



**CANADIAN FEDERATION
OF INDEPENDENT BUSINESS.**

1888 Brunswick Street, Suite 819
Halifax, Nova Scotia B3J 3J8

April 6, 2016

The Honourable Keith Colwell
Minister of Fisheries and Aquaculture
World Trade and Convention Centre
1800 Argyle Street, Suite 607
Halifax, NS B3J 2R5

Re: Lobster Handling Course

Dear Minister Colwell,

As you know, the Canadian Federation of Independent Business (CFIB) is a non-partisan, not-for-profit political action organization representing the interests of over 5,200 small- and medium-sized enterprises in Nova Scotia. We have recently received feedback from a large number of concerned members throughout Nova Scotia regarding a potential new lobster handling course for lobster buyers and processors. CFIB is concerned about what amounts to the imposition of a new regulatory requirement and cost and its potential impact on our lobster industry.

Everyone in the lobster industry has a vested interest in ensuring the highest quality lobsters come from Nova Scotia. However, market forces will dictate the importance of quality control in the lobster industry. The vast majority of lobster fishermen, buyers, and producers are already engaged in stringent quality control efforts to deliver the best possible product to local and global markets.

CFIB and many of our members within the lobster industry are concerned that no previous consultation was conducted in advance of adopting an additional regulatory requirement for lobster handling. Policies and regulation must be developed in consultation with the people being impacted. CFIB strongly believes the proposed requirement for an additional lobster handling training course is contradictory to the efforts led by the new Office of Regulatory Affairs and Service Effectiveness and the enabling legislation, the *Regulatory Accountability and Reporting Act*.

The additional cost of implementing a mandatory lobster handling course, in its proposed form, is a problem for many buyers and processors. The proposed course would do little to address the quality issues that have been identified by the province and the industry. There is widespread agreement the imposition of this course would be costly and ineffective.

Your Premiers' *Charter of Governing Principles for Regulation* clearly outlines in its *Statement of Fundamental Intent on Regulation*;

The Government will regulate to achieve its policy objectives only having demonstrated that satisfactory outcomes cannot be achieved by alternative self-regulatory or non-regulatory approaches; where analysis of the costs and benefits demonstrates that the regulatory approach is superior by a clear margin to alternative, self-regulatory or non-regulatory approaches; where the regulation and the enforcement framework can be implemented in a fashion which is demonstrably proportionate, accountable, consistent, accessible, targeted and predictable.

By tying the mandatory imposition of this course to license renewal your department has circumvented not only the spirit but also the letter of the Charter by imposing a new regulatory requirement. Additionally, we also see no evidence of a cost/benefit analysis undertaken before this measure was brought forward.

Given the rural nature of the lobster industry, voluntary on-line quality control seminars (webinars) would be a reasonable alternative. We strongly believe participation should not be tied to licence renewal until such time as this measure is properly aligned with the principles put forward in your own government's legislation on regulation.

CFIB respectfully asks you to re-assess your department's imposition of a mandatory lobster handling course and halt its implementation immediately. We also ask you to consult with the producers and buyers on what measures the province can do to support them in helping ensure the quality of Nova Scotian lobster remains the best in the world.

I would be happy to meet with you for further discussion.

Sincerely,

A handwritten signature in black ink that reads "Nicholas Langley". The signature is written in a cursive, flowing style.

Nick Langley
Director of Provincial Affairs, Nova Scotia

c: Hon. Sterling Belliveau, Queens- Shelburne
Hon. Zach Churchill, MLA Yarmouth
Hon. Chris d'Entremont, MLA Argyle-Barrington
Mr. Gordon Wilson, MLA Clare-Digby
Mr. Fred Crooks, Chief Regulatory Officer