



Intergovernmental Affairs – Internal Trade

Privy Council Office

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RE: Government of Canada Consultation on the Free Trade and Labour Mobility in Canada Act

On behalf of the Prospectors & Developers Association of Canada (PDAC) and our more than 8,200 members, including individuals, professional geoscientists and engineers, and more than 1,100 corporations, we wish to highlight an important consideration for the regulations surrounding Bill C-5's *Free Trade and Labour Mobility in Canada Act*.

PDAC supports the Act's goal of reducing federal barriers to the movement of goods and services in Canada. This objective in mind, we are concerned about a proposed change from the Canadian Securities Administrators (CSA) to National Instrument 43-101 (NI 43-101) that would require provincially designated professionals to acquire an additional 5 years of experience before they can act as a Qualified Person for federal disclosures. This change will severely impact both the availability and mobility of geoscientists, engineers, and other professionals that represent Qualified Persons with respect to technical disclosures in the mineral industry.

PDAC joins many across the geoscientific community and the mineral industry in expressing concerns regarding CSA's newly proposed 5-year period. This approach is counter to views expressed by the ten regulatory bodies governed by the provinces and territories in which geoscience professionals work, and who accredit and administer P.Geo status. Such an approach will also create a tremendous barrier for qualified international professionals to work within Canada. A proposed 5-year 'waiting period' that would be imposed after an individual has already obtained registration with an approved professional association at the provincial or territorial level does not appear to be based on demonstrable statistics or analyses.

This change stands to dramatically exacerbate the mineral sector's labour shortage and goes contrary to the objectives outlined in the *Free Trade and Labour Mobility in Canada Act*. It further meets both requirements to fall within scope of the Act, in that:

- 1) Determination of professional qualification is subject to both federal and provincial or territorial regimes, and that provincial and territorial designations are already recognized by the federal regulators through NI 43-101; and



- 2) The federal requirement impacts the ability of professionals to provide services in Canada.

PDAC recommends that the Act be applied to ensure that no 5-year waiting period is imposed on accredited professionals and to recognize the authority of governing provincial and territorial associations in determining who may act as a qualified person.

Thank you for your consideration on this matter. Please contact Jeff Killeen (PDAC Policy & Programs Director) at jkilleen@pdac.ca should you wish to discuss our comments further.

Kind regards,

Jeff Killeen
Director, Policy and Programs