April 16, 2015

Dear Applicant:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: FA/05/2015]

On February 16, 2015, the Department of Fisheries and Aquaculture received your request for access to the following records:

I am requesting any emails 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.

Your request was further refined on to the following on March 18, 2015:

I am requesting any emails or recorded conversations from Minister(s) and Executive Assistants for the time frame of April 2013 to October 18, 2013 with respect to the Fisheries Investment Fund.

I am pleased to inform you that your request for access to these records has been granted. In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Please be advised that responsive records will be published following a 72-hour period after the response is sent electronically to you or 5 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 1 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 ATIPP Coordinator, Ms. Wanda Wiseman, at (709) 729-3712.

Sincerely,

David Lewis
Deputy Minister (A)

Enclosure
Dalley, Derrick

From: Dalley, Derrick
Sent: Wednesday, May 29, 2013 4:43 PM
To: O'Rielly, Alastair
Subject: Re: Letter

Good
Department of Fisheries & Aquaculture
Government of Newfoundland and Labrador
P.O. Box 8700
St. John's, NL
Canada
A1B 4J6

From: O'Rielly, Alastair
Sent: Wednesday, May 29, 2013 04:20 PM Newfoundland Standard Time
To: Hutchings, Keith; Dalley, Derrick; Thompson, Robert; Taylor, Brian W.; Lewis, David B.; Loder, Jeff
Subject: Fw: Letter

See revised draft,

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: Power, Jacqueline
Sent: Wednesday, May 29, 2013 04:16 PM Newfoundland Standard Time
To: Power, Jacqueline; O'Rielly, Alastair
Subject: Letter

May 29, 2013

Honourable Edward Fast, Minister for International Trade and
Minister for the Asia-Pacific Gateway
House of Commons, East Block
Ottawa, Ontario K1A 0A6
Dear Minister Fast:

This responds to your letter of May 28, 2013 and to inform you of the Government of Newfoundland and Labrador’s final position regarding the Canada-European Union negotiation towards a Comprehensive Economic and Trade Agreement (CETA). As we articulated in an April 23, 2013 letter to your Chief negotiator, in return for timely tariff elimination on the fish and seafood lines of importance to Newfoundland and Labrador, without end-use restrictions, Government is prepared to substantially expand its offers on government procurement and services/investment reservations. The specifics outlined in that letter represent the minimum acceptable outcomes for which we would be willing to execute these procurement and reservations offers. If the tariff offer is not improved, the procurement offer cannot stay ‘on the table.’

It continues to concern me that the Federal Government continues to attach the matter of the provincial minimum processing requirements (MPRs) to tariff elimination and other trades. You are correct that 90 per cent of all MPR exemption requests are approved, but it is important to also understand that virtually all inshore landings are processed to meet MPRs, with very few exemptions. That same inshore sector employs 95 per cent of the people who work in harvesting and processing in this province. As you can see, any diminution of MPRs could impact the majority of the workforce and the communities in which they work. Notwithstanding this, and as I articulated in my letter of May 24, 2013, the Provincial Government remains willing to consider an exemption from MPRs for the European Union (EU), in return for which this government would expect an appropriate response.

It is imperative that a memorandum of understanding regarding over the wharf and over the side sales be concluded. As I have noted on previous occasions, it is critical that this government have a meaningful voice in the decisions regarding access to raw materials by foreign fishing vessels.

In our meeting on May 20, 2013, we discussed the importance of measures necessary to justify such a fundamental change in provincial policy, including an industry transition fund. In your letter of May 28, 2013, you characterize opportunities for the fishing industry as a result of the CETA as ‘transformational.’ We would expect the Government of Canada would allow for a fund to help realize this potential; however, such a fund must not be limited to worker adjustment. It must be broadened to include the suite of measures as outlined in my May 24, 2013 correspondence to you. It should sustain the programs necessary to ensure that the industry is positioned to fully avail of opportunities emerging from the deal and that anyone displaced as a result can be assisted. Accordingly, we will accept your offer of $400 million, but not for its limited application to worker displacement and not as a cost-shared fund. The Government of Newfoundland and Labrador is not prepared to cost-share a fund that should offset the effects of this move. The enormity of this policy change and its implications for this government and the people of the province should not be underestimated.

Finally, we do not accept your separation of our May 24, 2013 request regarding search and rescue from the CETA negotiation. The greater majority of maritime search and rescue responses involve fishing industry participants, more than any other group, including offshore oil and gas exploration or development. We cannot disassociate the importance of search and rescue capacity from the future success of the fishing industry and we fully expect your commitment to pursue an improvement in search and rescue, from among the options outlined in my letter. There can be no discussion with the people of the province about the transformation of the fishing industry that does not include a commitment to the health and safety of the people who make it their livelihood.

As governments, we share the responsibility to respect and protect the interests of our citizens. As you know, discussions in recent days are generating significant public debate and apprehension among industry participants. The consideration we expect for this change in policy is a proportional response for the Government of Canada.

We are committed to making this final effort to achieve the best deal for Newfoundland and Labrador. It will allow us to conclude an agreement with the EU that will benefit the entire country.

Sincerely,
I have some changes

Hi Minister,

You can find a draft of your speech below (and attached). Feel free to send feedback any time.

Speaking Notes
Hon. Keith Hutchings

What: Announcement of CETA Benefits for Newfoundland and Labrador
Where: Confederation Building, St. John’s, NL
When: October 17, 2013

Thank you Minister Johnson. Hello everyone. It is a great pleasure to be here today to discuss the details of an international trade agreement that will begin a new era of opportunity for the provincial fishing and aquaculture industry.

Achieving duty free access to European markets for our provincial seafood products will create tremendous benefits for the provincial fishing and aquaculture industry, and the rural communities that rely upon it.

The European Union is the world’s most lucrative market for fish and seafood products. For years, our fishing industry has been at a competitive disadvantage in this market because of tariffs placed on our fish and seafood that ranged from 8 to 20%. As a specific
example, the tariff one of the province’s most lucrative products – cooked and peeled shrimp, was 20%.

The Provincial Government pressed our Federal counterparts to eliminate these economic barriers in the course of trade negotiations, and our efforts helped create terms that will immediately add an estimated $25 million back into the fishing industry through immediate tariff relief, and establish new opportunities that could add over $100 million to the industry.

With respect to tariff lines that are important to the Province, 99.1% of European Union fish and seafood tariff lines will be eliminated as soon as the agreement comes into force, which is anticipated in 2015. Other tariffs will be eliminated over a maximum of seven years.

In addition to achieving tariff relief, CETA will eliminate end use restrictions on provincial seafood products in the European Union, and will also finally create the opportunity for provincial exporters to engage in marketing that differentiates our high quality products in European markets.

In short, through CETA we have achieved unprecedented access to a new market that has so much economic potential, we fully expect this agreement will cause fishing and aquaculture to exceed the $1 billion in production value it already generates annually.

A natural question that arises from discussion of these tremendous gains is “What did we have to negotiate to achieve these benefits for the province?”
In order to achieve unfettered access to EU markets, the Provincial Government agreed to grant minimum processing requirement exemptions for fish and seafood destined to the European Union.

The Provincial Government has enforced minimum processing requirements to ensure fish harvested on our shores will support processing activity. Exemptions have only granted when the people of the province would benefit, and this is one of those occasions.

Exemptions will not take effect right away. They will begin three years after CETA comes into force, which at present projects to be 2018.

The Provincial Government consulted with stakeholders in the fishing industry regularly on this matter, and met with seafood industry stakeholders to obtain input during the CETA negotiations.

Industry stakeholders have stated their support for the arrangements that have been made regarding MPRs, and are enthusiastic about the economic benefits that tariff relief will bring to the fishery.

I want to note that minimum processing requirements will remain in force for all other jurisdictions, with the Provincial Government reserving the right to make exemptions when those exemptions make sense.
We see this as part of being good economic stewards for the province, just as we were good stewards when we advocated long and hard over a period of years to achieve the favorable terms we see today in CETA.

I will conclude by saying as Minister of Fisheries and Aquaculture, and as an MHA who has many fishermen as constituents, that it gives me great pride to be part of one the most positive developments for the fishing industry in decades.

Premier Dunderdale has shown great leadership and resilience when asserting the province’s best interests throughout this process, and she had the full support of her vigilant and dedicated Cabinet.

What has been achieved today is reflective of the efforts of a government that is dedicated to comprehensive, long-term thinking that results in enduring prosperity for current and future generations of Newfoundlanders.

I want to thank the Premier, my colleagues, the fishing industry leaders, and the public servants who came together to turn years of effort into a tremendously successful outcome for the province.

Together we have created a new playing field for the industry – one that holds the potential for unprecedented economic success. I will now turn the proceedings back to Minister Johnson.