

May 31, 2017

Dear Applicant:

Re: Your request for access to information under Part II of the *Access to Information and Protection of Privacy Act* FA/28/2017

On May 2, 2017, The Department of Fisheries and Land Resources (FLR) received your request for access to the following records:

"Document (Trim Reference Number) DOC/2017/00632 "3Ps Cod Status and Update"

I am pleased to inform you that a decision has been made by the Deputy Minister for FLR to provide access to requested information.

In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the *Access to Information and Protection of Privacy Act* (the *Act*). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The address and contact information of the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the *Act*.

Please be advised that this letter will be published following a 72 hour period after it is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the letter posted to the Completed Access to Information Requests website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please contact me by telephone at 709-729-4797 or by email at

rhondahickey@gov.nl.ca

Sincerely,

Rhonda Hickey
ATIPP Coordinator

Enclosures



Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21 ;

(b) a decision respecting an extension of time under section 23 ;

(c) a variation of a procedure under section 24 ; or

(d) an estimate of costs or a decision not to waive a cost under section 26 .

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

[2015 cA-1.2 s42](#)

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45 (2).

[2015 cA-1.2 s52](#)

Department of Fisheries and Land Resources
3Ps (south coast) cod
February 7, 2017

Summary:

There are over 700 inshore groundfish harvesters based in 3Ps. Fishing opportunities in 3Ps have declined over the past several years and the outlook is not positive. Catch rates of cod have been poor in many areas. A recent science assessment of 3Ps cod indicated that the stock is declining to a near critical level and a significant reduction in the Total Allowable Catch for 2017 is advised. Other resource challenges in 3Ps include crab that has declined to a low level as well as lobster in Placentia Bay.

The Minister may be asked what the Province is doing to address the situation in 3Ps particularly given the recent science advice on cod and crab.

Key messages:

- Our Government recognizes harvesters in 3Ps are facing severe economic challenges. The crab fishery in 3Ps has virtually collapsed and the cod fishery is facing several challenges including poor catch rates.
- The FFAW has proposed a voluntary licence retirement program to reduce the number of inshore enterprises in 3Ps.
- The Province has indicated its support for the proposal and will remain engaged with the FFAW, as well as the Federal Government, to determine the best way forward to address the situation facing 3Ps inshore harvesters.
- Going forward it will be essential that government work with all stakeholders to maximize the benefits of the available resources within 3Ps.