

February 16th, 2022

Alberta Securities Commission
Autorité des marchés financiers
British Columbia Securities Commission
Financial and Consumer Services Commission of New Brunswick
Financial and Consumer Affairs Authority of Saskatchewan
Manitoba Securities Commission
Nova Scotia Securities Commission
Nunavut Securities Office
Office of the Superintendent of Securities, Newfoundland and Labrador
Ontario Securities Commission
Office of the Superintendent of Securities, Northwest Territories
Office of the Yukon Superintendent of Securities
Superintendent of Securities, Department of Justice and Public Safety, Prince Edward Island

The Secretary
Ontario Securities Commission
20 Queen Street West
22nd Floor
Toronto, Ontario, M5H 3S8
comment@osc.gov.on.ca

Me Philippe Lebel
Corporate Secretary and Executive Director, Legal Affairs
Autorité des marchés financiers
Place de la Cité, tour Cominar
2640, boulevard Laurier, bureau 400
Québec (Québec) G1V 5C1
consultation-en-cours@lautorite.qc.ca

Re. Request for Comment on Proposed National Instrument 51-107 Disclosure of Climate-related Matters

Dear Canadian Securities Administrators:

Thank you for the opportunity to comment on the proposed National Instrument 51-107 regarding the disclosure of climate-related matters.

Launched by the Government of Canada in 2021, the Sustainable Finance Action Council (SFAC) comprises 25 organizations from Canada's deposit-taking institutions, insurance companies, and pension funds, which, combined, have more than \$10 trillion in assets. The SFAC brings together public and private sector financial expertise to support the growth of a strong, well-functioning, sustainable finance market and strengthen the mobilization of private capital in support of Canada's climate goals.

The SFAC is encouraged by the efforts of the Canadian Securities Administrators (CSA) in developing the proposed national instrument and shares the sense of importance in moving toward mandatory disclosures, as outlined in our terms of reference and supported by a summary we provided to the Government of Canada in the fall of 2021 reflecting strong support for mandatory disclosure in Canada. The SFAC membership plans to provide commentary on 51-107 both individually and through various

sector and trade associations. As a result, we have determined that SFAC can best contribute by ensuring our current workplans support the efforts of CSA as it determines next steps post the consultation process.

Through the SFAC's Disclosure Technical Expert Group (TEG), cross-cutting themes of interest to SFAC's diverse representation have been identified as priority areas of its workplan which align with the key aspects of the national instrument. These include:

- the legal liability framework that will encourage comprehensive and effective disclosure through safe harbour provisions;
- proportionality and phasing to prioritize elements of mandatory disclosure; and
- championing tools that will make Canada a cost effective and efficient market for disclosure that is comprehensive and effective, in support of harmonization and alignment with global capital markets.

We are engaging more broadly with stakeholders beyond the core SFAC table as we continue our work, to ensure informed and inclusive perspectives are incorporated to influence outcomes.

The Disclosure TEG, on behalf of the SFAC, has appreciated the opportunities to engage with members of the CSA and looks forward to continuing this dialogue in the coming months to support finalizing the national instrument. As the CSA reviews comment letters received through the consultation, we would welcome further discussion to provide an update on our progress as noted above and to adjust our workplan where we may be of additional assistance to the work of the CSA once the consultation closes.

Please advise whether you would find such a discussion of value to your work and we will make required meeting arrangements.

Again, thank you for your efforts associated with this critically important national instrument development.

Sincerely,

Kathy Bardswick

Kathy Bardswick

Chair, Sustainable Finance Action Council