

Gouvernement du Québec

O.C. 1014-2025, 13 August 2025

Regulation respecting apprentice fisherman's, fisherman's helper's and fisherman's certificates

WHEREAS, under the first paragraph of section 14 of the Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec (chapter B-7.1), the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec (the certification board) makes regulations determining the criteria for the issue of a fisherman's or fisherman's helper's certificate and the fees payable, determining the professional training required to qualify for a certificate, including apprenticeship at sea, and equivalent qualifications, including experience, determining the criteria for the issue of an apprentice fisherman's certificate and the fees payable, and concerning the issue, content and updating of the fisherman's booklet, the fisherman's helper's booklet and the apprentice fisherman's booklet;

WHEREAS, under subparagraphs 1, 1.1 and 3 of the second paragraph of section 14 of the Act, the certification board may make regulations determining the obligations of certificate holders and the information and documents they must send to the certification board or keep, the obligations of certificate holders as regards continuing education, and the cases in which certain persons may be exempted from the application of all or part of the regulations under that section, subject to any conditions provided;

WHEREAS, under section 22 of the Act, the certification board must finance its activities and it may, by regulation, prescribe the payment of annual fees by the certificate holders, and the payment of fees for the examination of an application or for any other act performed by the certification board;

WHEREAS the certification board made the Regulation respecting apprentice fisherman's, fisherman's helper's and fisherman's certificates on 17 July 2025;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 15.1 of the Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec, a draft Regulation respecting apprentice fisherman's, fisherman's helper's and fisherman's certificates was published in Part 2 of the *Gazette officielle du Québec* of 5 March 2025 with a notice that it could be approved by the Government on the expiry of 45 days following that publication;

WHEREAS, under the first paragraph of section 15 of the Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec, regulations of the certification board under subparagraph 2 of the first paragraph and subparagraphs 1.1 and 3 of the second paragraph of section 14 of the Act are subject to the approval of and may be amended by the Government;

WHEREAS it is expedient to approve without amendment the Regulation respecting apprentice fisherman's, fisherman's helper's and fisherman's certificates, made under subparagraph 2 of the first paragraph and subparagraphs 1.1 and 3 of the second paragraph of section 14 of the Act and attached to this Order in Council;

IT IS ORDERED, therefore, on the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation respecting apprentice fisherman's, fisherman's helper's and fisherman's certificates, made under subparagraph 2 of the first paragraph and subparagraphs 1.1 and 3 of the second paragraph of section 14 of the Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec and attached to this Order in Council, be approved.

DAVID BAHAN

Clerk of the Conseil exécutif

Regulation respecting apprentice fisherman's, fisherman's helper's and fisherman's certificates

Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec
(chapter B-7.1, s. 14, 1st par., subpars. 1 to 4, 2nd par., subpars. 1, 1.1 and 3, and s. 22).

DIVISION I SCOPE

1. This Regulation applies to the issue and maintenance of certificates attesting to the qualification to carry on the trade of fisherman, fisherman's helper or apprentice fisherman of a tidal water species, other than in relation to the fishing for anadromous and catadromous species.

DIVISION II CRITERIA FOR ISSUE

2. To be eligible for the issue of an apprentice fisherman's certificate, applicants must comply with all of the following conditions:

(1) meet any of the following requirements:

(a) hold a vocational training diploma;

(b) be at least 16 years of age and have earned the number of credits allotted by the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8) for the learning of the following subjects:

i. French or English, Secondary III language of instruction;

ii. English or French, Secondary III second language;

iii. Secondary III mathematics;

(c) be at least 16 years of age and have successfully completed training equivalent to that listed in subparagraph *a* or *b*;

(2) have successfully completed courses specific to the following subjects:

(a) domestic vessel safety (DVS), of a minimum duration of 26 hours;

(b) basic first aid and cardiopulmonary resuscitation (CPR), of a minimum duration of 35 hours.

3. To be eligible for the issue of a fisherman's helper's certificate, applicants must comply with all of the following conditions:

(1) meet any of the following requirements:

(a) hold a vocational training diploma;

(b) be at least 18 years of age and have earned the number of credits allotted by the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8) for the learning of the following subjects:

i. French or English, Secondary III language of instruction;

ii. English or French, Secondary III second language;

iii. Secondary III mathematics;

(c) be at least 18 years of age and have successfully completed training equivalent to that listed in subparagraph *a* or *b*;

(2) have successfully completed courses specific to the following subjects:

(a) the subjects referred to in paragraph 2° of section 2;

(b) the maritime mobile service and the common, distress and safety communication procedures of the global maritime distress and safety system (ROC MC), of a minimum duration of 24 hours;

(c) shipping safety in accordance with the Collision Regulations (C.R.C., c. 1416), of a minimum duration of 75 hours;

(d) the preparation of a fishing trip, including the choice of the fishing ground, the determination of a route plan, meteorological interpretation and the determination of the equipment needs, of a minimum duration of 30 hours;

(e) the operation of fishing gear, including lines, repair and modification of the fishing gear and manoeuvring the vessel during the use of the gear, of a minimum duration of 50 hours;

(f) the development of the skills of crew members on fishing vessels, of a minimum duration of 60 hours;

(3) have participated full-time in 1 commercial fishing season in the 3 years preceding the application for a certificate.

In this Regulation, a "commercial fishing season" is equivalent to 8 weeks of commercial fishing activities in one year, conducted aboard an active commercial fishing vessel, in tidal waters.

4. To be eligible for the issue of a fisherman's certificate, applicants must comply with all of the following conditions:

(1) meet any of the following requirements:

(a) hold a vocational training diploma in professional fishing or have successfully completed an equivalent training;

(b) hold a certificate of master of a fishing vessel, fourth class, issued in accordance with the Marine Personnel Regulations (SOR/2007-115);

(c) have participated full-time in 2 consecutive commercial fishing seasons and have earned the number of credits allotted by the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8) for the learning of the following subjects:

i. French or English, Secondary III language of instruction;

ii. English or French, Secondary III second language;

iii. Secondary III mathematics;

(d) have successfully completed training equivalent to that listed in subparagraph *b* and have participated full-time in 2 consecutive commercial fishing seasons;

(2) have successfully completed all the courses specific to the following subjects:

(a) the subjects referred to in subparagraph 2° of the first paragraph of section 3;

(b) the operation of a small vessel other than a pleasure craft in sheltered waters or close to the shore and in normal navigation conditions, in particular in darkness and in reduced visibility, including basic knowledge on the risks associated with the marine environment and the vessel and on the means to prevent incidents on board, and additional knowledge on navigation aids and seamanship, of a minimum duration of 30 hours;

(c) the construction and stability of the vessel, including the assessment of the seaworthiness of the vessel, the calculation of the stability of the vessel and the corrective measures to be taken in case of instability, of a minimum duration of 60 hours;

(d) manoeuvring the fishing vessel, including port entries and equipment, docking, mooring and anchoring operations and the steering of the vessel in various weather conditions, of a minimum duration of 30 hours;

(3) have participated full-time in 2 commercial fishing seasons in the 3 years preceding the application for a certificate.

DIVISION III **APPLICATION FOR A CERTIFICATE**

5. An application for a certificate must be submitted on the form provided for that purpose.

The form contains in particular the following information:

(1) the applicant's name;

(2) the address of the applicant's domicile;

(3) the category of the certificate applied for;

(4) the applicant's date of birth.

6. The following documents must be attached to the application:

(1) a recent photograph of the applicant;

(2) any document attesting to the training or diplomas required to hold the certificate applied for such as a diploma, certificate, transcript or attestation of the successful completion of training or an examination;

(3) a declaration signed by the applicant according to which the applicant has completed the required number of commercial fishing seasons to hold the certificate applied for specifying the number of weeks of fishing and the species fished.

DIVISION IV **CONTENT OF THE CERTIFICATE AND ISSUE OF THE BOOKLET**

7. A certificate contains in particular the following information:

(1) the holder's name;

(2) a photograph of the holder;

(3) the address of the holder's domicile;

(4) the category of the certificate;

(5) the date of issue of the certificate.

8. The certification board issues to the certificate holder a booklet containing the certificate and the following information:

(1) the total number of years of fishing carried out by the holder;

(2) the number of weeks in commercial fishing seasons carried out by the holder, except those carried out before 16 years of age;

(3) the list of each training course taken by the holder indicating the number of hours, the year in which it was taken and the name of the organization offering it;

(4) the calendar year for which it is valid.

- 9.** The fee for the replacement of a certificate is \$55.

DIVISION V **OBLIGATIONS OF CERTIFICATE HOLDERS**

- 10.** Certificate holders must have their booklets with them when carrying on their fishing activities.

They must allow the authority holding jurisdiction for applying the Fisheries Act (R.S.C., 1985, c. F-14) to verify their validity.

- 11.** Holders of a fisherman's helper's certificate must, during the 2 years following the date of issue of their certificate and every 2 years thereafter, participate full-time in 1 commercial fishing season, unless they demonstrate to the certification board that it was impossible to do so due to a moratorium on the commercial fishing of a species imposed by the Minister of Fisheries and Oceans Canada, an illness, an accident, or for any other reason deemed valid by the certification board.

They must, not later than 31 January each year, send to the certification board a declaration certifying that they complied with the first paragraph or that it was impossible to do so.

- 12.** Holders of a fisherman's certificate must, during the 3 years following the date of issue of their certificate and every 3 years thereafter, participate full-time in 2 consecutive commercial fishing seasons, unless they demonstrate to the certification board that it was impossible to do so due to a moratorium on the commercial fishing of a species imposed by the Minister of Fisheries and Oceans Canada, an illness, an accident, or for any other reason deemed valid by the certification board.

They must, not later than 31 January each year, send to the certification board a declaration certifying that they complied with the first paragraph or that it was impossible to do so.

- 13.** Holders of a fisherman's helper's or fisherman's certificate must, during the year following the date of issue of their certificate and every 3 years thereafter, update their knowledge and skills in cardiopulmonary resuscitation (CPR) by successfully completing a continuing training course on the subject, offered by a body recognized by the Commission des normes, de l'équité, de la santé et de la sécurité du travail under the Act respecting occupational health and safety (chapter S-2.1).

Certificate holders must, during the first year following the date of issue of their certificate and every 3 years thereafter, send to the certification board any document attesting that they successfully completed a training course referred to in the first paragraph.

- 14.** Certificate holders must update the information referred to in section 5 concerning them by sending to the certification board an annual updating declaration not later than 31 January each year.

The declaration must be accompanied by the payment of the annual fee of \$100 payable for the maintenance of their certificate and the updating of the booklet.

In the event of failure to comply with the time limit, a \$25 fee are charged to reopen the file.

- 15.** Certificate holders must inform the certification board within 30 days following any change concerning the information they provided under this Regulation or any change concerning their qualifications for fishing activities.

- 16.** The fees and costs provided for in this Regulation are adjusted according to the terms set out in Chapter VIII.1 of the Financial Administration Act (chapter A-6.001).

The Minister of Agriculture, Fisheries and Food publishes the result of the adjustment in Part 1 of the *Gazette officielle du Québec*.

DIVISION VI **TRANSITIONAL AND FINAL**

- 17.** A fisherman's helper's or fisherman's certificate issued under the Regulation respecting recognition of the professional qualification of fishers and assistant fishers (chapter B-7.1, r. 1) retains its full validity under this Regulation.

- 18.** An apprentice fisherman's certificate issued under the Regulation respecting recognition of the professional qualification of fishers and assistant fishers (chapter B-7.1, r. 1) retains its full validity under this Regulation, provided that the holder successfully completes, within 2 years after the coming into force of this Regulation, the courses specific to the following subjects:

(1) domestic vessel safety (DVS), of a minimum duration of 26 hours;

(2) basic first aid and cardiopulmonary resuscitation (CPR), of a minimum duration of 35 hours.

The holder of an apprentice fisher's certificate issued under the Regulation respecting recognition of the professional qualification of fishers and assistant fishers is exempt from the requirement to complete the courses provided for in the first paragraph if the holder meets all of the following conditions:

- (1) the certificate holder is 50 years of age or older on the date of coming into force of this Regulation;
- (2) the certificate holder participated full time in three commercial fishing seasons prior to that date;
- (3) in the two years following the coming into force of this Regulation, the certificate holder successfully completed the Marine Basic First Aid course for a minimum duration of 16 hours;
- (4) the certificate holder does not meet one of the minimum requirements set out in paragraph 1 of section 2.

19. Holders of a fisherman's helper's certificate issued under the Regulation respecting recognition of the professional qualification of fishers and assistant fishers (chapter B-7.1, r. 1) who, on the date of the coming into force of this Regulation, also hold a fishing licence become the holder of a fisherman's certificate valid under this Regulation, to the extent that they meet all of the following conditions:

- (1) the holder completed and sent to the certification board the form provided for that purpose before 31 January following the coming into force of this Regulation;
- (2) the holder paid the annual fee set out in section 14.

The term "fishing licence" means a licence issued under the Fisheries Act (R.S.C. 1985, c. F-14), except the fishing licence for seal, anadromous and catadromous species or species cultivated or raised exclusively for the purposes of aquaculture in tidal waters.

20. This Regulation replaces the Regulation respecting recognition of the professional qualification of fishers and assistant fishers (chapter B-7.1, r. 1).

21. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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