

GENERAL TERMS OF A SHELLFISH AQUACULTURE LICENCE

1. *For the purpose of this licence:*

“**aquatic plant**” includes benthic and detached algae, marine flowering plants, brown algae, red algae, green algae and phytoplankton;

“**fish**” means the whole or any part of an aquatic animal, and includes but is not limited to finfish, molluscan shellfish and crustacean shellfish;

“**Branch**” means the Aquaculture Licensing and Compliance Branch of the Ministry of Agriculture, Food and Fisheries; and

“**Management Plan**” means a plan filed with and approved by the Division for the species and location specified on the face of the licence.

2. *The holder of an Aquaculture Licence shall:*

- 1) comply with each Management Plan;
- 2) apply for and have approved, amendments to a Management Plan before changing the mode of operation currently authorized;
- 3) culture or husband only those species authorized by this licence, and only if importation and transportation authorizations have been obtained from all competent government authorities;
- 4) take reasonable precautions to prevent the escape of cultured aquatic plants or fish (a) if transporting them on, over or through fresh or tidal waters, and (b) from the holder’s aquaculture facility and from containment and attachment structures in the facility;
- 5) ensure that neither the holder nor any person acting on behalf of the holder deliberately releases cultured aquatic plants or fish from the holder’s aquaculture facility, unless authorized to do so by Additional Terms and Conditions attached to this licence;
- 6) ensure that the holder or a person acting on behalf of the holder who discovers an escape, or evidence suggesting an escape, of cultured aquatic plants or fish reports the escape or evidence and the results of any authorized recapture or recapture attempt to the Manager of Aquaculture within 24 hours of discovery;
- 7) ensure that the aquatic plants and fish cultivated and husbanded in the holder’s aquaculture facility are given care and attention consistent with their biological requirements;
- 8) undertake at the holder’s expense, reasonable and lawful husbandry practices necessary for (a) preventative predator control and (b) disease control, including that required by competent governmental authorities;
- 9) keep records adequate to allow an Aquaculture Inspector, an Inspector of Fisheries or a Conservation Officer to determine if the holder is complying with the terms of this licence, the Aquaculture Regulation and *Fisheries Act* (R.S.B.C.);
- 10) make available to an Aquaculture Inspector, an Inspector of Fisheries or a Conservation Officer, the records referred to in sub-paragraph 2(9);
- 11) advise the Senior Licensing Officer within a reasonable time of any change in the holder’s (a) address (b) telephone or facsimile machine number, and (c) representatives (contact person) and that person’s telephone, radio telephone or facsimile machine number;
- 12) deliver to the Branch, in the form and at the interval determined by the Minister, any information required to determine compliance by the holder with the terms of this licence, the Aquaculture Regulation and *Fisheries Act* (R.S.B.C.);
- 13) possess a valid processing licence before processing aquatic plants or fish within the location specified on the face of this licence;
- 14) ensure that the aquaculture facility is operated in accordance with the standards established by the Branch in consultation with industry; and
- 15) comply with all laws, bylaws and orders of any competent government authorities which affect the aquaculture facility described herein.