NOVA SCOTIA
Fisheries and Aquaculture

Fish Buyers and Fish Processors Licence Policy

Effective: August 1, 2025

Acronyms and Abbreviations

CFIA	Canadian Food Inspection Agency
CO	Conservation Officer
CRA	Canada Revenue Agency
DFO	Department of Fisheries and Oceans Canada
JEIN	NS Justice Enterprise Information Network
LLFP	NS Live Lobster Facilities Protocol
LQHC	Lobster Quality Handling Course
NSDFA	Nova Scotia Department of Fisheries and Aquaculture
NSDNR	Nova Scotia Department of Natural Resources
NSECC	Nova Scotia Department of Environment and Climate Change
PID	Parcel Identification Number
RJSC	Registry of Joint Stock Companies
SFC	Safe Food for Canadians licence, issued under the *Safe Food for Canadians Act* (Canada)
SOT	Summary Offence Tickets

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1) INTRODUCTION

a) **Policy Statement**

The Nova Scotia (NS) Fish Buyers and Fish Processors Licence Policy (the "Policy") provides guidance and context for the application of legislation, regulations, and licence conditions regarding the buying and processing of fish and fish products in NS. This Policy has been prepared by the Nova Scotia Department of Fisheries and Aquaculture (the "Department").

The Policy intends to provide a framework for an equitable licensing regime for fish buying and processing activities. It is designed to support a sustainable and prosperous shore-based seafood industry, foster growth and diversification for existing businesses, create opportunities for new entrants, and ultimately, support NS's sector growth and innovation.

b) **Objectives**

The objectives of this Policy are to:

- Provide access to licences for buying and processing activity,
- Enable a modern, fair, and streamlined licensing system,
- Ensure safe and high-quality sustainable seafood,
- Have a transparent and robust process for industry certainty,
- Allow for market diversification and innovation in NS's seafood sector,
- Maximizing the value of our fish and fish products, and
- Enable economic returns for the shore-based seafood industry, fishing communities and all Nova Scotians.

c) **Authority**

Under the NS *Fisheries and Coastal Resources Act* (the "Act"), the NS Minister of Fisheries and Aquaculture (the "Minister") has the general supervision and control of processing, buying, selling, possession, and marketing of fish products within NS for the purpose of maintaining product quality, protecting the health and safety of seafood consumers, and assisting in the orderly development of the fisheries industry.

Additional authority is set out in the *Fish Buyers and Fish Processors Regulations* (the "Regulations"), the Fish Buyer Licence Conditions, and the Fish Processor Licence Conditions. The Regulations replaced the former *Fish Buyers' Licensing and Enforcement Regulations* and the *Fish Inspection Regulations* on July 30, 2025.

This Policy is not a substitute for the Act, the Regulations, and licence conditions. Licence holders are expected to read and understand all pertinent sections of the Act, Regulations, and licence conditions. It is recommended all licence holders and those applying for a licence review this Policy. If there is a conflict between this Policy and the Act or the Regulations, the Act and the Regulations shall prevail.

d) **Definitions**

Agent, as defined in S. 2 of the Regulations, means a person lawfully acting on behalf of another person and includes a designated buyer.

Conditional Approval means that an applicant for a licence has met the preliminary application requirements and has received a letter from the Department outlining additional requirements that must be met to obtain a licence or to amend a licence. A Conditional Approval is not a licence, does not

constitute a commitment to issue a new or amended licence, and does not authorize any buying or processing activity.

Designated Buyer, as defined in S. 2 and detailed in S. 24 of the Regulations, means an agent that is authorized by a NS-licensed buyer and appointed by the Minister, to purchase (take possession of) fish and fish products from commercial harvesters and aquaculturists in NS.

Dryland Pound means an enclosed facility constructed onshore of plastic, fibreglass, concrete, or other approved material that can hold live lobsters in controlled conditions utilizing pumped seawater or a recirculation system.

Elver Facility means a facility in NS that receives, holds, handles and/or packs elvers and for which a possession licence is issued by the federal Department of Fisheries and Oceans (DFO) under the *Possession and Export of Elvers Regulations.*

Fisheries-related offence means an offence of concern to the Department, which includes those related to fish product quality, the health and safety of seafood consumers and the orderly development of the fisheries industry. Offences of concern include, but are not limited to, those under the following Acts and associated regulations: NS *Fisheries and Coastal Resources Act, Wildlife Act, Fisheries Act* (Canada), *Safe Food for Canadians Act* (Canada), *Food and Drugs Act* (Canada), *Health Act* (Canada), *Income Tax Act* (Canada), *Excise Tax Act* (Canada), and *Criminal Code* (Canada).

Handling facility means a facility in NS that receives, handles, and/or packs live lobster.

Holding facility means a tidal pound or dryland pound in NS used to hold live lobster.

Non-food use means the processing fish or fish products for non-food purposes, including petfood, fertilizers, and pharmaceuticals.

Non-profit organization means an organization, the income, and assets of which are not available for the personal benefit of any proprietor, member, or shareholder.

Primary Facility means a lobster holding and handling facility located in NS, owned, or leased by an applicant or licensed buyer, that is the primary place of business for holding and handling activities.

Processing, as defined in S. 2 of the Regulations, means actions respecting fish or fish products that change the nature or form or add to the value of the fish or fish products for the purpose of preparing the fish or fish products for sale. Processing can include packaging, labelling, grading, manufacturing, processing, treating, and preserving. It does not include storing of food for the exclusive purpose of maintaining the condition and quality of the food (e.g., receiving refrigerated food and maintaining this temperature control in storage, receiving frozen food and maintaining this temperature control in storage, receiving foods for controlling humidity, etc.).

Registrar means Registrar of Fisheries Licensing with the Department. The Registrar is delegated certain licensing-decision making authorities by the Minister.

Retail Outlet, as defined in S. 2 of the Regulations, means an establishment in NS where goods and services are sold or offered to a purchaser for the purpose of consumption or use and not for resale and includes a restaurant.

Secondary Facility means an additional lobster holding and/or handling facility located in NS and used by a licensed lobster buyer.

Secondary Processing means the processing of fish or fish products as part of its preparation for market beyond the primary processing stage.

Tidal Pound means an enclosed shoreline facility that permits the natural holding of live lobster. Seawater is permitted to enter and leave the structure with the natural rise and fall of the tide.

2) BUYER LICENCE

a) **General**

i) If a person intends to purchase fish or fish products from a commercial harvester or aquaculturist and the transaction occurs within NS, they must hold a buyer licence from the Department.

ii) A person who buys fish or fish products for non-food use requires a buyer licence.

iii) A licence holder must adhere to all federal, provincial, and municipal rules, regulations, approvals, permits, protocols, licences, and any other permissions required by other regulatory authorities.

iv) A holder of a buyer licence must carry personal identification and a copy of their buyer licence at all times while engaged in any activity to which the buyer licence relates, and must produce them when requested by an inspector, an employee of the Department, or a peace officer.

b) **Exemptions**

The following persons are exempt from the requirement to hold a buyer licence:

i) a person buying fish or fish products in amounts of less than 25 kilograms per calendar day for personal consumption and not for resale,

ii) a person buying fish or fish products from a licence holder,

iii) a person buying fish or fish products, other than lobster, for the purpose of resale in a retail outlet, and

iv) an aquaculturist who buys seed stock from another aquaculturist for grow-out purposes.

c) **Eligible Species**

i) The eligible species that may be endorsed on a buyer licence are listed in Appendix 1 of this Policy.

ii) A species may be endorsed on a buyer licence in one of three ways: as an independent species, retail species (only available for live lobster sold in a retail outlet), or a processor species. Table 1 summarizes these endorsements and the requirements for each type of endorsement.

Table 1 – Buyer licence requirements

Species Endorsement on Buyer Licence	Eligible Species Endorsement(s)	Processor Licence Required (for that species)	Additional Notes or Requirements
Independent	Live lobster (wholesale), marine animals (seal, worms), marine plants, elver, periwinkles, aquaculture seedstock and bait	No	• All wild-caught species will be endorsed individually on the licence • Marine plants (through aquaculture operations) will be endorsed on the licence by species category. All species within the endorsed category (e.g., all marine plants raised on an aquaculture

Species Endorsement on Buyer Licence	Eligible Species Endorsement(s)	Processor Licence Required (for that species)	Additional Notes or Requirements
			site) may be purchased using the licence.
Retail	Live lobster (retail)	No	The retail outlet must: • Have a valid Food Establishment Permit from NSECC; • Be used to sell to final consumers only; • Keep records of its buying activity.
Processor	All other species and those independent species that are to be processed	Yes	• All wild-caught species will be endorsed individually on the licence. • Aquaculture products will be endorsed on the licence by species categories (e.g., aquaculture finfish). All species within the endorsed category (e.g., all finfish raised on an aquaculture site) may be purchased using the licence.

d) **Live Lobster Holding Facility and Handling Facility Requirements – Primary Facilities**

This section applies to licensed independent lobster buyers who do not hold a processor licence for lobster.

i) **General**

(1) A buyer must have access to and continue to maintain, at minimum, one primary facility in NS consisting of one holding facility and one handling facility.

(2) The right to use any place as the primary facility may be established by submitting a copy of a deed or lease to the Department. A purchase and sale agreement may be submitted until such time a deed or lease is available.

(3) The Department will only assign an approved primary facility to one licence holder.

(4) An approved primary facility shall be distinct and not be encumbered by another user except when the licence holder allows another person to hold lobster in a portion of the facility. This includes other licensed lobster buyers who designate this facility as a secondary facility.

ii) **Holding Facility**

(1) Only a tidal pound or dryland pound, as a holding facility, will be qualified to form part of a primary facility. For a tidal pound, it is recommended that there be a minimum of four feet rise in the tide.

(2) All intake pipes for a dryland pound must be located below the low water mark.

(3) In closed systems (where there is no intake pipe and water is trucked in), recirculation systems will be reviewed on their technical merit.

(4) The minimum capacity of the holding facility is required to be not less than 907 kilograms (2,000 pounds) of lobsters.

iii) **Handling Facility**

(1) Each approved holding facility will have available a handling facility of not less than 13.4 square meters (144 square feet) to receive, handle, and pack live lobster in the immediate area.

iv) **Food Safety**

(1) If a buyer intends to sell lobster within NS only, they must develop a NS Live Lobster Facility Protocol (LLFP) that is compliant with the Guidelines for the Development of a Live Lobster Facilities Protocol or obtain a Safe Food for Canadians (SFC) licence from the Canadian Food Inspection Agency (CFIA) that shows:

- the activity *preparing food for intra-provincial trade,* and
- the sub-commodity *crustaceans.*

(2) If a buyer intends to sell lobster outside of NS, they must hold a valid SFC licence from the CFIA that shows:

- the activity *preparing food for inter-provincial trade* and/or *preparing food for export,* and
- the sub-commodity *crustaceans.*

(3) A buyer with an approved LLFP by the Department or SFC licence must maintain their primary facility in accordance with their Department-approved LLFP or their SFC licence.

e) **Live Lobster Holding Facility and Handling Facility – Secondary Facilities**

This section applies to licensed lobster buyers.

(1) In addition to having a primary facility, a buyer may use other secondary facilities to hold and/or handle lobster.

(2) If a buyer wants to use a secondary holding facility with a capacity of 907 kilograms (2,000 pounds) or more and/or a secondary handling facility, they must apply to the Department to amend their licence and receive approval to do so. This will be listed on their buyer licence.

(3) Food safety requirements, as discussed in Section 2(d)(iv) of this Policy, for each secondary facility, will be assessed by the Department on a case-by-case basis.

f) **Lobster Quality Handling Course**

i) A licence holder for lobster must ensure that at least one employee of the company has a valid Lobster Quality Handling Course (LQHC) certificate from an approved provider.

ii) The LQHC certificate must be valid for at least one year of the two-year effective period of the buyer licence.

g) **Elver Facilities**

i) A licensed elver buyer must own or lease, at minimum, one elver facility in NS. This facility must be approved by the Department and listed on their buyer licence.

ii) Only facilities listed on the buyer licence can be used by licence holders to keep elvers.

iii) For each elver facility, the licence holder must maintain a valid possession licence issued by DFO under the *Possession and Export of Elvers Regulations* (Canada).

h) **Agents & Designated Buyers**

i) Anyone who purchases fish or fish products from commercial harvesters or aquaculturists in NS, on behalf of NS-licensed buyers, must be appointed by the Minister as a designated buyer. Details about an application for a designated buyer card can be found in Section 5(e) of this Policy.

ii) Agents and designated buyers are expected to act in accordance with the Regulations and the First Buyer Licence Conditions. Further details can be found in S. 23 and 24 of the Regulations.

iii) Where the buyer licence is held by a corporation, at least one designated buyer must be appointed to act on behalf of the corporation.

iv) Where a buyer licence is issued in a personal name, only the named individual can purchase fish or fish products unless they appoint a designated buyer to act on their behalf.

v) A designated buyer is not permitted to pay a seller for fish or fish products. The licence holder must pay the seller directly. Any activities that are performed by designated buyer are performed in the name of the holder of the buyer licence.

vi) A designated buyer must carry personal identification and their designated buyer card at all times while engaged in any activity to which the designated buyer card relates. The individual holding the designated buyer card must produce these materials when requested by an inspector, an employee of the Department, or a peace officer. Further details are outlined in the Regulations and in Section 6 of this Policy.

vii) If a designated buyer is no longer employed by the licence holder, the licence holder must collect the card from them, destroy the card, and notify the Department. Upon receipt of notification from the licence holder, the Department will remove their name from the list of designated buyers.

viii) If a designated buyer card is lost or stolen, the licence holder must report to the Department no more than two business days after they became aware of the loss or theft. The licence holder will be required to reapply for a new designated buyer card as described in Section 5(e) of this Policy.

3) PROCESSOR LICENCE

a) **General**

(1) A processor licence is required if:

(1) a holder of a buyer licence is endorsed with processor species, and/or

(2) a person intends to carry out processing of fish or fish products, including secondary processing, in NS.

(2) If a processor licence identifies that a species is restricted to secondary processing only, then the fish must have been previously processed and sourced from a licenced fish processor or from outside NS and primary-processed.

(3) The eligible species for a processor licence are listed in Appendix 1.

(4) A person must have a valid processor licence in order to process fish or fish products for non-food use.

(5) A licence holder must adhere to all federal, provincial, and municipal rules, regulations, approvals, permits, protocols, licences, and any other permissions required by other authorities.

(6) When issued, a copy of the processor licence must be displayed at each facility listed on the licence. The licence must be produced when requested by an inspector, an employee of the Department, or a peace officer.

b) **Exemptions**

(1) As outlined in S. 25 of the Regulations, a commercial harvester or aquaculturist, who by themselves or their crew, process their own catch into whole or dressed unfrozen, salted, or pickled fish, are exempt from the requirement to hold a processor licence.

(2) A person who processes fish or fish products for direct sale to the final consumer in a retail outlet owned by that person, and that person holds a valid Food Establishment Permit from NSECC, is exempt from the requirement to hold a processor licence.

c) **Processing Facility Requirements**

(1) A licensed processor must own or lease and maintain a processing facility in NS.

(2) The right to use any place as a processing facility may be established by submitting a copy of a deed or lease to the Department. A Purchase and Sale Agreement may be submitted until such time as a deed or lease is available.

(3) An approved processing facility will only be assigned to one licence holder.

(4) A processing facility can be comprised of multiple buildings provided that all buildings are located on the same Parcel Identification Number (PID) or immediately adjacent PIDs.

(5) Each building (civic address) must be specified on the processor licence.

(6) For each processor licence, a valid SFC licence issued by the CFIA must be in place and it must cover all buildings.

(7) The SFC licence must show that the licence holder is approved for one or more of the following activities for at least one fish and seafood or related sub-commodity for each building:

- *preparing food for intra-provincial trade*,
- *preparing food for inter-provincial trade*, and
- *preparing food for export*.

(8) When carrying out processing activities, a processor must ensure that the fish and seafood or a related sub-commodity is on their SFC licence at the time of processing. For example, if you process snow crab only from April to October, the SFC licence must show the sub-commodity *crustaceans*, for one or more of the activities listed above, from April to October.

4) SINGLE EVENT LICENCE

a) A single event licence is required by registered non-profit organizations to purchase fish or fish products from commercial harvesters and aquaculturists in NS, process it, and resell it at a single event in NS held by the non-profit organization.

b) To be eligible for a single event licence, the non-profit organization must be registered as a non-profit organization in Canada and provide proof of that registration to the Department.

c) There is no fee to apply for a single event licence.

d) The single event licence stipulates:

(1) the species that may be purchased,

(2) where fish and fish products can be stored and/or processed before the event,

(3) the date and location of the event, and

(4) the person who will be present and responsible at the event.

e) A single event licence will be subject to Single Event Licence Conditions.

f) The single event licence is valid for one event, up to a maximum of 1 week (e.g., one dinner, a week-long festival), provided that the event occurs on consecutive days.

g) The licence holder must ensure that, at all times, when the licence holder or their agents are engaged in activities authorized by the single event licence, a copy of the single event licence is kept on the person.

h) The licence holder must ensure that, at all times during the event, a copy of the single event licence is on the person who was named to be present and responsible at the event.

i) A single event licence is not transferable or assignable.

j) A licence holder must adhere to all federal, provincial, and municipal rules, regulations, approvals, permits, protocols, licences, and any other permissions required by other authorities.

5) APPLICATION PROCESS

a) **New Licences**

i) To apply for a new buyer or processor licence, a non-refundable application fee of $265.40 per licence must be paid to the NS Minister of Finance. A summary of fees is found in Appendix 2 of this Policy.

ii) A new licence may be applied for under one of two scenarios, and the scenario determines the application requirements. The scenarios are described in Tables 2 and 3.

Table 2 – Scenario 1 for a new licence

Eligibility	(1) a person who does not currently hold a buyer licence or processor licence (2) a person who is an existing licence holder who desires an additional buyer or processor licence (3) a person who applies for a new buyer or processor licence due to a change in the holder of the majority of voting shares of the corporation that is a licence holder, and the new majority voting shareholder(s) is not a family member[1] of the transferor. This applies whether as a result of a single transaction or a series of transactions.
Application Requirements	• Application for a New Fish Buyer and/or Fish Processor Licence • Business plan, consistent with the Business Plan Development Guide for Licence Applicants

[1] As per S. 2 of the Regulations, a "family member" means a spouse, common-law partner with whom the individual has co-habited for at least one year, parent, stepparent, sibling, grandparent, grandchild, child, stepchild, parent-in-law, or child-in-law.

Table 3 – Scenario 2 for a new licence

Eligibility	A person applying for a new licence due to a change in the holder of the majority of voting shares of the corporation that is a licence holder, and the new majority voting shareholder(s) is the family member(s) or a family trust where the beneficiaries are family members, of the transferor. This occurs as a result of a single transaction or a series of transactions.
Application Requirements	• Application for a New Fish Buyer and/or Fish Processor Licence (Family Members) • Scenario 2 applicants are not required to submit a business plan as part of the application
Exemptions	• Applicants cannot request any new species in the application that were not on the previous licence. A licence issued under Scenario 2 will be endorsed with all or any of the species that were on the previous licence. • Applicants cannot request relocating a processing facility to another county

b) **Amendments**

i) An application for amendment to a buyer licence or processor licence must be submitted to the Department in order to:

(1) add or remove species,

(2) relocate a primary lobster holding and handling facility, or a processing facility,

(3) add or remove a secondary lobster holding and/or handling facility,

(4) add or remove a building as part of a processing facility,

(5) change a business name, and/or

(6) amalgamate into another corporation.

ii) To apply to amend a buyer or processor licence, an Application to Amend a Fish Buyer and/or Fish Processor Licence must be submitted to the Department and a non-refundable application fee of $33.15 per licence must be paid to the NS Minister of Finance.

iii) To apply to amend a buyer licence to add a species, a request for new designated buyer cards (that reflect the species addition) must be submitted to the Department and a non-refundable application fee of $33.15 (if the appointment will be one year or less) or $66.30 (if the appointment will be more than one year) per amended designated buyer card must be paid to the NS Minister of Finance.

iv) To apply to amend a licence to add a species or to relocate a processing facility, an application must include a business plan, consistent with the Business Plan Development Guide for Licence Amendments.

c) **Licence Assessment Process**

i) An applicant for a buyer licence or processor licence:

(1) must be registered with the NS or New Brunswick (NB) Registry of Joint Stock Companies (RJSC) and have an active status if they apply as a corporation,

(2) must have the business name registered with the NS or NB RJSC and have an active status if they apply as a sole proprietor or partnership,

(3) does not need to be registered with the NS or NB RJSC if they apply as a sole proprietor or partnership using only their personal name(s),

(4) must have a recognized agent that resides in NS, and

(5) if applying for an independent buyer licence for lobster or elver, or a fish processor licence, must have a facility located in NS.

ii) The Department will complete a background check in the NS Justice Enterprise Information Network (JEIN) for a compliance history of fisheries-related offences (see definitions about what is a considered a 'fisheries-related offence') on the applicant and its shareholders, directors, officers, agents, and key employees.

iii) If the applicant, its shareholders, directors, officers, agents, or key employees are involved in incomplete court proceedings pertaining to fisheries-related offences, have been convicted of fisheries-related offences in the last five years, or have a significant history of fisheries-related offences, the application process may be delayed until court proceedings conclude and court records are obtained and reviewed by the Department, if applicable.

d) **Conditional Approval & Licence Issuance**

i) Provided that the minimum application requirements are met as outlined on the application form, the applicant may receive a Conditional Approval from the Registrar.

ii) A Conditional Approval will outline the remaining application requirements that must be met and provide a timeline for the information to be provided to the Department, before a final decision on the application is made by the Department.

e) **Designated Buyer Card**

i) The Minister, in their sole discretion, may limit the number of designated buyers or may cancel the appointment of a designated buyer if, in the Minister's opinion, it is in the public interest.

ii) To apply for a designated buyer card, a complete Designated Buyer Card Request form must be submitted to the Department by the (buyer) licence holder and a non-refundable fee of $33.15 (if the appointment will be one year or less) or $66.30 per card (if the appointment will be more than one year) must be paid to the NS Minister of Finance.

iii) A designated buyer card is valid for a period of up to two years and may be renewed.

iv) For each proposed designated buyer, the licence holder must provide the designated buyer's first name, middle initial, last name, home address, date of birth, and phone number.

v) The licence holder will be responsible for distributing the card to the designated buyer. Licence holders must ensure that their designated buyers understand requirements, under both licence conditions and under the Regulations, that apply to designated buyers.

f) **Renewals**

i) To apply to renew a buyer or processor licence, a complete licence renewal application package must be submitted to the Department by October 31 in the year that the licence is set to expire.

ii) While a complete list of requirements will be contained within a licence renewal package, it consists of, but is not limited to, the following:

(1) Application form,

(2) Authorized contact form,

(3) Shareholder register indicating which share types are voting,

(4) Designated buyers card request form (for licensed buyers only, if applicable),

(5) LQHC Certificate that is valid for at least one year of the two-year licence effective period (for lobster buyers only),

(6) Lobster holding and handling facility information (for lobster buyers only),

(7) CFIA SFC record of licence, licence details, licence permission detail, declared activities, and commodity/activity (for processors only),

(8) Updated lease for the facility if it expires before January 31 of the following year, if applicable, and

(9) Payment of licence fees (see Appendix 2).

iii) Licence holders with outstanding compliance requirements will not be eligible to renew their licence(s) until all outstanding compliance requirements are met.

iv) If a complete licence renewal package is not received by the Department by the licence expiry date, the licence will expire and no longer be in force, and it may no longer be eligible for renewal.

g) **Forms, Expiry Dates & Fees**

i) Application forms and supplemental information are available on the Department's website.

ii) A new buyer or processor licence may be issued for a period of up to two years.

iii) All existing licences expire on November 30, and the year of expiry is dependent on the licence holder's business location as follows:

(1) licences issued for businesses located in Yarmouth and Shelburne counties will expire on November 30, 2025, and are eligible for renewal at two-year intervals.

(2) licences issued for businesses located in all other counties expire on November 30, 2026, and are eligible for renewal at two-year intervals.

iv) In addition to the application fees for a new licence, licence fees, as set out in the Regulations, must be paid prior to the issuance or amendment (if applicable) of a licence. A summary of fees is found in Appendix 2.

v) There are no application fees to renew a licence, however, licence fees must still be paid.

vi) If a licence is to be issued for less than two years in duration, licence fees will be prorated.

vii) Payment may be made via the Province's online payment portal.

6) RECORD KEEPING & REPORTING

a) Licenced buyers and processors must record and keep, for a minimum of five years, records at their business location in NS.

b) In addition to the records requirements outlined in Fish Buyer Licence Conditions (buyer licence) and the Fish Processor Licence Conditions (processor licence), all licence holders must keep records pertaining to fish and/or fish products as outlined in Table 4.

Table 4 – Records requirements by licence and species type

Licence / Species	Details
Buyer Licence: All species except lobster	• Information pertaining to fish or fish products that are: o purchased, including those purchases from commercial harvesters and all others, regardless of where the transaction occurred; o held; o obtained; o sold; o dispensed; o released; and/or o disposed.
Buyer Licence: lobster	• Information pertaining to fish or fish products that are: o purchased, including those purchases from commercial harvesters and all others, regardless of where the transaction occurred; o held; o obtained; o sold; o dispensed; o released; and/or o disposed. • A licensed lobster buyer may hold lobster at their facility on behalf of someone else. Where there is not a formal written agreement in place for this arrangement (e.g., sub-lease), the licensed lobster buyer will be responsible for record keeping as it pertains to the other person's lobster. Where a formal agreement is in place, the licensed lobster buyer will not be responsible for record keeping pertaining to the sublessee's lobster.
Processor Licence	• Information pertaining to fish or fish products that are: o purchased, including those purchases from commercial harvesters and all others, regardless of where the transaction occurred; o held; o obtained; o sold; o dispensed; o released; and/or o disposed. • Records regarding their processing activities

c) The licence conditions also outline when this information must be reported by a licence holder to the Department. Minimum details and reporting frequency are outlined in Table 5.

Table 5 – Reporting requirements by licence and species type

Licence / Species	Reporting Frequency	Details
Buyer Licence: All species except eels and elvers, lobster, and snow crab	Monthly	• Purchases of fish and fish products from commercial harvesters and aquaculturists (when the transaction occurred in NS)
Buyer Licence: eels and elvers	Weekly	• Purchases of fish and fish products from commercial harvesters and aquaculturists (when the transaction occurred in NS)
Buyer Licence: lobster and snow crab	Monthly	• Purchases of fish and fish products from commercial harvesters and aquaculturists (when the transaction occurred in NS) • Purchases from other sellers (when the transaction occurred in NS) • Sales • Amount of dead loss (lobster only)
Processor Licence: All species except live lobster and snow crab	Annually	• Incoming products • Processing activities • Outgoing products

7) COMPLIANCE MONITORING & ENFORCEMENT

a) The Department's Marine Division's licensing unit is responsible for administering the buyer and processor licensing regime. The licensing unit conducts compliance checks as it pertains to conditions on all licences regularly to ensure that information is provided to the Department and that the Department is notified of important changes to a licence holder's business in a timely manner.

b) The Conservation Officer (CO) Service within NSDNR is responsible for enforcing the Act and its Regulations. They follow up on complaints, conduct regular patrols at wharfs and in facilities, and conduct investigations.

c) The licence conditions require all licence holders, as it pertains to their business activities, to keep records for a minimum of five years and to report to the Department on a regular basis (see Section 5). To ensure that licence holders are submitting accurate reports, without advance warning, the Department and/or the CO Service may direct a licence holder to provide them with a subset of their records and other pertinent information for audit purposes.

d) In accordance with S. 21 – 24 and S. 27 – 28 of the Regulations, licence holders, agents, and designated buyers must produce, upon request by the Minister, an employee of the Department, or an inspector (as the case may be), information in a form acceptable to the Minister. This information is outlined in Table 6.

Table 6 – Carry, display, and produce requirements under the Regulations

Individual	Information to produce

Buyer Licence holder	• Personal identification
	• Copy of buyer licence
	• If requested,
	  ○ the amount, value and price paid for all fish or fish products purchased
	  ○ the species of fish or fish products purchased
	  ○ the names and addresses of the fishers from whom the fish or fish products were purchased
	  ○ the location of purchase
	  ○ the location of sale
	  ○ the date and time fish or fish products were purchased
	  ○ the destination of the fish or fish products

Processor Licence holder	• Copy of processor licence
	• If requested,
	  ○ the species of fish or fish products processed
	  ○ the source and initial form of fish or fish products processed
	  ○ the volume of fish or fish products processed
	  ○ the manner in which fish or fish products are processed
	  ○ the final processed form of the fish or fish products
	  ○ the destination of processed fish or fish products

A person processing, buying, selling, packaging or possessing fish or fish products and does not hold a buyer licence	• the owner or other source of the fish or fish products • the location where the fish or fish products were obtained • the date and time the fish or fish products were obtained • the destination of the fish or fish products • any other information the Minister or inspector may request
Agents	• the name, mailing address and telephone number of the agent's principal • the nature and extent of the agent's authority • the start date and end date of the agent's authority
Designated Buyers and Agents	• designated buyer card (if applicable) • personal identification • the owner or other source of the fish or fish products • if the owner or other source of the fish or fish products is a person who holds a valid commercial fishing licence issued by

Individual	Information to produce
	the federal Department of Fisheries and Oceans, the licence number • the location where the agent obtained possession of the fish or fish products • the date and time the agent obtained possession of the fish or fish products • the intended destination of the fish or fish products • any other information that the inspector, employee of the Department, or peace office may require

e) Records will be audited to identify potential instances of non-compliance or irregularities by the Department's licence audit program. The licensing unit will work with the CO Service and other agencies with jurisdictions along the fisheries supply chain in NS such as DFO and the Canada Revenue Agency (CRA).

f) The Department and the CO Service have a spectrum of tools and combinations of tools available to achieve regulatory compliance and discipline licence holders for non-compliance. Some of the tools are compliance promotion activities undertaken to increase awareness and understanding and to promote compliance such as information sessions and facts sheets. Other tools include routine compliance monitoring (e.g., regular compliance checks, audits, inspections) and reactive responses to non-compliance (e.g., warnings, SOTs, administrative sanctions, prosecution).

8) MINISTERIAL AUTHORITY

a) The Minister has the authority under the Act to refuse to issue a licence as part of their mandate for the general supervision and control of the processing, buying, selling, packaging, possession, and marketing of fish within the Province.

b) If an applicant, a licence holder, or its shareholders, directors, officers, agents, or key employees is under investigation by the Department for, or has been found guilty of, a fisheries-related offence:

(1) all transactions related to the application of the licence may be deferred until the matter has been resolved,

(2) the Minister may refuse, pursuant to Section 75 of the Act, to issue a licence, and

(3) the Minister may, in addition to any other actions that may be taken against the licence holder, amend, suspend, terminate, or not renew the licence, pursuant to subsection 76(2) or (3) of the Act.

9) VARYING, AMENDING, OR TERMINATING A LICENCE

a) In accordance with Section 15 of the Regulations, where the Minister intends to vary[2], amend, or terminate a licence, they shall notify the licence holder in writing of the pending action through a Letter of Intent.

[2] According to the Regulations, 'vary' includes suspend.

b) Where a licence holder receives a notice, the licence holder may make a written submission to the Minister within 30 calendar days of receiving the notice.

c) The form for making written submissions will be provided to the licence holder as an attachment to the Letter of Intent.

d) The submission of a written submission to the Department must be accompanied by a non-refundable fee of $249.20, payable using the Province's online payment portal.

e) Where the Minister receives a written submission, the Minister shall notify the appellant, in writing, of the decision within 60 days of receipt of the written submission.

f) Notwithstanding anything contained elsewhere in this document, the Minister may, under to subsection 76(2) or (3) read with Section 72 of the Act, vary or terminate a licence immediately at any time when there is risk to the health and safety of seafood consumers.

10) APPEAL OF A DECISION

a) A person aggrieved by a decision or order made by an employee of the Department may, in writing and within 30 calendar days of the decision, appeal to the Minister under Section 118 of the Act.

b) The Minister may dismiss the appeal, allow the appeal, or make any decision or order the employee could have made. The Minister shall notify the appellant, in writing, of the decision within 60 days of receipt of the notice of appeal.

c) A person aggrieved by a decision made by the Minister may, within 30 days of the decision, appeal on a question of law, fact, or law and fact, to a judge of the Supreme Court of NS under Section 119 of the Act.

d) If the matter is appealed to the Supreme Court of NS under Section 119 of the Act, a decision made by the Minister is stayed or remains in effect.

e) Unless made by an employee of the Department, a decision or order made in exercising the power as an inspector or peace officer pursuant to the Act or Regulations is not appealable to the Minister under Section 118 of the Act. A person who is aggrieved by an inspector's decision may appeal the decision in accordance S. 34 of the Regulations.

APPENDIX 1 – ELIGIBLE SPECIES LIST

(This list is subject to change)

Note: If you wish to buy or process any species that are not listed below, please contact the Department of Fisheries and Aquaculture. To purchase or process fish or fish products in Nova Scotia requires, as applicable, a buyer licence or processor licence is required.

Category	Species
Aquaculture products	Finfish, marine plants, shellfish, seedstock
Groundfish	Blackbelly rose fish, catfish, cod, cusk, flounder, grenadier, haddock, hake (red, silver, white), halibut (Atlantic, Greenland), lumpfish, monkfish, ocean perch, ocean perch (bait), pollock, sculpin, sculpin (bait), skate
Other	Eel (>10cm), elver, gaspereau, hagfish, jellyfish, marine plants (bladder wrack, dulse, kelp, Irish moss, false Irish moss, nori, rockweed, sea lettuce, sea truffle), marine worms (blood, sand), salmon, sea cucumber, sea urchin, seal, shad, shad (bait), silversides, smelt, squid, squid (bait), sturgeon
Pelagic	Anchovies, argentine, billfish, billfish (bait), capelin, capelin (bait), herring, herring (bait), mackerel, mackerel (bait), mahi-mahi, sardine, shark (blue, dogfish, mako, porbeagle), swordfish, tuna
Shellfish	Clam (bar, cockle, manila, propeller, quahog, razor, soft shell, stimpson), crab (dungeness, green, jonah, northern stone, red, rock, snow, toad), crab (bait) (green, jonah, rock), lobster, mussel, oyster, periwinkle, scallop, shrimp, whelk

APPENDIX 2 – FEES SCHEDULE

Unless otherwise indicated, all fees are non-fundable. All fees are described in the *Fish Buyers and Fish Processors Regulations*.

Buyer Licence Fees

Licence Application	$265.40
Licence Application (Family Members)	$265.40
Amendment Application (per licence)	$33.15
Written Submission Fee (under S. 15 of the Regulations)	$249.20
Application for a Designated Buyer Card	
Appointment is 1 year or less	$33.15
Appointment is more than 1 year	$66.30
Renew a Buyer Licence – per Species Group (collected every two years)*	
Groundfish	$1,061.50
Pelagic	$265.30
Shellfish	$530.80
Other	$265.30
Aquaculture Products	$265.30

* See Appendix 1 – Eligible Species List for a list of species within each species group.

Processor Licence Fees

Licence Application	$265.40
Licence Application (Family Members)	$265.40
Amendment Application	$33.15
Written Submission Fee (under S. 15 of the Regulations)	$249.20
Renew a Processor Licence (collected every two years)	$530.80