



2026-2028

Activity Plan

for

**The Appeal Board of the
Professional Fish Harvesters
Certification Board**

Message from the Chair

On behalf of the Appeal Board of the Professional Fish Harvesters Certification Board (the Appeal Board), I am pleased to submit this three-year Activity Plan for the 2026–2028 planning period. As Chairperson, I am responsible for the development of this plan and for ensuring accountability in achieving its identified objectives. The preparation of this Activity Plan has considered the Provincial Government’s strategic directions relevant to the Department of Fisheries and Aquaculture.

The Appeal Board is an independent public body with all members appointed by the Minister of Fisheries and Aquaculture. This Activity Plan has been developed in accordance with the requirements of the **Transparency and Accountability Act** for category three entities. Consistent with the Act, the Appeal Board will complement this plan through the submission of annual performance reports to the Minister of Fisheries and Aquaculture.

Although the Appeal Board is a small Board, it provides an important function in support of the PFHCB and the commercial fish harvesting sector in Newfoundland and Labrador. The Appeal Board’s mandate, governance structure and operating framework are established under sections 14 to 18 of the **Professional Fish Harvesters Act** and all activities are carried out in compliance with this legislation.

On behalf of the Appeal Board, I reaffirm our commitment to fulfilling our responsibilities under the **Transparency and Accountability Act**, the **Professional Fish Harvesters Act** and this 2026–2028 Activity Plan. This Activity Plan, along with the associated annual performance reports, will continue to be prepared on a calendar-year basis, in keeping with standard PFHCB operating practices.

Sincerely,



Brendan Condon
Chairperson
Appeal Board of the PFHCB

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1.0 Overview

The Professional Fish Harvesters Certification Board (PFHCB) became operational in 1997 following proclamation of the **Professional Fish Harvesters Act** (the Act) by the Newfoundland and Labrador House of Assembly. This legislation allowed for the establishment of an appeal board and an independent appeals process.

Since 1997, the Appeal Board has been fully operational and consists of three members appointed by the Minister of Fisheries and Aquaculture. Any professional fish harvester whose certification is refused by the PFHCB, or who is dissatisfied with the certification they are given, may request an appeal with the Appeal Board. The decision of the Appeal Board is final and binding on the PFHCB and the appellant.

2.0 Mandate

The Appeal Board's mandate and legislative objectives are outlined in sections 14-18 of the Act. For more, please visit: <https://www.assembly.nl.ca/Legislation/sr/statutes/p26-1.htm>.

3.0 Vision

Members of the Appeal Board adopt the vision of the PFHCB. The PFHCB's vision is a viable Newfoundland and Labrador commercial fishery, sustained by independent professional fish harvesters committed to demonstrating appropriate knowledge, skills and commitment to safely and successfully meet the human resources needs of their industry, from which they can maintain their livelihood with respect and dignity.

The Appeal Board supports and contributes to this vision by hearing appeals and ensuring that appellants are awarded certification levels that are fair, equitable, and consistent with PFHCB certification criteria and the Act.

4.0 Appeal Board Members

The Appeal Board consists of three members appointed by the Minister of Fisheries and Aquaculture. Two of the members are professional fish harvesters, who are not members of the PFHCB Board of Directors, chosen from a list provided by fish harvester organizations. The third member is not a professional fish harvester and serves as the chairperson. Members are appointed for a three-year term and are eligible for reappointment. The Act allows for members to continue to serve after the expiry of their term until reappointed or replaced.

The current Appeal Board members are:

- Brendan Condon – Chairperson
- Gilbert Penney – Fish Harvester Representative
- Jarvis Walsh – Fish Harvester representative

5.0 Staff Support

The PFHCB has a staff of four full-time permanent employees, who support the logistics and operational activities of the Appeal Board, as required.

Mark Dolomount – Executive Director
Jessica Gillingham – Certification Coordinator
Jennifer McCarthy – Finance Coordinator
Joanne Gulliver – Registration Administrator

As per section 14 of the Act, any person wishing to request an appeal is required to file a notice of appeal with the PFHCB's Executive Director stating the grounds for the appeal. Jessica Gillingham is currently responsible for coordinating the Appeal Board's activities.

6.0 Primary Line of Business

Provision of an Independent Appeal Process: The Appeal Board has a single line of business, which is the provision of an independent appeals process for any person who files a notice of appeal with the Executive Director of the PFHCB. All business is conducted in accordance with sections 14 to 18 of the Act.

The Appeal Board convenes to hear appeals throughout the province. Appeals are conducted in as many locations as necessary and possible, based on the number of appeals to be heard.

Appeal results, approved and signed by all Appeal Board members, are presented to the PFHCB's Executive Director in a timely manner, and appellants are notified in writing under the signature of the PFHCB's Executive Director within three weeks of the appeal hearing.

7.0 Primary Clients

The primary clients of the Appeal Board are all professional fish harvesters certified with the PFHCB. More specifically, the Appeal Board serves any fish harvester whose

certification is refused by the PFHCB, or who is dissatisfied with the certification they are given, and who files a notice of appeal with the PFHCB.

8.0 Finances

All expenditures associated with the Appeal Board, and independent appeals process, are covered by the annual operating budget of the PFHCB, which is derived from the annual certification fees paid by fish harvesters. Those expenditures would include travel and accommodation of Appeal Board members, administrative costs associated with the delivery of appeals, and the per diem remunerations for Appeal Board members. Appeal Board expenditures are audited annually and can be found in the Appeal Board's Annual Performance Reports and in the audited financial statements of the PFHCB.

9.0 Objective

Objectives for the Appeal Board will be limited to logistics of appeal delivery, as it would not be appropriate to deal with the specifics of individual appeal hearings and/or their respective outcomes. For this planning period, the Appeal Board is presenting one issue. As the focus of the Appeal Board will remain the same for all three years of the 2026-2028 planning cycle, the Appeal Board will report on the same objectives and indicators in all three years.

Issue: The Timely Delivery of Appeals in Regional Proximity to Appellants

Each year since its inception in 1997, the Appeal Board has conducted appeals throughout Newfoundland and Labrador. Based on the number of appeal requests, appeals are scheduled either once or twice per year and are conducted in all regions of the province where appellants are located. The PFHCB will continue offering appeal hearings at least once per calendar year, and more often if necessitated by the number of appeal requests. This will allow the Appeal Board to meet its stated objective, in an efficient and cost-effective manner, for this planning period.

Objective: By December 31, 2026, the Appeal Board will have conducted appeals, in a timely manner, in all regions of the province where appellants are located.

Indicators:

- Offered face-to-face appeals to appellants in their own region of the province no more than 12 months from the date the appeal request was received.
- Provided appeal results to appellants within three weeks of the date of the appeal hearing.

10.0 Contact Information

For additional information please contact:

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