

2013 FISH BUYERS LICENCE CONDITIONS

Pursuant to the *Fisheries and Coastal Resources Act, S.N.S. 1996, c. 25*, the following conditions apply, unless otherwise specified, for those species of fish and marine plants listed on your 2013 Fish Buyers Licence :

1. DEFINITIONS: In these conditions of licence:

“by-catch” means those species of fish authorized to be retained under a fishing or harvesting licence issued by DFO to a commercial fisherman.

“commercial fisherman” means a person who has been issued a licence by DFO authorizing the fishing or harvesting of fish and marine plants for the purpose of sale.

“commercial fishing vessel (CFV) number” means the vessel registration number assigned by DFO to a fishing vessel.

“DFO” means the federal Department of Fisheries and Oceans.

“Department” means the Nova Scotia Department of Fisheries and Aquaculture.

“designated buyer” means a person appointed by a licence holder pursuant to section 17 of the *Fish Buyers’ Licensing and Enforcement Regulations*, made pursuant to the *Fisheries and Coastal Resources Act, S.N.S. 1996, c.25*, to engage in activity authorized by their fish buyers licence.

“fish” includes finfish, shellfish, crustaceans and marine animals, and parts, products or by-products of them.

“reporting week” means the seven-day period that begins on a Sunday and ends the following Saturday.

“retail outlet” means an establishment 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.

“species licence number” means the number assigned to a licence issued to a commercial fisherman by DFO authorizing the fishing or harvesting of fish and marine plants for the purpose of sale.

2. DAILY RECORD KEEPING: The licence holder shall on a daily basis record the following information and keep such recorded information for a period of five (5) years:

- (a) the full name, phone number and civic address of the person from whom the fish and marine plants are purchased, held or obtained ;
- (b) where the person from whom the fish and marine plants are purchased, held or obtained is a commercial fisherman, the species licence number issued to that fisherman and the commercial fishing vessel (CFV) number of the fishing vessel used to harvest the fish and marine plants;
- (c) the date, place, total weight in pounds or kilograms and price of the fish and marine plants purchased, held or obtained;
- (d) the fishing area, harvesting area or aquaculture lease number from where the fish and marine plants were obtained;
- (e) the full name, phone number and civic address of the person to whom the fish and marine plants are sold, released, dispensed or disposed; and
- (f) the date, place, total weight in pounds or kilograms and price of the fish and marine plants sold, dispensed, released or disposed.

NOTE RETAIL OUTLETS: Licence holders who from their retail outlet sell or offer lobster to a purchaser for the purpose of consumption or use and not for resale **are not required** to record the information outlined in sub-clauses **2 (e)** and **(f)**.

3. BAIT: Species of fish authorized to be purchased as bait is required to be sold for use as bait only.

4. BY-CATCH: The licence holder is authorized to purchase or obtain by-catch species only from the commercial fisherman from whom they have purchased or obtained fish and marine plants for which the by-catch species is authorized by DFO to be retained.

5. SUBMISSION OF WEEKLY REPORTS: In addition to keeping and maintaining Daily Records, the licence holder is required to report to the Department by the Tuesday following the end of each reporting week, information about their activities of buying, selling, processing and/or disposal, including reports of no activity, regarding the species **Lobster, Snow Crab and Eels**, by using one of the following methods:

(i) **Via Internet** using the **Fish Buyers Online Reporting System** available on the Department website at <https://www.gov.ns.ca/fish/licensing/fbors> OR

(ii) **Via Fax at (902) 424-1766** using the applicable **Weekly Reporting Document(s)** available on the Department website at www.gov.ns.ca/fish/licensing/conditions.shtml

Turn Over

6. GENERAL PROVISIONS :

- (a) Subject to clause 6(b), no licence holder shall export live unprocessed snow crab to the provinces of Newfoundland and Quebec.
- (b) The export of live unprocessed snow crab harvested in Snow Crab Fishing Area 4X to the province of Quebec is permitted provided it is destined for the live market only.
- (c) The licence holder shall:
 - (i) purchase herring harvested in Herring Fishing Zone 16F only from commercial fishermen who have a signed Waiver of Release for Excess Herring and Catch Information document (Waiver) with the Gulf Nova Scotia Herring Federation (Federation); and
 - (ii) pay weekly to the Federation that portion of the commercial fisherman's catch determined to be in excess of the specified daily limit as defined in the Waiver.
- (d) All sales conducted by a licence holder from their retail outlet are required to take place from a retail outlet that is:
 - i. owned by the licence holder;
 - ii. located within the Province of Nova Scotia; and
 - iii. compliant with the requirements of the Food Protection and Enforcement Division of the Nova Scotia Department of Agriculture.
- (e) All activities performed by a person appointed by a licence holder as their **designated buyer** shall be performed by that person on behalf of the licence holder and traceable to the licence holder.
- (f) The licence holder shall keep and maintain all information and records within Nova Scotia at their principal office or another location in Nova Scotia identified to the Department. The information and records shall be readily available for inspection by an inspector.
- (g) Where the landing or harvesting of fish, marine plants, or by-catch is restricted by DFO to a specific area, the purchasing or obtaining of that fish, marine plants, or by-catch is restricted to within that same area.
- (h) The licence holder acknowledges that it has read, understands and agrees to be bound by these terms and conditions which form part of their 2013 Fish Buyers Licence.
- (i) **The licence holder is required to sign this licence condition and attach it to their 2013 Fish Buyers Licence.**
- (j) These conditions of licence shall come into effect on the date the Fish Buyers Licence is issued and remain in effect until December 31, 2013.

Signature of Licence Holder

Date (day/month/year)