

## Draft Regulations

### Draft Regulation

Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec (chapter B-7.1)

#### **Apprentice fisherman's, fisherman's helper's and fisherman's certificates — Recognition of the professional qualification of fishermen, fisherman's helpers and apprentice fishermen**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting apprentice fisherman's, fisherman's helper's and fisherman's certificates, appearing below, may be approved by the Government on the expiry of 45 days following this publication.

The draft Regulation falls under the transition initiated by the Department of Fisheries and Oceans Canada toward a new qualification program for new fishermen in Québec. It modernizes the criteria for the issue of apprentice fisherman's, fisherman's helper's and fisherman's certificates by the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec provided for in the Regulation respecting recognition of the professional qualification of fishers and assistant fishers (chapter B-7.1, r. 1), which it replaces, and increases the fee payable for the issue and maintenance of those certificates. It also establishes equivalent qualifications to obtain a fisherman's helper's or fisherman's certificate. Lastly, the draft Regulation sets out obligations that certificate holders must fulfill.

The monetary impacts resulting from the draft Regulation are estimated at \$84,550 per year for fishermen, fisherman's helpers and apprentice fishermen. However, enterprises will not necessarily be directly concerned by all of those impacts. In accordance with the Politique gouvernementale sur l'allègement réglementaire et administratif – pour une réglementation intelligente, the draft Regulation was the subject of a regulatory impact analysis relating to the above repercussions that concern enterprises. The analysis is available for consultation on the website of the Ministère.

Further information on the draft Regulation may be obtained by contacting Olivier Nolleau, Bureau d'accréditation des pêcheurs et des aides-pêcheurs du

Québec, 167, Grande Allée Est, Grande-Rivière (Québec) G0C 1V0; telephone: 418 385-4000; email: direction.bapap@gmail.com.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Abdoul Aziz Niang, Assistant Deputy Minister for commercial fishing and aquaculture, Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, 200 chemin Sainte-Foy, 12<sup>e</sup> étage, Québec (Québec) G1R 4X6; email: bapap.reglement@mapaq.gouv.qc.ca.

O'NEIL CLOUTIER

*Interim President, Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec*

### **Regulation respecting apprentice fisherman's, fisherman's helper's and fisherman's certificates**

Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec (chapter B-7.1, s. 14, 1st par., subpars. 1 to 4, 2nd par., subpars. 1, 1.1 and 3, and s. 22)

#### **DIVISION I ISSUE OF CERTIFICATES**

**1.** This Division prescribes the criteria that must be met by any person who applies for a certificate to carry on a fishing activity for a tidal water species, with the exception of anadromous and catadromous species, seal or species fished exclusively for the purpose of aquaculture in tidal waters.

**2.** In this Regulation, unless the context indicates otherwise,

(1) “fishing licence” means a licence issued under the Fisheries Act (R.S.C. 1985, c. F-14) except the licence for seal, anadromous and catadromous species or species fished exclusively for the purpose of aquaculture in tidal waters;

(2) “commercial fishing season” means the longest fishing period for a specific species determined by the Minister of Fisheries and Oceans Canada during which it is permitted to fish in an area.

**3.** To obtain an apprentice fisherman's certificate, a person must hold a vocational training diploma or a secondary school diploma issued by the Minister of Education, Recreation and Sports or study full-time in order to obtain one of those diplomas.

**4.** To obtain a fisherman's helper's certificate, a person must hold a professional fishery studies diploma issued by the Minister of Education, Recreation and Sports or have one of the equivalent qualifications set out in section 6.

Where the vocational training diploma was obtained more than 12 months prior to the application for a certificate, the applicant must have participated full-time in at least 1 commercial fishing season in the year preceding the application.

**5.** To obtain a fisherman's certificate, a person must

(1) hold a professional fishery studies diploma issued by the Minister of Education, Recreation and Sports or have one of the equivalent qualifications set out in section 6; and

(2) hold a fishing licence.

Where the vocational training diploma was obtained more than 12 months prior to the application for a certificate, the applicant must have participated full-time in at least 1 commercial fishing season in the year preceding the application.

**6.** To have a qualification equivalent to a professional fishery studies diploma referred to in the first paragraph of sections 4 and 5, the person must have

(1) participated full-time in a commercial fishing season in the 3 years preceding the application for a certificate and completed a training course of 630 hours that included 250 hours of training on safety, 160 hours on piloting and 220 hours on net mending;

(2) participated full-time in 2 commercial fishing seasons in the 3 years preceding the application for a certificate and completed a training course of 335 hours that included 155 hours of training on safety, 120 hours on piloting and 60 hours on net mending; and

(3) participated full-time in a commercial fishing season in the 3 years preceding the application for a certificate and hold a Fishing Master certificate issued by the Minister of Transport of Canada.

The training courses referred to in this section must have been taken in an institution that offers a professional fishery studies program leading to the issue of a professional fishery studies diploma.

**7.** An apprentice fisherman's, fisherman's helper's or fisherman's certificate is issued to a person who

(1) meets the applicable issuance criteria, as applicable, set out in any of sections 3 to 6;

(2) submits an application in writing using the form prescribed by the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec;

(3) pays the fee set out in section 15.

**8.** An application for a certificate must contain the following information and documents:

(1) the applicant's name;

(2) the applicant's home address;

(3) the category of the certificate being applied for;

(4) a photograph of the applicant;

(5) the name and contact information of a person to contact in case of an emergency;

(6) in the case of an application for an apprentice fisherman's certificate, a copy of a diploma referred to in section 3 or proof of registration in an institution referred to in that section;

(7) in the case of an application for a fisherman's helper's certificate, a copy of the professional fishery studies diploma or documents that make it possible to establish that the applicant meets one of the equivalent qualification requirements set out in section 6, as the case may be, such as

(a) a transcript indicating that one of the training courses set out in subparagraphs 1 or 2 of the first paragraph of section 6 was completed;

(b) a copy of the certificate referred to in subparagraph 3 of the first paragraph of section 6;

(8) in the case of an application for a fisherman's certificate, a copy of the diploma or documents set out in subparagraph 6 and a copy of the fishing licences.

In addition, where the applicant must have participated full-time in 1 or 2 commercial fishing seasons, the applicant must also attach to the application a signed statement certifying that the applicant completed the number of commercial fishing seasons required to obtain the issue of the certificate and indicating the number of weeks of fishing and the species fished.

**9.** A certificate contains in particular the following information:

- (1) the holder's name;
- (2) the holder's home address;
- (3) the category;
- (4) the date of issue.

**10.** The certification board issues to the certificate holder a booklet containing the certificate and the following information:

- (1) the total number of years of fishing carried out by the holder;
- (2) the commercial fishing seasons carried out by the holder, in number of weeks, except those carried out before 16 years of age;
- (3) the list of each training course taken by the holder indicating the number of hours, the year it was taken and the name of the organization offering it.

## **DIVISION II** OBLIGATIONS OF CERTIFICATE HOLDERS

**11.** Certificate holders must have their booklets with them when carrying on their fishing activities and must allow the authority holding jurisdiction for applying the Fisheries Act (R.S.C., 1985, c. F-14) to verify their validity.

**12.** Holders of a fisherman's helper's or fisherman's certificate must, during the 2 years following the date of issue of their certificate and every 2 years thereafter, participate full-time in a commercial fishing season, unless they demonstrate to the certification board that it was impossible to do so in particular due to a moratorium imposed by the commercial fishery authority, an illness or an accident.

Holders of a fisherman's helper's or fisherman's certificate must, every 2 years following the date of issue of their certificate, submit to the certification board a statement certifying that they complied with the first paragraph or that it was impossible to do so.

**13.** Holders of a fisherman's helper's or fisherman's certificate must, during the year following the date of issue of their certificate and every 3 years thereafter, update their knowledge and skills in basic first aid at sea by successfully completing a continuing training course on the subject, offered by a body recognized by the Commission des

normes, de l'équité, de la santé et de la sécurité du travail under the authority of the Act respecting occupational health and safety (chapter S-2.1).

Holders of a fisherman's helper's or fisherman's certificate must, during the first year following the date of issue of their certificate and every 3 years thereafter, submit to the certification board the supporting documents certifying that they successfully completed a training course referred to in the first paragraph.

**14.** The holder of an apprentice fisherman's certificate who is registered full-time in an institution referred to in section 3 must, every year following the year in which the certificate was issued, submit to the certification board proof of registration at that institution.

This requirement ends when the holder submits to the certification board a copy of the diploma referred to in section 3.

## **DIVISION III** PAYABLE FEES AND RETENTION OF THE CERTIFICATE

**15.** The fee for the issue or replacement of a certificate or booklet is \$100.

**16.** Certificate holders must update the information about them referred to in sections 8 to 10 by filing an annual updating declaration not later than 15 November each year.

The declaration must include the payment of the annual fee set out in section 17.

**17.** The annual fee payable for the retention of a certificate and to update a booklet is fixed at \$100 if the fee is paid not later than 15 November of the current year, or \$125 if the fee is paid after that date.

**18.** Certificate holders must, within a period of 30 days, notify the certification board of any change in the information provided to the board pursuant to this Regulation or of any other change concerning their fishing activities.

## **DIVISION IV** TRANSITIONAL AND FINAL

**19.** Despite the provisions set out in Division I, a person who, upon the coming into force of this Regulation, holds a valid apprentice fisherman's, fisherman's helper's or fisherman's certificate issued in compliance with the Regulation respecting recognition of the professional qualification of fishers and assistant fishers (chapter B-7.1, r. 1) is deemed to be qualified under this Regulation for the certificate corresponding to the same activity.

**20.** Despite sections 3 and 4, a person who, upon the coming into force of this Regulation, acts as an apprentice fisherman or a fisherman's helper may obtain a certificate for the corresponding activity where the person is sponsored by the holder of the fishing licence for whom the person worked full-time during a commercial fishing season.

The application for a certificate must be filed in writing using the form prescribed by the certification board, and include the fees set out in section 15 and a statement, signed by the sponsorer, certifying that the applicant will be sponsored in accordance with the first paragraph.

The sponsorship requirement ends when the certificate holder has participated full-time in a commercial fishing season. The holder must then submit to the certification board a statement certifying that fact signed by the sponsor.

**21.** Despite section 5, a person who, upon the coming into force of this Regulation, holds a fishing licence and participated full-time in at least 1 commercial fishing season in the 3 years preceding the application may obtain a fisherman's certificate.

The application for a certificate must be filed in writing using the form prescribed by the certification board and include the fees set out in section 15.

The certification board issues a fisherman's certificate to the person who meets the criteria set out in the first and second paragraphs and who still holds a fishing licence.

**22.** Despite section 17, a person who, upon the coming into force of this Regulation, is a certificate holder must update the information referred to in sections 8 to 10 by filing an annual updating declaration no later than 31 January for the commercial fishing season starting in 2024.

The declaration must include the payment of the annual fee set out in section 16.

**23.** This Regulation replaces the Regulation respecting recognition of the professional qualification of fishers and assistant fishers (chapter B-7.1, r. 1).

**24.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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## Draft Regulation

Hydro-Québec Act  
(chapter H-5)

### Rates for using the public fast-charging service for electric vehicles

#### — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the rates for using the public fast-charging service for electric vehicles, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation prescribes the rates for using the public fast-charging service for electric vehicles that are fixed, as the case may be, on an hourly basis or based on the quantity of electricity supplied to the user, measured in kilowatt-hours (kWh). The new rates would be applicable, as of 2024, to the use of public fast-charging services with meters that have been verified and sealed in accordance with the Electricity and Gas Inspection Act (R.S.C., 1985, c. E-4) or that display a placard indicating that the meter has a dispensation from Measurement Canada. The hourly rates provided for in the draft Regulation are set taking into account the maintaining of uniformity in relation to the rates in force, which will be automatically adjusted on 1 January 2024 in accordance with section 2 of the Regulation respecting the rates for using the public fast-charging service for electric vehicles (chapter H-5, r. 1).

Study of the matter has shown no negative impact on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Philippe Doyon, Director, Expertise and regulation, Electricity sector, Ministère de l'Économie, de l'Innovation et de l'Énergie, 5700, 4<sup>e</sup> Avenue Ouest, bureau A-402.1, Québec (Québec) G1H 6R1; telephone: 418 627-6386, extension 708309; email: philippe.doyon@mern.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Étienne Chabot, Director General, Electricity, Ministère de l'Économie, de l'Innovation et de l'Énergie, 5700, 4<sup>e</sup> Avenue Ouest, bureau A-402, Québec (Québec) G1H 6R1, email: etienne.chabot@mern.gouv.qc.ca.

PIERRE FITZGIBBON

*Minister of Economy, Innovation and Energy*