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Goldcorp Research and
Innovation Chair in Natural
Resources and Energy Law

Approaches to Energy Poverty in Canada and France

Energy justice in a changing market:
an inter-disciplinary workshop
Thursday 31st May, University of Leicester

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Energy Poverty

In France (2014)

20%

Source: ONPE, Premier rapport annuel de l'ONPE, (2014),
http://onpe.org/sites/default/files/pdf/documents/rapports_onpe/onpe1errapportsynthese.pdf

In Canada (2013)

Atlantic Canada 20.6%

Saskatchewan 12.9%

Ontario 7.5%

Alberta: 6.8%

Manitoba 6.7%

Québec 6.2% (a 40% increase between 2010 and 2013)

British-Columbia 5.3%

Source: Adrienne J. Scott, In the Dark An Exploration of the Human Rights Implications of Energy Poverty in Rural Ontario, Faculty of Law University of Ottawa, (2016),
<http://www.cela.ca/sites/cela.ca/files/In-the-Dark.pdf>

Objective of this presentation

Comparing how french and québec energy law integrate the determinants of energy poverty

- Cost of Energy
- Energy Efficiency of the Dwelling
- Household Income

1. Energy Law and the Cost of Energy

In France

Measures applicable to all household consumer

- Right of access to the electric distribution system
- Same rate for electricity usage and consumption for everyone
- No interruption of the delivery of electric power between 1 November and 15 March
- Free access to the national energy ombudsman
- Free access to the standing Committee for disputes and sanctions

1. Energy Law and the Cost of Energy

In France

Specific Measures for energy-poor people

- Energy poverty definition
- National observatory on energy poverty
- Low income Rate

1. Energy Law and the Cost of Energy

In Québec

Measures applicable to all household consumer

- Right of access to the electric distribution system
- Same rate for electricity usage and consumption for everyone
- Cross-subsidization
- Progressive rate of electricity consumption
- No interruption of the delivery of electric power between 1 December and 31 March
- Payment agreements
- Settlement of disputes before the Régie de l'énergie

1. Energy Law and the Cost of Energy

In Québec

Specific Measures for energy-poor people

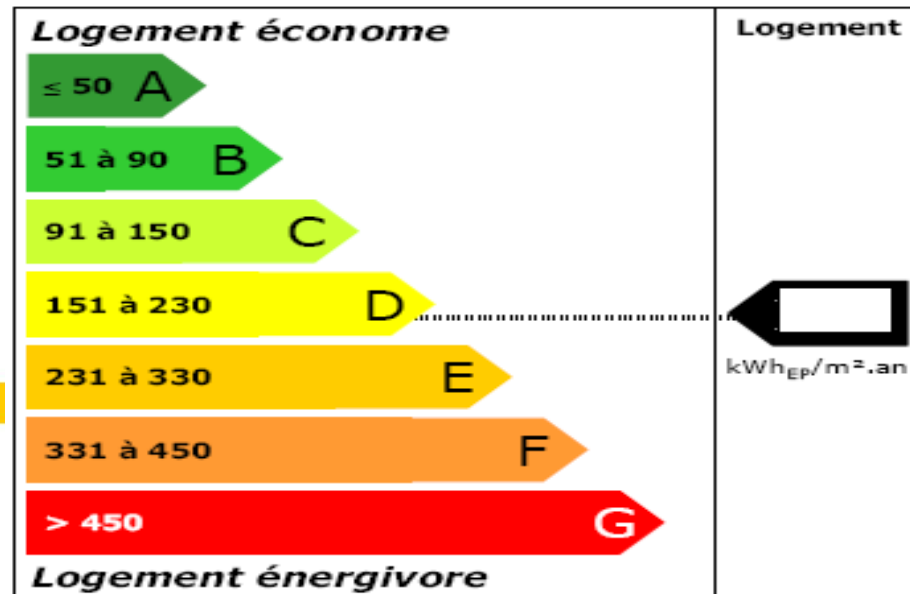
- No definition of energy poverty
- No assessment of energy poverty
- No strategy on energy poverty
- No low income rate

- One specific payment agreement

2. Energy Efficiency of the Dwelling

In France

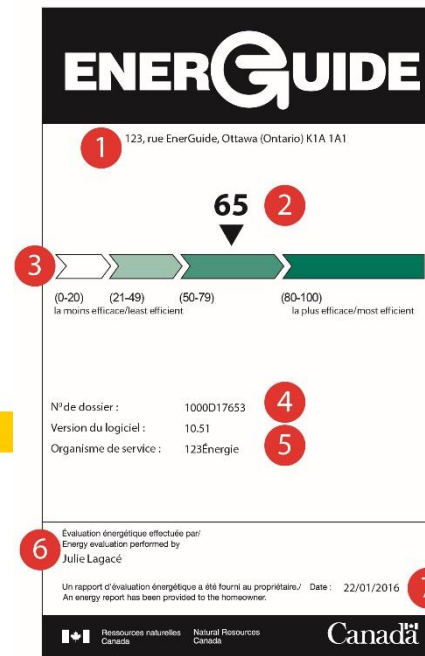
- 2012 thermal regulation + nearly zero-energy buildings objective by 31 December 2020
- More than 20% of the certificates of energy savings dedicated to energy-poor people
- Energy assessment is mandatory to sell a dwelling and the Energy Label must be displayed



2. Energy Efficiency of the Dwelling

In Québec

- 2012 Thermal regulation but no nearly zero-energy buildings target
- Only one financial program for energy-poor people (Éconologis)
- Energy assessment and the Canadian Energy Label (Energuide) are not mandatory



3. Towards a Right to Electricity?

In France

1. An asserted right, but no justiciability
2. Towards a protection of energy access through constitutional rights?
 - Right to life
 - Right to respect for private and family life
 - The safeguard of the dignity of the human person
 - Right to protection of health
 - Right to obtain acceptable living conditions

3. Towards a Right to Electricity?

In Québec

- The right to electricity is not recognized
- Legal Challenge under the Canadian Charter of Rights and Freedoms
 - 7. Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.
 - 15. (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Conclusions

France

- General commitments + specific statements for energy-poor people
- Specific measures on energy efficiency for energy-poor people
- Potential protection of energy access through constitutional rights

Québec

- Several measures applicable to all household consumer but no specific tool for energy-poor people
- No approach on energy efficiency for energy-poor people
- Legal challenge under the Canadian Charter of Rights and Freedoms



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Thank you for your attention!

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