

Colm St. Roch Seviour, K.C.

Partner



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Language(s) spoken: English

Bar Admission(s): Newfoundland and Labrador,
1983

Legal Assistant(s): [Susan Greening](#)

Providing legal services through a professional corporation.

Colm practices in the areas of commercial, natural resources, environmental and products liability litigation. In the natural resources space, his experience has been principally in the areas of mining, oil and gas (offshore and onshore) and hydroelectric development. His mining and hydro law experience includes transactional matters and knowledge of all facets of provincial mining legislation. Colm has also advised on and tried cases involving aboriginal rights claims.

Colm has litigated at all levels of Court in the province, and in the Supreme Court of Canada. He has also appeared before a broad range of tribunals, including the Oil & Gas Committee constituted under the *Atlantic Accord* legislation, the provincial *Mineral Rights Adjudication Board*, the provincial Public Utilities Board, and private arbitration panels.

Selected representative engagements include:

Mining:

- Lead counsel for the plaintiff in the mining royalty case of *Labrador Nickel Royalty Limited Partnership v Vale Canada Limited et al*, the first “hybrid/electronic trial” conducted in the province, which settled in September, 2018 at the end of the first week of a scheduled four month trial - this case was noted by Benchmark Canada to be a National Impact Case for 2018.
- Lead counsel in a significant mining royalty arbitration conducted under the *International Commercial Arbitration Act (2010)*.
- Lead counsel in the vend-in of the Voisey's Bay net smelter returns royalty in connection with the 2010 Initial Public Offering of International Royalty Corporation (2010).
- Counsel in numerous proceedings before the provincial *Mineral Rights Adjudication Board*. (1987-2019).

Environmental:

- Counsel for defendants acquitted in *v CHI Hydroelectric Company Limited and Abitibi-Consolidated Company of Canada*, a *Fisheries Act* pollution prosecution (2000).
- Counsel in *v Ocean Choice International*, a case involving the quashing of informations under the *Canadian Environmental Protection Act, 1999* (2017).
- Counsel for the successful plaintiff in *Eagleridge International Ltd. v Minister of Environment*(2018) involving a successful challenge to the Minister’s environmental assessment decision in a mining case.

Oil & Gas:

- Lead counsel for the successful plaintiff in *American Reserve Energy Corporation v McDorman, Sandhurst Roxana Exploration Limited and Sandhurst Roxana Agencies Limited*(1999), a civil fraud trial involving the recovery of exploration permits issued under the provincial *Petroleum and Natural Gas Act*.
- Counsel for offshore operators in numerous proceedings before the Oil & Gas Committee constituted under the *Atlantic Accord* legislation (2014-2018).
- Counsel for a publicly-traded oil and gas exploration company in the defence of an action brought by environmental interest groups challenging the jurisdiction of the C-NLOPB to effect a surrender and exchange of an exploration licence issued under the *Atlantic Accord* legislation (2019).

Aboriginal Title and Rights:

- Counsel for the intervenor Abitibi-Consolidated Company of Canada in *Drew v Newfoundland and Labrador*(2005), a case involving aboriginal rights claims on the island of Newfoundland.

Products Liability:

- Co-counsel for the successful plaintiff in *Bow Valley Husky (Bermuda) Ltd. et al v St. John’s Shipbuilding Ltd. and Raychem Canada Ltd.*, an offshore products liability case decided by the Supreme Court of Canada (1999).
- Lead counsel for the successful defendant in a complex multi-million product liability claim (*Sobeys et al v CRA Trailers*) (2008).
- Lead counsel for the successful appellant Spielo International ULC in the seminal class action case on waiver of tort decided by the Supreme Court of Canada in 2020 (*Atlantic Lottery Corp. Inc. v Babstock*).

NAFTA:

- Lead NL counsel for Abitibi-Bowater Inc. in its 2009 NAFTA case against the Government of Canada, resolved by settlement in 2010.

Practice Areas

Aboriginal Rights

Banking & Financing

Construction

Environmental & Natural Resources

Insurance

Litigation & Alternative Dispute Resolution

Education & Career

Education

Memorial University of Newfoundland, BA, 1979

Osgoode Hall Law School, LLB, 1982

Neuchatel Junior College, 1976

Activities

Member, Stewart McKelvey Partnership Board, 2008 – 2011

Member, Canadian Bar Association

Past president, Tennis Newfoundland and Labrador

Board member, Lady Cove Women's Choir

Board member, Riverdale Tennis Club

Board member, Canadian Advisory Council, Neuchatel Junior College

Member, Environmental Law Forum (group of leading Canadian environmental lawyers in private practice)

Accolades

Best Lawyers 2021, 2023 Energy Regulatory Law "Lawyer of the Year" in St. John's

Chambers and Partners Canada 2022, 2023 Litigation: General Commercial – Atlantic Canada, Band 2 lawyer

Best Lawyers 2021 Energy Regulatory Law "Lawyer of the Year" in St. John's

Chambers and Partners, Litigation: General Commercial – Atlantic Canada, Band 2 lawyer

King's Counsel, 2017

Best Lawyers 2018 Corporate and Commercial Litigation "Lawyer of the Year" in St. John's

Best Lawyers 2015 Natural Resources Law "Lawyer of the Year" in St. John's

Best Lawyers: Corporate and Commercial Litigation, 2011 – 2023

Best Lawyers: Energy Regulatory Law, 2012 – 2023

Best Lawyers: Environmental Law, 2006, 2008 – 2023

Best Lawyers: Natural Resources Law, 2011 – 2023

Best Lawyers: Mining Law, 2014 – 2023

Who's Who Legal: Canada 2012, 2014 – 2016 – 2021 (Mining)

Benchmark Canada, local litigation star (Aboriginal Law, Commercial Litigation, Energy Litigation, Environmental Law, Product Liability), 2012 – 2013

Benchmark Canada, local litigation star (Aboriginal, Energy and Natural Resources, Environmental, General Commercial, Product Liability), 2015

Benchmark Canada, local litigation star (Aboriginal, Environmental, General Commercial), 2018 – 2022

Lexpert rating: Aboriginal Law, 2019 – 2022

Lexpert rating: Energy (Electricity), 2010 – 2022

Lexpert rating: Litigation – Corporate Commercial, 2016 – 2021

Lexpert rating: Mining, 2010 – 2023

Lexpert rating: Product Liability, 2012 – 2018

Publications

Past contributor and member of the editorial board, Newfoundland and Labrador OilWorks magazine

Past frequent contributor, Newfoundland and Labrador Mining Magazine

Author, “Doing Business in Atlantic Canada, Growth Industries”, June 2012

Co-author, Emerging Issues in East Coast Oil and Gas Development (1997) 35 Alta. L. Rev 269.

Presentations

Chair and presenter, “Issues to Consider in Negotiating and Concluding Mineral Property Option Agreements”, NL Prospectors Association AGM, May 2019

Panelist at the “Indigenous Consultation, Business Partnerships or Tribal Consent? Differing Views from across North America” Panel Discussion at the International Bar Association annual conference in Boston, October, 2013. Colm presented “Aboriginal Consultation in Newfoundland and Labrador”

Designer and co-chair, “Rocks and Stocks – Mining Law Nuggets”, Canadian Institute of Mining, Metallurgy and Petroleum Conference, St. John’s, October 2011

Designer and presenter, “Preparing Option Agreements, Tips, Traps and Best Practices”, Canadian Institute of Mining, Metallurgy and Petroleum Conference, St. John’s, October 2010