

The Commercial Fishing Production Incentive Regulations

being

Chapter R-19.01 Reg 1* (effective August 19, 1983)
as amended by Saskatchewan Regulations 8/85.

***Note:** The chapter number of these regulations was changed by *The Regulation Chapter Number Assignment Regulations*, cR-16 Reg 2, Gazetted November 18, 1988. The original chapter number was D-22.01 Reg 1.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER R-19.01 REG 1

The Renewable Resources, Recreation and Culture Act

Title

1 These regulations may be cited as *The Commercial Fishing Production Incentive Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Department of Parks and Renewable Resources Act*;
- (b) “**commercial fisherman**” means a person licenced as a commercial fisherman pursuant to *The Saskatchewan Fishery Regulations*;
- (c) “**commercial fishing**” means the business of fishing whereby all or any portion of the fish catch is offered for sale;
- (d) “**corporation**” means the Freshwater Fish Marketing Corporation established in the *Freshwater Fish Marketing Act (Canada)*, as amended from time to time;
- (e) “**price support**” means a subsidy paid to a commercial fisherman on a specified species or grade of fish as an incentive to harvest low-valued species;
- (f) “**subsidy**” means a transportation or price support subsidy;
- (g) “**summer fishery**” means the period commencing on April 16 in one year and ending on October 31 of the same year;
- (h) “**transportation cost**” means the actual cost of hauling a full load of fish by the most economical means available;
- (i) “**transportation subsidy**” means a subsidy paid to a commercial fisherman to offset a portion of the transportation cost of moving commercially caught fish from the place it is caught to Prince Albert, Saskatchewan;
- (j) “**winter fishery**” means the period commencing on November 1 in one year and ending on April 15 of the next year.

26 Aug 83 cR-19.01 Reg 1 s2.

Application

3 These regulations apply to those parts of Saskatchewan where the waters designated pursuant to section 8 are situated.

26 Aug 83 cR-19.01 Reg 1 s3.

Commercial fisherman

4(1) The minister may, for the purpose of encouraging and promoting the development of commercial fishing, provide a transportation subsidy or price support subsidy to any person who:

- (a) is a commercial fisherman;
- (b) has a valid Fisherman's Identification Number issued by the department; and
- (c) complies with the other provisions of these regulations.

(2) The minister may pay a subsidy to a person mentioned in subsection (1) or to any other person designated in writing by that person.

26 Aug 83 cR-19.01 Reg 1 s4; 15 Feb 85 SR 8/85 s3.

Fish

5(1) In this section "**agent of the corporation**" means a person appointed and authorized by the corporation to act on its behalf.

(2) A subsidy is payable pursuant to these regulations to a commercial fisherman in respect of fish that are:

- (a) taken under authority of a commercial fishing licence; and
- (b) verified as to the lake of origin on a weight basis by a person authorized by the minister to make that verification from the daily catch records of each commercial fisherman.

(3) The daily catch record mentioned in clause (2)(b) shall be in any form that the minister may prescribe.

(4) The verification on the basis of weight required to be made pursuant to clause (2)(b) shall be calculated on the basis of the form in which the fish catch is delivered.

(5) Where the amount of the subsidy that would be payable is less than \$1, no payment shall be made.

26 Aug 83 cR-19.01 Reg 1 s5; 15 Feb 85 SR 8/85 s4.

Exceeding fishing limit

6(1) Subject to subsection (2), no subsidy is payable in respect of fish taken in excess of any commercial fishing limit established pursuant to *The Saskatchewan Fishery Regulations*.

(2) The minister may make payments pursuant to these regulations with respect to fish mentioned in subsection (1) where the amount of fish involved is minimal and he is satisfied that exceeding the limit was not deliberate.

26 Aug 83 cR-19.01 Reg 1 s6.

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7 Where the minister is satisfied that a commercial fisherman has taken fish without authority of a licence or has misrepresented the waters from which the fish were taken, the minister shall make no payment in respect of the unauthorized or misrepresented fish catch.

26 Aug 83 cR-19.01 Reg 1 s7.

Powers of minister

8(1) For the purpose of calculating the payments to be made pursuant to these regulations, the minister may, by order, designate for any year:

- (a) the waters in respect of which a subsidy is payable, and may add to or delete waters so designated;
- (b) the percentage of transportation cost eligible for subsidy;
- (c) the summer fishery transportation subsidy rates and winter fishery transportation subsidy rates applicable to the designated waters, and may adjust those rates;
- (d) the species or grade of fish to which a price support may apply; and
- (e) the price support rate to be paid on any specified species or grade of fish, and may adjust that rate.

(2) Every order made pursuant to subsection (1) shall be published in the Gazette.

26 Aug 83 cR-19.01 Reg 1 s8.

