Response to Applicant - Partial Access Granted
Form 4B

Dear [Redacted]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act (the Act). Our File #s: BTCRD/5/2015, BTCRD/6/2016

On, February 13, 2015, the Department of Business, Tourism, Cultural and Rural Development received your request for access to the following records:

**BTCRD/5/2015**
Original Request - I am requesting any e-mails or recorded conversations within the Government of Newfoundland and Labrador in regards to negotiations for the Canada and Europe Comprehensive Economic and Trade Agreement and the Fisheries Innovation Fund.

**BTCRD/6/2015**
My request is for any e-mails or recorded conversations between the Government of Newfoundland and Labrador and the Government of Canada in regards to negotiations for the Canada and Europe Comprehensive Economic and Trade Agreement and the Fisheries Innovation Fund.

Through your direction the requests were revised in accordance with the below:

**First Modification** – Narrow the request for any recorded conversations in regards to the Fisheries Innovation Fund that has not been tabled in the House of Assembly or been made publicly available dating back to April 2013.

**Second Modification** – Records from Minister(s) and Executive Assistants for the time frame of April 2013 to Feb 17, 2015 with respect to the Fisheries Investment Fund.

**Clarification** – Still looking for emails and any recorded conversations; Define recorded conversations as any conversation there is a record of (i.e. e-mail, minutes of meetings, recorded conversations).

**Second Clarification** – Exclude new articles, commentary on news articles, press releases, and lists of press releases.
Your request for access to these records can only be partially granted at this time, as the negotiation of the Fisheries Investment Fund is ongoing. Therefore pages 7-16, 27, 30-33, 37-39, 65-66, 86-88, 108-109, 124-136 have been severed in accordance with Sections: 23(1)(a)(i); 23(1)(b); 24(1)(f); 24(1)(g); and 24(1)(h) of the Act. Pages 79-82 have been severed in accordance with Section 30(1) of the Act. Other information has each separately been severed throughout the records in accordance with Sections: 18, 20, 23, 24 and 30 of the Act; (see attached for noted sections). Following resolution of the issue of the Fisheries Investment Fund with the Federal Government, the Department of Business, Tourism, Culture and Rural Development will proactively release the responsive records to the fullest extent possible in accordance with the Act.

Section 43 of the Act provides that you may ask the Information and Privacy Commissioner to review this partial refusal of access or you may appeal the refusal to the Supreme Court Trial Division. A request to the Information and Privacy Commissioner shall be made in writing within 60 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
Facsimile: (709) 729-6500

In the event that you choose to appeal to the Trial Division, you must do so within 30 days of the date of this letter. Section 60 of the Act sets out the process to be followed when filing such an appeal.

Please be advised that responsive records will be published following a 72 hour period after the response 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 responsive records posted to the Office of Public Engagement's 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 the Department’s ATIPP Coordinator, by telephone at 709-729-7000.

Sincerely,

[Signature]

Alastair O'Rielly
Deputy Minister

Enclosure(s)
Cabinet confidences

18. (1) In this section

(a) "cabinet record" means

(i) advice, recommendations or policy considerations submitted or prepared for submission to the Cabinet,

(ii) draft legislation or regulations submitted or prepared for submission to the Cabinet,

(iii) a memorandum, the purpose of which is to present proposals or recommendations to the Cabinet,

(iv) a discussion paper, policy analysis, proposal, advice or briefing material, including all factual and background material prepared for the Cabinet,

(v) an agenda, minute or other record of Cabinet recording deliberations or decisions of the Cabinet,

(vi) a record used for or which reflects communications or discussions among ministers on matters relating to the making of government decisions or the formulation of government policy,

(vii) a record created for or by a minister for the purpose of briefing that minister on a matter for the Cabinet,

(viii) a record created during the process of developing or preparing a submission for the Cabinet, or

(ix) that portion of a record which contains information about the contents of a record within a class of information referred to in subparagraphs (i) to (viii);

(b) "discontinued cabinet record" means a cabinet record referred to in paragraph (a) the original intent of which was to inform the Cabinet process, but which is neither a supporting Cabinet record nor an official Cabinet record;

(c) "official cabinet record" means a cabinet record referred to in paragraph (a) which has been prepared for and considered in a meeting of the Cabinet; and

(d) "supporting cabinet record" means a Cabinet record referred to in paragraph (a) which informs the Cabinet process, but which is not an official cabinet record.

(2) The head of a public body shall refuse to disclose to an applicant a Cabinet record, including

(a) an official Cabinet record;

(b) a discontinued Cabinet record; and

(c) a supporting Cabinet record.

(3) The commissioner may review the refusal of a Cabinet record by the head of a public body under subsection (2) except where the decision relates to a Cabinet record which has been certified as an official Cabinet record by the Clerk of the Executive Council or his or her delegate.

(4) Where a question arises as to whether a Cabinet record is an official Cabinet record, the certificate of the Clerk of Executive Council or his or her delegate stating that the record is an official Cabinet record is conclusive of the question.

(5) The delegate of the Clerk of the Executive Council referred to in subsections (3) and (4) shall be limited to the Deputy Clerk of the Executive Council and the Secretary of the Treasury Board.
(6) An applicant may appeal a decision of the head of a public body respecting Cabinet records referred to subsection (2), except an official Cabinet record, to the commissioner or the Trial Division under section 43.

(7) An applicant may appeal a decision of the head of a public body respecting a Cabinet record which is an official Cabinet record directly to the Trial Division.

(8) This section does not apply to:

(a) information in a record that has been in existence for 20 years or more; or

(b) information in a record of a decision made by the Cabinet on an appeal under an Act.

Policy advice or recommendations

20. (1) The head of a public body may refuse to disclose to an applicant information that would reveal

(a) advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister;

(b) the contents of a formal research report or audit report that in the opinion of the head of the public body is incomplete unless no progress has been made on it for more than 3 years;

(c) consultations or deliberations involving officers or employees of a public body, a minister or the staff of a minister, or

(d) draft legislation or regulations.

(2) The head of a public body shall not refuse to disclose under subsection (1)

(a) factual material;

(b) a public opinion poll;

(c) a statistical survey;

(d) an appraisal;

(e) an environmental impact statement or similar information;

(f) a final report or final audit on the performance or efficiency of a public body or on any of its programs or policies;

(g) a consumer test report or a report of a test carried out on a product to test equipment of the public body;

(h) a feasibility or technical study, including a cost estimate, relating to a policy or project of the public body;

(i) a report on the results of field research undertaken before a policy proposal is formulated;

(j) a report of an external task force, committee, council or similar body that has been established to consider a matter and make a report or recommendations to a public body;

(k) a plan or proposal to establish a new program or to change a program, if the plan or proposal has been approved or rejected by the head of the public body;

(l) information that the head of the public body has cited publicly as the basis for making a decision or formulating a policy; or
(m) a decision, including reasons, that is made in the exercise of a discretionary power or an adjudicative function and that affects the rights of the applicant.

(3) Subsection (1) does not apply to information in a record that has been in existence for 15 years or more.

2002 cA-1.1 s20; 2012 c25 s8

Disclosure harmful to intergovernmental relations or negotiations

23. (1) The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to

(a) harm the conduct by the government of the province of relations between that government and the following or their agencies:

   (i) the government of Canada or a province,
   (ii) the council of a local government body,
   (iii) the government of a foreign state,
   (iv) an international organization of states, or
   (v) the Nunatsiavut Government; or

(b) reveal information received in confidence from a government, council or organization listed in paragraph (a) or their agencies.

(2) The head of a public body shall not disclose information referred to in subsection (1) without the consent of

(a) the Attorney General, for law enforcement information; or
(b) the Lieutenant-Governor in Council, for any other type of information.

(3) Subsection (1) does not apply to information that is in a record that has been in existence for 15 years or more unless the information is law enforcement information.

2002 cA-1.1 s23; 2008 c4 s1

Disclosure harmful to the financial or economic interests of a public body

24. (1) The head of a public body may refuse to disclose to an applicant information which could reasonably be expected to disclose

(a) trade secrets of a public body or the government of the province;
(b) financial, commercial, scientific or technical information that belongs to a public body or to the government of the province and that has, or is reasonably likely to have, monetary value;
(c) plans that relate to the management of personnel or the administration of a public body and that have not yet been implemented or made public;
(d) information, the disclosure of which could reasonably be expected to result in the premature disclosure of a proposal or project or in significant loss or gain to a third party;
(e) scientific or technical information obtained through research by an employee of a public body, the disclosure of which could reasonably be expected to deprive the employee of priority of publication;

(f) positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations by or on behalf of the government of the province or a public body, or considerations which relate to those negotiations;

(g) information, the disclosure of which could reasonably be expected to prejudice the financial or economic interest of the government of the province or a public body; or

(h) information, the disclosure of which could reasonably be expected to be injurious to the ability of the government of the province to manage the economy of the province.

(2) The head of a public body shall not refuse to disclose under subsection (1) the results of product or environmental testing carried out by or for that public body, unless the testing was done

(a) for a fee as a service to a person, a group of persons or an organization other than the public body; or

(b) for the purpose of developing methods of testing.

Disclosure harmful to personal privacy

30. (1) The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy.

(2) A disclosure of personal information is not an unreasonable invasion of a third party's personal privacy where

(a) the applicant is the individual to whom the information relates;

(b) the third party to whom the information relates has, in writing, consented to or requested the disclosure;

(c) there are compelling circumstances affecting a person's health or safety and notice of disclosure is mailed to the last known address of the third party to whom the information relates;

(d) an Act or regulation of the province or of Canada authorizes the disclosure;

(e) the disclosure is for a research or statistical purpose and is in accordance with section 41;

(f) the information is about a third party's position, functions or salary range as an officer, employee or member of a public body or as a member of a minister's staff;

(g) the disclosure reveals financial and other details of a contract to supply goods or services to a public body;

(h) the disclosure reveals the opinions or views of a third party given in the course of performing services for a public body, except where they are given in respect of another individual;

(i) public access to the information is provided under the Financial Administration Act;

(j) the information is about expenses incurred by a third party while travelling at the expense of a public body;

(k) the disclosure reveals details of a licence, permit or a similar discretionary benefit granted to a third party by a public body, not including personal information supplied in support of the application for the benefit;
(1) the disclosure reveals details of a discretionary benefit of a financial nature granted to a third party by a public body, not including

(i) personal information that is supplied in support of the application for the benefit, or

(ii) personal information that relates to eligibility for income and employment support under the *Income and Employment Support Act* or to the determination of income or employment support levels;

(m) the personal information is about an individual who has been dead for 20 years or more; or

(n) the disclosure is not contrary to the public interest as described in subsection (3) and reveals only the following personal information about a third party:

(i) attendance at or participation in a public event or activity related to a public body, including a graduation ceremony, sporting event, cultural program or club, or field trip, or

(ii) receipt of an honour or award granted by or through a public body.

(3) The disclosure of personal information under paragraph (2)(n) is an unreasonable invasion of personal privacy where the third party whom the information is about has requested that the information not be disclosed.

(4) A disclosure of personal information is presumed to be an unreasonable invasion of a third party's personal privacy where

(a) the personal information relates to a medical, psychiatric or psychological history, diagnosis, condition, treatment or evaluation;

(b) the personal information is an identifiable part of a law enforcement record, except to the extent that the disclosure is necessary to dispose of the law enforcement matter or to continue an investigation;

(c) the personal information relates to employment or educational history;

(d) the personal information was collected on a tax return or gathered for the purpose of collecting a tax;

(e) the personal information consists of an individual's bank account information or credit card information;

(f) the personal information consists of personal recommendations or evaluations, character references or personnel evaluations;

(g) the personal information consists of the third party's name where

(i) it appears with other personal information about the third party, or

(ii) the disclosure of the name itself would reveal personal information about the third party; or

(h) the personal information indicates the third party's racial or ethnic origin or religious or political beliefs or associations.

(5) In determining under subsections (1) and (4) whether a disclosure of personal information constitutes an unreasonable invasion of a third party's personal privacy, the head of a public body shall consider all the relevant circumstances, including whether

(a) the disclosure is desirable for the purpose of subjecting the activities of the province or a public body to public scrutiny;

(b) the disclosure is likely to promote public health and safety or the protection of the environment;

(c) the personal information is relevant to a fair determination of the applicant's rights;
(d) the disclosure will assist in researching or validating the claims, disputes or grievances of aboriginal people;

(e) the third party will be exposed unfairly to financial or other harm;

(f) the personal information has been supplied in confidence;

(g) the personal information is likely to be inaccurate or unreliable;

(h) the disclosure may unfairly damage the reputation of a person referred to in the record requested by the applicant; and

(i) the personal information was originally provided to the applicant.

2012 c25 s15
Looks good!
Department of Innovation, Business and Rural Development
Government of Newfoundland and Labrador
P.O.Box 8700
St.John's, NL
Canada
A1B 4J6

From: MacLean, Heather
Sent: Tuesday, October 15, 2013 06:52 PM
To: Johnson, Charlene
Cc: O'Rielly, Alastair; Maidment, Donna
Subject: for approval CETA

Minister Johnson – Glenda has requested short note for Jennifer on plan for CETA announcement. Noted below is the info we are suggesting that we provide tonight – for your approval. Alastair / Jeff and Jacqueline have reviewed.

The comms plan will be updated after full briefing with updated messages prepared.

Are you comfortable with me sending the following info?

Heather

COMMUNICATIONS

Note: The complete communications plan is being updated. This note provides brief overview of CETA announcement on the agreement in principle.

Title: The agreement in principle (AIT) on the Comprehensive Economic and Trade Agreement (CETA) between Canada and the European Union.

Communications Objectives
- To communicate outcomes and benefits to Newfoundland and Labrador on the agreement in principle related to the Canada - European Union trade agreement.
- To explain how the agreement is a win for people of the province; an agreement made in the best interests of Newfoundland and Labrador.
- To communicate to the general public the business and economic value of export activity in Newfoundland and Labrador.
The Announcement/Activities
The Provincial Government announcement on CETA agreement in principle will follow the Federal Government announcement. The Federal Government has stated it will provide a heads up to provinces and territories.

It is unclear what type of statement or information that Federal Government may release, however it is expected to be high level. It is expected that the earliest a federal statement may take place is Friday, October 18, but more likely to be the following week once the European Union has approved.

The Provincial Government would follow with a news conference / event at outside location TBD. The details that can be shared by the province on all issues are to be determined – suggested that messages remain high level with caveat that a review of the agreement in principle and implications are under review by government. Main focus will be on the positive impacts of the agreement on Newfoundland and Labrador's fisheries issues, as well as the $400 million fund to mitigate impacts on processing sector and advance the industry. *(it is expected that the Federal Government may want to be part of this announcement).*

Recommended participants include Premier Dunderdale, Minister Johnson, Minister Hutchings, and Industry: Earl McCurdy, Fish, Food and Allied Workers Union and Derek Butler, Association of Seafood Producers. Caucus should be in attendance.

The Communications and Consultations Branch will assist with coordination of logistics to organize the event and will meet to determine responsibilities.

Briefing recommended for impacted departments: Fisheries and Aquaculture, Health and Community Services, Natural Resources, and the Government Purchasing Agency.

Technical Briefings recommended for caucus, opposition, media, and industry.

Communication with appropriate internal staff required on agreement outcomes and provincial impacts.

Key messages and QA will be prepared. A chapter by chapter overview including key messages will be shared with caucus, communications directors throughout government.

Follow-up Activities
Media will be monitored and responded to accordingly.

Minister Johnson will reiterate key messages with respect to agreement. Minister Hutchings will participate in media with respect to fisheries related issues. The Ministers of Health and Community Services, Natural Resources and Service NL should be prepared to speak to follow-up issues related to their departments.

Key Messages
- We will watch Throne Speech Wednesday to determine messages required – dependent on what if anything is stated.
- Detailed key messages to be added Wednesday following completed review of the agreement in principle.
From: Loder, Jeff  
Sent: Thursday, October 17, 2013 9:41 PM  
To: O'Rielly, Alastair; Johnson, Charlene  
Subject: Re: Communicating on CETA

I am good.  

23(1)(a)(i), 24(1)(f), 24(1)(g)

From: Johnson, Charlene  
Sent: Thursday, October 17, 2013 8:19 PM  
To: O'Rielly, Alastair  
Subject: Fw: Communicating on CETA

Sent from my BlackBerry 10 smartphone.

From: Maidment, Donna  
Sent: Thursday, October 17, 2013 8:06 PM  
To: Johnson, Charlene  
Subject: Fw: Communicating on CETA

This from Bill Hawkins...  
Department of Innovation, Business and Rural Development  
Government of Newfoundland and Labrador  
P.O.Box 8700  
St.John's, NL  
Canada  
A1B 4J6

----- Original Message -----
Hi Donna -- hope all's well. As you likely know, when our Ministers spoke earlier this week they had a brief discussion on communications when the Agreement-in-Principle is announced (which you will have heard by now is occurring tomorrow). Adam Taylor from my office will email you an embargoed copy of our communications materials in advance of their public release. However I did want to flag to you that there is no reference in our products to the transition funding we've committed to supply NL, nor have we profiled the outcome on MPRs. That is in keeping with the discussion our Minister had with your Minister's predecessor, that the funding is separate from the CETA agreement. Our request is that your govt's communications also reflect this separation. Our Minister would be pleased to work with yours, or have us work as their designates, to arrange for an announcement of the funding at an appropriate time in future. To our thinking the scheduling of that announcement in future would be an advantage to your government, as it would permit you to show that you're responding to any concerns that you may hear on this front following the CETA announcement day. A separation in time of the announcements would also help avoid the provision of the funding becoming a contentious issue, which is in both of our government's interests.

Please let me know if this proposed approach of separation is agreeable to you/your Minister

Thx

Bill
From: O'Rielly, Alastair  
**Sent:** Tuesday, October 22, 2013 9:34 PM  
To: Power, Glenda; MacLean, Heather; Lewis, David B.; Card, Jason  
Cc: Mullaley, Julia; Burt, Paula; Howard, Jacquelyn; Loder, Jeff; Power, Jacqueline  
Subject: Re: Event - invitation list

Dave et al

Jeff and Jacqueline are available to assist.

Alastair
Department of Innovation, Business and Rural Development
Government of Newfoundland and Labrador
P.O.Box 8700
St.John’s, NL
Canada
A1B 4J6

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**From:** Power, Glenda  
**Sent:** Tuesday, October 22, 2013 09:18 PM  
**To:** MacLean, Heather; Lewis, David B.; O'Rielly, Alastair; Card, Jason  
**Cc:** Mullaley, Julia; Burt, Paula; Howard, Jacquelyn  
**Subject:** Re: Event - invitation list

When do you return, Heather?

Sent from my BlackBerry 10 smartphone.

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**From:** MacLean, Heather  
**Sent:** Tuesday, October 22, 2013 8:18 PM  
**To:** Power, Glenda; Lewis, David B.; O'Rielly, Alastair; Card, Jason  
**Cc:** Mullaley, Julia; Burt, Paula; Howard, Jacquelyn  
**Subject:** Re: Event - invitation list

Glenda- I am heading to winterton with minister johnson in the am. I can stay back to meet and ask chrysta to accompany the minister if you would like me to participate in the morning meeting. Please advise.

Heather

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**From:** Power, Glenda  
**Sent:** Tuesday, October 22, 2013 08:10 PM  
**To:** Lewis, David B.; O'Rielly, Alastair; Card, Jason; MacLean, Heather  
**Cc:** Mullaley, Julia; Burt, Paula; Howard, Jacquelyn  
**Subject:** Event - invitation list

Hello. Pls note the PO has requested a suggested invitation list for tomorrow morning for potential fund event this week. We also need to get our Q&As and key messages in place; they should be sent to the Branch by end of day tomorrow pls. News release can follow once approval is in place for first documents. FA to lead, IBRD
secondary - fisheries fund focus, then highlight what was achieved for fishery with CETA: combine to result in enormous impact for the industry...

We should maybe have a meeting tomorrow morning to discuss and ensure coordination.
G

Sent from my BlackBerry 10 smartphone.
From: Johnson, Charlene  
Sent: Thursday, October 24, 2013 3:05 PM  
To: O’Rielly, Alastair  
Subject: Re: I should have put the body in the email...here it is

Good. See if Jan can get my electronic signature from CYFS.

Sent from my BlackBerry 10 smartphone.

From: O’Rielly, Alastair  
Sent: Thursday, October 24, 2013 2:58 PM  
To: Johnson, Charlene  
Subject: Fw: I should have put the body in the email...here it is

See embedded draft for your consideration.
Department of Innovation, Business and Rural Development  
Government of Newfoundland and Labrador  
P.O.Box 8700  
St.John’s, NL  
Canada  
A1B 4J6

23(1)(a)(i), 24(1)(f), 24(1)(g)
Hi folks:

A meeting has been scheduled for 12 noon tomorrow to discuss the above-noted to be held in the Premier’s Boardroom.

Attending are: Ministers Hutchings, Dalley, Kent, Julia, Paula, Ross, Lynette, Dave Lewis.

Thanks,

Jan Halliday
Administrative Assistant
to the Minister
Dept. of Innovation, Business and Rural Development
2nd Floor, West Block
Telephone: (709) 729-4729
Good afternoon.

The following are draft key messages for discussion at our meeting tomorrow at noon.

Thanks.

Dave

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**Fisheries and Aquaculture**

**Key Messages: Fisheries Investment Fund**

**January 13, 2014**

- The Agreement in Principle signed between Canada and the European Union in October 2013 regarding a Comprehensive Economic and Trade Agreement established a new era of opportunity for Newfoundland and Labrador's fishing industry.

- The immediate elimination of virtually all tariffs, end use restrictions, and non-tariff barriers on provincial seafood products entering the European Union has the potential to create enormous economic opportunity for Newfoundland and Labrador's seafood harvesters and producers, and the rural communities that rely on them.

- In order to achieve unrestricted access to European Union seafood markets for all of Canada, it was necessary for the Government of Newfoundland and Labrador to provide an exemption to its minimum processing requirements for these markets.

- While the Provincial Government and the provincial fishing industry agreed that the economic gains achieved through CETA justified granting exemptions, minimum processing requirements have nevertheless played an important role in how the province has maximized value from fish resources.
In recognition of the Provincial Government's decision to forgo its minimum processing requirements for European markets, the Federal Government committed to provide $280 million towards a $400 million fund to significantly enhance the industry's capacity to compete globally. This fund will promote economic prosperity for the people and communities of Newfoundland and Labrador, with the remaining $120 million being provided by the Provincial Government.

This $400 million Fisheries Investment Fund will be used to ensure industry stakeholders in Newfoundland and Labrador are able to take full advantage of all opportunities in international markets, and to create enduring economic benefits in rural areas throughout the province.

At the outset of these discussions, it is important to establish the expectations of the Government of Newfoundland and Labrador; specifically:

1. Programs under the fund will reflect provincial priorities to enhance economic opportunities in rural areas and generate maximum returns from provincial fish resources;

2. Programs under the fund will focus on enhancing the capacity of the provincial fishing industry to compete internationally;

3. Program funding will be disbursed over a timeframe that is mutually acceptable to the Provincial and Federal Government and that promotes the success of programming – this will include consideration of beginning programming prior to formal signing to ensure readiness when CETA comes into force;

4. A consultative and collaborative process will be undertaken between the Federal and Provincial Government and stakeholders in Newfoundland and Labrador; and

5. That this funding be considered incremental to existing program funding and will not replace or substitute current funding.

One of the objectives of our meeting today is to establish common ground in terms of where both governments feel the $400 million should be invested to maximize benefits for the Newfoundland and Labrador fishing industry. As a starting point, general areas of potential investment would be:

1. research and development of new harvesting and processing technology;
2. fisheries science;
3. marketing initiatives;
4. human resource initiatives; and
5. infrastructure upgrades.
We look forward to a collaborative and expedient process as we finalize details regarding the appropriation and administration of the $400 million fund.
From: Lewis, David B.
Sent: Monday, January 13, 2014 11:36 AM
To: Mullaley, Julia; Burt, Paula; Reid, Ross; Carroll, Lynette; O’Rielly, Alastair
Cc: Hutchings, Keith; Johnson, Charlene; Dalley, Derrick; Kent, Steve
Subject: Fisheries Investment Fund - Jan 13-14.docx
Attachments: Fisheries Investment Fund - Jan 13-14.docx

Good morning.

Attached is a document providing an overview of key principles for the CETA Fisheries Investment Fund.

A set of key messages for the meeting with ACOA Minister Moore are also being developed for circulation later today.

Dave
Fisheries Investment Fund

Background:
- The Comprehensive Economic and Trade Agreement (CETA) between Canada and the European Union (EU) was agreed to in principle on October 18, 2013. This agreement is expected to take approximately two years before coming into force.
- The Provincial Government engaged in negotiations with federal representatives over a period of years to ensure this international trade agreement would include terms that are beneficial for the province, particularly with respect to the provincial seafood industry.

Key Outcomes of CETA

Elimination of Tariffs
- In the past, seafood producers have faced tariffs as high as 20 percent on products sold into the EU and also faced end-use restrictions (further processing requirements in the EU) and non-tariff barriers. The implementation of CETA will result in significant opportunities for Newfoundland and Labrador seafood producers.
- Upon the implementation of CETA, 99.1 percent of seafood tariff lines important to the province will be effectively duty-free immediate. The remaining tariffs on seafood will be phased out each year and will be eliminated within a maximum of seven years.
- Seafood producers, with the removal of end use restrictions under CETA, will be able to brand products for the EU market.
- Gains are expected to include $25 million annually when the agreement comes into effect through tariff elimination, and will reach $100 million annually through new opportunities for provincial seafood producers to engage in secondary processing, product branding, and market development activities.

Fisheries Investment Fund
- The Fish Inspection Act and regulations provide authority for the Minister of Fisheries and Aquaculture to establish Minimum Processing Requirements (MPRs) for fish species within NL.
- An MPR specifies minimum product form that must be produced within NL before the product can be exported from the province.
- The Provincial Government’s policy objective of establishing MPRs is to maximize the potential benefits of the fishery resource for the residents of this province, taking into account returns to fish harvesters and processors and employment benefits.
- MPRs are the only policy instrument the Provincial Government has to ensure maximum benefits from fisheries resources adjacent to the Province.
- During CETA negotiations the Provincial Government leveraged MPRs for an improved tariff offer and for financial resources to support industry development and adjustment.
- As part of CETA negotiations, the Provincial Government agreed to grant exemptions for product destined to the EU. This decision was made taking into account the
advice of the Association of Seafood Producers and the Fish, Food and Allied
Workers, that relaxing the MPRs in relation to the EU would have minimal negative
impact in the province and would be far outweighed by the added benefits of tariff
elimination.

- This was a significant shift in public policy of the Provincial Government, and this
  was acknowledged by the Federal Government through their agreement to contribute
to a $400 million Fisheries Investment Fund ($280 million federal/$120 million
provincial). This fund should not be viewed as a Federal/Provincial (F/P)
development agreement as in past F/P undertakings. This fisheries fund is exclusively
for the benefit of the province of Newfoundland and Labrador as compensation for
the province’s agreement to provide access to unprocessed seafood by EU seafood
buyers.

Guiding Principles of the Fisheries Investment Fund:

The Fisheries Investment Fund provides tremendous opportunity to strengthen the
Newfoundland and Labrador fishing industry and assist the industry become more economically
viable and globally competitive. It will enable the industry to aggressively pursue not only the
new opportunities in Europe that will arise from CETA, but also in other markets throughout the
world.

The Province supports the following guiding principles for programs under the Fund.

1. Reflective of Provincial Priorities
   - Provides and strengthens economic opportunities in rural areas of the province.
   - Fishery-related employment that provides good incomes.
   - Ensures maximum benefits from fisheries resources adjacent to the Province.
   - The Government of Canada will need to ensure that the funds expended are consistent
     with the agreed purpose and that these funds are spent with due consideration for
     economy, efficiency, and effectiveness.

2. Fostering Transformation:
   - Assists all sectors of the industry, including small and large fishing enterprises and
     seafood producers, to adjust and transform into a highly competitive and
     economically viable industry, optimizing the value to the provincial economy.
   - The fund should help transform the industry to a sustainable, economically viable,
     internationally competitive, and regionally balanced industry which is able to:
     - Adapt to changing resource and market conditions;
     - Extract optimal value from world markets;
     - Provide an economic driver for communities in vibrant rural regions;
     - Provide attractive incomes to industry participants; and
     - Attract and retain skilled workers.
   - These objectives were agreed upon by all stakeholders during the Joint Canada-
     Newfoundland and Labrador Fishing Industry Renewal initiative that commenced in
     2006 and adopted during the MOU on Fishing Industry Renewal and Restructuring
     process that commenced in 2009.
3. **Incremental Funding:**
   - In order to maximize the opportunity to pursue Provincial priorities and foster industry transformation, the Fisheries Investment Fund will be incremental to existing program funding. The funding will not replace or substitute for current program funding.

4. **Consultative and Collaborative Processes:**
   - Meaningful collaborative and consultative processes that engage stakeholders and government will help further define the program elements.

5. **Key Program Areas:**
   - **Marketing Development:**
     - Assists the industry to aggressively pursue new opportunities arising from unrestricted access to the most valuable seafood market in the world (EU) in particular, but also other market development opportunities worldwide.
     - Addresses the marketing challenges of both small and large seafood producers.
     - Supports opportunities for generic marketing and marketing collaboration.
     - Provides branding opportunities.
   - **Research and Development (R&D):**
     - Develops and commercializes leading edge technology.
     - Increases industry efficiency, profitability, and productivity.
     - Strengthens expertise in applied fisheries and aquaculture R&D.
     - Supports the knowledge base and expertise in fisheries science, management, and development within the province.
     - Addresses environmental sustainability issues.
   - **Fisheries Research:**
     - Acknowledges that a better understanding of our fishery resources is a critical driver in the future success of the industry.
     - Enhances capabilities within the province for fisheries and ecosystems research in support of fisheries management and sustainable development.
     - Builds national capabilities in marine research and oceans management and sustainable development.
     - Ensures future decisions on the management and sustainable development of the province’s marine fish resources are grounded in a comprehensive understanding of fish stocks and the marine ecosystem.
   - **Infrastructure:**
     - Improves operational efficiencies, product quality, and handling and monitoring costs.
     - Enhances industry occupational health and safety.
     - Supports the consolidation and rationalization which is currently taking place in the industry.
- Acts as a catalyst for the creation of regional economic growth centers in coastal regions.
- Provides increased stability for strategically located communities in rural areas.

- **Adjustment:**
  - Provides assistance for workers displaced by further fish plant closures related to CETA implementation.

6. **Efficient Administration:**
   - Utilizes and leverages existing resources, programs, and capacity.
   - Focuses where practical, on delivery options external to Government.

**Other Considerations/Associated Issues:**

- Program duration and timing of cash flows – although the funding is contemplated over the phase out period for MPRs (i.e., three years), in order to maximize the benefits arising from the Fisheries Investment Fund, program durations need to be substantially longer than three years and should begin prior to the implementation of the CETA agreement.

- Federal/Provincial administrative structures – whether the Fisheries Investment Fund will be administered unilaterally by the Province, or jointly with the Federal Government, through cooperative delivery structures. Program/project expenditures must reflect provincial priorities.

- Consultations and program processes – the extent of participation by the Federal Government will need to be determined, as well as the scope of the consultations (e.g., fishing industry only; to include rural development entities; to include communities; to include the public at large).

- Harvesting Sector (small boat) Rationalization – the FFAW has written the Premier to note that rationalization was included in proposals circulated between the Provincial and Federal Governments and to take the position that “harvesting sector rationalization, while not a goal in itself, is a means to help achieve improved incomes and enterprise viability, and to help create a better balance between plant capacity and availability of raw material”.

**Next Steps:**
- Appointment of Ministers/officials to negotiate with the GC, consult with the industry and the affected public and develop/implement management/administrative structures/protocols to ensure timely, efficient and effective expenditure of the fund.

January 13, 2014
From: Lewis, David B.
Sent: Monday, January 13, 2014 05:40 PM
To: Mullaley, Julia; Burt, Paula; Carroll, Lynette; Reid, Ross; O'Rielly, Alastair; Kent, Steve; Dalley, Derrick; Hutchings, Keith; Johnson, Charlene
Subject: Draft Key Messages for Moore Meeting - January 13, 2013

Good afternoon.

The following are draft key messages for discussion at our meeting tomorrow at noon.

Thanks.

Dave

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 Fisheries and Aquaculture
 Key Messages: Fisheries Investment Fund
 January 13, 2014

- The Agreement in Principle signed between Canada and the European Union in October 2013 regarding a Comprehensive Economic and Trade Agreement established a new era of opportunity for Newfoundland and Labrador's fishing industry.

- The immediate elimination of virtually all tariffs, end use restrictions, and non-tariff barriers on provincial seafood products entering the European Union has the potential to create enormous economic opportunity for Newfoundland and Labrador's seafood harvesters and producers, and the rural communities that rely on them.

- In order to achieve unrestricted access to European Union seafood markets for all of Canada, it was necessary for the Government of Newfoundland and Labrador to provide an exemption to its minimum processing requirements for these markets.

- While the Provincial Government and the provincial fishing industry agreed that the economic gains achieved through CETA justified granting exemptions, minimum processing requirements have nevertheless played an important role in how the province has maximized value from fish resources.

- In recognition of the Provincial Government's decision to forgo its minimum processing requirements for European markets, the Federal Government committed to provide $280 million towards a $400 million fund to significantly enhance the
industry's capacity to compete globally. This fund will promote economic prosperity for the people and communities of Newfoundland and Labrador, with the remaining $120 million being provided by the Provincial Government.

- This $400 million Fisheries Investment Fund will be used to ensure industry stakeholders in Newfoundland and Labrador are able to take full advantage of all opportunities in international markets, and to create enduring economic benefits in rural areas throughout the province.

- At the outset of these discussions, it is important to establish the expectations of the Government of Newfoundland and Labrador; specifically:
  1. Programs under the fund will reflect provincial priorities to enhance economic opportunities in rural areas and generate maximum returns from provincial fish resources;
  2. Programs under the fund will focus on enhancing the capacity of the provincial fishing industry to compete internationally;
  3. Program funding will be disbursed over a timeframe that is mutually acceptable to the Provincial and Federal Government and that promotes the success of programming – this will include consideration of beginning programming prior to formal signing to ensure readiness when CETA comes into force;
  4. A consultative and collaborative process will be undertaken between the Federal and Provincial Government and stakeholders in Newfoundland and Labrador; and
  5. That this funding be considered incremental to existing program funding and will not replace or substitute current funding.

- One of the objectives of our meeting today is to establish common ground in terms of where both governments feel the $400 million should be invested to maximize benefits for the Newfoundland and Labrador fishing industry. As a starting point, general areas of potential investment would be:
  1. research and development of new harvesting and processing technology;
  2. fisheries science;
  3. marketing initiatives;
  4. human resource initiatives; and
  5. infrastructure upgrades.

- We look forward to a collaborative and expedient process as we finalize details regarding the appropriation and administration of the $400 million fund.
From: Halliday, Janice
Sent: Monday, January 13, 2014 3:58 PM
To: Maidment, Donna
Subject: FW: Meeting regarding CETA Fisheries Investment Fund

Sending this to you just because!!

Thanks,

Jan Halliday
Administrative Assistant
to the Minister
Dept. of Innovation, Business and Rural Development
2nd Floor, West Block
Telephone: (709) 729-4729

From: Heath, Daisy
Sent: Monday, January 13, 2014 3:57 PM
To: Reid, Ross; Carroll, Lynette; Mullaley, Julia; Burt, Paula; Hutchings, Keith; Johnson, Charlene; Dalley, Derrick; Kent, Steve; O'Rielly, Alastair; Lewis, David B.
Cc: Evans, Catherine; Coultas, Lea; Power, Bonita; O'Keefe, Dorothy; Halliday, Janice; Joy, Carla; Haynes, Brenda; Glynn, Valerie
Subject: Meeting regarding CETA Fisheries Investment Fund

Hi everyone,

This is to confirm a meeting regarding the CETA Fisheries Investment Fund for tomorrow, January 14, 2014 at 12:00 noon in the Premier's Boardroom, 4th Floor, East Block. Lunch will be provided.

Thanks
Daisy

Daisy Heath
Secretary to the Clerk of the Executive Council
Confederation Building
9th Floor, East Block
P. O. Box 8700
St. John's, NL A1B 4J6
Tel: 709 729 3490
Fax: 709 729 5218
E-mail: dheath@gov.nl.ca
All good. Thanks.
Susan

From: O'Rielly, Alastair
Sent: Tuesday, August 05, 2014 09:31 PM
To: Sullivan, Susan
Cc: Genge, Daryl; Loder, Jeff
Subject: CETA Final Text - draft speaking points

Minister

This is a draft set of speaking points for your consideration/direction. There is likely more than needed at this point, given that the text of the Agreement has not been released to the public/media. Please advise if you wish to have Communications engaged to review/refine these speaking points. Jennifer and Chrysta are both off; however, Vanessa Coleman Sadd is available to assist with media. Given that there isn’t coverage in the local media yet, I suggest that we wait for any additional information/insights this evening and finalize the speaking points accordingly tomorrow morning.

- I was very pleased to be advised that as of August 5, 2014, Canada and the European Union have succeeded in completing the text of the Comprehensive Economic and Trade Agreement (CETA).

- The negotiation of CETA has been ongoing since 2009 with the goal of achieving an ambitious and comprehensive free trade agreement with the European Union that would be unlike any other since the North American Free Trade Agreement was completed over twenty years ago.

- Tuesday’s announcement of such an important milestone in the negotiation process brings us one important step further in achieving this goal – a goal that will see significant benefits accrue to Newfoundland and Labrador.

- On Tuesday, we embarked on the final stage of CETA. At this point, all provinces and territories have received the complete text of the Agreement and have been fully briefed on its content. Also at this point, translation and final legal review will commence.

- Newfoundland and Labrador now has the opportunity to review the text to ensure it accurately and entirely reflects the agreed upon outcomes. Following this, it is expected that it will take upwards of 2 years until CETA is ratified and implemented.

- The Government of Newfoundland and Labrador is satisfied that this province’s traditional industries and those that have emerged in recent decades as vital components of our economy will all benefit from the provisions of this agreement.
• These trade negotiations presented a unique opportunity to eliminate tariffs and to address non-tariff barriers that have impeded provincial seafood products from accessing the valuable European market. This has been a goal for the province's fishing industry for decades, and now, this goal is near fruition.

• The partnership between the Federal and Provincial Government to create a Fisheries Innovation Fund to prepare the Newfoundland and Labrador's fish and seafood industry to take advantages of the opportunities afforded by CETA – is an historic one. The Fisheries Innovation Fund is a vital pillar of this Government's and its citizens' support for CETA, and is thus chief among the Province's motivations to implement the Agreement. I congratulate and thank the Federal Government for its foresight and leadership in recognizing Newfoundland and Labrador's important and unique policy move on seafood minimum processing requirements (MPRs) to support achievement of this agreement.

• Like other regions of the country, oil and gas and mining have come to be essential components of the Newfoundland and Labrador economy, and have allowed this province to contribute significantly to economic growth and stability in Canada. I am pleased that Newfoundland and Labrador's approach to developing and benefitting from these industries, such as that enshrined in the Atlantic Accord, has been protected in CETA. Confidence in the Federal Government's commitment to uphold and robustly defend the protection for these industries will greatly assist and facilitate this Province's implementation of the Agreement, and the ability to fully realize its benefits.

• Our initial assessment of the final text of the Agreement indicates that the accomplishments outlined in the province's press release of October 18, 2013 are all reflected in the final text of the Agreement. Our detailed analysis of the text of the Agreement has begun and I will be able to more conclusively confirm these accomplishments and benefits in the coming days.

• It is with full confidence in these outcomes that I look forward to the ratification of CETA, at which time our province will embrace the next chapter of its economic transformation.

Alastair
Deputy Minister
Dept. of Innovation, Business and Rural Development

1. What role did the Province play in the negotiations?

The negotiation of international trade agreements is something that falls within the constitutional jurisdiction of the Federal Government. However, in the case of CETA the provinces have been involved in the negotiations to a degree that is unprecedented in the history of Canadian trade negotiations, directly participating along with the Federal Government in all aspects of the talks that touched on areas of provincial jurisdiction. From the very beginning the Province took the CETA negotiations very seriously, fully understanding that they provided the Province with a very significant opportunity to advance its unique interests. Over time Newfoundland and Labrador came to be one of the most, if not the most, active province in the negotiations.

2. How come the Province has not yet released a text of the Agreement?

In basic terms, the Province is not in a position to release a text of the Agreement. CETA is an international agreement between the European Union (EU) and the Government of Canada. Although the Province has been involved in the negotiations in areas that touch upon provincial jurisdiction, it is the Government of Canada that will sign the final agreement and will then release the text of the final Agreement to the public once its preparation has been completed. Final drafting of the Agreement and codification of these agreed-to obligations has now been concluded but the Agreement still remains subject to a final legal review to ensure it is internally consistent and of proper legal effect.

That said, both the Province and the Federal Government have already released a substantial amount of information to the public concerning the key results and obligations of the Agreement. For example, the Federal Government’s Technical Summary of Final Negotiated Outcomes and Opening New Markets in Europe: An Overview and the Province’s How CETA Will Benefit Newfoundland and Labrador together provide a comprehensive summary of all the material markets access commitments and elements to be contained in the final Agreement. No material elements of the final Agreement will be withheld from the public. Therefore, there will be no “surprises” in the final text once it is released.

The Province has monitored the drafting of the final text closely. The Government of Canada has not yet indicated when it will release the final text of the agreement. However, the Province has received a copy and is conducting its own technical and legal review. In the meantime, the Province is fully prepared to provide technical briefings on all of the material elements of the Agreement to any interested party.
3. **Does CETA give the EU access to Canada’s off-shore fisheries?**

No. There is nothing in CETA that, in any way, affects Canada’s sovereignty or its ability to control its territorial waters. Nothing in CETA affects the Federal Government’s existing policies on the issuance of commercial fishing licences or in any way provides the EU with access to Canada’s offshore fisheries resources. Any claim that CETA somehow gives the EU such access is simply not correct.

4. **Does CETA change the rules around port access for EU vessels?**

The simple answer is no. While port access is a matter solely within the constitutional jurisdiction of the Federal Government, not the Province, there is nothing in CETA which will require the Federal Government to change its existing policies in this area in any way, or grants EU vessels any type of preferred access to any Canadian port. Any claims to the contrary are simply wrong. Canada has agreed that if it does change its federal port access policies in the future to the benefit one or more other countries, it will extend that same treatment to the EU on a non-discriminatory basis, but this obligation most certainly does not require the Federal Government to make any changes to its existing port-access policies.

5. **Does CETA restrict the Province’s ability to regulate in the public interest?**

No. There is nothing in CETA that will materially restrict the Province’s ability to genuinely regulate in the public interest. The ability to continue to do so is a fundamental part of any trade agreement and has been protected through a number of specific provisions, exceptions and reservations. For example, specific exceptions have been included for measures designed to protect the environment and public health and welfare. Additional provisions have been included to prevent Parties from refusing to enforce their environmental and labour laws. A clarification has been agreed to so as to ensure that proper regulation cannot be considered to constitute expropriation for purposes of the investment obligations. Important public sectors, such as public health, public education and preferences for Aboriginal groups, have been excluded from the scope of the Agreement. The Province has also taken specific reservations in other sectors, as liquor and gambling, so as to ensure that it can continue to achieve its existing public policy objectives in those areas. In short, the Province continues to have significant public policy flexibility to ensure that it can continue to regulate generally in the public interest.

6. **Will CETA have a negative impact on drug costs in the Province?**

The Federal Government has exclusive jurisdiction over intellectual property in Canada, including laws relating to the granting of patents for medicines; the Province has no ability to legislate in this area. Under CETA the Federal Government has agreed to provide additional protection for EU patent medicines in some circumstances through something known as “patent term restoration”. This additional protection will never exceed two years (in the EU, such additional protection can be obtained for up to five years). It is not retroactive and will only apply to patent medicines that are new to the market following CETA’s entry into force. It is also not automatic and will only be available in those cases where the release of a patent medicine has been delayed due to Federal Government action. The
Federal Government has estimated that cost effects, if any, will not be felt until 2023 at the earliest. More importantly, the Federal Government has also committed to fully compensate the Province if this additional protection has any negative cost impact on the Province’s Prescription Drug Program.

7. Will CETA affect public healthcare in the Province?

No. Public healthcare has been generally excluded from CETA and there is nothing in the Agreement that will require the Province or the Federal Government to make any changes to the manner in which healthcare is funded or delivered in the Province.

8. Will CETA affect the employment market in the Province?

Yes, in a positive way. The improved access the Province has been able obtain to the EU market for our products and services will mean increased economic activity and improved job opportunities for Newfoundlanders and Labradorians. There is nothing in CETA that would require the Province to make these additional job opportunities available to workers from the EU. Canada’s otherwise applicable immigration requirements continue to apply.

9. Does CETA affect water in its natural form or require that the Province permit the export of water in its natural form?

No. Canada and the EU have specifically indicated that water, in its natural form, such as in lakes and rivers, is excluded from the scope of the Agreement and there is nothing in CETA that would require the Province to permit the exploitation or export of such water resources.

10. Does CETA affect the ability of the Province to develop its resources in accordance with its own terms?

No. The Province will continue to be able to permit resource development in accordance with its existing policies. Nothing in the Agreement requires the Province to grant EU companies access to our resources. The Province remains able to permit the development of its resources, or not, as it sees fit.

11. Will CETA require changes to government policy within the Province?

With the exception of minimum processing requirements for fish, the Agreement will not require any change to any existing Provincial policy. All important areas of Provincial policy are either not subject to the Agreement or are already consistent with it or have been protected or “reserved” through a specific listing one of the Agreement’s Annexes. With regard to minimum processing requirements for fish, the Province agreed to eliminate those requirements on exports to the EU three years after the Agreement comes into effect in exchange for significantly improved access to the EU market for our important fish and seafood products, along with $280 million in Federal financial assistance to assist the Province with fish and seafood market development and renewal. The Province is of the view that with greatly improved market access, the elimination of these minimum processing requirements is unlikely to have any material effect on the export of unprocessed fish from the Province.
12. Does CETA undermine any of the Province’s tax or royalty regimes?

No. Provincial tax and royalty measures have been substantially excluded from the scope of the Agreement and no change to any existing Provincial taxation or royalty measure will be required.

13. Will CETA affect Canadian or Provincial cultural policies?

No. Measures relating to culture and its promotion have been largely excluded from the Agreement. The Province will remain free to encourage Newfoundland and Labrador’s unique culture as it sees fit.

14. What market access benefits will the Province obtain in the EU market as a result of CETA?

The market access benefits that the Province will obtain through CETA will be primary in the areas of fish and seafood, metal and mineral products, and services.

With respect to fish and seafood, when CETA comes into effect 99 percent of EU fish and seafood tariff lines important to Newfoundland and Labrador’s immediately go to duty-free. Seven years later, 100 percent of these tariff lines will be duty-free making our world-class fish and seafood goods more competitive and significantly improving conditions for increased sales within the EU. For example, EU tariffs will be eliminated on:

- Frozen shrimp, from the current rate of 12 percent;
- Cooked and peeled shrimp, from the current rate of 20 percent;
- Snow crab, from current rates as high as 8 percent;
- Dried and salted cod, from a current rate of 13 percent;
- Frozen cod fillets, from a current rate of 7.5%

Eliminating tariffs on our valued-added products, such as cooked and peeled shrimp, frozen cod fillets and crab, will make these products more much competitive within the EU, allowing Newfoundland and Labrador processors to sell more of their products into the EU and creating new jobs.

With respect to metal and mineral products, on entry into force, CETA will eliminate existing EU tariffs on all metal and mineral products. For example, EU tariffs will be eliminated on:

- Nickel and nickel products, from current rates as high as 3.3 percent;
- Non-ferrous metals, including copper, lead, zinc, and tin, from current rates as high as 9 percent;
- Iron, steel and related products, from current rates as high as 7 percent.

The metal and mineral sector accounts for the largest percentage of Provincial exports to the EU by far. The competitive edge and improved market access secured under CETA will translate into real benefits for the Province in terms of increased exports and resulting improved job opportunities. In addition, given the potential for growth resulting from this improved market access, and our existing expertise, Newfoundland and Labrador is ideally positioned to attract additional investment in the metal and mineral sector.
With respect to services, CETA will provide preferential access to and greater transparency within the EU services market, resulting in improved, more secure and predictable market access for Canadian service providers in areas of particular interest to Canada and the Province, such as professional services (auditing, accounting, architecture and engineering) environmental services, related scientific and technical consulting services and services incidental to energy distribution. CETA’s related provisions addressing temporary entry will also facilitate the movement between Canada and the EU of contract service providers and professionals (as well as intra-company transferees, investors and business visitors). The EU’s CETA commitments on temporary entry are more extensive than any other country has ever obtained from the EU under any other trade agreement.

15. What reservations and exclusions has the Province obtained under CETA?

Through a series of exclusions, exemptions and reservations, nothing in CETA will prevent the Province from regulating in the public interest, including protecting the environment, delivering public services, providing preferences for Aboriginal peoples, or adopting measures to promote Newfoundland and Labrador culture. In addition, the provision of public services such as health, public education and other social services have all been excluded from the Agreement, ensuring that the Province remains free to implement policies and programs in these areas as it sees fit. Measures concerning water in its nature form have been specifically excluded. Many other specific policies or programs have been reserved or otherwise excluded. For example, existing measures regarding supply management for dairy products, chickens and turkeys remain unaffected by CETA. The existing monopoly on liquor distribution within the Province has been maintained and the Province has taken specific reservations that will serve to protect its existing policies in the fishing and forestry sectors.

16. Will CETA negatively affect public purchasing in the Province?

The short answer is no. Almost all government purchases being undertaken within the Province today, whether by Provincial ministries, municipalities, or other government entities, are already subject to the requirements of our Public Tender Act. This Act requires such entities to undertake much of their purchasing in an open and non-discriminatory manner, meaning that EU suppliers are already able to participate in many such purchasing opportunities. In many respects CETA’s government procurement obligations mirror the existing requirements of the Public Tender Act, meaning that CETA will not require any significant changes to Provincial and municipal purchasing. In addition, if it so chooses, the Province remains able to directly purchase in certain areas such as ship building, research and development and for regional economic development purposes. The purchases of Nalcor Energy are also excluded from the Agreement’s procurement obligations. While Provincial purchasing under the Public Tender Act is already largely open and competitive, the same cannot be said for government purchasing within the EU. CETA will mean that, for the first time, much government purchasing undertaken within the EU will be open to Newfoundland and Labrador suppliers.
17. **Will CETA mean that the Province will have to privatize existing public services?**

No. There is nothing in CETA which in any way will require the Province to privatize any existing public service. The Province will continue to have significant flexibility to make its own policy decisions in the public interest and to act accordingly. Any claims to the contrary have no basis in fact.

18. **Will EU suppliers be able to take complaints relating to government purchases to an international arbitration tribunal and obtain damages if they are successful with their complaints?**

No. Under CETA’s procurement obligations suppliers will only have access to a domestic legal process to have their government procurement-related complaints considered. CETA’s international arbitration process is limited to certain investment-related obligations only (which is substantially similar to the existing situation under NAFTA). An unsuccessful bidder on a government purchase is not an investor and therefore would not be able to utilize this international arbitration process.
K. Let's discuss.

From: O'Rielly, Alastair
Sent: Wednesday, August 13, 2014 08:36 AM
To: Sullivan, Susan
Subject: FW: TRIM: Invitation to CCFI Workshop, Fishery of the Future, Sept 16-17

Minister

See attached material related to a CCFI Workshop on the 'Fishery of the Future'. This is a two day event that may have value to government as it ponders how best to focus and direct the use of the Fisheries Investment Fund. This may be of value to IBRD in helping shape possible roles that our department could play in the strategy formation and program delivery of the Fund. In this context, I propose to attend. Please consider/advice.

Alastair
Deputy Minister
Dept. of Innovation, Business and Rural Development

From: Robert Verge [mailto:Robert.Verge@mi.mun.ca]
Sent: Friday, August 01, 2014 3:17 PM
To: Robert Verge
Subject: TRIM: Invitation to CCFI Workshop, Fishery of the Future, Sept 16-17

This is to invite you or your representative to attend a workshop on the theme, “Prospering in a Changing Global Seafood Industry, Research and Development Needed to Prepare for the NL Fishery of the Future”, to be held at the Hampton Inn, Stavanger Drive, St. John's, September 16-17, 2014.

This workshop will feed into the process for deciding how to spend some of the $400 million Fisheries Investment Fund announced as a by-product of the CETA negotiations.

Attached are 3 documents:

1. A description of the workshop;
2. The agenda for the workshop; and
3. A registration form.

Participation is limited and by invitation only. To ensure adequate participation, we need your response as soon as possible but no later than August 15. If you do not respond by that date, we will assume you are not interested in attending and will invite someone else.

We hope you can participate and look forward to seeing you in September.

Bob
This email is governed by the Terms and Conditions found in our Disclaimer.
PROSPERING IN A CHANGING GLOBAL SEAFOOD INDUSTRY
R&D NEEDED TO PREPARE FOR THE NL FISHERY OF THE FUTURE
SEPTEMBER 16-17, 2014

CETA AND THE $400 MILLION FUND

In October 2013, Canada and the European Union signed a Comprehensive Economic and Trade Agreement (CETA) in principle that will, among other things, improve access to EU markets for Canadian seafood products. This agreement will come into effect when it is approved by the Parliament of Canada and the European Parliament and when it has been ratified by the 28 member states of the EU, likely some time in 2016.

On October 29, 2013, the Government of Newfoundland and Labrador announced creation of a $400 million Fisheries Investment Fund as a by-product of the CETA negotiations. In return for the Province’s willingness to forego minimum processing requirements for fish products destined to the EU, the Federal Government will contribute $280 million to the fund. Another $120 million will be contributed by the Province. The stated purpose of the fund was to invest in research and development, new marketing initiatives, infrastructure, and industry adjustments required due to lifting of minimum processing requirements.

Since the announcement, discussions and planning have been underway related to the details of how the fund will be used. However, the funds will not be available until CETA comes into effect.

WORKSHOP, SEPTEMBER 16-17, 2014

As a key participant in research and development in the Newfoundland and Labrador seafood industry, the Canadian Centre for Fisheries Innovation will be hosting a workshop on September 16-17, 2014, to develop a list of R&D needs and priorities. That list will help prepare a plan for spending from the CETA fund. During the workshop, a series of presentations will be made related to different aspects of our industry, leading to discussions of R&D needs and priorities.

Participation in the workshop is by invitation only, with the overall number being in the range of 50-60 people. The core group will be invited from the aquaculture, fish harvesting, and fish processing sectors, because we want the R&D needs and priorities to reflect industry opportunities and problems. The core group will be supplemented by participants from academia who will be involved in doing some of the R&D, others from government who will provide funds for the work and have a stake in the outcome, and a few from industry-related support organizations. Through the discussions among the different participants, we hope to develop a plan to spend the CETA funds wisely and well, with long-lasting benefits to industry and the province.

The workshop will be held at the Hampton Inn & Suites, 411 Stavanger Drive, St. John’s.
PROSPERING IN A CHANGING GLOBAL SEAFOOD INDUSTRY
R&D NEEDED TO PREPARE FOR THE NL FISHERY OF THE FUTURE
SEPTEMBER 16-17, 2014

DAY 1

08:30-09:00 Welcome and Introductions
Robert Verge, Managing Director, Canadian Centre for Fisheries Innovation

SESSION 1 – THE BUSINESS OF FISH AND SEAFOOD

09:00-9:45 Markets – Demand, Supply, Competition
John Sackton, Publisher and Editor, Seafood.Com

09:45-10:30 What Business Are We In?
Ogmundur Knutsson, Dean of Business and Science, University Of Akureyri, Iceland

10:30-10:45 Break

10:45-11:30 The Seafood Value Chain
Torbjorn Trondsen, Professor of Fisheries Marketing and Development, Norwegian College of Fishery Science

11:30-12:15 Panel Discussion – Sackton, Knutsson, Trondsen
Facilitator – Tom Cooper, Assistant Professor, MUN Faculty of Business Administration

12:15-13:15 Lunch

SESSION 2 – KEY INPUTS

13:15-14:00 Wild Resources – Commercial Species, Underutilized Species, Impacts of Climate Change, Resource Management
George Rose, Scientific Director, Centre for Ecosystems Research, Marine Institute

14:00-14:45 Aquaculture – Opportunities, Challenges, Interaction with Capture Fishery
Cyr Couturier, Research Scientist and Chair, Aquaculture Programs, Marine Institute

14:45-15:00 Break

15:00-15:45 People – Demographics and Productivity
Doug May, Professor of Economics, Memorial University

15:45-16:30 Panel Discussion – Rose, Couturier, May
Facilitator – Tom Cooper, Assistant Professor, MUN Faculty of Business Administration

19:00-21:00 Dinner
“Meeting the Challenge” – Ross Butler, Senior Vice President, Cooke Aquaculture
DAY 2

SESSION 3 — INDUSTRY OPERATIONS

08:30-09:45 Economics of Aquaculture, Fish Harvesting, and Seafood Production
   Michael Gardner, President, Gardner Pinfold Consultants Inc.

09:45-10:00 Energy – Use, Supply, Cost
   Peter Tyedmers, Professor, School for Resource and Environmental Studies, Dalhousie University

10:00-10:15 Break

10:15-11:00 Technological Change – Need, Opportunities, Challenges
   Robert Verge, Managing Director, Canadian Centre for Fisheries Innovation

11:00-12:00 Panel Discussion – Gardner, Tyedmers, Verge
   Facilitator – Tom Cooper, Assistant Professor, MUN Faculty of Business Administration

12:00-13:00 Lunch

SESSION 4 — THE FUTURE

13:00-13:45 Investment & Financing – Need, Sources, Challenges
   Brian Pittman, Vice-President, Business Development Bank?

13:45-14:30 Research & Development – Gaps Between Industry Opportunities and Capabilities
   Robert Verge, Managing Director, Canadian Centre for Fisheries Innovation

14:30-14:45 Break

14:45-15:45 Discussion re Industry R&D Needs and Priorities
   Facilitator – Tom Cooper, Assistant Professor, MUN Faculty of Business Administration

15:45-16:00 Wrap-Up
PROSPERING IN A CHANGING GLOBAL SEAFOOD INDUSTRY
R&D NEEDED TO PREPARE FOR THE NL FISHERY OF THE FUTURE
SEPTEMBER 16-17, 2014

WORKSHOP REGISTRATION FORM

NAME: ____________________________________________

ORGANIZATION: ___________________________________

ADDRESS: _________________________________________

TELEPHONE: _______________________________________

FAX: ______________________________________________

EMAIL: ____________________________________________

I will attend the following sessions:

Tuesday, September 16
☐ Morning
☐ Lunch
☐ Afternoon
☐ Dinner

Wednesday, September 17
☐ Morning
☐ Lunch
☐ Afternoon

I will need hotel accommodations:

☐ Monday, September 15
☐ Tuesday, September 16
☐ Wednesday, September 17

Please complete this form and either
• fax it to (709) 778-0516 or
• email it to ccfi@mi.mun.ca.
From: Browne, Joe
Sent: Wednesday, October 29, 2014 2:04 PM
To: King, Darin; Hutchings, Keith
Subject: Fw: FIF ACOA officials briefing - v2.docx
Attachments: FIF ACOA officials briefing - v2.docx
Importance: High

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Mullaley, Julia <JMullaley@gov.nl.ca>
Sent: Wednesday, October 29, 2014 10:53 AM
To: Browne, Joe
Subject: FW: FIF ACOA officials briefing - v2.docx

fyi

From: Lewis, David B.
Sent: Wednesday, October 29, 2014 8:51 AM
To: Mullaley, Julia
Subject: FIF ACOA officials briefing - v2.docx

Julia.

Attached is a draft note on yesterday’s meeting with ACOA on the Fisheries Investment Fund. A final signed version will be sent over later this morning. I will also provide copies to Alastair and Sean for their info, and to share with Ministers Hutchings and King.

Dave
Information Note
Department of Fisheries and Aquaculture

Title: Canada-European Union (EU) Comprehensive Economic and Trade Agreement (CETA) and the Fisheries Investment Fund (FIF)

Issue: Update on discussion with Senior ACOA Officials

Background:

- On October 24th Minister Granter received a letter from Minister Moore (ACOA Minister) proposing to initiate discussions on the FIF. The letter suggested initial meetings between federal and provincial officials to share respective objectives and priorities and identify areas of alignment. Following these initial meetings Minister Moore is proposing a meeting with Minister Granter (his suggestion was November 7th in St. John’s). However, Minister Granter is out of the province on business during the week of November 3rd, so an alternative date will need to be identified.

- Shortly after receipt of the letter on September 24th, David Lewis (DM – DFA) received a call from Paul Mills (VP – ACOA NL) requesting a meeting between senior officials on the afternoon of October 28th to initiate discussions. Attendees at this meeting would include Paul Mills, Ken Martin and Susan Drodge from ACOA. DFA attendees will include David Lewis, Carey Bonnell (Executive Lead for the CETA Fisheries Fund) and Wanda Wiseman (Director of Planning Services).

Current Status:

- The meeting between ACOA and DFA officials took place on the afternoon of October 28th. The meeting started with David Lewis articulating the position of the Government of Newfoundland and Labrador related to the FIF which was outlined in the letter of May 14th, 2014 (attached) from then Fisheries and Aquaculture Minister Hutchings to ACOA Minister Moore.

- Following the overview by Mr. Lewis the position of the federal government was articulated by Paul Mills. Mr. Mills indicated that they now have definitive direction from cabinet on the FIF. Their position is based on two overarching principles:
  - The need to compensate for the negative impact for the removal of MPRs in the EU market.
  - Ensure the other Maritime Provinces don’t experience any adverse impacts from the FIF initiative.

- Based on the above principles the GOC will require evidence of negative impact due to MPR removal in order to compensate under the fund. The process to define and quantify an “impact” has not yet been considered and a metric would need to be developed for this. The total amount of funding under the cost shared agreement would be “up to” $400 M.
Based on MPRs being removed three years following CETA ratification (expected in early 2016), it would be 2019 before any impact could be considered. Given the timeframe to consider an impact, a conservative estimate of 2020 would be a realistic timeline before any funding would conceivably flow under this agreement.

In terms of the pillars identified in the May 14th letter to Minister Moore, the GOC is supportive of four of the five pillars (science, infrastructure, R&D, and support for communities and individuals). They are adamantly opposed to any of the funds being directed to market development efforts. Furthermore, they advised that they would be unable to accept any provincial expenditure on market development as a basis for federal cost shared contributions. When pressed, ACOA officials indicated that funding for market development was strongly opposed by the Maritime Provinces.

Related to the pillars it is important to note that funding would only be expensed against one of the pillars if a demonstrated loss (i.e. plant closure) occurs as a result of the removal of MPRs. However, another consideration before any allocation of funds would be to ensure the other provinces are not adversely impacted. No explanation was provided by ACOA officials as to what metric would be used to define such an impact.

In terms of the delivery of funding ACOA officials indicated that existing ACOA programs are flexible enough to deliver the majority of the programs (just add funds to programs as required). They also expressed flexibility on the duration of the program.

DFA officials in the meeting indicated that the GOC position reflected a severe lack of understanding of the agreement that was reached between the respective governments in 2013. It appears that the Federal Government has reneged on its commitment to the Fisheries Investment Fund and has negotiated in bad faith. The Provincial Government has protected MPRs under all trade negotiations and this was its position throughout the entire CETA process. It was the Federal Trade Minister that requested the Province to think outside the box and indicate what it would take to relax its position on MPRs under CETA, a major public policy concession on the part of the Province. The FIF was the principal component that led to the Province’s final commitment to the CETA AIP.

The meeting concluded with DFA officials indicating that they would brief government leaders before taking any further action.

Prepared by/Approved by: C. Bonnell
Reviewed by: D. Lewis
Ministerial Approval:

October 28, 2014
The Honourable Rob Moore  
Minister of State, Atlantic Canada Opportunities Agency  
Minister Responsible for Newfoundland and Labrador  
Room 418, Justice Building, House of Commons  
Ottawa, ON K1A 0A6

Dear Minister Moore:

I am writing further to our meeting of January 15, 2014, and subsequent meetings of our officials, to confirm the Government of Newfoundland and Labrador’s expectations with respect to the $400 million federal/provincial cost-shared Fisheries Investment Fund.

During discussions between the Federal Government and the province related to finalization of the Canada-European Union (EU) Comprehensive Economic and Trade Agreement (CETA) last spring, agreement was reached on joint funding of a Fisheries Investment Fund on a 70/30 federal/provincial basis. As you are aware, the Government of Newfoundland and Labrador agreed to make a major change in public policy related to our fishing industry in order to leverage improved access to EU markets through tariff elimination and removal of end use restrictions. Specifically, our government agreed to relax minimum processing requirements (MPRs), under CETA, for fish destined for the EU market.

Under our Fish Inspection Act and regulations, the provincial Minister of Fisheries and Aquaculture is authorized to determine the minimum product forms into which fish must be processed before export from the province. The objective of this authority, which has been grandparented under the North American Free Trade Agreement and the Agreement on Internal Trade, is to ensure that our province is able to achieve optimum value from fish resources landed in our communities. An independent review of our MPRs in 2006 (see attached) confirmed their value to the province and recommended that, in general, they be maintained. Consequently, our decision to relax MPRs under CETA was not taken lightly and, as anticipated, has attracted considerable public scrutiny in this province. Nevertheless, it continues to be our assessment that, given the competitiveness of our industry in comparison to the EU and the value of the Fisheries Investment Fund in enabling our industry to capture the additional value in the EU market, the relaxation of MPRs in this particular case is warranted.

As we discussed in our January 2014 meeting, the Fisheries Investment Fund will assist the transformation of the industry to one that is sustainable, economically viable, internationally competitive, and regionally balanced. While it was agreed that the fund will address industry development and renewal, as well as worker displacement, program specifics have yet to be finalized. Our agreement to relax MPRs in relation to CETA was premised on a fund comprising the following program elements: innovation and development; market development; fisheries research;
infrastructure; as well as worker adjustment where required to mitigate the impacts of removing MPRs. Consideration should also be given to the merits of establishing legacy funding for certain program elements, which would provide a lasting benefit to the fishing industry. During CETA discussions in the spring of 2013, the possibility of using funding towards rationalization programs was raised and rejected on the basis that the fund could only be used to address CETA-related impacts and opportunities. The Government of Canada was steadfast in its position that matters not directly related to CETA would not be considered. Consequently, should rationalization be deemed necessary, the Federal Government would need to provide separate funding for such an initiative.

**Innovation and Development:**
Funding towards innovation and development will increase industry efficiency, profitability, and productivity. Such initiatives will strengthen expertise in applied fisheries and aquaculture R&D, support the knowledge base and expertise in fisheries development and management within the province, and support environmental sustainability.

**Market Development:**
Funding will assist the industry to aggressively pursue new opportunities arising from unrestricted access to the most valuable seafood market in the world, the European Union in particular, but also other market opportunities worldwide. This support will address marketing challenges of both small and large seafood producers, offer opportunities for generic marketing and marketing collaboration, and provide support for branding opportunities. It is important that industry adopt a strategic approach to the EU market in particular and carefully analyze our best options for positioning that will provide the greatest and most sustainable benefit.

**Fisheries Research:**
A better understanding of our fishery resources is a critical driver in the future success of the industry. As such, fisheries research will enhance the capabilities within the province for fisheries and ecosystems research in support of fisheries management and sustainable development. It will build national capabilities in marine research, oceans management, and sustainable development. In addition, it will ensure future decisions on the management and sustainable development of the province’s marine fish resources are grounded in a comprehensive understanding of fish stocks and the marine ecosystem. A continuation and expansion of efforts to achieve an integrated approach to ecosystem management, involving DFO Science, academia, and industry is clearly desirable.

**Infrastructure:**
Funding towards infrastructure will focus on improving operational efficiencies, product quality, and handling and monitoring costs. Any investments in infrastructure, which are expected to be limited, will be strategic in nature and aimed at assisting industry transformation and viability.

**Worker Adjustment:**
Adjustment funding will provide assistance for workers displaced by any fish plant closures related to CETA implementation. Funding will enable workers impacted by such closures to make a successful transition to new labour market opportunities.

Also, as we have discussed, it is our expectation that the following key principles form the cornerstone of the Fisheries Investment Fund:
• The fund will reflect provincial priorities. Initiatives under the fund will provide and strengthen economic opportunities in rural areas of the province, and maintain/generate fishery-related employment that provides good incomes.

• The fund will be incremental to existing program funding, will not replace or substitute for current program funding, and will not expire until expended.

• There appears to be a gradual ecological shift taking place in the waters off our coasts, which may have implications for our fishery resources, including an apparent transition back to a fishery in which groundfish is more dominant. If these changes materialize, it could impact the short-term viability of some elements of our fishing industry, and necessitate further structural change. Therefore, the Fisheries Investment Fund will need to be flexible and forward-looking, and nimble enough to support such transformations.

During the CETA negotiations, it was agreed that program funding would commence once the deal is ratified in approximately two years and flow over a three-year period in line with the phase-out period for MPRs on fish destined for the EU. However, as discussed during our January meeting, in order to optimize the benefits from this fund, initiatives should occur over a much more protracted period than three years, possibly in the range of five to ten years. The Fisheries Investment Fund is unlike previous federal/provincial cost-shared agreements, as the fund represents a payment to the province for conceeding to a significant policy shift. We fully expect that funding will flow to the Provincial Government over the three year-period following ratification, to be managed over the duration of the fund by our government, until fully expended. This would streamline program development and delivery, while ensuring maximum benefit to the fishing industry. Appropriate review and reporting requirements would be developed and implemented to enable the Federal Government to monitor and assess progress and account for overall expenditures.

The Provincial Government intends to engage stakeholders to further define the program parameters in the coming months. I look forward to further collaborating with your government on the Fisheries Investment Fund.

Sincerely,

KEITH HUTCHINGS, MHA
District of Ferryland
Minister of Fisheries and Aquaculture

Attachment

c. Honourable Steve Kent
   Department of Municipal and Intergovernmental Affairs
Folks.

Attached for your comments is a draft letter from Minister Granter to Minister Moore regarding the CETA Fisheries Investment Fund. I understand the intent would be to send a letter to Minister Moore tomorrow.

Dave
The Honourable Rob Moore  
Minister of State, Atlantic Canada Opportunities Agency  
Minister Responsible for Newfoundland and Labrador  
Room 418, Justice Building  
House of Commons  
Ottawa, ON K1A 0A6

Dear Minister Moore:

In a meeting on October 28, 2014 among senior officials of the Atlantic Canada Opportunities Agency and the Department of Fisheries and Aquaculture, the Province was informed that the Government of Canada has unilaterally introduced major revisions to the agreement reached on the establishment of a Fisheries Investment Fund. This agreement between the Honourable Ed Fast, Minister of International Trade and the Honourable Keith Hutchings, then Minister of Innovation, Business and Rural Development was achieved through an exchange of correspondence over the period May 27, 2013 to June 2, 2013. The Province agreed to provide, upon request, exemptions for all EU seafood buyers to the province’s Minimum Processing Requirements (MPR), in consideration for which the Government of Canada would contribute $280 million toward a 70/30 Federal/Provincial cost shared $400 million Fisheries Investment Fund.

Despite this firm and clear assurance, ACOA officials have advised of certain new qualifications that were being unilaterally attached to this commitment, including:

- The agreed fixed expenditure of $400 million will now be “up to” $400 million;
- Federal funding will be advanced only as compensation for “demonstrated negative impact” of removing MPRs for EU seafood buyers;
- Seafood marketing, one of the key pillars of our fisheries investment fund, will no longer be eligible for funding;
- All initiatives funded under the agreement must not create adverse effects for Maritime provinces;
- Funding for the program will now be delayed pending demonstration of negative impacts, meaning that funding is not likely to be available until 2020 at the earliest, rather than upon the implementation of the CETA as was agreed.

Minister, if true, these unilateral revisions constitute an egregious breach of the agreement between our respective governments.
The Province's decision to provide the exemption for EU seafood buyers from MPRs represented a major policy change for Newfoundland and Labrador. That change satisfied the demands of the EU, thus significantly facilitating conclusion of the agreement. 23(1)(a)(i), 24(1)(f), 24(1)(g).

As you are aware, the Province's concerns were outlined in a letter from the Honourable Darin Pike, Minister of Business, Tourism, Culture, and Rural Development to the Honourable Ed Fast on October 30, 2014. Minister Fast has replied, indicating that you have been tasked with fleshing out the details of the Fisheries Investment Fund. In that regard, we require your immediate confirmation that you are authorized to work with me to collectively development program parameters consistent with those agreed in 2013, as opposed to those outlined by your officials this week. Specifically, are you empowered to agree that the fund will: be $400 million; address all five pillars as outlined to you previously in a letter from Minister Hutchings dated May 14, 2014 (i.e., including market development initiatives); entail a transition program to address industry development and renewal as well as worker adjustment; and that funding will commence upon ratification of CETA? If you are authorized to reinstate the above noted agreement, please confirm in writing, following which we should meet to advance implementation plans.

Your response is respectfully requested no later than close of business, November 3, 2014.

Sincerely,

VAUGHN GRANTER, MHA
District of Humber West
Minister

c. Honourable Ed Fast
Minister of International Trade

Honourable Darin King
Minister of Business, Tourism, Culture and Rural Development

Honourable Keith Hutchings
Minister Responsible for Intergovernmental Affairs
From: King, Darin
Sent: Saturday, November 01, 2014 8:34 AM
To: Granter, Vaughn
Subject: Re: Letter to Minister Moore regarding Fisheries Investment Fund Nov 1-14 v2.doc

Good

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Granter, Vaughn
Sent: Saturday, November 1, 2014 12:09 AM
To: King, Darin
Subject: Re: Letter to Minister Moore regarding Fisheries Investment Fund Nov 1-14 v2.doc

The content of the letter is same as yours thus we are sending the same strong message.

Thanks

Vaughn

Sent from my BlackBerry 10 smartphone on the Bell network.

From: King, Darin
Sent: Friday, October 31, 2014 10:48 PM
To: Lewis, David B.; Granter, Vaughn; O'Rielly, Alastair; Mullaney, Julia
Subject: Re: Letter to Minister Moore regarding Fisheries Investment Fund Nov 1-14 v2.doc

That's correct, have Joe review, pls, and tks.

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Lewis, David B.
Sent: Friday, October 31, 2014 10:46 PM
To: King, Darin; Granter, Vaughn; O'Rielly, Alastair; Mullaney, Julia
Subject: Letter to Minister Moore regarding Fisheries Investment Fund Nov 1-14 v2.doc

Folks.

Revised version to: a. get Minister King's name right! and b. correct typo noted by Minister Granter.

Julia – I understand the Ministers would like the Premier to see this as well.

Thanks.

Dave
The Honourable Rob Moore
Minister of State, Atlantic Canada Opportunities Agency
Minister Responsible for Newfoundland and Labrador
Room 418, Justice Building
House of Commons
Ottawa, ON K1A 0A6

Dear Minister Moore:

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The Province's decision to provide the exemption for EU seafood buyers from MPRs represented a major policy change for Newfoundland and Labrador. That change satisfied the demands of the EU, thus significantly facilitating conclusion of the agreement. 23(1)(a)(i), 24(1)(f), 24(1)(g)

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Your response is respectfully requested no later than close of business, November 3, 2014.

Sincerely,

VAUGHN GRANTER, MHA  
District of Humber West  
Minister

c. Honourable Ed Fast  
Minister of International Trade

Honourable Darin King  
Minister of Business, Tourism, Culture and Rural Development

Honourable Keith Hutchings  
Minister Responsible for Intergovernmental Affairs
From: King, Darin  
Sent: Saturday, November 01, 2014 11:09 PM  
To: O'Rielly, Alastair  
Subject: Re: Letter to Minister Moore re Fisheries Investment Fund Nov 2-14 .doc

Good.

Sent from my BlackBerry 10 smartphone on the Bell network.

From: O'Rielly, Alastair  
Sent: Saturday, November 1, 2014 10:25 PM  
To: King, Darin  
Subject: Fw: Letter to Minister Moore re Fisheries Investment Fund Nov 2-14 .doc

See attached,

Alastair  
Department of Innovation, Business and Rural Development  
Government of Newfoundland and Labrador  
P.O.Box 8700  
St.John's, NL  
Canada  
A1B 4J6

From: Lewis, David B.  
Sent: Saturday, November 01, 2014 10:16 PM  
To: Granter, Vaughn  
Cc: Mulailey, Julia; O'Rielly, Alastair  
Subject: Letter to Minister Moore re Fisheries Investment Fund Nov 2-14 .doc

Minister.

The attached version is the final one which has been vetted to CS and PO as per your request. Unless you have concerns, I will add your signature and send out tomorrow morning (Sunday, NL time).

Thanks.

Dave
From: King, Darin
Sent: Tuesday, November 04, 2014 8:58 PM
To: O'Rielly, Alastair
Subject: Re: CETA Fund.pptx

Looks good

Sent from my BlackBerry 10 smartphone on the Bell network.

Original Message
From: O'Rielly, Alastair
Sent: Tuesday, November 4, 2014 8:53 PM
To: King, Darin
Subject: Fw: CETA Fund.pptx

Minister

First draft; Is this in line with your requirements?

Alastair
Department of Innovation, Business and Rural Development Government of Newfoundland and Labrador P.O.Box 8700
St.John's, NL Canada A1B 4J6

----- Original Message ----- 
From: Loder, Jeff
Sent: Tuesday, November 04, 2014 07:47 PM
To: O'Rielly, Alastair
Cc: Genge, Daryl
Subject: CETA Fund.pptx

18(1)(a)(ix), 18(2)(c)
From: King, Darin
Sent: Monday, November 10, 2014 9:24 AM
To: Mundon, Tansy
Subject: Re: FOR REVIEW ASAP

Print for me

Best wishes,

Darin

-------------------
DARIN KING, MHA
District of Grand Bank
Government House Leader
Minister of Business, Tourism, Culture, and Rural Development

Sent from my iPad

On Nov 7, 2014, at 10:11 AM, "Mundon, Tansy" <TansyMondon@gov.nl.ca> wrote:

Top 5 messages for HOA for your review. Need to send along asap.

Thanks,
Tansy

Business, Tourism, Culture and Rural Development
November 5, 2014
Economic Diversification

The Department of Business, Tourism, Culture and Rural Development has been actively driving government’s diversification agenda, with a particular emphasis on encouraging development and diversification of our advanced technology sectors.

- The Province is strongly committed to rural areas – a commitment that has been highlighted by over $214 million in economic and business development initiatives (since 2005) from the previous Department of Innovation, Business and Rural Development alone.
• It is through this support, coupled with our strong regional presence in our 22 regional and field offices that on a daily basis, we continue to support business development and capacity building, including ongoing project development and implementation.

• We have heard directly from business and industry who have indicated that greater access to venture capital is necessary. In response, the Provincial Government is investing $20 million in two venture capital funds, Venture Newfoundland and Labrador and Build Ventures.

  o The Venture Newfoundland and Labrador Fund will provide funding to support new start-ups and companies in the very early stages of their development.

  o The Build Ventures Fund is a pre-existing privately managed Atlantic Canadian regional venture fund. It supports early-stage companies which are able to generate enough cash flow to sustain operation, but not enough to continue to rapidly expand into new markets.

• The Regional Development and Business Development Funds continue to support commercial and non-commercial activity and remain a catalyst for economic growth. Investments are available to support productivity improvements and enhance competitiveness, marketing, infrastructure, capacity building, and research.

**Business, Tourism, Culture and Rural Development**
**November 5, 2014**
**The Comprehensive Economic and Trade Agreement-in-Principle (CETA)**

In 2008, the Federal Government announced that it was embarking on negotiations with the European Union (EU) on formalizing a trade agreement between the two jurisdictions. As
part of the EU's request, provinces and territories were asked to support the negotiations.

- The Comprehensive Economic and Trade Agreement-in-Principle (CETA) positions our province to take advantage of the largest consumer market in the world for our goods and services (Minerals, Oil and Gas, Fish and Seafood, Ocean Technology).

- The agreement will facilitate the attraction of foreign direct investment (FDI) which is critical to maintaining economic growth and expansion across all economic sectors within the province (Natural Resources, Oceans Science, and Forestry). When it comes into effect, the CETA will provide significant benefits for Newfoundland and Labrador, particularly in the fishery.

  - The elimination of tariffs will result in significant benefits for rural communities whose fish and seafood processors have experienced prohibitively high tariffs when exporting products to the European Union.

- Our government agreed to change an important public policy on minimum processing requirements, a move that resulted in unprecedented immediate market access to the lucrative market of European Union (EU) fish and seafood consumers.

- To ensure that industry is prepared to take advantage of the opportunities presented by new market access, the Provincial and Federal Governments have agreed to cost-share a $400 million fishing industry transition fund. The fund will be used to invest in research and development, new marketing initiatives, fisheries research, and enhancements to provincial fisheries infrastructure; all with the goal of improving the industry's capacity to compete globally.
For your review. This is a letter in response to a letter to the editor from Dr. Jim Feehan. NR is holding the pen and Finance also contributing.

Thanks,
Tansy

Letter to the Editor submitted to the Telegram November 6, 2014

A diversified oil and gas industry
Jim Keating, VP Oil and Gas, Nalcor Energy

In recent weeks there has been a lot of talk about the volatility of oil prices and the risk that this volatility poses for Newfoundland and Labrador. In Dr. Feehan's Letter to the Editor on November 1, 2014, he referenced our Province’s need to diversify away from oil given the risk associated with fluctuating prices.

While a more diversified provincial economy is prudent and necessary, Dr. Feehan proposes a laissez-faire approach to oil and a diversification strategy of avoidance by stating that “buying into these fields will cost many hundreds of millions of dollars if not more. That exposes us to even more oil price risk.” While, Nalcor supports and facilitates the continued growth in all areas of Newfoundland and Labrador’s economy, it is extremely important that we continue to engage in our significant hydrocarbon resource potential for the benefit of the people of the province.

Why oil and gas equity interest is good for the province

Nalcor’s equity interest in projects diversifies revenue sources to government beyond royalty and allows re-investment in new activities like, geoscience surveys to find new oil and gas resource potential. Nalcor will have positive net cash flows in excess of $4.7 billion over the next 30 years. This is equivalent to nearly $1.5 billion of value today. Nalcor’s average break even oil price is $35 per barrel, while still providing a 10 per cent rate of return. This year Nalcor is forecasting a positive net income of $37.4 million on production of about 780 thousand barrels. Even with the recent downturn in oil prices, Nalcor’s operating profit per barrel or netback is forecast to be nearly $71 this year. There is much room to absorb oil price volatility with economic results like these.

Make no mistake, The Province is strongly committed to rural areas – a commitment that has been highlighted by over $200 million in economic and business development initiatives (since 2005), with 70% of that distributed to rural areas of the province. Our government has also invested over $29 million to support research excellence in the health and life sciences sectors and help foster innovative researchers, health providers and small companies.

Our province has introduced and enhanced a robust suite of investment programs to support communities, region and businesses in a multitude of sectors in rural areas of the province. We have introduced the first of its kind in the country a revolving capital base for investments in small and medium enterprise in which the repayments are reinvested in enterprises throughout the province.
We have put in place a regional diversification funding investment regime in 2005, and to this day that has invested in tourism, agrifood, environment, culture and heritage applied research and skills development infrastructure. This investment has leveraged private sector, research, federal development funding that would otherwise not have happened. There are many traditional sectors that have moved to value added, product diversification and export markets. Indeed enterprises in these sectors have expanded and moved to export from rural economies.

Most recently we have added to our suite of economic development investment programs, because we have heard directly from the business community about the need for venture capital. In response, the Provincial Government is investing $20 million in two venture capital funds, Venture Newfoundland and Labrador and Build Ventures, while also implementing a Venture Capital Tax Credit as an incentive for private investors to partner in capitalizing the fund.

It is very clear; we have been actively driving government's diversification agenda, with a emphasis on encouraging development and diversification of our advanced technology sectors. Our investment and support programs are not only confined to high and or advanced technology driven sectors. Investment in technology utilization and adoption in the fishery, agriculture, aquaculture, forestry, tourism, transportation and environmental industries over these past many years has been the basis for the strong employment and wealth generation you are seeing in rural parts of the province. As a result of these investments, we are not only improving the lives and well-being of people in Newfoundland and Labrador, but attracting international interest and investment in the developments in this Province.

While oil prices are at a four-year low, we should also consider that this year the province's oil production is projected to be at its lowest level in 13 years. While analysts search for consensus on oil price recovery, more certain forecasts could be made for production. Production will rebound next year and continue to increase with the start-up of new areas within our existing fields as well as Hebron start-up in 2017. Moreover, if the world-leading Bay du Nord discovery proves its potential and moves towards sanction on the heels of Hebron, then total production post-2020 will eclipse prior production peaks of 134 million barrels set in 2007. If you assume more commercial discoveries will made in the next 15 years then production levels will remain high for decades to come.

There is no single industry that has a more positive impact on the provincial economy than oil and gas. For the past five years, the average ratio of offshore royalties to Provincial revenues is 34.8%. Production and price forecasts indicate this ratio will hold for decades to come. In fact, last year the province's offshore contributed $2.13 Billion in revenue in the form of royalties alone.

Therefore, Nalcor is focused on this important sector to ensure it continues to provide these returns and fulfill its potential. We are beginning to see through our geoscience that our offshore has much more to offer. A key driver to unlock that potential is a need to diversify within the oil and gas sector. In the coming years, increased production will be the cushion that lowers the vulnerability of the provincial fiscal position to future negative price shocks.

Now is not the time to turn our back on oil.

From: O'Rielly, Alastair
Sent: Monday, November 10, 2014 12:10 PM
To: Collins, Chrysta
Cc: Mundon, Tansy
Subject: Re: for approval/review. addition to FW: Response to Jim Feehan Letter to Editor
The edits are good. Assume that Minister Wiseman is signing the Letter?

Alastair
Department of Innovation, Business and Rural Development
Government of Newfoundland and Labrador
P.O.Box 8700
St.John's, NL
Canada
A1B 4J6

From: Collins, Chrysta
Sent: Monday, November 10, 2014 11:08 AM
To: O'Rielly, Alastair
Cc: Mundon, Tansy
Subject: for approval/review. addition to FW: Response to Jim Feehan Letter to Editor

Hi Alastair - we've been asked to contribute to a letter Nalcor is drafting in response to a letter that appeared in last week's paper that was critical of the province's dependency on oil.

We've added our portion which you will find in yellow in the draft - this has been vetted thought Rita.

Please advise of your response/approval.
Thanks
C.

From: Mundon, Tansy
Sent: Friday, November 07, 2014 11:47 AM
To: Collins, Chrysta
Subject: FW: Response to Jim Feehan Letter to Editor

FYI

From: Quinton, Diana
Sent: Friday, November 07, 2014 11:37 AM
To: Mundon, Tansy; Tompkins, John
Subject: RE: Response to Jim Feehan Letter to Editor

Nalcor has prepared a draft letter. I will be modifying this and adding your info. Here it is.

From: Mundon, Tansy
Sent: Friday, November 07, 2014 10:58 AM
To: Tompkins, John; Quinton, Diana
Subject: RE: Response to Jim Feehan Letter to Editor

We have tons of stuff to include. Just need to know how much space we have. Diana, can you please send me the draft letter?

From: Tompkins, John
Sent: Friday, November 07, 2014 10:44 AM
To: Mundon, Tansy
Subject: Response to Jim Feehan Letter to Editor
Importance: High
Hi Tansy, Here are the messages Minister Wiseman wanted in response to the Jim Feehan letter. He’s asking to see what BCRD is providing on economic diversification. Do you have anything yet?

Key Messages - Finance
Response to Jim Feehan Letter to Editor
November 2014

- Mr. Feehan’s article operates on premises that distort government’s record on oil price predictions. A review of our estimates reveal that, since 2003-2004 we have under-priced the value of oil eight years out of eleven.

- It’s also important to provide some context on recent events. Up until August, the overall average price per barrel of oil for this fiscal year, $107.5 US for Brent Crude, was consistent with our prediction.

John Tompkins
Director of Communications
Department of Finance
(709) 729-6830 (o) 728-7762 (c)
jtompkins@gov.nl.ca
Darin

Darin T. King
Government House Leader
Minister of Business, Tourism, Culture, and Rural Development
MHA, District of Grand Bank
Government of Newfoundland and Labrador
P.O. Box 8700
St. John's, NL

From: Walsh, Linda J
Sent: Monday, November 17, 2014 10:31 AM
To: O'Brien, Kevin; Pollard, Kevin; King, Darin; Collins, Sandy; Sullivan, Susan; Crummell, Dan; Granter, Vaughn; Kent, Steve; Manning, Judy; Russell, Keith; Hutchings, Keith; Dalley, Derrick; Jackman, Clyde; Conneely, Tony; Wiseman, Ross; Brazil, David J.
Subject: Updated Accomplishments 2014

Hello,

I have attached the updated accomplishments list. Please disregard previous lists and use this one.

Regards,
Linda Walsh, GMO
Provincial Government
Accomplishments
by
Department

November 2014

Full document not included as it is not responsive to the request; sections related to the Fisheries Investment Fund have been included. Document available if required.
Accomplishments
Business, Tourism, Culture and Rural Development

Economic and Business Development Initiatives

- Since 2005, BTCRD has invested a total of over $214 million throughout the province in economic and business development initiatives, with over 70 per cent of that funding going to rural areas of the province.

- Last year, more than $20 million was approved under BTCRD programs for regional and business development initiatives, including business, municipalities, industry associations and educational institutions.

CETA

- The Provincial Government has ensured this province has unparalleled access to established and emerging European markets.

- The recently announced agreement-in-principle on the Comprehensive Economic and Trade positions Newfoundland and Labrador to take advantage of the largest consumer market in the world for our goods and services including Minerals, Oil and Gas, Fish and Seafood, Ocean Technology.

Rural Broadband Initiative/Telecommunications

- Since 2003, Provincial Government investments totaling $34 million have leveraged more than $121 million from other sources to improve broadband access in Newfoundland and Labrador, for a total investment of over $155 million. This investment will bring the total population connected to 98 per cent, mostly in rural areas of Newfoundland and Labrador.

Innovation

- BTCRD has been actively driving government’s innovation agenda since the release of its Innovation Strategy in 2006. Since 2006, over $17 million has been invested to support projects through the innovation strategy, not including broadband initiatives. This has significantly
Accomplishments
Fisheries and Aquaculture

- Through CETA negotiations, the Provincial Government gained unfettered access to the world's richest seafood markets, and created a $400 million Federal-Provincial fund to support enhancements that will help our fishery become more globally competitive.

- Since 2010, the Provincial Government has committed $15.1 million to the Marine Institute's Centre for Fisheries Ecosystems Research, which conducts research that gives the province unprecedented insight into trends involving provincial fish resources and marine environments.

- Since 2006, through the Fisheries Research Program, the Provincial Government has contributed over $3.2 million to 50 fisheries science research projects involving partnerships with DFO, Academia, and industry.

- The Provincial Government released a Coastal and Ocean Management Strategy and Policy Framework in 2011, which provides long term strategic direction for the management of the province's coastal areas and ocean resources, and sets a standard for other jurisdictions to follow with respect to marine stewardship.

- Newfoundland and Labrador is a national leader in aquaculture best practices. The Provincial Government's investment of $14 million in biosecure wharf infrastructure, $9 million state-of-the-art aquatic animal health diagnostic laboratory and development center in St. Alban's, and its successful creation of a Bay Management Agreement with industry that guides operations and new developments will set the standard for sustainable practices for years to come.

- As a result of provincial investments and support provided to the industry, aquaculture production has increased by 680 per cent and value has increased by 1100 per cent. The industry produced 3900 metric tonnes valued at $17 million in 2003. In 2013, the industry produced 26,551 metric tonnes valued at $197 million.
From: MacLean, Heather  
Sent: Monday, December 15, 2014 9:56 AM  
To: Hutchings, Keith; King, Darin  
Cc: Morris, Peter  
Subject: Fyi. Some research done on opposition comments/ ceta  
Attachments: ceta-liberals.docx

Attachment not included as contents are publically available, i.e. Hansard, media articles. Available if required.

Sent from my BlackBerry 10 smartphone on the Bell network.
Hi Premier Davis

Being part of this fishing industry for 40 years and watching access to markets being compromised by tariff & end use restrictions has caused significant economic loss to the province & put us in the position we are today having to adjust to compete. I was involved in the CETA discussions & looked at the opportunity this would bring to industry. I would hate to see the province taking a stand that would compromise our opportunity to realize the full value this agreement will bring. Our Shrimp industry has had to endure an economic loss except for the past two years with the relaxation of the rules on tariffs. With the potential return of groundfish we must ensure the way is paved for access to this market.

I realize the predicament that the GOVT finds itself in with the changing of the language on the FIF. I have reviewed the documentation that was traded between both parties & there is no doubt that an agreement was penned that favours NL view of the Fisheries Investment Fund.

I fully understand that a hard line may have to be taken on MPR but before taking any action beyond that I suggest a meeting of our Fishing representatives including the Chairpersons of our Shrimp fleets be considered as we made many trips to London bringing the punitive issue of tariffs to the forefront.
I stand on principals & have a hard time fathoming the about face on this agreement by the Federal Govt. I am an eternal optimist & believe with the proper contacts this can be brought back on the rails again. This is too important not to pursue any avenue available to us to get a resolve.

tks, [name] s.30(1)
From: King, Darin
Sent: Tuesday, December 30, 2014 7:51 PM
To: O'Rielly, Alastair; Browne, Joe; Mullaley, Julia
Subject: Re: Meeting request

Ok
Tks

Regards,

Darin

Darin King, MHA
District of Grand Bank
Government House Leader
Minister of Business, Tourism, Culture, & Rural Development

Sent from my BlackBerry 10 smartphone on the Bell network.

From: O'Rielly, Alastair
Sent: Tuesday, December 30, 2014 7:14 PM
To: Browne, Joe; Mullaley, Julia; King, Darin
Subject: Fw: Meeting request

Fyi, I have e-mailed both Keith Sullivan and Derek Butler....will confirm meeting times with them tomorrow!

Alastair
Department of Innovation, Business and Rural Development
Government of Newfoundland and Labrador
P.O.Box 8700
St.John’s, NL
Canada
A1B 4J6

From: O'Rielly, Alastair
Sent: Tuesday, December 30, 2014 07:11 PM
To: 'Simon.Kennedy@international.gc.ca' <Simon.Kennedy@international.gc.ca>
Subject: Re: Meeting request

Thanks Simon,

Most appreciated,

Alastair
Department of Innovation, Business and Rural Development
Government of Newfoundland and Labrador
From: Simon.Kennedy@international.gc.ca [mailto:Simon.Kennedy@international.gc.ca]
Sent: Tuesday, December 30, 2014 07:05 PM
To: Simon.Kennedy@international.gc.ca <Simon.Kennedy@international.gc.ca>; O'Rielly, Alastair
Subject: Re: Meeting request

Sorry. This got sent too quickly. Meant to say Happy New Year and I will follow up asap on this request with the Minister and his office, and let you know. Best regards, Simon

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Kennedy, Simon -DMT
Sent: Tuesday, December 30, 2014 4:58 PM
To: O'Rielly, Alastair
Subject: Re: Meeting request

Hi Alastair. Happy New Year to you.

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: O'Rielly, Alastair
Sent: Tuesday, December 30, 2014 3:56 PM
To: Kennedy, Simon -DMT
Subject: Meeting request

Good day Simon,

Hope you are enjoying the Holidays! Please accept my best wishes for a Happy and Successful 2015!

Minister King and/or Minister Hutchings will be in Ottawa during the week of January 5th regarding the CETA agreement and the related Fisheries Fund. The Minister(s) would like to meet with Minister Fast to outline the province's perspectives on this matter and its next steps with respect to related trade matters. A meeting as early as possible during the week would be most appreciated. Please advise as to Minister Fast's availability when possible.

Regards,

Alastair

Deputy Minister
Business, Tourism, Culture and Rural Development

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From: Hutchings, Keith
Sent: Friday, January 02, 2015 5:25 PM
To: King, Darin
Subject: BBM Chat with Sean Dutton on January 2, 2015
Attachments: BBM Chat with Sean Dutton on January 2, 2015.txt

Look at last 3 chats at end

Sent from my BlackBerry 10 smartphone on the Bell network.
BBM Chat with Sean Dutton on January 2, 2015 (2).txt
11/26/14 3:22 PM - Sean Dutton: From Dave Lewis to Mr. Granter: "Minister

I just received an informal call from Paul Mills at ACOA enquiring whether you would be available to meet Minister Rob Moore in St. John's on next Wednesday and/or Thursday. I told him the House is open so you are likely to be in Town during that time. ACOA is thinking in terms of a substantive meeting or meetings during this period, potentially with Minister Moore to be in town for a couple of days if warranted.

We can expect a formal meeting request in the near future.

Dave"
11/28/14 12:37 PM - Sean Dutton: Just received following from Dave Lewis -
11/28/14 12:37 PM - Sean Dutton: Hi.

I just received a call from Paul Mills. Minister Moore is planning to be in St.
John's next Thursday and would like to meet Minister Granter to lay out the federal
position regarding the CETA fisheries fund. [18(1)(a)(ix), 18(2)(c)]

He proposed a one hour meeting Thursday morning. [18(2)(c)]

Minister Granter asked me to advise you that he is proposing we meet them at noon
Thursday. His expectation is that Minister Hutchings would attend as well, along
with Alastair and me. He is also open to additional attendance (e.g. such as Minister
King).

ACOA will be represented by Minister Moore, his EA Shane Bourke, Paul LeBlanc and
Paul Mills.

I would appreciate your confirmation of availability and any comments before I reply
to Paul.

Thanks.

Dave

12/1/14 11:28 AM - Sean Dutton: Fyi -
12/1/14 11:28 AM - Sean Dutton: From: Carey Bonnell <2BBFD951>
Sent: Monday, December 1, 2014 9:53 AM [23(1)(a)(i), 24(1)(f), 24(1)(g), s.20(1)(c)]

12/3/14 3:59 PM - Sean Dutton: From: Carey Bonnell <2BBFD951>
Sent: Wednesday, December 3, 2014 3:23 PM
To: David Lewis
Subject: Fiy

Dave
BBM Chat with Sean Dutton on January 2, 2015

12/4/14 5:13 PM - Sean Dutton: Also, I am to draft a letter to Harper regarding today's meeting; will e-mail you a draft.
12/4/14 10:04 PM - Keith Hutchings: Any feedback on today's meeting?
12/5/14 7:37 AM - Sean Dutton: Just that they wanted a letter for the Premier to send to Harper noting we are still far apart and the 2 of them need to talk.
12/5/14 8:27 AM - Keith Hutchings: No I meant officials and your counterparts.
12/5/14 9:47 AM - Sean Dutton: I chatted with Alastair and Dave afterwards about options, and updated the Clerk on our meeting. Alastair was drafting a note on options and I gave him some feedback to consider.
12/5/14 9:49 AM - Sean Dutton: Nothing from that end to me at least. I will ask Dave and Alastair if there was any follow up from ACOA.
12/5/14 11:31 AM - Sean Dutton: ...the Premier is sending a letter now.
12/5/14 6:05 PM - Keith Hutchings: Do you have copy.
12/5/14 6:26 PM - Sean Dutton: A next to last draft, will forward.
12/6/14 9:25 PM - Sean Dutton: PCO tells me there is a meeting at 9am in St. John's Monday... Not clear with whom.
Dave is available tomorrow afternoon and DFA would provide a convenient meeting space.

Please advise if we should proceed as per the federal request.

Alastair
12/8/14 9:34 PM – Sean Dutton: Joe suggested meeting with Mills be before House opens, so we are looking at a 9am mtg.
12/9/14 9:11 AM – Sean Dutton: FYI, last night I was uninvited by BCRD to the 9am meeting with ACOA (to keep #s down) but just now I was invited to a 10am meeting at PO with Heather MacLean and others on the Fund. Presume latter is about Fred Hutton’s piece this morning.

12/9/14 10:51 PM – Sean Dutton: Ghiz is going soon but still in charge.
12/10/14 1:28 PM – Sean Dutton: Heard from PCO meeting with PM can proceed Friday at 5pm. Someone from PMO to tell PO if they haven’t already.
12/12/14 11:32 AM – Sean Dutton: I don’t know if this has been considered but the EU Ambassador to Canada, Marie Ann Coninsx, is at 150 Metcalfe Suite 1900 if you wanted to talk. 613 238 6464
12/12/14 11:44 AM – Sean Dutton: She just had a big meeting with Rickford and Oliver on CETA https://twitter.com/MarieAnnConinsx
BBM Chat with Sean Dutton on January 2, 2015 (2).txt

12/14/14 11:45 AM - Keith Hutchings: Who are they
12/14/14 11:54 AM - Sean Dutton: Ministers of NRCan and Finance met EU people yesterday to talk about energy trade. There was a piece in the news I will send you.
12/14/14 10:56 AM - Sean Dutton: s.30(1)

12/14/14 12:17 PM - Sean Dutton: There's a BTCRD note going out to you and other Ministers for 2pm mtg. I will be available.

12/14/14 12:33 PM - Keith Hutchings: Ok thanks
1/2/15 4:07 PM - Sean Dutton: I doubled back to Alastair and Julia to reconfirm the outcomes from Tuesday, let me know if I am missing anything: You and I will meet the Ambassadors, Minister King and BTCRD staff will meet industry groups, but either of you or Minister King might sit in on the other's meetings if it fits schedules. Is that right?
1/2/15 4:09 PM - Sean Dutton: Also Minister Granter would meet with ASP and FFAW but you and Minister King might sit in if it fits in your schedules?
1/2/15 5:16 PM - Sean Dutton: Looking online at flights to Ottawa. Porter sold out Monday, AC has a Monday evening flight through TO that gets in at 1:30am. Tuesday am there is a direct AC flight leaves 6:30am gets in 8:20am if that works.
1/2/15 5:23 PM - Keith Hutchings: Is minister king aware of details. So we could go Tuesday at 6 30 and come back Wednesday morning?
From: O'Rielly, Alastair
Sent: Friday, January 02, 2015 8:21 PM
To: Mullaley, Julia; Browne, Joe; Lewis, David B.; Dutton, Sean; King, Darin
Subject: Fw: CETA

Please note,

Alastair
Department of Innovation, Business and Rural Development
Government of Newfoundland and Labrador
P.O.Box 8700
St.John's, NL
Canada
A1B 4J6

From: O'Rielly, Alastair
Sent: Friday, January 02, 2015 07:49 PM
To: 'KSullivan@ffaw.net' <KSullivan@ffaw.net>
Subject: Re: CETA

Thanks Keith
The DFA office is most convenient for access and parking. Let's meet there.

Alastair
Department of Innovation, Business and Rural Development
Government of Newfoundland and Labrador
P.O.Box 8700
St.John's, NL
Canada
A1B 4J6

From: Keith Sullivan [mailto:KSullivan@ffaw.net]
Sent: Friday, January 02, 2015 07:38 PM
To: O'Rielly, Alastair
Subject: Re: CETA

Alistair,

10:00 sounds good. Let me know where so I can relay the message to our people.

Keith

Sent from my iPhone

On Jan 2, 2015, at 1:57 PM, "O'Rielly, Alastair" <Aorielly@gov.nl.ca> wrote:
Hi Keith

Tuesday at 10:00 still looks good. We can delay for an hour or so if this is better for you.

Alastair
Department of Innovation, Business and Rural Development
Government of Newfoundland and Labrador
P.O.Box 8700
St.John's, NL
Canada
A1B 4J6

From: Keith Sullivan [mailto:KSullivan@ffaw.net]
Sent: Friday, January 02, 2015 03:01 PM
To: O'Rielly, Alastair
Subject: Re: CETA

Hello Alastair,

I was wondering if you finalized a time on Tuesday for this meeting. Let me know.

Keith.

Sent from my iPhone

On Dec 30, 2014, at 3:12 PM, "O'Rielly, Alastair" <Aorielly@gov.nl.ca> wrote:

Good day Keith and Happy New Year!

Ministers are interested in meeting with you, your executive and Board members to outline the province's next steps and approach to finding a resolution to the CETA Fisheries Fund. Would it be possible to arrange a meeting for Monday, January 5th? Please call me at the office 729-4731 or on my cell 727-3290 to discuss when convenient.

Thanks,

Alastair

Deputy Minister
Business, Tourism, Culture and Rural Development

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"This email and any attached files are intended for the sole use of the primary and copied addressee(s) and may contain privileged and/or confidential information. Any distribution, use or
From: MacLean, Heather  
Sent: Tuesday, January 06, 2015 8:51 AM  
To: Hutchings, Keith; Granter, Vaughn; King, Darin; Dalley, Derrick; Kent, Steve; O’Rielly, Alastair; Loder, Jeff  
Cc: Munden, Tansy; Guest, Kevin J  
Subject: as FYI: Commentary from the Association of Seafood Producers RE CETA and FIF.doc  
Attachments: Commentary from the Association of Seafood Producers RE CETA and FIF.doc

As discussed in yesterday’s meeting – public comments made by ASP...

Heather MacLean  
Director of Communications  
Office of the Premier  
Government of Newfoundland and Labrador  
D: 729-3581  C: (709) 697-4137  
E: heathermaclean@gov.nl.ca

From: Card, Jason  
Sent: Monday, January 05, 2015 1:57 PM  
To: MacLean, Heather  
Cc: Brown, Milly; Howard, Jacquelyn; Collingwood, Jennifer; Hemeon, Tess  
Subject: Commentary from the Association of Seafood Producers RE CETA and FIF.doc

Hi Heather,  
s.20(1)(c), s.20(1)(a)

Quote Summarizing current position:
“As an industry, we were and are supportive of CETA. It is a great opportunity for the industry,” said Derek Butler, Executive Director of the Association of Seafood Producers. “We have long faced punitive tariffs in the EU market, and the chance now to have them removed represents an historical opportunity. That is the win in CETA,” Mr. Butler said.

Quote from October 29, 2013 when Fisheries Fund was announced:  
“Tariff free access to European markets was a game changing development for the industry; gaining access to this fund secures the win,” said Derek Butler, Executive Director of the Association of Seafood Producers. “The Federal and Provincial Governments have collaborated with great success, as evident in both CETA and this fund. We extend our congratulations to both levels of government, and look forward to seizing the opportunities available to us in the days ahead.”

Best Regards,
Jason Card
Director of Communications
Department of Fisheries and Aquaculture
Government of Newfoundland and Labrador
Phone: 1 (709) 729 3733
E-mail: jasoncard@gov.nl.ca
Commentary from the Association of Seafood Producers RE: CETA and Fisheries Fund
Prepared: January 5, 2014

Summary: The following is a brief list of instances where Derek Butler, Executive Director of the Association of Seafood Producers, has commented on major announcements or developments regarding the CETA agreement and/or the Fisheries Fund. The articles/instances are listed chronologically from most recent to least recent. Note that the current stance of the Association of Seafood Producers is that the Provincial Government should pursue an industry fund, but should not consider withdrawing the province's support for CETA, or take other action that may endanger the agreement.

Important recent quote to note: (taken from Seafood News.com and Globe and Mail articles published on December 11, 2014)

“As an industry, we were and are supportive of CETA. It is a great opportunity for the industry,” said Derek Butler, Executive Director of the Association of Seafood Producers. “We have long faced punitive tariffs in the EU market, and the chance now to have them removed represents an historical opportunity. That is the win in CETA,” Mr. Butler said.

Important quote in support of the Fisheries Fund at the time of its announcement last year:

“Tariff free access to European markets was a game changing development for the industry; gaining access to this fund secures the win,” said Derek Butler, Executive Director of the Association of Seafood Producers. “The Federal and Provincial Governments have collaborated with great success, as evident in both CETA and this fund. We extend our congratulations to both levels of government, and look forward to seizing the opportunities available to us in the days ahead.”

THE GLOBE AND MAIL
December 11, 2014
Harper to meet with Newfoundland Premier to talk Canada-EU trade deal
By: Steven Chase

Stephen Harper is meeting Friday with Newfoundland Premier Paul Davis, who's threatened to withdraw support for the Canada-European Union trade agreement if Ottawa doesn't meet his terms for a compensation fund related to the deal.

Stephen Harper is meeting Friday with Newfoundland Premier Paul Davis, who's threatened to withdraw support for the Canada-European Union trade agreement if Ottawa doesn't meet his terms for a compensation fund related to the deal.

Mr. Davis, however, is facing pressure from business interests in Newfoundland and Labrador who are now voicing concern over the prospect of the province refusing to comply with the deal.

The Association of Seafood Producers, which represents processors in Canada's easternmost province, has released a statement saying it backs the Comprehensive Economic Trade Agreement (CETA) and does not want to see Newfoundland pull support for the deal.
"As an industry, we were and are supportive of CETA. It is a great opportunity for the industry," said Derek Butler, Executive Director of the Association of Seafood Producers. "We have long faced punitive tariffs in the EU market, and the chance now to have them removed represents an historical opportunity. That is the win in CETA," Mr. Butler said.

The Newfoundland and Labrador Employers' Council, which represents provincial businesses, says it is worried that Ottawa and St. John's could be at an impasse. "From our discussions with both levels of government on this issue, it is clear that there is an honest disagreement surrounding the $400-million fund related to CETA. What is concerning is that the positions seem to be hardening," said Richard Alexander, executive director of the council. "It is deeply concerning to businesses that our province would indicate they are considering withdrawing support for CETA, and we really hope that politics will not get in the way of good policy."

Newfoundland can't outright block the Canada-European Union trade deal but it can create havoc for Mr. Harper.

Mr. Davis, who warned earlier this week that his support for CETA is "on the line," is accusing Ottawa of reneging on the terms of a separate deal that secured his province's support for the accord.

For Canada to meet the terms of the recently signed trade pact with the 28-country European Union, Newfoundland must jettison what are called minimum processing requirements (MPRs), aimed at protecting local fish plant jobs. The regulations in question stipulate how much of the fish brought ashore in the province must be processed there. Ottawa promised funds to help the province adjust to the deal. This compensatory arrangement, as former premier Kathy Dunderdale described it last year, was for Ottawa to pour $280-million into a $400-million fund that would be available for the Newfoundland fishery.

But Mr. Davis said Monday that Ottawa has introduced a new condition and will only pay up if it can be proven that Newfoundland processing jobs are affected.

Letters that Newfoundland wrote to Ottawa previously contradict Mr. Davis and warn there would be job losses from the changes to the processing rules.

"As you can see, any diminution of the MPRs could impact the majority of the workforce and the communities in which they work," says a May 29, 2013 letter to International Trade Minister Ed Fast from the Newfoundland government.

The Harper government says this is untrue and that Ottawa never agreed to give Newfoundland carte blanche to spend the compensation as it sees fit.

Rob Moore, the Conservative minister responsible for Newfoundland and Labrador, who has been involved in negotiating this matter with St. John's, said this week the fund was always intended to compensate specific fishery processing job losses.

"The MPR fund was created to compensate for anticipated losses from the removal of minimum processing requirements. The fund was never intended as a blank cheque that would give the industry in Newfoundland and Labrador an unfair advantage over other Atlantic provinces," Mr. Moore said in a statement.

"We have been clear from the start that the MPR fund was to compensate for demonstrable losses."
But Mr. Davis says Newfoundland never believed relinquishing the processing requirement would cost jobs and instead always considered the $280-million compensation for the province forgoing a long-standing policy.
St. John's wants to use the money to build "a fishery for the future" and spend it on things such as research and development, marketing and infrastructure.
He said Newfoundland will not scrap the processing requirements if Ottawa doesn't remedy this impasse.
"We'll keep our MPRs in place if we don't reach an agreement," Mr. Davis said.
European Union companies would be able to sue Canada under the terms of the trade deal if Newfoundland keeps in place regulations that prevent European companies from removing raw seafood.
This could frustrate compliance with the deal and force Ottawa to pay out compensation to EU companies under the worst-case scenario.

Seafood News.com
News Summary - December 11, 2014
Today's Main Story: Retailers slamming shrimp for the holidays, as promotional volume, prices both up significantly (Derek Butler Quote Highlighted at end of article)
Newfoundland's Association of Seafood Producers (ASP) cautioned today that the Canada-EU trade deal has major benefits for seafood exporters, and said they oppose any actions the Province might take to be disruptive. "We have long faced punitive tariffs in the EU market, and the chance now to have them removed represents an historical opportunity. That is the win in CETA," said Derek Butler, executive director for the ASP.

VOCM.COM
PREMIER MEETING WITH HARPER FRIDAY ON CETA DISPUTE
Wednesday, December 10 2014 / 10:21:19 PM (Derek Butler Quote Highlighted at end of article)
After a scheduling snafu, the Premier says he will meet with Stephen Harper Friday to talk about the ongoing dispute over CETA. The provincial and federal governments have different interpretations of a $400-million fisheries agreement reached in October 2013. Documents tabled in the Legislature, show Ottawa had committed to 'up to' $280-million. VOCM's Danielle Barron reports.
Correspondence up to the fall of this year had been with Federal Trade Minister Ed Fast, but just a few months ago Rob Moore, as Minister of ACOA took over. That's when the Premier says something changed. Moore has said the federal commitment was only in amounts to compensate for the loss of MPRs, a new stipulation according to Paul Davis.
Liberal Leader Dwight Ball says the documents show nothing was ever officially signed. But Davis maintains a deal was reached to 'address industry development and renewal as well as worker displacement.'
Ball says the feds used the 'up-to' language on six different occasions before the province questioned it. Davis explains the contribution was contingent on the province's commitment. Ball says clarification should have been sought sooner, and prior to a big party celebrating the deal. Davis says the value of the fund is not the issue. He says once the province
confirmed $120-million, then given it was a 70/30 split, the federal government contribution would be $280-million.

Conservative Senator David Wells says there has never been a final deal, just an agreement in principal and federal officials are confused by the Premier's claims. Wells says the claims were there would be an impact because the only reason you would pay compensation is because there would be a loss.

The Premier says he does not find it unusual that no federal representatives were at last October’s announcement. He says it's ironic to hear Senator Wells commenting on the province’s big announcement on CETA last year before the final deal was signed, when the federal government did the same thing just a few months ago.

Davis says in September he was invited to a big event in Toronto to celebrate CETA and that deal has not been signed off on yet. So he finds it hard to take criticism for last year's CETA announcement in this province.

Davis says withdrawing support of CETA and maintaining MPRs are two options being considered if a deal cannot be reached. But the Association of Seafood Producers says the industry supported CETA because of the elimination of tariffs. Executive Director, Derek Butler says the Association supports efforts to clarify an industry fund only if it doesn't put the province’s support for CETA in peril.

QUEENS COUNTY ADVANCE
(Liverpool, Nova Scotia)
Dundereale announces $400M for fishery
By: James McLeod
Published on October 30, 2013
http://www.theadvance.ca/Business/2013-10-30/article-3453241/Dundereale-announces-$400M-for-fishery/1

Article Excerpt:

Both McCurdy and seafood processors’ representative Derek Butler said it’s for the best that the money hasn’t been divvied up yet.

“I think the work around how the money should be spent comes later,” Butler said. “It deserves some careful deliberation in terms of where we put the money.”
Derek Butler Quote from Government of Newfoundland and Labrador News Release:
“Fishing Industry Enters New Era of Opportunity with $400 Million Fund”
Dated: October 29, 2013
Executive Council
Fisheries and Aquaculture
Innovation, Business and Rural Development
October 29, 2013

Fishing Industry Enters New Era of Opportunity with $400 Million Fund

The provincial fishery is now ideally positioned to capitalize on unrestricted access to European seafood markets and become more globally competitive with the creation of a $400 million Federal-Provincial fund to support industry enhancements. The Honourable Kathy Dunderdale, Premier of Newfoundland and Labrador, today announced the new 70-30 cost-shared fund, which will play a key role in assuring the success of provincial harvesters and processors as they deliver products to tables in the European Union, and throughout the world.

“This unprecedented level of investment in the provincial fishery will help us achieve previously unimagined economic gains from our renewable fish resources, which will support economic prosperity in rural communities for generations to come,” said Premier Dunderdale. “The Provincial Government strongly advocated for the beneficial terms achieved through the Comprehensive Economic and Trade Agreement between Canada and the European Union, and through collaboration with the Federal Government, we have now created significant financial resources to take full advantage and continue our success as one of the most vibrant economies in the nation.”

The fund will be used to invest in research and development, new marketing initiatives, fisheries research, and enhancements to provincial fisheries infrastructure, all with the goal of improving the industry’s capacity to compete globally.

“The Provincial Government has long been a partner to industry with respect to supporting innovation, promotional activity, and scientific initiatives, and that relationship puts us in an excellent position to achieve great things with this $400 million fund when CETA comes into force,” said the Honourable Keith Hutchings, Minister of Fisheries and Aquaculture. “Newfoundland and Labrador already has a strong reputation as one of the finest seafood providers in the world. With this fund we will build on our strengths and extend our reputation and our products to new markets around the world, particularly to those now accessible in Europe.”

Achieving unrestricted access to European Union seafood markets required the Provincial Government to provide an exemption to minimum processing requirements for these markets, a decision which was not entered into lightly. While the Provincial Government and industry agree that the economic gains achieved justify the exemption, minimum processing requirements have played an important role in how the province has maximized
value from fish resources. In recognition of the Provincial Government's decision to forgo its minimum processing requirements for European markets, the Federal Government will provide $280 million towards a $400 million fund to significantly enhance the industry's capacity to compete globally, which will promote economic prosperity for the people and communities of Newfoundland and Labrador. The remaining $120 million will be provided by the Provincial Government.

"Through these CETA negotiations we have achieved many economic gains for the province, but the positive impacts on our fishing sector will be greatest, as there is now tremendous potential to grow the industry beyond the $1 billion of production value it currently generates annually," said the Honourable Charlene Johnson, Minister of Innovation, Business, and Rural Development. "I want to thank the Honourable Edward Fast, Minister for International Trade, for his role in achieving a tremendous fish and seafood package for Canada, and I look forward to building on our positive relationship in the future."

More than 19,000 Newfoundlanders and Labradorians currently employed in the provincial fishing and aquaculture industry, primarily in rural areas of the province, will benefit directly from the new opportunities created with this funding.

"Gaining unrestricted access to European markets leveled the playing field for Newfoundland and Labrador in the European Union," said Earle McCurdy, President of the Fish, Food and Allied Workers. "Gaining this funding puts us in position to get established quickly in this market and build a strong brand based on our high quality products. I commend the Provincial and Federal Governments for the significant gains that have been made for the provincial fishery, and look forward to working with government to make sure harvesters and plant workers enjoy the full benefit."

Approximately 90 processing facilities throughout the province will also be better able to capitalize on opportunities in foreign markets with assistance from this fund.

"Tariff free access to European markets was a game changing development for the industry; gaining access to this fund secures the win," said Derek Butler, Executive Director of the Association of Seafood Producers. "The Federal and Provincial Governments have collaborated with great success, as evident in both CETA and this fund. We extend our congratulations to both levels of government, and look forward to seizing the opportunities available to us in the days ahead."

More information about the economic gains achieved for the fishery through the Canada-European Union Comprehensive Economic Trade Agreement (CETA) is provided in the backgrounders below.

When CETA is implemented, it will immediately save industry roughly $25 million spent in EU fish and seafood tariffs and establish new opportunities that could add over $100 million to the sector annually. In the next decade alone, this will add over a billion dollars of value to the fishery.
Media contacts:

Jennifer Tulk  
Director of Communications  
Office of the Premier  
709-729-3960  
jennifertulk@gov.nl.ca

Tracey Boland  
Press Secretary  
Office of the Premier  
709-729-4304, 697-3128  
traceyboland@gov.nl.ca

Jason Card  
Director of Communications  
Department of Fisheries and Aquaculture  
709-729-3733, 699-0470  
jasoncard@gov.nl.ca

Heather MacLean  
Director of Communications  
Department of Innovation, Business and Rural Development  
709-729-4570, 697-4137  
heathermaclean@gov.nl.ca

Earle McCurdy  
President  
Fish, Food and Allied Workers  
709-576-7276  
president@ffaw.net

Derek Butler  
Executive Director  
Association of Seafood Producers  
709-726-3730  
dbutler@seafoodproducers.org

Association of Seafood Producers News Release (Initial Announcement RE: CETA  
Note: No Fund Had Been Announced Yet)  
For immediate release – October 18, 2013  
New CETA deal opens new market opportunities
for province's seafood products

(St. John's, NL) – Newfoundland and Labrador seafood producers are lauding the newly announced free trade agreement with the European Union, saying it has the potential to be a game changer for the industry.

“The EU represents the most lucrative seafood market in the world, with high seafood consumption per capita. For too many of our products, we are kept from being competitive because of the high tariffs the EU placed on our seafood products,” said Derek Butler, Executive Director of the Association of Seafood Producers in the province.

The deal, announced Friday in Brussels by Prime Minister Stephen Harper and European Commission president Jose Manuel Barroso, will eliminate all EU tariffs on fish and seafood, which presently average 11% with peaks of 25%.

“It’s a remarkable achievement, the elimination of all EU tariffs on fish and seafood in a single leap. We asked for that in testimony to the House of Commons Trade Committee in October 2011, but I don’t think we ever thought it could be achieved. It is a historic deal,” said Butler. CETA will also make it easier for producers to trade with the EU. The agreement will ensure more predictable border procedures, notably through electronic processes that will help reduce time and costs at the border, and will include other considerations to help address non-tariff barriers.

“The EU is our backyard,” said Butler. “Two-thirds of the rest of Canada’s seafood is sold in the US, but we sell just 34% to the US. We’re closer to many parts of Europe, geographically and historically, than many markets in the US.”

Butler says the goal now is to take advantage of the opportunities that CETA provides for.

“Clearly we have work to do, but the good news is, the ground has shifted. We can take our current sales, and now, we have room for growth. This is good news for us and good news for European consumers. It opens up new market opportunities.”

-30-

Derek Butler: 726-3730, dbutler@seafoodproducers.org
From: King, Darin
Sent: Tuesday, January 20, 2015 6:08 AM
To: Mundon, Tansy
Cc: O’Rielly, Alastair; Hutchings, Keith
Subject: Re: Technical Briefing - January 2015.pptx

Ok

Best wishes,

Darin

---------------
DARIN KING, MHA
District of Grand Bank
Government House Leader
Minister of Business, Tourism, Culture, and Rural Development

Sent from my iPad

On Jan 19, 2015, at 10:57 PM, "Mundon, Tansy" <TansyMundon@gov.nl.ca> wrote: 23(1)(a)(i), 24(1)(f), 24(1)(g)

Let’s discuss in the am [REDACTED].

Sent from my BlackBerry 10 smartphone on the Bell network.

From: O’Rielly, Alastair
Sent: Monday, January 19, 2015 10:37 PM
To: Mundon, Tansy
Cc: King, Darin; Hutchings, Keith
Subject: RE: Technical Briefing - January 2015.pptx 23(1)(a)(i), 24(1)(f), 24(1)(g)
From: Hutchings, Keith
Sent: Monday, January 19, 2015 10:31 PM
To: O'Rielly, Alastair
Cc: King, Darin; Mundon, Tansy
Subject: Re: Technical Briefing - January 2015.pptx

It says all trade agreements and agreements under negotiations......this is the issue as it indicates all trade we know you get never exempt yourself From current but it may have been interpreted same

Sent from my BlackBerry 10 smartphone on the Bell network.

From: O'Rielly, Alastair
Sent: Monday, January 19, 2015 10:24 PM
To: Hutchings, Keith
Cc: King, Darin; Mundon, Tansy
Subject: RE: Technical Briefing - January 2015.pptx

Minister King’s quote may be ambiguous:

"The Federal Government’s failure to honour the terms of this fund is jeopardizing CETA for all industries, economic sectors, and indeed all Canadian and European Union citizens. As a result of the Federal Government's failure to honour its commitment respecting the fisheries investment fund, I have advised the federal Minister of International Trade, Ed Fast, that the Provincial Government is suspending its participation in all trade agreements and all trade agreements currently under negotiation by the Federal Government would not have any effect in matters within the jurisdiction of Newfoundland and Labrador."

-The Honourable Darin King, Minister of Business, Tourism, Culture and Rural Development

It appears that the phase “all trade agreements’ should only have been used once”. The letter to Minister Fast attached to the release is clear on this point.

Alastair

Deputy Minister
Business, Tourism, Culture and Rural Development

From: Hutchings, Keith
Sent: Monday, January 19, 2015 10:09 PM
To: O'Rielly, Alastair
Subject: Re: Technical Briefing - January 2015.pptx
Ok that is not clear I called in to night line and they said PR said current and those negotiated and ball mentioned today about the effect on NAFTA, I said it included only current under negotiation.
Thanks

Sent from my BlackBerry 10 smartphone on the Bell network.

From: O'Rielly, Alastair  
Sent: Monday, January 19, 2015 10:05 PM  
To: Hutchings, Keith  
Subject: Re: Technical Briefing - January 2015.pptx

Correct. NAFTA, Korea, Chile, etc. Are not affected.
Department of Innovation, Business and Rural Development
Government of Newfoundland and Labrador
P.O.Box 8700
St.John's, NL
Canada
A1B 4J6

From: Hutchings, Keith  
Sent: Monday, January 19, 2015 10:01 PM  
To: O'Rielly, Alastair  
Subject: Re: Technical Briefing - January 2015.pptx

Sent from my BlackBerry 10 smartphone on the Bell network.

From: O'Rielly, Alastair  
Sent: Monday, January 19, 2015 10:00 PM  
To: King, Darin; Hutchings, Keith; Browne, Joe; MacLean, Heather; Mundon, Tansy  
Subject: FW: Technical Briefing - January 2015.pptx

Folks

See the draft presentation to the industry associations scheduled tomorrow at 3:00 PM. Note that the third bullet in slide 12 speaks specifically to the issues raised by the Association of Seafood Producers and the Employers Council.

Alastair
Deputy Minister
Business, Tourism, Culture and Rural Development
From: O'Rielly, Alastair  
Sent: Sunday, January 25, 2015 7:10 PM  
To: King, Darin; Hutchings, Keith; Browne, Joe; MacLean, Heather; Mullaley, Julia; Loder, Jeff  
Subject: Fw: BTCRD Edits - 18 - 02 - BN Fisheries Investment Fund.docx

Folks

We discussed the opportunity to raise the [REDACTED] We will have a draft for your consideration in the morning.

Alastair  
Department of Innovation, Business and Rural Development  
Government of Newfoundland and Labrador  
P.O.Box 8700  
St.John's, NL  
Canada  
A1B 4J6

From: O'Rielly, Alastair  
Sent: Sunday, January 25, 2015 04:27 PM  
To: Loder, Jeff; Janes, Mark  
Subject: Re: BTCRD Edits - 18 - 02 - BN Fisheries Investment Fund.docx

Folks

23(1)(a)(i), 24(1)(f), 24(1)(g)

Alastair  
Department of Innovation, Business and Rural Development  
Government of Newfoundland and Labrador  
P.O.Box 8700  
St.John's, NL  
Canada  
A1B 4J6

From: Loder, Jeff  
Sent: Sunday, January 25, 2015 04:17 PM  
To: Janes, Mark; O'Rielly, Alastair  
Subject: Re: BTCRD Edits - 18 - 02 - BN Fisheries Investment Fund.docx

My only comment on substance is that the [REDACTED]  

More broadly, the note lacks any tactical analysis or comment on the risks or potential issues that could come up on [REDACTED]  

23(1)(a)(i), 24(1)(f), 24(1)(g)
I think BCTR should provide a short note to that affect for inclusion in the binder. Thoughts Alastair?

Jeff

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Janes, Mark
Sent: Sunday, January 25, 2015 3:57 PM
To: O'Rielly, Alastair; Loder, Jeff
Subject: BCTR Edits - 18 - 02 - BN Fisheries Investment Fund.docx

Good Evening,

A note on the fisheries fund intended for Premier Davis' use at [redacted] was sent to us for review by MIGA late Friday afternoon. The attached version contains comments and suggested edits for your review.

Thanks,
Mark

Mark Janes
t 709 729 0301
m 709 697 9708
e markjanes@gov.nl.ca
Ok fine with me we should have list of all investments by processor readily available

Sent from my BlackBerry 10 smartphone on the Bell network.

From: O'Reilly, Alastair
Sent: Monday, January 26, 2015 10:51 AM
To: Hutchings, Keith; Mundon, Tansy; King, Darin; Loder, Jeff; Janes, Mark
Subject: Re: For Approval: BCRD -CETA

The value included from RDC is $5.2 Million.

Alastair
Department of Innovation, Business and Rural Development
Government of Newfoundland and Labrador
P.O.Box 8700
St.John’s, NL
Canada
A1B 4J6

From: Hutchings, Keith
Sent: Monday, January 26, 2015 10:40 AM
To: Mundon, Tansy; King, Darin; O'Reilly, Alastair; Loder, Jeff; Janes, Mark
Subject: Re: For Approval: BCRD -CETA

Does this include RDC projects

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Mundon, Tansy
Sent: Monday, January 26, 2015 9:17 AM
To: King, Darin; O'Reilly, Alastair; Loder, Jeff; Janes, Mark; Hutchings, Keith
Subject: FW: For Approval: BCRD -CETA

Please see FA news release below. Can you please advise asap if you’re okay with this.

Thanks,
Tansy

From: Releases, News
Sent: Monday, January 26, 2015 9:16 AM
To: Mundon, Tansy
Cc: Collingwood, Jennifer; Brown, Milly; Howard, Jacquelyn; MacLean, Heather; Ivey, Donna
Subject: RE: For Approval: BCRD -CETA
Although the Association of Seafood Producers has expressed the need to protect the tariff reductions achieved through CETA, even at the expense of the Fisheries Investment Fund, individual processors have approached the Provincial Government in recent months noting their need to access the fund to adapt to resource shifts that appear imminent.

QUICK FACTS
- Premier Davis and Minister Granter emphasized the importance of the Fisheries Investment Fund to the future success of the provincial seafood sector and the provincial economy today.
- The Fisheries Investment Fund includes five pillars of investment - research and development, new marketing initiatives, fisheries research, enhancements to provincial fisheries infrastructure, and workforce adjustment.
- More than 270 research and development projects have been made possible through the Fisheries Technology and New Opportunities Program that was created by the Provincial Government in 2007.
- The Provincial Government created the Centre for Fisheries Ecosystems Research within the Marine Institute in 2010 to provide unprecedented insights into trends involving provincial fish resources and marine environments.
- The Fisheries Research Program has supported 50 research partnerships with industry and academic groups.
- In 2013 the provincial seafood sector generated $1.1 billion in production value, and provided employment for more than 18,000 people, mainly in rural parts of the province.

- 30 -

Media contacts:
Heather MacLean
Director of Communications
Office of the Premier
709 729 3581
heathermaclean@gov.nl.ca

Donna Ivey
Special Assistant, Communications
Office of the Premier
709 729 3551
donnaivey@gov.nl.ca

Jason Card
Director of Communications
Department of Fisheries and Aquaculture
709-729-3733, 699-0470
jasoncard@gov.nl.ca

2015 01 26

From: Mundon, Tansy
Sent: Monday, January 26, 2015 8:55 AM
To: MacLean, Heather; Howard, Jacquelyn; Ivey, Donna; Releases, News
Cc: Guest, Kevin J; Timmins, Emily; Collins, Chrysta; Collingwood, Jennifer; Brown, Milly; Card, Jason
Subject: RE: For Approval: B TC RD - C ETA

Will do, thanks.
From: MacLean, Heather  
Sent: Monday, January 26, 2015 8:55 AM  
To: Mundon, Tansy; Howard, Jacquelyn; Ivey, Donna; Releases, News  
Cc: Guest, Kevin J; Timmins, Emily; Collins, Chrysta; Collingwood, Jennifer; Brown, Milly; Card, Jason  
Subject: RE: For Approval: BTCRD -CETA

Tansy – can you advise comms branch when you have reviewed FA release... and confirm Min King has reviewed

Heather MacLean  
Director of Communications  
Office of the Premier  
Government of Newfoundland and Labrador  
D: 729-3581  C: (709) 697-4137  
P: heathermaclean@gov.nl.ca

From: Mundon, Tansy  
Sent: Monday, January 26, 2015 8:52 AM  
To: Howard, Jacquelyn; MacLean, Heather; Ivey, Donna; Releases, News  
Cc: Guest, Kevin J; Timmins, Emily; Collins, Chrysta; Collingwood, Jennifer; Brown, Milly; Card, Jason  
Subject: Re: For Approval: BTCRD -CETA

Jacquelyn,  
Can you please send me Jason's release before it is issued? Thanks.

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Howard, Jacquelyn  
Sent: Monday, January 26, 2015 8:47 AM  
To: MacLean, Heather; Ivey, Donna; Releases, News  
Cc: Mundon, Tansy; Guest, Kevin J; Timmins, Emily; Collins, Chrysta; Collingwood, Jennifer; Brown, Milly; Card, Jason  
Subject: Re: For Approval: BTCRD -CETA

Thanks Heather. Do you want this and the fisheries related ceta news release issued together?  
Communications  
Executive Council  
Government of Newfoundland and Labrador  
P.O.Box 8700  
St.John's, NL  
Canada  
A1B 4J6

From: MacLean, Heather  
Sent: Monday, January 26, 2015 08:45 AM  
To: Howard, Jacquelyn; Ivey, Donna; Releases, News  
Cc: Mundon, Tansy; Guest, Kevin J; Timmins, Emily; Collins, Chrysta; Collingwood, Jennifer; Brown, Milly; Card, Jason  
Subject: RE: For Approval: BTCRD -CETA

approved

Heather MacLean  
Director of Communications  
Office of the Premier  
Government of Newfoundland and Labrador
From: Howard, Jacquelyn
Sent: Sunday, January 25, 2015 2:18 PM
To: MacLean, Heather; Ivey, Donna; Releases, News
Cc: Munden, Tansy; Guest, Kevin J; Timmins, Emily; Collins, Chrysta; Collingwood, Jennifer; Brown, Milly; Card, Jason
Subject: For Approval: BTCRD -CETA

Heather below and attached is CETA related news release for approval, to be issued tomorrow (Monday).
Thanks, Jacquelyn

Sent from my iPad

Begin forwarded message:

From: "Munden, Tansy" <TansyMunden@gov.nl.ca>
Date: January 25, 2015 at 1:39:15 PM GMT-3:30
To: "Releases, News" <news@gov.nl.ca>, "Brown, Milly" <MillyBrown@gov.nl.ca>, "Howard, Jacquelyn" <jaquelynhoward@gov.nl.ca>, "Collingwood, Jennifer" <JenniferCollingwood@gov.nl.ca>
Cc: "Timmins, Emily" <EmilyTimmins@gov.nl.ca>, "Collins, Chrysta" <ChrystaCollins@gov.nl.ca>
Subject: Revised

Municipal and Intergovernmental Affairs
Business, Tourism, Culture and Rural Development
January 26, 2015
Standing Strong for Newfoundland and Labrador
Province Calls on Federal Government to Honour its Commitment on Fisheries Investment Fund
The Honourable Keith Hutchings, Minister of Municipal and Intergovernmental Affairs, and the Honourable Darin King, Minister of Business, Tourism, Culture and Rural Development, are again calling on the Honourable Ed Fast, the federal minister of International Trade, to make good on his commitment on the fisheries investment fund that he negotiated with the Provincial Government. Minister Fast was quoted in a media article last week while in Rome advising of his intentions to resolve the ongoing dispute with the province. Despite the fact that he has been asked to meet or correspond with the province on his negotiated agreement, this is the first time he has made any public comment on the fisheries investment fund since 2013.
“Minister Fast was the Federal Government representative who negotiated and confirmed the fisheries investment fund, yet he has refrained from any public comments on this important issue until last week. After months of silence, he referenced the fund as a ‘slush fund,’ which is offensive to the people of the province. The Federal Government had designated the Atlantic Canada Opportunities Agency as the administrator of the fisheries fund. Minister Fast is now not only changing his position on a deal reached between both levels of government, but he is misleading the public by stating that ‘we are going to resolve it by continuing to dialogue with the Government of Newfoundland and Labrador’ and that ‘we will continue to reach out to them.’ The reality is that Minister Fast has not responded to the letters, he has ignored the province in his capacity as trade minister, has refused to visit the province, and neither he nor his officials have reached out in any way to operationalize this agreed upon fund.”
- The Honourable Keith Hutchings, Minister of Municipal and Intergovernmental Affairs
The Provincial Government wrote Minister Fast on January 6, 2015 to reiterate the province’s position and to advise of its decision to suspend its participation in all trade agreements currently under negotiations by the Federal Government pending the successful resolution of this matter. “Our government is supportive of the CETA agreement and the benefits our province would receive if the deal is ratified. However, we fully expect the Federal Government to live up to its agreement with Newfoundland and Labrador. Our government’s decision to suspend our participation in trade negotiations is a measure intended to shield the province from the Federal Government extracting concessions in areas of provincial jurisdiction without the province’s consent. Despite what is being suggested by Minister Fast, should the province decide to withdraw its support from CETA and pull our concessions off the table, we would still receive all of the benefits of the CETA agreement, once ratified between Canada and the EU. This government is still very much in favour of enhancing trade opportunities for the benefit of all economic sectors of the province.”

-The Honourable Darin King, Minister of Business, Tourism, Culture and Rural Development

The province’s decision to suspend participation in the negotiation of trade agreements will not, in any way, prevent Newfoundland and Labrador from benefiting from these agreements once they are negotiated and ratified. While international trade falls within the exclusive jurisdiction of the Federal Government, provinces and territories cannot be excluded from the benefits of trade agreements, on a jurisdiction by jurisdiction basis.

QUICK FACTS
The Provincial Government takes offence to Minister Fast’s recent comments which reference the fisheries fund as a ‘slush fund.’ Following months of silence, Minister Fast has not responded to letters from the province, has ignored the province in his capacity as trade minister, has refused to visit the province, and neither he nor his officials have reached out in any way to operationalize the agreed upon fund.

The province’s decision to suspend participation in the negotiation of trade agreements will not, in any way, prevent Newfoundland and Labrador from benefiting from these agreements once they are negotiated and ratified.

The Government of Newfoundland and Labrador negotiated an agreement with the Government of Canada to create a $400 million cost-shared fisheries investment fund, which was to be used for industry development and renewal. The agreement was reached as part of Canada-European Union Comprehensive Economic and Trade Agreement (CETA) negotiations in the spring of 2013 and was officially announced in October 2013.

In recent months, the Federal Government unilaterally changed the terms of the agreement. New terms introduced by the Federal Government would result in the province having to demonstrate damages as a result of eliminating minimum processing requirements before any funding would flow. The Provincial Government has communicated to the Federal Government that the new terms are not acceptable and that it fully expects them to live up to the agreement as originally negotiated.

- 30 -

Media contacts:
Kevin Guest
Director of Communications
Department of Municipal and Intergovernmental Affairs
709-729-1983, 730-2320
kevin.guest@gov.nl.ca

Tansy Munden
Director of Communications
Department of Business, Tourism, Culture and Rural Development
Sent from my BlackBerry 10 smartphone on the Bell network.
From: Joy, Carla
Sent: Wednesday, January 28, 2015 08:35 AM
To: O'Reilly, Alastair
Subject: FW: Meeting Request

FYI

Best Regards,

Carla Joy
Administrative Assistant to Deputy Minister
Business, Tourism, Culture & Rural Development
2nd Floor, West Block
Confederation Building
St. John’s, NL A1B 4J6
Tel: 709.729.4732

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From: Caroline.Bourget@international.gc.ca [mailto:Caroline.Bourget@international.gc.ca]
Sent: Tuesday, January 27, 2015 5:24 PM
To: Joy, Carla
Cc: Linda.Lavergne@international.gc.ca
Subject: RE: Meeting Request

Merci Linda,
Carla, unfortunately Minister Fast is travelling Wednesday through to Friday.

Our apologies.
Thank you
From: Lavergne, Linda -DMT  
Sent: 27 janvier 2015 15:39  
To: 'Joy, Carla'; Bourget, Caroline -MINT  
Subject: RE: Meeting Request

Hi Carla,

The meeting request below has been forwarded to my colleague in Minister Fast’s office, Caroline Bourget (copied herewith), for their consideration.

Regards,

Linda Lavergne  
Office of the Deputy Minister of International Trade / Cabinet de la Sous-ministre du Commerce international  
Foreign Affairs, Trade and Development Canada / Affaires étrangères, Commerce et Développement Canada  
343-203-6969

From: Joy, Carla [mailto:CarlaJoy@gov.nl.ca]  
Sent: January 27, 2015 2:31 PM  
To: Lavergne, Linda -DMT  
Subject: FW: Meeting Request

Hi Linda,

Please see email below sent by Alastair O’Rielly to Ms. Hogan earlier today. Please respond acknowledging receipt of this email.

Best Regards,

Carla Joy  
Administrative Assistant to Deputy Minister  
Business, Tourism, Culture & Rural Development  
2nd Floor, West Block  
Confederation Building  
St. John’s, NL A1B 4J6  
Tel: 709.729.4732
From: O'Rielly, Alastair
Sent: Tuesday, January 27, 2015 01:47 PM
To: Christine.hogan@international.gc.ca <Christine.hogan@international.gc.ca>
Subject: Meeting Request

Good day Ms. Hogan,

Congratulations on your appointment as Deputy Minister for International Trade.

My purpose in this correspondence is to request a meeting on behalf of Premier Paul Davis with Minister Ed Fast on Thursday or Friday this week. As you will be aware, Premier Davis is in Ottawa to attend the Council of the Federation meetings and wishes to discuss the Fisheries Transition Fund associated with the CETA and other related trade matters. The Premier's preferred availability is to meet on Thursday, January 29th during the period 5:00-7:00 PM or on Friday, January 30th, from 3:30-4:30 PM. The Premier has some flexibility to meet earlier on Thursday or late Wednesday if the suggested times are not available.

Please confirm receipt of this e-mail when possible and advise if a meeting is possible. My cell number is 709-727-3290 if you wish to discuss.

Alastair

Alastair O'Rielly
Deputy Minister
Business, Tourism, Culture, Rural Development

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From: Kent, Steve  
Sent: Monday, February 09, 2015 4:35 PM  
To: King, Darin  
Subject: Fw: This Weeks Speaker  
Importance: High

FYI

STEVE KENT, M.H.A.  
District of Mount Pearl North  
Deputy Premier  
Minister of Health and Community Services  
Minister Responsible for the Office of Public Engagement  
Government of Newfoundland and Labrador  
tel +1.709.729.3124  
fax +1.709.364.1639  
1st floor, West Block, Confederation Building  
PO Box 8700, St. John's, NL A1B 4J6 Canada  

From: Alexander Roche <sandyaroche@bellaliant.net>  
Sent: Monday, February 9, 2015 4:28 PM  
To: Kent, Steve; O'Brien, Blair; LeDrew, Bob; Parsons, Bob; Edison, Dave; Rowsell, Dennis; Manstan, Doug; Howell, Earl; Humby, Barry; Morgan, Jane; Marples, Stuart; Menchenton, Bruce; Reid, Scott; TILLER, Rick; Tobin, Trudy; Wells, Sid; Roche, Sandy; Squires, Max; Stoyles, Bill; Stoyles, Luke; Constantine, Robert; Ward, Darcy  
Subject: This Weeks Speaker

This Wednesday our guest speaker will be Alastair O'Reilly , Deputy Minister , Innovation, Business and Rural Development and formerly Deputy Minister Fisheries and Aquaculture. Alastair has agreed to speak on what is currently a very hot topic...the CETA related $400 million Fisheries Investment Fund Agreement / no Agreement controversy between the Province and Ottawa. He will most certainly bring us some new insights into this topical issue. Alastair has taken time out of a busy schedule to address us so let's show our appreciation by having really good attendance on Wednesday. I plan to attend with one or two other Rotarians I know from other clubs. Others of you may want to do the same. Could each of you let me know by tomorrow morning if you will be attending and if you think you may be bringing a guest?

Thanks
From: Halliday, Janice  
Sent: Wednesday, March 11, 2015 3:37 PM  
To: King, Darin; O'Rielly, Alastair; Genge, Daryl; Loder, Jeff  
Subject: HP TRIM EXECUTIVE CORRESPONDENCE : COR/00811/2015 : Minister Granter requesting meeting with Hon. Rob Moore to discuss Fisheries Investment Fund (FIF) (CETA)  
Attachments: Email_Fisheries Investment Fund.html; SKMBT_C65215031113260.pdf  

FYI

-------< HP TRIM Record Information >-------

Record Number: COR/00811/2015  
Title: Minister Granter requesting meeting with Hon. Rob Moore to discuss Fisheries Investment Fund (FIF) (CETA)
Please see attached letter from Honourable Vaughn Granter, Minister of Fisheries and Aquaculture, regarding the Fisheries Investment Fund. Copy to follow by mail.

Regards,

Brenda Halfyard

Clerk Typist III

(Planning Services)

Department of Fisheries and Aquaculture

Petten Building

30 Strawberry Marsh Road

St. John's, NL A1B 4J6

Phone: 709-729-3712
MAR 1 1 2015

The Honourable Rob Moore
Minister responsible for Newfoundland and Labrador
Room 418, Justice Building
House of Commons
Ottawa, ON K1A 0A6

Dear Minister Moore:

I am writing to request a meeting to discuss the $400 million federal/provincial cost-shared Fisheries Investment Fund (FIF). The Government of Newfoundland and Labrador remains committed to establishing a fund to address industry development and renewal, as well as worker displacement. The commitments made by the province and the federal government regarding the FIF and the Canada-European Union Comprehensive Economic and Trade Agreement (CETA) are important to ensure the implementation of CETA, therefore, I believe it would be beneficial to engage in a further dialogue.

I am available to meet at your convenience, either in St. John’s or in Ottawa, with a goal to seeking resolution of outstanding issues and moving the file forward.

Sincerely,

[Signature]

VAUGHN GRANTER, MHA
Humber West
Minister

c: Honourable Keith Hutchings
Minister of Municipal and Intergovernmental Affairs

Honourable Darin King
Minister of Business, Tourism, Culture and Rural Development