

Ensemble

**POUR LA VIABILITÉ
DE L'INDUSTRIE**

Together, for a thriving industry

| Conjunctural financial support
program for **fishing businesses**

2008 - 2009



Québec 

1 — OBJECTIVE

The Ministère de l'Agriculture, des Pêcheries et de l'Alimentation wishes to maintain the competitiveness of Québec's fishing fleets and ensure that fishing businesses affected by a weak business climate are able to use the licences they have been issued and the quotas that have been allocated to them.

2 — MEANS

To reach this objective, the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation offers financial aid to fishing businesses by assuming part or all of the interest due on their loans.

3 — ELIGIBLE BUSINESSES

Any Québec fisher who is a member of a core group or holder of a business licence as designated by the Department of Fisheries and Oceans (DFO), and who owns a vessel, is bound to the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation or a financial institution under the terms of a loan or loan guarantee affecting his vessel and whose principal source of income, in 2008, is connected to the operation of one of the licences identified below and:

In the case of a fishing business affected by the elimination of temporary quotas or by significant cuts in cod and snow crab quotas for inshore fishing areas since 2003:

- Who in 2002, held a mobile gear groundfish fishing licence; or
- Who in 2002, held a fixed gear groundfish fishing licence; or
- Who in 2002, held a permanent snow crab fishing licence for inshore fishing areas (IFA) 13 or 14; or
- Who in 2002, held temporary snow crab quotas for inshore fishing areas (IFA) 14, 15 or 16 and who did not hold a permanent snow crab fishing licence.

In the case of a fishing business affected, since 2005, by sharply lower earnings associated with the operation of shrimp, snow crab and scallop licences:

- Who in 2005, held a permanent snow crab fishing licence or a temporary quota for inshore fishing areas (IFA) 12A, 12B, 12C, 12E, 12F, 15, 16 or 17; or
- Who in 2005, held a permanent shrimp fishing licence or a temporary Group A or Group B quota, as defined by DFO; or
- Who in 2007, held a scallop fishing licence for inshore fishing areas (IFA) 16A to 16H, 17, 18A, 18B, 18C, 19A, 20A, 20B and 20E.

In addition, to be eligible, a groundfish fishing business must:

- Operate a fishing vessel using mobile gear and show that over 50% of the average annual value of its landings during two of the four years from 1988 to 1991 was derived from groundfish; or
- Operate a fishing vessel using fixed gear with average annual landings of groundfish and pelagic fish of at least 5 metric tonnes during two of the four years from 1988 to 1991, as long as over 50% of the average annual value of its total vessel landings during those two years was generated by groundfish and pelagic fish; or
- Operate a vessel using fixed gear or mobile gear, and have earned at least 25% of its gross income from the groundfish fishery, and have earned an average annual gross income of at least \$5,000 from the groundfish fishery in 2000, 2001 and 2002.

4 — FINANCIAL AID

The financial aid consists of a subsidy applicable to the interest due on loans contracted prior to April 1, 2006 affecting the fishing vessel of an eligible business.

Fishing businesses eligible for this program that do not hold loans or loan guarantees issued by the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation will be granted financial aid after the terms and conditions set out in Section 5.2 of the *Temporary loan repayment relief for fishing businesses program* have been fulfilled.

5 — SPECIFIC CONDITIONS

The eligible businesses must:

- 5.1** Agree in writing, if applicable, to comply with the terms and conditions set out in the *Temporary loan repayment relief for fishing businesses program*;
- 5.2** Provide a copy of the mortgage guarantees affecting the fishing vessel or the permanent licences;
- 5.3** Provide the invoice indicating the amount of the marine insurance premium, and the insurance coverage notice;
- 5.4** Submit, if applicable, landing reports indicating the products landed, prices obtained and total gross income;
- 5.5** Provide the mortgage loan deed showing the related contractual obligations;

5.6 Land its marine product catches in Québec and:

- In the case of marine products other than seal, sell, cede, deliver or transfer them only to one of the following:
 - a) An operator, within the meaning of Section 3 of the *Marine Product Processing Act* (R.S.Q., c. T-11.01), who is the holder of a licence issued by the Ministère pursuant to Section 9, Subparagraph e, of the *Food Products Act* (R.S.Q., c. P 29);
 - b) A holder of an acquirer's licence issued by the Ministère pursuant to Division III of the *Marine Product Processing Act*;
 - c) A retailer who deals exclusively in retail sales, who holds the required municipal permits and, if said retailer also prepares foods, who holds a food processor's licence issued by the Ministère pursuant to Section 9, Subparagraph m, of the *Food Products Act*;
 - d) A restaurateur, within the meaning of Section 3 of the *Marine Product Processing Act*; or
 - e) A consumer.
- In the case of seal, sell, cede or transfer the products only to the holder of a licence or an autorisation required under the Food Products Act allowing its holder to prepare, condition or process said products for wholesale sale purposes.

Eligible fishing businesses recognise that it is their responsibility to ensure that the buyers with which they do business meet these criteria, and to prove, to the satisfaction of the Ministère, that they have complied with this commitment if requested to do so by the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation.

The fishing business further recognises that it has been informed that this commitment is one of the essential considerations motivating its acceptance into the program by the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation and that, barring fortuitous circumstances, any failure to fulfill this commitment not authorised in advance in writing shall constitute an act of non-compliance that may result – without the need for advance legal notice – in the loss of any benefits provided under this program; a non-compliant beneficiary can notably lose its financial support and be required to repay any amounts already received.

6 — PROCEDURE

Eligible fishing businesses seeking to take advantage of this measure must send a written application to one of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation regional directorates responsible for commercial fisheries and aquaculture.

7 — GENERAL PROVISION

When an eligible business obtains financial aid from another ministry, public organisation or the federal government for expenditures for which the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation has offered aid under this program, the amount of said aid shall be deducted from that provided or established under this program.

8 — DURATION OF PROGRAM

The *Conjunctural financial support program for fishing businesses* shall be in effect until March 31, 2009 or until the credits allocated to it have been exhausted, whichever comes first.

N.B.: This English translation is provided as a courtesy to English-speaking parties. For any interpretation purposes, at all times and in all cases, the original French version of this program shall have precedence and force of law.



*Agriculture, Pêcheries
et Alimentation*

Québec  
 

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