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Regulator

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To: All Gas Importation Authorization Holders under the *Canadian Energy Regulator Act*

### **Gas Import Authorization Regulatory Change – No New Import Authorizations Required**

This letter is to notify all companies that the *Canadian Energy Regulator Act (CER Act)* no longer requires companies to obtain authorization for the importation of natural gas, effective as of 29 August 2022.

On 28 August 2019, the CER Act came into force, repealing and replacing the *National Energy Board Act (NEB Act)*. However, under the transitional provisions of the CER Act, the NEB Act continued to apply to import authorizations until the third anniversary date of the coming into force of the CER Act.<sup>1</sup> The third anniversary has passed and, as such, no new authorizations can be issued.

#### ***Import Orders and Licences***

**Accordingly, all licences and orders for importation of natural gas issued on or after 29 August 2022 are of no force and effect.** The Canada Energy Regulator (CER) Online Application System has removed the option to apply for importation authorizations.

**All licences and orders for importation of natural gas issued on or before 28 August 2022 by the NEB and the Commission of the CER are valid,** and remain valid for the duration for which they were issued. They may also be varied as if they were made under the CER Act.<sup>2</sup> Holders of valid orders and licences remain bound by the conditions and terms therein.

The Online Application System is now closed for new applications for gas import orders.

#### ***In-Transit Orders***

**All in-transit orders issued under paragraph 15(c) of the *National Energy Board Act Part VI (Oil and Gas) Regulations* on or before 28 August 2022 are valid,** and remain valid for the duration for which they were issued.

**For all in-transit orders issued on or after 29 August 2022, all provisions of the orders remain in force and continue to apply, except provisions which specify particular points of delivery for import.** The Commission may vary these orders as required.

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<sup>1</sup> See subsection 42(1) of the transitional provisions of the CER Act.

<sup>2</sup> See sections 33 and 34 of the transitional provisions, and sections 69 and 348 of the CER Act.

***Reporting Requirements***

All holders of valid gas importation licences or orders, and all holders of valid in-transit orders, must continue to provide the information required by the [National Energy Board Export and Import Reporting Regulations](#). For further information, please consult these regulations.

***Regulatory Policy Updates***

Regulations made under the NEB Act remain in force under the CER Act.

The CER is working towards updating regulations related to oil and gas exportation, as well as reporting requirements for exporters and importers. Further information can be found on the [Regulatory Framework Plan](#) information page.

If you require any further information, please contact us at:

[DLInquiries-Exports-Hydrocarbons@cer-rec.gc.ca](mailto:DLInquiries-Exports-Hydrocarbons@cer-rec.gc.ca)

Yours sincerely,

*Signed by*

Paula Futoransky  
Vice President, Energy Adjudication