.

- B. Spending, certification or payment authority for an expenditure from which they can directly or indirectly benefit (e.g., when the payee is the individual with financial signing authority or when the expenditure is incurred for the benefit of that individual).

Financial Authorities - Authority Limits

FAA Section 34	President	Sector Head	Director General / Regional Director / Director / Executive Director	Manager/ Chief of Staff / VP Executive Assistant	CFO	DCFO	PSPC - Pay Verification Advisor
All transactions for the respective area of responsibility except the transactions listed below	Full	Full	Full	Full	Full	Full	No authority
Payments made to the President or to the President's direct Reports(L2) or the expenditures for their benefit	No authority	No authority	No authority	No authority	Full	Full	No authority
Acquisition and travel card consolidated payments	Full	No authority	No authority	No authority	Full	Full	No authority
Emergency payments	Full	No authority	No authority	No authority	Full	Full	No authority
Petty Cash transactions	Full	No authority	No authority	No authority	Full	Full	No authority
Specific pay transactions under Public Service Pay Center responsibility*	No authority	No authority	No authority	No authority	No authority	No authority	Restricted

*Public Service Pay Center: Appropriate delegation of FAA Section 34 has been granted to the Public Service Pay Center through the official delegation form below signed by the ECCC Deputy Minister:

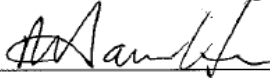
Public Service Pay Centre: Delegation of FAA s.34 Verification Document

In December 2011, the Treasury Board granted approval for PWGSC to proceed with the implementation of the Consolidation of Pay Services Project and the establishment of the Public Service Pay Centre in Miramichi, New Brunswick. PWGSC was also granted the authority to provide administrative and other services required for the disbursement of pay to persons employed in client organizations as approved through the Governor in Council of the Pay Disbursement Administrative Services Order, 2011- 1550.

The following components of s.34 Verification are delegated from client organizations to PWGSC's generic position (Pay Verification Advisor) for the administration of pay.

Generic Position: Pay Verification Advisor (PWGSC)
Payee information is accurate and complete.
All relevant collective bargaining agreements, court orders and tribunal orders policies and directives have been complied with.
Amounts have been calculated accurately based on the following:
Payment is not a duplicate.
Entitlements and source deductions are accurate and complete.
Supporting documentation is complete (i.e. allows maintenance of an audit trail, demonstrates agreed price and other specifications, and demonstrates receipt of goods or services and authorization according to the delegation of financial signing authorities).

Therefore, as the appropriate authority of the client organization, for the purpose of pay verification I hereby delegate to the identified generic position – Pay Verification Advisor – in the Pay Centre the authorities to exercise the requirements of Section 34 of the *Financial Administration Act* for the purposes of pay input and verification. These authorities will also be reflected within the internal Delegation of Authorities Instrument of our organization in order to ensure their continuity.



Bob Hamilton

APR - 4 2014

Date

Environment Canada

References:

[Directive on Payments;](#)
[Financial Administration Act](#)

Payment Authority pursuant to FAA Section 33

This is the authority to requisition payments according to section 33 of the [Financial Administration Act](#).

FAA Section 33 is to be exercised based on a risk Chart using CEAA's Account Verification Checklists. Only the President, CFO and DCFO can authorize specimen signature record for employees with delegated FAA Section 33.

No requisition shall be made for a payment that:

- A. Would not be a lawful charge against the appropriation;
- B. Would result in an expenditure in excess of the appropriation; or
- C. Would reduce the balance available in the appropriation so that it would not be sufficient to meet the commitments charged against it.

Financial Authorities - Authority Limits

FAA Section 33	President	CFO	DCFO	Finance Officer / ECCC Finance Officer
Payment requisitions	Full	Full	Full	Full

Notes:

- The same person cannot exercise both certification authority (FAA Section 34) and payment authority (FAA Section 33) on the same payment.
- Payment authority cannot be exercised by anyone who will directly or indirectly benefit from it. (e.g., when the payee is the individual with payment authority or when the expenditure is incurred for the benefit of that individual).
- The CFO is responsible for the effectiveness and efficiency of FAA Section 33 Payment Authority.

References:

[Directive on Payments;](#)
[Financial Administration Act.](#)

3. Other Authorities

G – Other Authorities

G1. Debt write-off

This is the authority to write-off debt.

Debts owed to the Crown may be deleted from the accounts of the Agency through forgiveness, remission, or write-off.

Debt write-off is an accounting action that applies primarily to uncollectible debts. It does not forgive the debt or release the debtor from the obligation to pay, nor does it affect the right of the Crown to enforce collection in the future. Also refer to the [Debt Write-off Regulations](#).

This authority is only for debt write-off.

Other Authorities - Authority Limits

Debt write-off	President	CFO
Individual debt not exceeding \$1,000	Restricted	Restricted
Individual Debt exceeding \$1,000 with the recommendation of the Debt Write-off Review Committee.	Restricted	Restricted

Note: Any individual debt write-off exceeding \$1,000 must be reviewed and validated by the Debt Write-off Review Committee.

References:

[Terms of Reference for the Agency Debt Write-Off Committee;](#)
[Agency’s Accounts Receivable Management Guide;](#)
[Debt Write Off Regulations;](#)

[TB Directive on Public Money and Receivables;](#)
[Interest and Administrative Charges Regulations.](#)

G2. Waive or reduce interest or administrative charges

This is the authority to waive or reduce interest or administrative charges.

Pursuant to the [Interest and Administrative Charges Regulations](#) respecting interest on overdue accounts and administrative charges for dishonoured instruments, a delegated officer may waive or reduce interest under Sections 9 and 12 of the Regulations on an individual or class basis.

Other Authorities - Authority Limits

Waive or reduce interest or administrative charges	President	CFO
Waiver or reduction of charges	Restricted	Restricted

References:

[Interest and Administrative Charges Regulations;](#)
[Agency's Accounts Receivable Management Guide;](#)
[Debt Write Off Regulations;](#)
[TB Directive on Public Money and Receivables.](#)

G3. Deduction and Set-Off FAA Section 155

This is the authority to approve actions to set off debt.

When a delinquent debtor is not prepared to make voluntary arrangements to settle a debt, action may be taken to recover the debt by set-off. Set-off authorities pursuant to FAA Section 155(1) of the *FAA* authorize the Minister responsible for the collection of an amount owing to the Crown to retain that amount, **by set-off or deduction of the debt**, out of any sum of money that may be due and payable by the Crown to that person. This provision is applicable when no specific authority exists under a statute or regulation to permit set-off or recovery (for example, the [Canada Pension Plan](#) and the [Unemployment Insurance Act](#) have specific statutory provisions).

As well, FAA Section 38 provides for the recovery of accountable advances, or any portion that is not repaid or accounted for within 30 days following the end of the fiscal year.

FAA Section 155(4) of the *FAA* states that no amount may be retained under FAA Section 155(1) of the *FAA* without the consent of the Minister under whose responsibility the payment would otherwise be made. Pursuant to Section 24(2) of the *Interpretation Act*, consent to or refusal of set-off could be exercised on behalf of the Minister by the President or the senior position having responsibility for the program.

The requirements for consent of the paying Minister does not apply to set-offs to recover overpayments of salaries, wages and employment related allowances under FAA Section 155(3).

Other Authorities - Authority Limits

Deduction and Set-Off FAA Section 155	President	CFO
Deduction and Set-Off	Restricted	Restricted

References: [Financial Administration Act](#)

G4. Write-off and Disposal of Materials

This is the authority to initiate and approve the write-off of material assets lost due to fire, theft, accident or that are missing during stock-taking.

The write-off must be done in accordance with Agency and TB policies and procedures and in accordance with the [Surplus Crown Assets Act](#).

This authority does not apply to real property assets.

Other Authorities - Authority Limits

Write-off and Disposal of Materials	President	CFO	DCFO	CIO	Manager Administration
All categories of materials not specified below	Restricted	Restricted	Restricted	No authority	No authority
Computers and IM/IT equipment	Restricted	Restricted	Restricted	Restricted	No authority
Office equipment	Restricted	Restricted	Restricted	No authority	Restricted

Note: All authority limits for write offs of material are based on the Net book value (NBV) at the time of the write-off and not on Asset Cost.

References: [Surplus Crown Assets Act](#).

G5. Disposal of Surplus Assets

This is the authority to initiate and to approve the disposal of surplus material assets.

The disposal must be done in accordance with Agency policies and procedures on the Disposal of Material and [TB Directive on Disposal of Surplus Materiel](#).

This authority does not apply to real property assets.

Other Authorities - Authority Limits

Disposal of Surplus Assets	President	CFO	DCFO	CIO	Manager Administration
	R	R	R	R	R
All categories of surplus assets not specified below	Restricted	Restricted	Restricted	No authority	No authority
Computers and IM/IT equipment	Restricted	Restricted	Restricted	Restricted	No authority
Office furniture	Restricted	Restricted	Restricted	No authority	Restricted

References: [TB Directive on Disposal of Surplus Materiel](#)

ANNEX B

AUTHORITY TO SIGN THE SPECIMEN SIGNATURE RECORD

Operational Positions Based on the Organizational Structure

LEVEL	POSITION	WHO CAN SIGN
L1	President	MINISTER
L2	Sector Head	L1
L3	a. Director General	L1, L2
L3	b. Regional Director	L1, L2
L3	c. Director / Executive Director	L1, L2
L4	Manager / Chief of Staff / VP Exec Assistant	L1, L2, L3
L5	Administrative Assistant	L1, L2, L3, L4

Functional Positions

LEVEL	POSITION	WHO CAN SIGN
L6	Chief Financial Officer	L1
L7	Deputy Chief Financial Officer	L1, L6
L8	Director, Human Resources	L1
L9	Chief Information Officer	L2
L10	Director, Communications	L2
L11	Manager, Administrative Services	L1, L6, L7
L12	Procurement Officer	L1, L6, L7
L13	Finance Officer / ECCC Finance Officer (*see note)	L1, L6, L7,
L14	PSPC - Pay Verification Advisor (*see note)	L1, L6, L7
L15	Administration Services Officer	L1, L6, L7

Note* Approvals are performed on the Agency's behalf by other departments.