



General Purposes Committee

**Anderson Room, City Hall
6911 No. 3 Road**

**Monday, March 4, 2013
4:00 p.m.**

Pg. # ITEM

MINUTES

GP-3 *Motion to adopt the minutes of the meeting of the General Purposes Committee held on Monday, February 18, 2013.*



COMMUNITY SERVICES DEPARTMENT

1. **REQUEST FOR SUPPORT LETTER IN RELATION TO A PROPOSED INCREASE IN ‘PERSONS LIVING WITH DISABILITIES’ (PWD) BENEFITS**
(File Ref. No.) (REDMS No. 3802364 v.2)

GP-7

See Page **GP-7** for full report

Designated Speaker: Cathryn Volkering Carlile

STAFF RECOMMENDATION

That a letter be sent to the BC Premier in support of an increase in ‘Persons living With Disabilities’ (PWD) benefits to a minimum level of \$1200 per month.



Pg. # ITEM

LAW AND COMMUNITY SAFETY DEPARTMENT

2. **SHARK FINS**
(File Ref. No. 12-8000-04/2012) (REDMS No. 3589566 v.13)

GP-13

See Page **GP-13** for full report

Designated Speakers: May Leung & Glenn McLaughlin

STAFF RECOMMENDATION

That the staff report titled Shark Fins (dated February 22, 2013 from the General Manager, Law & Community Safety) be received for information.

ADJOURNMENT



General Purposes Committee

Date: Monday, February 18, 2013

Place: Anderson Room
Richmond City Hall

Present: Mayor Malcolm D. Brodie, Chair
Councillor Chak Au
Councillor Linda Barnes
Councillor Derek Dang
Councillor Evelina Halsey-Brandt
Councillor Ken Johnston
Councillor Bill McNulty
Councillor Linda McPhail
Councillor Harold Steves

Call to Order: The Chair called the meeting to order at 4:00 p.m.

MINUTES

It was moved and seconded

That the minutes of the meeting of the General Purposes Committee held on Tuesday, February 12, 2013, be adopted as circulated.

CARRIED

FINANCE AND CORPORATE SERVICES DEPARTMENT

1. **BIZLINK – RICHMOND'S BUSINESS DEVELOPMENT INITIATIVE**
(File Ref. No.) (REDMS No. 3785458 v4)

Neonila Lilova, Manager, Economic Development, provided background information, highlighting that BizLink is the City's first business development program. BizLink is comprised of four components: (i) an annual business development campaign; (ii) a cloud-based application that will manage Richmond business accounts; (iii) a business information and access portal; and (iv) a reporting, analysis, and performance measurement tool.

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Ms. Lilova then provided a demonstration of various features found on Richmond's business information and access portal: www.businessinrichmond.ca.

In reply to queries from Committee, Ms. Lilova provided the following information:

- staff anticipate launching the business and access portal by March 1, 2013;
- BizLink unifies different aspects of Richmond's economic development program;
- access to aggregated information generated on a dashboard is limited as some business data is confidential;
- features found on Richmond's business information and access portal may be of value to the Richmond Chamber of Commerce;
- staff will ensure that the City's customer services standards are met in relation to responding to business inquiries generated through the information and access portal;
- staff anticipate targeting large and small businesses from various industry sectors; and
- staff will report annually on BizLink's performance.

Discussion ensued regarding Richmond's office vacancy rate and it was noted that information regarding what the City's economic development office is doing to address the vacancy rate would be valuable.

It was moved and seconded

*That the staff report titled **BizLink – Richmond's Business Development Initiative, dated February 6, 2013, and presenting BizLink, Richmond's proactive business retention, expansion, attraction, partnership development and promotional initiative, be received for information.***

CARRIED

ENGINEERING & PUBLIC WORKS DEPARTMENT

2. **PROVINCIAL SALES TAX LEGISLATION IMPACTS TO ALEXANDRA DISTRICT ENERGY UTILITY COMPETITIVENESS**
(File Ref. No. 10-6600-10-01/2012) (REDMS No. 3792821 v5)

Robert Gonzalez, General Manager, Engineering & Public Works, provided background information, noting that the Province of British Columbia will revert back to the Provincial Sales Tax (PST) effective April 1, 2013.

2.

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This change in legislation will create an unequal playing field for energy providers as some energy providers like BC Hydro and FortisBC will receive exemptions and credits, while others like the City of Richmond will not. Staff recommend requesting the Province to implement the PST in a way that will ensure that all energy providers are treated equally.

In reply to queries from Committee, Mr. Gonzalez advised that (i) staff have had initial discussions with representatives of other district energy providers; and (ii) Richmond is unique in that it provides renewable geothermal energy.

Discussion ensued regarding submitting a resolution to the 2013 Union of British Columbia Municipalities convention.

It was moved and seconded

- (1) *That a letter be sent to the Premier of the province of British Columbia; the leader of the Official Opposition; the Minister of Finance; with copies to the Minister of Environment, three Richmond MLA's, Expert Panel on BC's Business Tax Competitiveness, UBCM and municipalities operating district energy systems, conveying that:*
 - (a) *the City of Richmond requests that the Provincial Sales Tax (PST) be implemented in a way that will ensure that all energy providers are treated equitably so that they may compete on the basis of their respective system efficiencies, technical merit and carbon emissions;*
 - (b) *this goal be achieved by including provisions in the future PST that will:*
 - (i) *provide for the exemption or the reimbursement of PST charges on energy (gas, electricity) purchased for the purpose of generating energy for resale;*
 - (ii) *make available the former exemption on Production Machinery and Equipment to equipment purchased by district energy systems;*
 - (iii) *maintain, as per the former PST regulation, the PST exemption on the sale of heat to residential district energy customers; and*
- (2) *That staff continue to work with other district energy providers and provincial government officials on measures that will mitigate negative PST impacts to the competitiveness of district energy systems.*

CARRIED

3.

General Purposes Committee
Monday, February 18, 2013

ADJOURNMENT

It was moved and seconded

That the meeting adjourn (4:37 p.m.).

CARRIED

Certified a true and correct copy of the Minutes of the meeting of the General Purposes Committee of the Council of the City of Richmond held on Monday, February 18, 2013.

Mayor Malcolm D. Brodie
Chair

Hanieh Berg
Committee Clerk



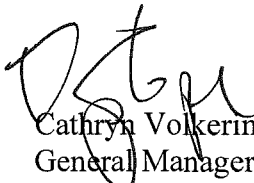
City of Richmond

Report to Committee

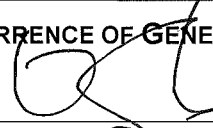
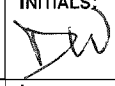

To: General Purposes Committee **Date:** February 12, 2013
From: Cathryn Volkering Carlile **File:**
General Manager, Community Services
Re: Request for support letter in relation to a proposed Increase in 'Persons
Living With Disabilities' (PWD) benefits.

Staff Recommendation

That a letter be sent to the BC Premier in support of an increase in 'Persons living With Disabilities' (PWD) benefits to a minimum level of \$1200 per month.


Cathryn Volkering Carlile
General Manager, Community Services
(604-276-4068)

Att. 1

REPORT CONCURRENCE	
CONCURRENCE OF GENERAL MANAGER 	
REVIEWED BY DIRECTORS	INITIALS: 
REVIEWED BY CAO	INITIALS: 

Staff Report

Origin

This report is in response to a request from Richmond Centre for Disability (RCD) (**Attachment 1**) that Council write a letter to the Government of British Columbia to request that there be an increase in 'Persons with Disabilities' (PWD) benefit.

Analysis

Over the last decade, the cost of living in British Columbia (BC) has steadily increased. However, BC's Persons with Disabilities (PWD) benefits, which are administered through the Ministry of Social Development, have not kept up with the cost of living. Since 2001, the PWD rate has increased by only \$120 per month with the rate for a single person now standing at a minimum of \$906 per month. The December 2010 Survey of Household Spending shows that the average household needs about \$1,400 per month to meet the cost of basic necessities. This includes an estimated cost of \$768 per month for rent, \$478 per month for food, \$76 per month for clothing and \$48 per month for basic communication. A single individual on PWD, receiving the minimum PWD rate, receives almost \$500 below the amount needed to cover the estimated cost of basic essentials. During the same time period the cost of basic essentials, such as food, clothing, transportation, health, personal care and shelter have increased by 17.2% with the cost of food alone having increased by nearly 25%.

Richmond Centre for Disability (RCD) is proposing that the PWD rate be increased to a minimum of \$1,200 per month. Through its advocacy the RCD is seeking to increase the ability of people who are receiving PWD benefits to better meet the living costs of living in British Columbia. They are also seeking to bring PWD assistance levels in line with those provided to low income seniors through the Federal Old Age Security/Guaranteed Income Supplement support.

The RCD notes that people with disabilities have ongoing disability related costs, such as non-prescription health or medical goods, user fees for various health care services, as well as costs for transportation and personal care. Often these costs are not covered by PWD benefits. Moreover, as housing costs continue to increase, and in the absence of a corresponding increase in shelter assistance, many living on PWD benefits are forced to make difficult choices in order to make ends meet. More detailed information is provided in **Attachment 1**.

To date, nine communities across BC have written letters to the Provincial Government stating their support for a raise in PWD benefits. It is recommended that a similar letter be sent by Richmond Council with the aim of reducing the gap between what people with disabilities need for basic essentials and what they receive.

Financial Impact

None

Conclusion

This report presents a request from Richmond Centre for Disability (RCD) that City Council write a letter to the BC Government advocating for an increase in the Persons Living with Disabilities rate to a minimum of \$1200 per month. Based on the information presented herein, staff recommend that Council support this request.

A handwritten signature in black ink, appearing to read 'Alan Hill', is positioned above the typed name and title.

Alan Hill
Cultural Diversity Coordinator
(604-276-4391)

AH:ah



Richmond Centre for Disability

“Promoting a new perspective on disability”

2012 Business Excellence Awards – Association of the Year Winner

The Case for Increasing the Persons with Disabilities Benefits in BC

**Request for Support from
Mayor Malcolm Brodie & City Councillors of City of Richmond
Submitted by the Richmond Centre for Disability**

Executive Summary

Over the last decade, the cost of living in British Columbia (BC) has steadily increased. However, BC's Persons with Disabilities (PWD) benefits, which are overseen by the Provincial Government's Ministry of Social Development, have remained relatively flat. Since 2001, the PWD rate has increased by only \$120 per month, while the cost of basic essentials such as food, clothing, transportation, health, personal care and shelter have increased by 17.2%. During this period, the cost of food alone increased by nearly 25%.

This increase in the cost of living, without a similar increase to the PWD rate, means there is an ever-increasing gap between the cost of basic living expenses and what PWD recipients can afford. Recognizing the real human and social consequences of this growing disparity, the Richmond Centre for Disability (RCD) is appealing to the City of Richmond to help support a worthwhile and coveted movement. Our goal is to call on the province to increase the level of assistance provided to persons with disabilities to more accurately reflect the cost of living; thereby individuals and families relying on BC's PWD benefits can live with dignity, and with the supports they need to engage and be part of their communities.

This case outlines the cost of basic essentials in BC and proposes an increase to the PWD rate to a minimum of \$1,200 per month to better reflect the actual cost of living in BC. The proposed increase would not only help to improve the quality of life for PWD recipients, but it would also help to bring the benefit in line with the Federal Government's established minimum for low income seniors.

On behalf of the RCD Board of Directors, we hope that Mayor Brodie and Richmond City Council will send a support letter to Premier Christy Clark to support the RCD's request to increase the PWD benefits.

100-5671 No. 3 Rd., Richmond, B.C. V6X 2C7
tel 604 232 2404 ♦ fax 604-232-2415 ♦ tty 604 232 2479
email: rcd@rcdrichmond.org ♦ web: www.rcdrichmond.org

The Rising Cost of Living in BC

The costs of basic essentials in BC have increased significantly over the past ten years, resulting in greater challenges and a diminished capacity for people relying on BC's PWD benefits to meet their basic needs.

The December 2010 Survey of Household Spending shows that the average household needs about \$1,400 per month to meet the cost of basic necessities. This includes an estimated cost of \$768 per month for rent, \$478 per month for food, \$76 per month for clothing and \$48 per month for basic communication. A single individual on PWD benefits receives only \$906 per month to live on – almost \$500 below the amount needed to cover the estimated cost of basic essentials. In addition, people with disabilities have ongoing disability related costs, such as non-prescription health or medical goods and user fees for various health care services, as well as costs for transportation and personal care. Often these costs are not covered by PWD benefits.

Moreover, as housing costs continue to increase, and in the absence of a corresponding increase in shelter assistance, those living on PWD benefits are forced to make difficult choices in order to make ends meet. This includes choices like cutting back on their already limited budgets for food, clothing, and other basic necessities. These choices are unjust and unsustainable.

The Need for Action

The 2006 Census shows a higher incidence of poverty and low income among people with disabilities. Approximately one in five individuals across BC who reported a health and activity limitation was living in poverty in 2006. This represents 193,530 individuals across BC. For individuals relying on the PWD benefits and receiving only \$906 per month (\$10,872 annually), it is extremely difficult to make ends meet. An annual income of \$10,872 is also significantly below the Low Income Cut Offs (LICO) established by Statistics Canada.

It has also been observed that, apart from the personal and individual consequences of living in poverty, there are significant costs to society. This is reflected in both lost productivity and a diminished capacity for people with disabilities to meaningfully contribute to their communities and to realize their full potential. Without an increase in assistance levels, we are likely to see on-going reliance on food banks and other emergency services, and continued high levels of homelessness. It has been proven from the 2011 homeless count data for Metro Vancouver that a high proportion of the homeless population reported some type of health condition or disability.

An increase of \$300 per month (or \$10 per day) in disability assistance would help PWD recipients better meet their basic needs including housing. Even this small increase can help prevent homelessness by reducing the number of people with disabilities who are precariously housed. It would also allow persons with disabilities to live their lives with greater dignity and with the support that they need.

BC is Falling behind Other Provinces

In 2005 the assistance available to people with disabilities in BC was second highest among all of the Provinces. Since 2005, BC has continued to fall behind as other provinces and territories make adjustments to their rates. Currently BC has fallen to 6th place in terms of the overall disability assistance.

Given the higher cost of rent and other necessities in BC when compared to other parts of Canada, the pressures faced by people living with disabilities in BC can be greater. Therefore, the RCD is supporting the movement to ask the province to increase the PWD benefits in BC, thereby to bring it more in line with other provinces and to reflect the true cost of living in BC. We hope that City of Richmond's Mayor and Council would support our intention, which is based on the recommendations put forward by the Disability Without Poverty Network in July 2012; the goal of this partnership is to develop positive recommendations for change so British Columbians with disabilities who receive PWD benefits are not living in poverty.

Recommendation

BC's PWD benefits are not keeping up with the cost of living. The gap between what PWD recipients need and what they receive is growing, and will continue to grow, unless BC changes the way it assists individuals and families with disabilities.

The RCD proposes the following change as a first step towards making a real difference for British Columbians with disabilities.

Increase the PWD benefits rate to a minimum of \$1,200 per month.

- This will reduce the gap between what people with disabilities need for basic essentials and what they receive.
- It will help ensure that British Columbians with disabilities who need provincial support can live in dignity, not poverty.
- It will also result in greater equity between vulnerable groups by bringing the assistance levels in line with those provided to low income seniors through the Federal Old Age Security/Guaranteed Income Supplement support.

Attachment:

- ▶ Letter from the City of Cranbrook in support of the increase in PWD benefits

Contact: Ella Huang, Executive Director, Richmond Centre for Disability

Date: January 7, 2013



City of Richmond

Report to Committee

To: General Purposes Committee
From: Phyllis L. Carlyle
General Manager, Law and Community Safety
Re: Shark Fins

Date: February 22, 2013
File: 12-8000-04/2012-Vol 01

Staff Recommendation

That the staff report titled "Shark Fins" (dated February 22, 2013 from the General Manager, Law & Community Safety) be received for information.

Phyllis L. Carlyle
General Manager, Law & Community Safety
(604-276-4104)

REPORT CONCURRENCE			
REVIEWED BY DIRECTORS	INITIALS: DW	REVIEWED BY CAO	INITIALS:

Staff Report

Origin

At the July 9, 2012 Council meeting, Council heard a delegation regarding the banning of shark fins and passed the following resolution:

That staff investigate the matter of shark fins, and report back by the end of 2012 on:

- (1) options for a simultaneous ban with the City of Vancouver;*
- (2) any standard educational plans related to shark fins with information on what is currently in place, and what could be in place with or without other steps;*
- (3) information on what is in place in the region and in other cities; and*
- (4) information on enforcement of a shark fin ban and the associated costs, as well as information on the jurisdictional issues around enforcement.*

This report responds to the above referral.

Background

Over the summer of 2012 the Vancouver Animal Defence League advanced an awareness program to local governments in the Metro Vancouver region on the practice of shark finning and asked the local governments to enact bylaws banning the sale and or distribution of shark fins and shark fin products.

At the September 2012 UBCM Convention a resolution that the federal government ban the import of shark fins into Canada was endorsed.

The regulation of shark finning and importation of shark fins are matters within federal jurisdiction. Canada is a member nation of *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (the "Convention") which sets controls on the movement of animal (and plant) species that are, or may be, at risk of overexploitation due to illegal trade. As a member nation, Canada is obliged to prevent the import of endangered species and it does so through the *Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act*. The purpose of this Act is to protect Canadian and foreign species of animals and plants by prohibiting:

- the import into Canada of any animal (or plant), or their part or derivative, that was taken in contravention of any law of a foreign state;
- the import into or export from Canada of the above items without a permit; and
- the possession of the above items if they are contained in the endangered species list under the Convention.

A number of shark species (such as the basking shark and great white shark) are included on the endangered species list and are subject to the above prohibitions.

The federal government has legislation aimed at protecting threatened wildlife species within Canada. The *Species at Risk Act* includes a number of shark species in its list of domestic endangered species.

The practice of shark finning in Canadian fisheries waters and by Canadian-licensed vessels is prohibited under the *Fisheries Act*. Sharks harvested in Canadian domestic waters and Canadian vessels must be landed with their fins.

Despite the federal legislation, there is no labelling requirement for shark fin products. Therefore, it is not possible to confirm that fins being imported into Canada are only being sourced from non-endangered species or from fisheries that do not practice shark finning.

There have been two federal Private Members' Bills seeking to address the issues pertaining to shark finning internationally and importation and labelling of shark products in Canada. In December 2011, Bill C-380 (**Attachment 1**) was introduced in the Parliament to amend the *Fisheries Act* to prohibit the practice of shark finning generally (within and outside Canadian fisheries waters) and to amend the *Fish Inspection Act* to prohibit the import of shark fins that are not attached to the rest of the shark carcass (except with a permit for certain limited purposes). In April 2012, Bill C-417 (**Attachment 2**) was introduced which would require labelling of imports of sharks and shark products with the shark's common name and country of harvest and prohibit the import and sale of these products unless they are labelled with such information. Bill C-380 was considered by Parliament on February 11, 2013, with a summary comment during the debate from Mr. Randy Kamp, Parliamentary Secretary to the Minister of Fisheries and Oceans and for the Asia-Pacific Gateway, stating "the government cannot support the private member's bill, Bill C-380." Further discussion on Bill is scheduled for March 22 and a vote tentatively scheduled for March 27, 2013.

The City has received over 400 public emails and comments speaking in favour of a ban on shark fins, with most noting the inhumane treatment of sharks and impact on endangering the species. The BC Asian Restaurant Cafe Owners Association has submitted a petition with 1,130 signatures in support of not imposing a ban on shark fin. Other public comments note that local governments should not be mandating what the public cannot consume.

In response to concerns about endangered sharks, the Chinese government is moving toward no longer serving shark fins at formal state dinners. Cathay Pacific Airlines, which had been the largest transporter of the commodity, is no longer accepting shipments.

Analysis

The following provides information as requested in the resolution passed by Council on July 9, 2012. Further, staff have identified options with respect to this issue for consideration by Council.

(1) Options for a simultaneous ban with the City of Vancouver

On September 18, 2012, Vancouver City Council passed the following resolution:

"Therefore be it resolved that Vancouver City Council instruct staff to work directly with the Cities of Richmond and Burnaby in order to develop a common approach to ban the sale of Shark Fin in our cities and report back to City Council on these options."

As of the date of this report, City of Vancouver staff has not brought forward a report to their Council in response to the above referral.

Coincidental to Council's referral in July, Burnaby City Council on June 25, 2012 also heard a delegation from a representative from the Vancouver Animal Defence League requesting that the City of Burnaby, in conjunction with the cities of Richmond and Vancouver, implement a simultaneous ban on the possession, sale and trade of shark fins. Arising from that delegation, the following motion was passed by Burnaby City Council:

“THAT the presentation by the delegation be **REFERRED** to staff for report.”

On February 18, 2013, Burnaby City Council considered a staff report in response to the above referral. The staff report recommended against the adoption of a bylaw prohibiting the possession, sale and trade of shark fins for the following reasons:

- Legal uncertainty relating to City authority to prohibit shark fins
- No City authority to seize alleged bylaw violations for verification
- Gaps in the shark fin verification process for regulation and enforcement

Burnaby Council decided against a ban on shark fin.

Notwithstanding the efforts of the Vancouver Animal Defence League and their supporters for local governments to enact municipal bylaws prohibiting the possession, consumption, sale and distribution of shark fins, City staff are of the opinion that such a prohibition is outside of the City's jurisdiction. In November 2012, the Ontario Superior Court ruled that a Toronto bylaw prohibiting the possession, consumption and sale of shark fin and shark fin food products was invalid due to a lack of municipal purpose. The Court found that the Toronto bylaw did not have any identifiable benefit for Toronto as it relates to the environmental or social well-being of the City and there was no evidence that consumption of shark fin food products had an adverse impact on the health of the community as a local entity. The City of Toronto will not be pursuing its appeal of the Court decision.

While Toronto will not be pursuing its appeal, Toronto City Council did resolve the following:

That:

1. *City Council request the City Manager, in consultation with the Medical Officer of Health, to:*
 - a. *conduct a comprehensive review to identify any adverse consequences to the City and its inhabitants arising from population depletion of oceanic species used as food sources, including any health, environmental, ecological and animal welfare consequences, such review to include consideration of shark populations and shark finning;*
 - b. *to identify and consider options available to the City, including any regulatory options, to reduce or eliminate whatever environmental, ecological, health, animal welfare or other concerns may be identified in the review; and*
 - c. *to report, in consultation with the City Solicitor, to the June 27, 2013 meeting of the Licensing and Standards Committee.*

Given the Ontario Superior Court decision striking down Toronto's shark fin bylaw, which reinforces staff's opinion on the issue of jurisdiction, staff does not recommend the adoption of a bylaw regulating the possession, consumption or sale of shark fins and shark fin food products in the City of Richmond.

(2) *Any standard educational plans related to shark fins with information on what is currently in place, and what could be in place with or without other steps*

The internet provides an abundance of information available for consumers to educate themselves on the issue of shark fins and shark fin food products. With this information the informed consumer is in a position to make their own choice about shark fin food products.

In addition to a Vancouver Animal Defence League representative speaking to Council supporting a ban on shark fins, a local non-profit organization called Shark Truth (<http://www.sharktruth.com>) promotes awareness, education and action for sharks with a specific focus on creating change in the community. Internationally, there are a number of organizations promoting awareness and action in regards to the issue.

To promote consumer awareness of the issue, the City has proposed to work with the BC Asian Restaurant Cafe Owners Association who indicate support for the development and distribution a brochure dealing with consumption of shark fins.

(3) *Information on what is in place in the region and in other cities*

At the provincial level, none of the Canadian provinces and territories has implemented prohibitions on the sale or possession of shark fin.

At the municipal level, the City of Calgary and several Ontario municipalities have implemented bans dealing with shark fins. The Ontario municipalities include Toronto, Mississauga, Oakville, Brampton, Brantford, London and Newmarket. The bylaws prohibit possession, sale, distribution, trade, consumption or a combination of these. As discussed above, Toronto's bylaw was struck down by the Ontario Superior Court, which held that the Toronto bylaw was invalid due to a lack of municipal purpose.

Within British Columbia, as of the date of this staff report, the municipalities of Port Moody, City of North Vancouver, Maple Ridge, New Westminster, Nanaimo and Abbotsford have each adopted bylaws to prohibit the sale and distribution of shark fins. Councils for the City of Surrey, City of Burnaby and Corporation of Delta also received delegations advocating a prohibition on the possession, sale and distribution of shark fins but decided to not implement such a bylaw.

(4) *Information on enforcement of a shark fin ban and the associated costs, as well as information on the jurisdictional issues around enforcement.*

The enforcement of federal legislation and the prosecution of violations under their legislation are within the jurisdiction of the responsible federal government department.

There are significant challenges associated with enforcing a bylaw prohibiting the sale and distribution of shark fins, including:

- lack of authority for City staff to seize products for analysis and verification; and
- identifying shark fin and or its origin (without sufficient packaging detail) will require outside agencies to assist in product identification as the product is typically skinned, dried, processed, fragmented or cooked and the fin is visually unidentifiable.

Financial Impact

There is no financial impact associated to this report.

Conclusion

There has been much media attention around the issue of prohibiting the sale and distribution of shark fins and shark fin food products. Matters relating to shark finning and shark fin food products, however, are within federal rather than municipal jurisdiction.



W. Glenn McLaughlin
Chief Licence Inspector & Risk Manager
(604-276-4136)



Doc Leung for,
May K. Leung
Staff Solicitor
(604-276-4693)

Attachment 1

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C-380

C-380

First Session, Forty-first Parliament,
60 Elizabeth II, 2011Première session, quarante et unième législature,
60 Elizabeth II, 2011

HOUSE OF COMMONS OF CANADA

CHAMBRE DES COMMUNES DU CANADA

BILL C-380

PROJET DE LOI C-380

An Act to amend the Fish Inspection Act and the Fisheries Act
(importation of shark fins)Loi modifiant la Loi sur l'inspection du poisson et la Loi sur les
pêches (importation de nageoires de requin)

FIRST READING, DECEMBER 8, 2011

PREMIÈRE LECTURE LE 8 DÉCEMBRE 2011

MR. DONNELLY

M. DONNELLY

411408

SUMMARY

SOMMAIRE

This enactment amends the *Fish Inspection Act* to prohibit the importation of shark fins in Canada. It also amends the *Fisheries Act* to prohibit the practice of shark finning, thereby establishing a legislative prohibition.

Le texte modifie la *Loi sur l'inspection du poisson* afin d'interdire l'importation de nageoires de requin au Canada. Il modifie également la *Loi sur les pêches* afin d'interdire la pratique de l'enlèvement des nageoires de requin, établissant ainsi une interdiction législative.

Also available on the Parliament of Canada Web Site at the following address:
<http://www.parl.gc.ca>

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante :
<http://www.parl.gc.ca>

1st Session, 41st Parliament,
60 Elizabeth II, 20111^{re} session, 41^e législature,
60 Elizabeth II, 2011

HOUSE OF COMMONS OF CANADA

CHAMBRE DES COMMUNES DU CANADA

GP - 19

BILL C-380

PROJET DE LOI C-380

An Act to amend the Fish Inspection Act and the Fisheries Act (importation of shark fins)

Loi modifiant la Loi sur l'inspection du poisson et la Loi sur les pêches (importation de nageoires de requin)

Preamble

Whereas in 1994 the Canadian Government banned shark finning — namely, the practice of removing the fins from sharks and discarding the remainder of the sharks while at sea — in Canadian fisheries waters and with respect to Canadian licensed vessels fishing outside of Canada's exclusive economic zone;

Attendu :

Préambule

qu'en 1994 le gouvernement du Canada a interdit, dans les eaux de pêche canadiennes et pour les bateaux immatriculés au Canada qui pêchent à l'extérieur de la zone économique exclusive du Canada, l'enlèvement des nageoires de requin, pratique qui consiste à couper les nageoires du requin et à jeter le reste de la carcasse en mer;

Whereas Canadians are increasingly aware of the devastating effect of the continuing practice of shark finning and the resulting decline in shark species in Canadian waters and around the world and support measures to stop this practice and to ensure the responsible conservation, management and exploitation of sharks;

que la population canadienne est de plus en plus consciente des effets dévastateurs de cette pratique et du déclin des espèces de requins dans les eaux canadiennes et à l'échelle mondiale qui en découle, et qu'elle appuie les mesures prises pour y mettre fin et assurer la conservation, la gestion et l'exploitation responsables des requins;

And whereas the importation of shark fins is not supportable in the face of the dramatic decline in shark species;

que l'importation de nageoires de requin n'est pas justifiable au vu du déclin marquant des espèces de requins,

Now, therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Sa Majesté, sur l'avis et avec le consentement du Sénat et de la Chambre des communes du Canada, édicte :

SHORT TITLE

TITRE ABRÉGÉ

Short title

1. This Act may be cited as the *Ban on Shark Fin Importation Act*.

1. *Loi interdisant l'importation de nageoires de requin.*

Titre abrégé

R.S., c. F-12

FISH INSPECTION ACT

LOI SUR L'INSPECTION DU POISSON

L.R., ch. F-12

2. The *Fish Inspection Act* is amended by adding the following after section 3:

2. La *Loi sur l'inspection du poisson* est modifiée par adjonction, après l'article 3, de ce qui suit :

Prohibition

3.1 (1) Except as provided in subsection (2), it is prohibited to import or attempt to import shark fins that are not attached to the rest of the shark carcass.

3.1 (1) Sous réserve du paragraphe (2), il est interdit d'importer ou de tenter d'importer des nageoires de requin séparées du reste de la carcasse.

Interdiction

Exception

(2) A person may import shark fins that are not attached to the rest of the shark carcass only if the Minister has issued a permit to that person authorizing such an importation.

(2) Toute personne peut importer des nageoires de requin séparées de la carcasse à la condition qu'elle détienne un permis délivré par le ministre autorisant cette importation.

Exception

Conditions for issuing permit

(3) The permit referred to in subsection (2) may be issued only if the Minister is of the opinion that
(a) the importation supports scientific research relating to shark conservation and conducted by qualified persons; and
(b) the activity benefits the survival of the shark species or is required to enhance their chance of survival in the wild.

(3) Le permis visé au paragraphe (2) ne peut être délivré que si le ministre estime :

Conditions de délivrance

Regulations

(4) The Minister may, after consultation with the Minister of Fisheries and Oceans, make regulations respecting the issuance of the permit referred to in subsection (2) and the renewal, revocation, amendment and suspension of such a permit.

(4) Le ministre peut, après consultation du ministre des Pêches et des Océans, prendre des règlements concernant la délivrance du permis visé au paragraphe (2) ainsi que son renouvellement, sa révocation, sa modification et sa suspension.

Règlements

R.S., c. F-14

FISHERIES ACT

LOI SUR LES PÊCHES

L.R., ch. F-14

3. The *Fisheries Act* is amended by adding the following after section 32:

3. La *Loi sur les pêches* est modifiée par adjonction, après l'article 32, de ce qui suit :

Prohibition

32.1 (1) No person shall engage in the practice of shark finning.

32.1 (1) Il est interdit de pratiquer l'enlèvement des nageoires de requin.

Interdiction

Definition of "shark finning"

(2) In this section, "shark finning" means the practice of removing the fins from sharks and discarding the remainder of the sharks while still at sea.

(2) Au présent article, « enlèvement des nageoires de requin » s'entend de la pratique consistant à couper les nageoires du requin et à jeter le reste de la carcasse en mer.

Définition de « enlèvement des nageoires de requin »

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C-417

C-417

First Session, Forty-first Parliament,
60-61 Elizabeth II, 2011-2012Première session, quarante et unième législature,
60-61 Elizabeth II, 2011-2012

HOUSE OF COMMONS OF CANADA

CHAMBRE DES COMMUNES DU CANADA

BILL C-417**PROJET DE LOI C-417**An Act to amend the Fish Inspection Act and the Consumer
Packaging and Labelling Act (importation and labelling of shark)Loi modifiant la Loi sur l'inspection du poisson et la Loi sur
l'emballage et l'étiquetage des produits de consommation
(importation et étiquetage du requin)

FIRST READING, APRIL 5, 2012

PREMIÈRE LECTURE LE 5 AVRIL 2012

MS. MAY

M^{ME} MAY

411525

SUMMARY

SOMMAIRE

This enactment amends the *Fish Inspection Act* to add a requirement that, if a person is importing shark or shark product, the country of harvest and the common name of the shark must be indicated, in writing, to an inspector. It also amends the *Consumer Packaging and Labelling Act* to prohibit the sale or importation of shark and shark product unless it is prepackaged and labelled to show certain information, including a statement that it may be unfit for human consumption due to mercury contamination.

Le texte modifie la *Loi sur l'inspection du poisson* afin d'exiger que, lorsqu'une personne importe du requin ou des produits de requin, le pays de capture et le nom commun du requin soient communiqués par écrit à l'inspecteur. Il modifie également la *Loi sur l'emballage et l'étiquetage des produits de consommation* afin d'interdire la vente et l'importation de requin ou de produits de requin, sauf s'ils sont préemballés et étiquetés de manière à indiquer certains renseignements, notamment une déclaration signalant qu'ils peuvent être impropres à la consommation humaine en raison de la contamination par le mercure.

Also available on the Parliament of Canada Web Site at the following address:
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<http://www.parl.gc.ca>

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1st Session, 41st Parliament,
60-61 Elizabeth II, 2011-2012

1^{re} session, 41^e législature,
60-61 Elizabeth II, 2011-2012

HOUSE OF COMMONS OF CANADA

CHAMBRE DES COMMUNES DU CANADA

BILL C-417

PROJET DE LOI C-417

An Act to amend the Fish Inspection Act and the Consumer Packaging and Labelling Act (importation and labelling of shark)

Loi modifiant la Loi sur l'inspection du poisson et la Loi sur l'emballage et l'étiquetage des produits de consommation (importation et étiquetage du requin)

Preamble

Whereas mercury and other heavy metals are dangerous environmental contaminants, with grave consequences for human health if consumed in high concentrations;

Attendu :

Préambule

Whereas numerous scientific studies have identified dangerous levels of mercury and other heavy metals in some shark fin products that make them unfit for human consumption and a food safety risk;

que le mercure et autres métaux lourds sont de dangereux contaminants de l'environnement qui ont de graves conséquences pour la santé humaine lorsqu'ils sont consommés en des concentrations élevées;

Whereas it is of critical importance to Canadian consumers to have all necessary information about the products they consume presented in an accessible and transparent manner, in order to make informed decisions about health and diet;

que de nombreuses études scientifiques ont décelé la présence, dans certains produits d'ailerons de requin, de niveaux dangereux de mercure et autres métaux lourds qui les rendent impropres à la consommation humaine et en font un risque pour la salubrité alimentaire;

Whereas due primarily to the pressures caused by overfishing, global shark populations are collapsing, and a 2011 study by Mizue et al. concluded that, "overfishing of sharks is now recognized as a major global conservation concern, with increasing numbers of shark species added to the International Union for Conservation of Nature's list of threatened species";

qu'il est d'une importance cruciale, pour les consommateurs canadiens, de disposer de tous les renseignements nécessaires — présentés de manière accessible et transparente — sur les produits qu'ils consomment, afin de pouvoir prendre des décisions éclairées en matière de santé et d'alimentation;

qu'en raison principalement des pressions exercées par la surpêche, les populations mondiales de requins connaissent un déclin rapide, et que, selon une étude réalisée en 2011 par Mizue et coll., la surpêche du requin est maintenant reconnue en tant que préoccupation majeure en matière de conservation à l'échelle mondiale, compte tenu du nombre croissant d'espèces de requins ajoutées à la liste des espèces menacées de l'Union internationale pour la conservation de la nature,

Now, therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Sa Majesté, sur l'avis et avec le consentement du Sénat et de la Chambre des communes du Canada, édicte :

R.S., c. F-12

FISH INSPECTION ACT

LOI SUR L'INSPECTION DU POISSON

L.R., ch. F-12

1. The *Fish Inspection Act* is amended by adding the following after section 3:

1. La *Loi sur l'inspection du poisson* est modifiée par adjonction, après l'article 3, de ce qui suit :

Shark importation

3.1 (1) A person who imports shark or shark product shall provide written indication to an inspector of

3.1 (1) La personne qui importe du requin ou des produits de requin doit fournir par écrit à l'inspecteur les renseignements suivants :

Importation de requin

(a) the country of harvest of the shark, regardless of whether it is wild-caught; and

(a) le pays de capture du requin, qu'il soit ou non issu de la pêche sauvage;

(b) the common name of the species and subspecies of shark.

(b) le nom commun de l'espèce et de la sous-espèce de requin.

Country of harvest

(2) For the purposes of this section, "country of harvest" includes, in circumstances where the shark is harvested outside the territorial waters of a particular country, the geographic location in which the shark was harvested.

(2) Pour l'application du présent article, « pays de capture » s'entend notamment, dans les cas où le requin est capturé à l'extérieur des eaux territoriales d'un pays donné, de l'emplacement géographique de cette capture.

Pays de capture

R.S., c. C-38

CONSUMER PACKAGING AND LABELLING ACT

LOI SUR L'EMBALLAGE ET L'ÉTIQUETAGE DES PRODUITS DE CONSOMMATION

L.R., ch. C-38

2. The *Consumer Packaging and Labelling Act* is amended by adding the following after section 4:

2. La *Loi sur l'emballage et l'étiquetage des produits de consommation* est modifiée par adjonction, après l'article 4, de ce qui suit :

Shark and shark product

4.1 (1) No dealer shall sell or import into Canada any shark or shark product unless it is prepackaged and has applied to it a label that, in addition to complying with

4.1 (1) Sont interdites la vente ou l'importation, par le fournisseur, de requin ou de produits de requin, sauf s'ils sont préemballés et que leur étiquetage, en plus d'être

Requin et produits de requin

any other requirements of this Act, shows

(a) the shark's common or generic name;

(b) the shark's country of harvest; and

(c) the following statement:

“Shark and shark products may be unfit for human consumption due to mercury contamination.

Le requin et les produits de requin peuvent être impropres à la consommation humaine en raison de la contamination par le mercure.”

Country of harvest

(2) For the purposes of this section, “country of harvest” includes, in circumstances where the shark is harvested outside the territorial waters of a particular country, the geographic location in which the shark was harvested.

conforme aux exigences de la présente loi, présente les renseignements suivants :

a) le nom commun ou générique du requin;

b) le pays de capture du requin;

c) la déclaration suivante :

« Le requin et les produits de requin peuvent être impropres à la consommation humaine en raison de la contamination par le mercure.

Shark and shark products may be unfit for human consumption due to mercury contamination. »

Pays de capture

(2) Pour l'application du présent article, « pays de capture » s'entend notamment, dans les cas où le requin est capturé à l'extérieur des eaux territoriales d'un pays donné, de l'emplacement géographique de cette capture.

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