

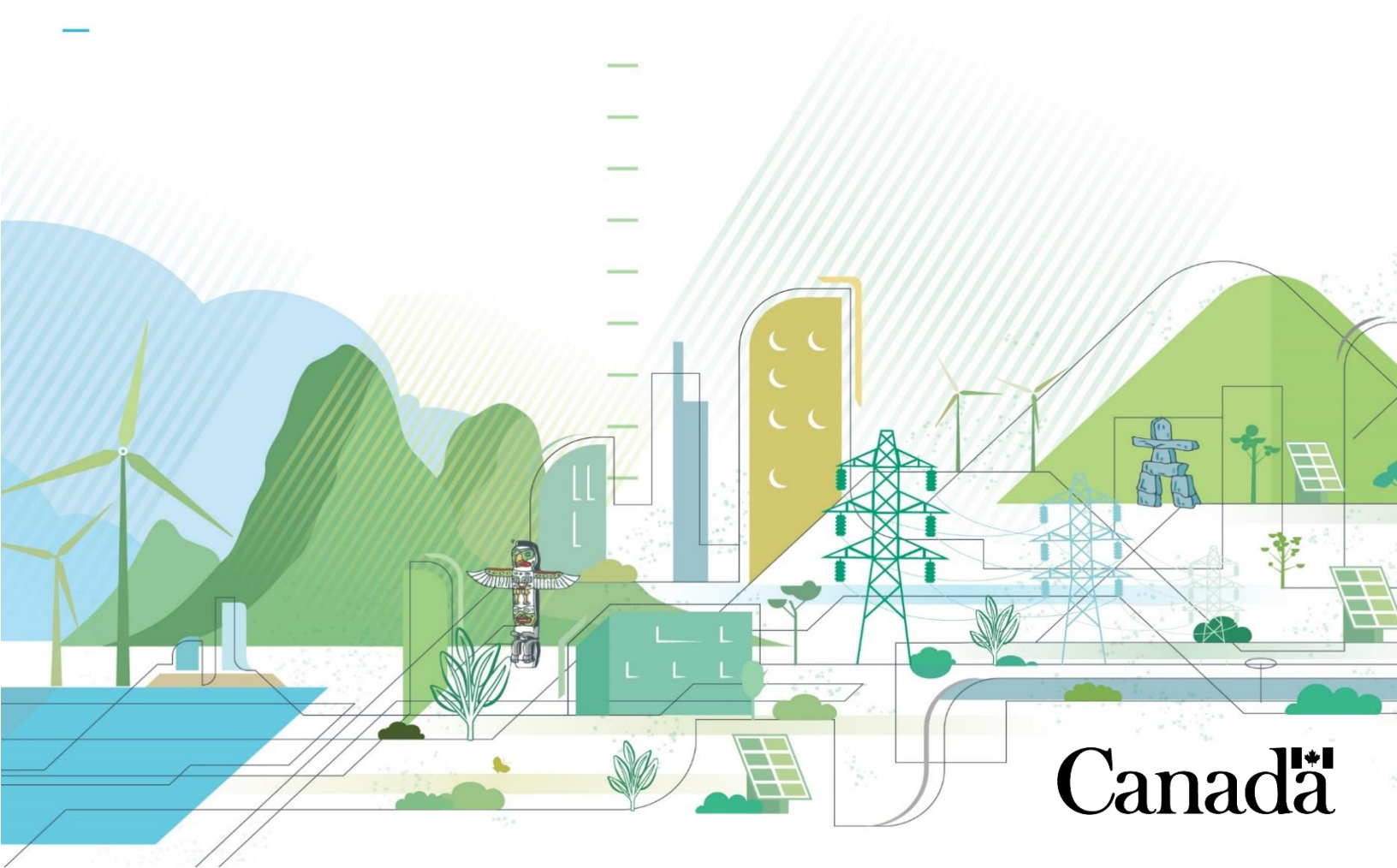


Natural Resources
Canada

Ressources naturelles
Canada

Indigenous Ministerial Arrangements Regulations

Glossary of Terms



Canada

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Glossary

- **Abandonment:** *Permanently* ceasing the operation of a pipeline, powerline or other facility. Facilities can be taken out of service, or deactivated, for a period of time without being abandoned.
- **Action Plan Measure 34 (APM 34):** A measure within the Government of Canada's Action Plan to implement the *United Nations Declaration on the Rights of Indigenous Peoples Act* (UNDA). APM 34 allows for measures to be set that could enable Indigenous Peoples to exercise authority over federally regulated energy projects and matters, which are currently regulated by the Canada Energy Regulator (CER). IMARs is a commitment under APM 34.
- **The Commission:** This refers to the CER's Commission, which is responsible for making adjudicative decisions about federally regulated energy projects in Canada. The Commission is comprised of up to 7 full-time Commissioners, at least one of which must be an Indigenous person, and may also include part-time Commissioners.
- **Canada Energy Regulator (CER):** A federal agency responsible for regulating energy infrastructure that falls within federal jurisdiction in Canada, including interprovincial and international pipelines, international and designated interprovincial powerlines, and offshore renewable energy.
- **Canadian Energy Regulator Act (CERA):** The law that establishes the CER and outlines many of its powers, duties and functions.
- **Chief Executive Officer (CEO):** The CEO is responsible for the management of the CER's day-to-day business and affairs, including the supervision of its employees and their work.
- **Federally regulated energy infrastructure:** The physical systems and facilities that are used to produce, transport, and deliver energy across Canada that the federal government has authority to oversee or regulate. This includes federally regulated pipelines, powerlines, and other energy infrastructure that the CER is responsible for regulating under the *CERA*.
- **Federally regulated pipeline:** A pipeline that is regulated by the CER, usually because it extends to the international border or crosses provincial or territorial borders.
- **Federally regulated powerline:** An electricity powerline that is regulated by the CER, usually because it extends to the international border.
- **Governor in Council (GIC):** The GIC means the Governor General of Canada acting on the advice of Cabinet. Under the *CERA*, the GIC has the responsibility of making or approving certain regulations, and also approving certain decisions made by the Commission of the CER.

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- **Indigenous governing body (IGB):** As defined in the *CERA*, a council, government, or other entity that is authorized to act on behalf of an Indigenous group, community, or people that holds rights recognized by the Canadian Constitution (section 35 of the *Constitution Act, 1982*).
 - **Indigenous Ministerial Arrangement:** An agreement between the federal government (the Minister of Energy and Natural Resources) and Indigenous groups (represented by Indigenous governing bodies) to take on or share responsibilities for overseeing federally regulated energy infrastructure under the *CERA* (like pipelines and powerlines).
 - **Indigenous Ministerial Arrangement Regulations (IMARs):** Regulations that enables the Minister of Energy and Natural Resources to enter into Indigenous Ministerial Arrangements with IGBs. The regulations will include how the arrangements are to be entered into, the circumstances that they may be entered into, what the arrangements should include, and if any provisions in the *CERA* should be varied or excluded from an arrangement.
 - **Minister of Energy and Natural Resources:** The federal cabinet minister responsible for energy and natural resources policy. Natural Resources Canada and the CER share the same minister.
 - **National Engagement Strategy:** The strategy developed by NRCan to engage with Indigenous groups, industry and other partners to develop and implement IMARs.
 - **Natural Resources Canada (NRCan):** A federal government department responsible for the sustainable development of Canada's natural resources, including energy resources.
 - **Offshore renewable energy projects:** Projects that generate electricity from renewable sources like wind or waves in the ocean.
 - **Powers, duties and functions:** The *CERA* gives the CER to power to carry out responsibilities (powers, duties and functions) related to the regulation of federally energy infrastructure in Canada. These responsibilities are mostly found within the *CERA* and cover a vast range of activities that are carried out along the lifecycle of an energy project.
 - **Provision:** A provision in an Act (law) is a specific rule or requirement within that Act.
 - **Regulations:** Regulations are the rules used to carry out the intent of statutes (Acts) enacted by the Parliament of Canada. They are instruments of legislative power and have the force of law. Regulations contain more specific guidelines than Acts.
 - **Section 77 of the *CERA*:** The provision that outlines the Minister's ability to enter into arrangements with Indigenous governing bodies to carry out responsibilities under the *CERA*, if regulations are created under section 78.
 - **Section 78 of the *CERA*:** The provision that outlines how the Indigenous Ministerial Arrangement Regulations can be made by the Governor in Council.

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- ***United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)***: A federal law that creates a framework to advance implementation of the *United Nations Declaration on the Rights of Indigenous Peoples* by the federal government.
 - **What We Heard Report (WWHR)**: A document that summarizes the feedback and input received during the engagement process. It outlines key themes, concerns and suggestions that emerged from the engagements and is used to inform decision-making and policy development.