

TERMS OF REFERENCE

SPORT FISHING ADVISORY BOARD ("SFAB")

MANDATE

These terms of reference will apply to the Sport Fishing Advisory Board (SFAB). The SFAB provides formal advice and makes recommendations to the Department of Fisheries and Oceans Canada (DFO) on matters relating to tidal recreational fisheries and non-tidal anadromous fisheries.

These terms of reference will be in effect until April 2012 at which time they will be reviewed in conjunction with a broader assessment of advisory processes.

GUIDING PRINCIPLES:

The following principles will be used to guide decisions on the structure and operations of the SFAB:

Transparent:

There should be transparency throughout the process based on open lines of communication and the provision of timely, accurate, accessible, clear and objective information. This information should be available to all participants in the process on an equal basis. DFO organizers, after considering the input of the SFAB executive and members, will provide access to agendas and information needed as a starting point for informed discussion well in advance of meetings. In addition, this information will be posted to a public website to ensure accountability to all Canadians.

Accountable:

Participants who are representatives of a constituency are expected to bring to the discussions the general views, knowledge and experience of those they represent, and bring back an awareness and understanding to their constituencies about deliberations of the consultation activity and reasons for decisions taken. All participants share accountability for the success of the process. The Department is accountable to participants for explaining how their advice/input was used and why and how decisions are taken.

Inclusive Representation:

Representation on advisory bodies should relate to the mandate and function of the committee. Participation in advisory processes should be fairly balanced and reflect a broad range of interests in fisheries and oceans issues in the Pacific Region, to the extent possible, so that a diversity of perspectives is involved.

Effective:

All participants should be satisfied that the process can achieve the goals of the mandate. This does not mean that participants will always agree with the final advice, outcome or recommendation. Processes must set and respect realistic timeframes recognizing the volunteer nature of the SFAB.

DFO, taking into consideration its financial capacity and current policies, will provide funding consistent with the effective and efficient discharge of the SFAB and its approved subcommittees in fulfilling their mandate, roles and responsibilities.

Efficient:

The size of the advisory committee will reflect a balance between the diversity of fisheries and oceans issues in the Pacific Region, and participant numbers that will facilitate productive discussion. Should committee, or subcommittee size become an issue, the above noted principle of "Inclusion" will be the overriding priority. Wherever possible, links to other departmental consultative processes will be made to realize efficiencies in consultation.

ROLES AND RESPONSIBILITIES:

To provide advice and make recommendations to DFO on matters affecting tidal fisheries and non-tidal anadromous fisheries. On matters affecting tidal recreational fisheries recommendations and advice will cover all species and all forms of recreational fishing.

To provide advice and make recommendations to provincial Ministries with responsibility for fisheries policy or fish management on matters affecting anadromous species.

To review and provide feedback to DFO and the relevant provincial ministries regarding policy or management programs pertaining to tidal recreational fisheries and non-tidal recreational fisheries for anadromous species.

To assist in the dissemination of information to the angling community and the general public on matters pertaining to tidal fisheries and non-tidal anadromous fisheries.

To recommend to DFO and the responsible Provincial ministries recreational fishing representatives to sit on or participate in:

- The Pacific Salmon Commission
- The North Pacific Anadromous Fish Commission
- The International Pacific Halibut Commission.
- Integrated Harvest Planning Committees for salmon, etc.

- Other domestic advisory or management committees/boards that may be established from time to time to do with or affecting tidal recreational fishing and non-tidal anadromous fishing.

MEMBERSHIP:

The majority of members of the SFAB will be Primary Level User Group Members.

Primary Level User Group Members are persons who do not receive a significant amount of their annual income directly or indirectly from the recreational fishery. A Primary User Group Member may include a person who is the representative from a non- industry recreational fishing advocacy organization.

The remaining members of the SFAB will be **Secondary Level User Group Members**.

Secondary Level User Group Members are persons who receive a significant amount of their annual income directly or indirectly from the recreational fishery. A Secondary Level User Group Member may include a person who represents a recreational industry organization.

Membership on the SFAB will be restricted to individuals who are:

- representatives from the North or South Coast Regional Committees;
- representatives from a recognized angling advocacy organization having a provincial membership base;
- representatives from an angling industry or related industry organization having a provincial membership base; or
- persons holding positions on the Pacific Salmon Treaty process, as representatives of the recreational community.
- the chairs of the Groundfish/Shellfish and Chinook/Coho Working Groups.

The SFAB will be comprised of the following members:

Representing		# Seats
North Coast SFAB Regional Committee Chair		1
North Coast SFAB Regional Committee elected reps		7
South Coast SFAB Regional Committee Chair		1
South Coast SFAB Regional Committee elected reps		7
PSC recreational commissioner and panel members		7
Groundfish/Shellfish and Chinook/Coho Working Group chairs		2
BCWFB.C. Wildlife Federation		2
SFI	Sport Fishing Institute of B.C.	1
SSOBC	Steelhead Society of B.C.	1
BCFFF	B.C. Federation of Fly Fishers	1
BCFDF	B.C. Federation of Drift Fishers	1
MTA	Marine Trades Association	1
BCMA	B.C. Marina Operators Association	1

BCLCA B.C. Lodging and Campgrounds Association 1

All of the above will be voting members.

A **Member Emeritus** may be designated to the SFAB upon nomination at any regularly constituted meeting of the SFAB and a majority vote of the members then present. Designation of a Member Emeritus is subject to approval by the Department of Fisheries and Oceans. Members Emeritus shall have such rights and authority as is granted to their status from time to time by a majority vote of the membership of the SFAB.

Such staff as may be designated by DFO other federal or provincial agencies shall participate as ex/officio, non-voting members:

The Chairperson of the SFAB shall be elected from amongst the voting members of the Board at a duly constituted meeting. The election shall be by secret ballot for a two year term. Once elected, the Chairperson shall only vote on matters before the board in the event of a tie.

APPOINTMENT MECHANISMS:

Appointments to the SFAB will be recommended to DFO by the nominating bodies as previously noted.

Additional membership may be assigned to the SFAB by a two-thirds majority vote of the attending membership at any duly constituted meeting, subject to DFO approval.

Nominations for membership on the SFAB will be forwarded in writing to DFO by the nominating group.

Upon approval of a nomination, official appointment to the SFAB will be forwarded to the members of the SFAB and the appointed individual in writing.

Each nominated member of the SFAB should have an alternate appointed by the nominating body.

All voting members and alternates shall be appointed for a two-year term, with allowance for re-appointment, at the discretion of DFO subject to continuing support from the member group.

DFO will forward a notice in writing to the nominating body when a member's term expires. The nominating body will be asked to take appropriate action to appoint or re-appoint their representatives.

In the event of a member leaving during the term of his or her appointment, the designated alternate will serve out the balance of the term, unless the nominating body advises to the contrary.

EXECUTIVE COMMITTEE:

There shall be an Executive Committee of the SFAB composed of ten members. This number shall include the Chair and immediate past Chair of the SFAB, the Chairs of the North and South Coast Regional Committees and six members elected by secret ballot from amongst the membership of the Main Board. In conducting this election the voting members should be sensitive to the desirability of an appropriate balance between regional, primary and secondary interests.

Members of the Executive Committee shall serve for a two-year term.

The Executive Committee shall be responsible, in cooperation with the relevant DFO staff, for setting the agenda for SFAB meetings and ensuring that relevant material has been circulated. Agenda time for issues raised by an agency not contributing financially to the operation of the SFAB shall be based on agreement between the Executive Committee and the designated representatives from DFO.

The Executive Committee shall deal with emergency matters between meetings and such other matters as from time to time may be assigned to the executive by the Main Board.

RESPONSIBILITIES OF THE CHAIR:

The Chair will chair the Executive Committee Meetings.

The Chair shall work in cooperation with the Executive Committee, and appropriate government representatives to plan meetings of the SFAB as required, to set the agenda and to ensure that background material is distributed.

The Chair shall make arrangements as required to provide a report of the results and activities of the SFAB to the recreational fishing community at large.

The Chair, in consultation with DFO shall appoint as necessary, working groups to review or investigate specific issues or problems and report back to the SFAB.

OPERATIONAL PROCEDURES:

DFO will provide secretarial support to the SFAB. Documentation will be provided as necessary.

DFO will be responsible for ensuring all members are given proper notice of meeting dates and locations. Background material, reports, data etc. is to be provided to the members in advance of any meetings.

Secretarial services will be provided for all meetings of the SFAB including the Executive Committee as well as North and South Coast Regional Committees, Local Committees and all Working Group meetings. There will be a compilation of simple minutes of each of these meetings, a record of all motions presented and the disposition of any such motions.

Copies of all minutes and motions and their disposition shall be forwarded to all members of the SFAB in advance of the next meeting of the respective board or committee.

Motions and their disposition shall be provided to the respective agencies within ten working days of any meeting. The minutes of these meetings, including motions, are to be provided to the agencies and to the SFAB participants within 20 working days of any such meeting.

DFO will maintain accurate and current membership lists of all members at every level of the advisory process.

DFO will provide, prior to each meeting, reports on the disposition of previous advice and recommendation and what if any action has been taken by the respective government agencies.

The travel expenses of board members, Executive Committee members and members of Regional Committees or working groups, when attending to business relative to the SFAB process, will be reimbursed according to Federal Treasury Board guidelines. Travel expenses for alternates will not be paid unless they are serving in the place of the member for whom they are the alternate.

In the case of transportation, unless adequate notice is not provided for the meeting date, all air flights must be booked in advance to take advantage of excursion fares. In the case of mileage, payment will be made based on the Federal Treasury Board guidelines or at the rate of the excursion airfares, whichever is the lowest.

Resource persons can be invited by the Executive Committee, following consultation with DFO, to attend and make presentations to the SFAB, the Executive Committee or either of the South or North Coast Regional Committees. Travel expenses for resource persons may be reimbursed by DFO.

SFAB meetings will be open to the public and observers welcome to attend. There will be no expense reimbursement for observers. Members of the SFAB may, by a majority vote, move into an in-camera session for a short period to deal with specific issues. A record of any motions passed during an in-camera meeting will be included in the minutes of the open meeting.

The required quorum for the conduct of business shall be 50% of the voting membership.

The SFAB or its Executive Committee may establish sub-committees or working groups to deal with specific issues. These entities shall report to the Regional Committees or SFAB as appropriate.

SFAB meetings will be held at least twice a year. They will be held at the call of the Executive Committee, DFO, or by a request, in writing, by 50% of the current membership. Ample notice, 30 days or more, shall be provided to all members of the meeting time, date and location. An emergency meeting may be called on shorter notice.

Recommendations to DFO for changes to the Terms of Reference for SFAB Local Committees, Regional Committees or the Main Board may be made through a Notice of Motion and approval by a two-thirds majority vote at any duly constituted meeting of the SFAB.

The standard rules for conducting meetings known as "Roberts Rules of Order" shall be applied during the conduct of SFAB meetings and the meetings of all Regional Committees, Local Committees and Working Groups. Participants are expected to follow the SFAB Code of Conduct contained in Appendix A.

APPENDIX A

SFAB CODE OF CONDUCT

The right to participate in an advisory process is accompanied by responsibilities. Those who participate in consultation processes should do so in good faith and with the public interest in mind. Participants have a responsibility to engage in effective, balanced and civil communication. As representatives of diverse interests in the recreational fishery they have a responsibility to ensure that they are accountable to their constituents, that government gets the information it needs to make well-informed and balanced decisions, and that all three levels of the SFAB process operate as efficiently as possible.

All SFAB participants should:

1. Maximize the exchange of information and minimize misunderstandings by:
 - speaking clearly, listening carefully and asking for clarification if a point is not understood;
 - sharing information related to the issues at hand;
 - stating concerns about other participants' interests or the process openly and directly;
 - clearly explaining what is important to them and why;
 - stating their perspective as concisely and briefly as possible; and
2. Ensure that others have the opportunity to speak, that all perspectives are taken into account and that a respectful atmosphere is maintained by:
 - respecting each others' values and interests;
 - avoiding accusatory language, rude behavior and stereotyping;
 - listening to what others have to say without interrupting;
 - beginning meetings on time;
 - seeking a better understanding of other perspectives with an open mind; and
3. Ensure accountability to local, regional or province-wide constituencies by:
 - making every effort to attend all important meetings, or sending an alternate;
 - establishing clear lines of accountability with those they represent;
 - communicating pertinent information to their constituencies regularly;
 - acting quickly to raise and resolve any concerns regarding the accountability of the process or any of the representatives to protect the integrity and trust of the group.

4. When negotiating in the advisory process, facilitate agreements across the full spectrum of interests by:

- negotiating in good faith, building as much agreement as possible;
- avoiding participation in activities that may undermine the negotiation;
- focusing on underlying interests or objectives rather than positions and seeking to understand the interests of others;
- recognizing the legitimacy of other interests;
- treating issues as problems to be solved not as personal or sectoral conflicts;
- allowing others the freedom to test ideas without prejudice to future discussion; and
- seeking creative solutions that accommodate all interests.

5. Engaging in appropriate external communication by:

- ensuring that descriptions of the process are as accurate as possible before communicating them to the general public or the media;
- ensuring that contact with the media is respectful of others.