

Division IV

FISHING AND CONSERVATION OF THE LIVING RESOURCES OF THE SEA¹

1. ARGENTINA

ACT NO. 17,500 OF 25 OCTOBER 1967 CONCERNING THE PROMOTION
OF FISHERIES,² AS AMENDED BY ACT NO. 20,136 OF 5 FEBRUARY 1973³

Article 1. The living resources of the maritime zones under Argentine sovereignty are the property of the national State, which shall authorize their exploitation in accordance with this Act and its implementing regulations.

Article 2. The resources referred to in the preceding article shall be exploited only by vessels flying the Argentine flag and with the prior authorization of the competent authority.

Article 12. Any contravention of this Act and the regulations issued in pursuance of it shall be punished by the following penalties:

(a) In the case of national enterprises or vessels:

1. A fine of from five hundred (500) to two hundred thousand (200,000) pesos;
2. Confiscation of fishing nets and equipment;
3. Confiscation of the fish catch;
4. Revocation of fishing licence.

These penalties shall be cumulative.

(b) In the case of vessels flying a foreign flag:

1. A fine of \$US 5,000 (five thousand) to \$US 100,000 (one hundred thousand) or the equivalent in Argentine currency at the exchange rate ruling at the time of the payment, which shall be made by the agent responsible for commissioning the vessel or its owner *in solidum*;
2. Confiscation of the fish catch;
3. Confiscation of fishing nets and equipment.

The first two of these penalties shall be cumulative, the competent authority having discretion to add the third penalty also.

¹ Texts under this Division cover both the territorial sea and the high seas. For texts relating to sedentary fisheries on the continental shelf, see also *supra* Division II.

² Reproduced in part in ST/LEG/SER.B/15, p. 569.

³ Spanish text provided by the Permanent Mission of Argentina to the United Nations in a note verbale of 3 April 1973. Translation by the Secretariat of the United Nations.

The penalties shall be imposed after summary proceedings to enable the right to a defence to be exercised by the Ministry of Agriculture and Livestock Breeding, in the case of those referred to in subparagraph (a), and by the competent maritime authority, in the case of those referred to in subparagraph (b), and shall be subject to appeal before the competent national judge having jurisdiction over the place at which the contravention was committed within five (5) days of notification of the penalty. In the case of contraventions committed by vessels flying a foreign flag, the maritime authority may order that they be impounded in an Argentine port until the fine is paid.

2. CANADA

(a) TUNA FISHERY REGULATIONS OF 22 SEPTEMBER 1966,¹ AS AMENDED UP TO 1973²

2. In these Regulations, "tuna" means any fish known by the name of tuna and includes fish of the species yellowfin (*Thunnus albacares*), bluefin (*Thunnus thynnus*), blackfin (*Thunnus atlanticus*), albacore (*Thunnus alalunga*), bigeye (*Thunnus obesus*), skipjack (*Euthynnus pelamis*), common bonito (*Sarda sarda*), Pacific bonito (*Sarda chiliensis*) or false albacore (*Euthynnus alletteratus*).

3. (1) No person on board a fishing vessel that is subject to the laws of Canada shall fish for, transport, process or have in his possession any tuna except under a licence for such vessel issued by the Minister.

(2) The Minister may, in any licence, impose such terms and conditions, not inconsistent with these Regulations, as he deems proper and the holder of the licence shall comply with those terms and conditions.

(3) Every licence issued under these Regulations expires on the 31st day of December next following the day on which it is issued.

(4) The fees for a licence are

(a) For a vessel under one hundred feet in over-all length, \$15; and

(b) For a vessel one hundred feet or more in over-all length, \$25.

(5) The provisions in this section shall not apply to vessels from British Columbia ports fishing for the species albacore (*Thunnus alalunga*) in the waters of the eastern Pacific Ocean north of 32° 30' north latitude.

¹ P.C. 1966-1979. SOR/66-449, *Canada Gazette*, Part II, vol. 100, No. 19, 12 October 1966.

² Amendments were made by P.C. 1968-1775. SOR/68-431 (*ibid.*, vol. 102, No. 19, 9 October 1968), P.C. 1969-698. SOR/69-180 (*ibid.*, vol. 103, No. 9, 14 May 1969), P.C. 1972-2600. SOR/72-467 (*ibid.*, vol. 106, No. 22, 22 November 1972) and P.C. 1973-202. SOR/73-62 (*ibid.*, vol. 107, No. 3, 14 February 1973).

4. (1) No person shall fish for, transport, process or have in his possession any yellowfin from 30 September to 31 December in any year in the area described in the Schedule.¹

(2) Notwithstanding subsection (1), a person, in the course of fishing for tuna other than yellowfin, may take a quantity of yellowfin not exceeding 15 per cent by pound weight of all tuna on the vessel.

5. No person shall fish for tuna in the Gulf of St. Lawrence, being the area of the sea defined as Zone 1 in the *Fishing Zones of Canada (Zones 1, 2 and 3) Order*,² except by rod, line and hooks.

6. Any closed time or fishing quota that is fixed by these Regulations may be varied by order of the Minister.

...

(b) SEAL PROTECTION REGULATIONS OF 19 MAY 1966,³
AS AMENDED UP TO 1973⁴

...

3. [Repealed].

...

9. ...

(3) No vessel sealing licence shall be issued in respect of any vessel that has an over-all length of more than 65 feet unless such a licence in respect of that vessel was issued in 1970 or 1971.

...

11. (1) The combined annual quota for harp seals in the Front Area is 60,000 for persons hunting from or by means of a vessel that is more than 65 feet in over-all length.

(2) No person hunting from or by means of a vessel that is more than 65 feet in over-all length shall take or kill harp seals in the Gulf Area.

(3) The combined annual quota for harp seals in the Front and Gulf Areas is 30,000 for persons operating from the shore or hunting from or by means of a vessel that is 65 feet or less in over-all length.

(4) When the annual quotas prescribed in subsections (1) and (3) for the Areas referred to therein have been reached or when the Minister is of the opinion that such quotas are about to be reached, the Minister shall by order direct that the taking or killing of harp seals in such Areas shall cease.

...

¹ The Schedule is not reproduced here.

² P.C. 1971-366, 25 February 1971. SOR/71-81, *ibid.*, vol. 105, No. 5, 10 March 1971. Reproduced in part in ST/LEG/SER.B/16, pp. 286-288.

³ P.C. 1966-904. SOR/66-235, *Canada Gazette*, Part II, vol. 100, No. 11, 8 June 1966.

⁴ The latest amendments were made by P.C. 1973-578, 13 March 1973. SOR/73-159 (*ibid.*, vol. 107, No. 6, 28 March 1973). The Regulations as amended up to 1968 are reproduced in part in ST/LEG/SER.B/15, pp. 609-611 and ST/LEG/SER.B/16, pp. 284-285. Only the relevant sections amended thereafter are reproduced here.

13. (1) Subject to subsection (2) no person shall take or kill by any means

(a) Harp seals² in the Gulf Area or the Front Area from the 25th day of April, in any year, to the 11th day of March next following, both days inclusive; or

(b) Hood seals in the Front Area from the 25th day of April, in any year, to the 19th day of March next following, both days inclusive.

(2) Subject to subsection (3), a resident of a province adjacent to the Gulf Area or the Front Area operating from the shore or from a vessel having an over-all length of 65 feet or less may take or kill seals at any time.

(3) No person hunting seals pursuant to subsection (2) shall take or kill seals except in waters along the shore of that part of the province in which he resides.

(4) The Minister may, by order, vary the closed season prescribed in subsection (1).

(5) When the Minister considers it necessary for conservation purposes he may, by order, prohibit the taking or killing of seals in any part of the Gulf Area or the Front Area.

...

(c) WHALING REGULATIONS OF 19 MARCH 1964,¹
AS AMENDED UP TO 1973²

...

Conservation

7. (1) Subject to these Regulations, no person shall

(a) Engage in whaling for

(i) Any grey whale or right whale; or

(ii) Any whale on the Atlantic coast of Canada; or

(b) Leave any place or port on the Atlantic coast of Canada with the intention of engaging in whaling, unless that person is an Indian or Eskimo and the meat and other products of the whale are to be used exclusively for local consumption by Indians or Eskimos.

(2) The Minister or any person acting on his behalf may issue a permit to take whales for scientific purposes.

(3) Subparagraph (1) (a) (ii) and paragraph (1) (b) do not apply to whaling by coastal residents for pilot (pothead), minke or other non-commercial species of whales where the meat and other products of the whales are to be used exclusively for local consumption.

¹ P.C. 1964-400. SOR/64-117, *Canada Gazette*, Part II, vol. 98, No. 7, 8 April 1964.

² The latest amendments were made by P.C. 1972-474. SOR/72-74, (*ibid.*, vol. 106, No. 7, 12 April 1972) and P.C. 1973-833. SOR/73-193 (*ibid.*, vol. 107, No. 8, 25 April 1973). The regulations as amended up to 1967 are reproduced in part in ST/LEG/SER.B/15, p. 608. Only the relevant sections amended thereafter are reproduced here.

8. (1) No person shall kill or attempt to kill any blue whale

- (a) In the North Atlantic Ocean;
- (b) In the waters south of the Equator; or
- (c) In the North Pacific Ocean or its dependent waters north of the Equator for a period of four years from the beginning of the 1972 season.

(2) No person shall kill or attempt to kill any humpback whales,

- (a) In the North Atlantic Ocean;
- (b) In the waters south of the Equator; or
- (c) In the North Pacific Ocean or its dependent waters north of the Equator for a period of three years from the beginning of the 1971 season.

...

(4) The number of baleen whales taken during the 1972-73 open season in waters south of 40° South Latitude by factory ships or whale catchers attached to factory ships shall not exceed

- (a) One thousand nine hundred and fifty fin whales;
- (b) Five thousand sei and Bryde's whales in the aggregate; and
- (c) Five thousand minke whales.

(5) No person shall use a factory ship or a whale catcher attached to a factory ship for the purpose of killing or attempting to kill baleen whales in any waters south of 40° South Latitude after the date determined by the Bureau of International Whaling Statistics as the date on which the maximum catch of whales permitted by subsection (4) is reached.

(6) The number of whales taken in the 1973 open season in the North Pacific Ocean and its dependent waters shall not exceed

- (a) Six hundred and fifty fin whales (exclusive of catch in the East China Sea);
- (b) Three thousand sei and Bryde's whales in the aggregate; and
- (c) Six thousand male and four thousand female sperm whales.

(7) The number of sperm whales taken in the Southern Hemisphere in the 1972-73 pelagic season and the 1973 coastal season shall not exceed eight thousand male and five thousand female sperm whales.

(8) For the purpose of subsection (7), "pelagic season" means the season during which whales that are caught are processed on a factory ship and "coastal season" means the season during which such whales are processed at a land station.

9. No person shall take or kill calves or suckling whales or female whales that are accompanied by calves or suckling whales.

10. (1) No person shall use a whale catcher, helicopter or other aircraft attached to a factory ship for the purpose of killing or attempting to kill sperm or minke whales in the North Atlantic and North Pacific Oceans except during the open seasons prescribed in subsection (2) with respect to such whales.

(2) The open season in any year is, for

(a) Sperm whales in the North Atlantic Ocean, from 1 May to 31 December, both dates inclusive;

(b) Sperm whales in the North Pacific Ocean, from 1 April to 30 November, both dates inclusive; and

(c) Minke whales in the North Pacific Ocean, from 1 April to 30 September, both dates inclusive.

(3) No person shall use a whale catcher, helicopter or other aircraft attached to a land station for the purpose of killing or attempting to kill sperm or baleen whales in the North Atlantic or North Pacific Ocean except during the open seasons hereinafter prescribed in subsection (4) with respect to such whales.

(4) The open season in any year is, for

(a) Baleen (except minke) whales in the North Atlantic Ocean, from 15 May to 14 November, both dates inclusive;

(b) Baleen (except minke) whales in the North Pacific Ocean, from 1 April to 30 September, both dates inclusive;

(c) Sperm whales in the North Atlantic Ocean from 1 April to 30 November, both dates inclusive;

(d) Sperm whales in the North Pacific Ocean, from 1 April to 30 November, both dates inclusive; and

(e) Minke whales in the North Atlantic Ocean, from 1 May to 31 October, both dates inclusive.

(5) No person shall use a factory ship or a whale catcher attached to a factory ship for the purpose of killing, attempting to kill or treating baleen whales, other than minke whales, in any waters south of 40° South Latitude except during the period commencing on the twelfth day of December in any year and terminating on the seventh day of April next following, both days inclusive.

(6) No person shall use a factory ship or a whale catcher attached to a factory ship for the purpose of killing, attempting to kill or treating baleen whales, other than minke whales, in

(a) Waters north of 66° North Latitude except those waters from 150° East Longitude eastwards to 140° West Longitude between 66° North Latitude and 72° North Latitude;

(b) The Atlantic Ocean and its dependent waters north of 40° South Latitude;

(c) The Pacific Ocean and its dependent waters east of 150° West Longitude between 40° South Latitude and 35° North Latitude;

(d) The Pacific Ocean and its dependent waters west of 150° West Longitude between 40° South Latitude and 20° North Latitude; and

(e) The Indian Ocean and its dependent waters north of 40° South Latitude.

(7) [Repealed].

(8) No person shall use a factory ship or a whale catcher attached to a factory ship for the purpose of killing, attempting to kill or treating sperm whales in the waters between 40° South Latitude and 40° North Latitude.

(8a) [Repealed].

(d) NORTH PACIFIC FISHERIES CONVENTION REGULATIONS
OF 12 JUNE 1973¹

Short title

1. These Regulations may be cited as the North Pacific Fisheries Convention Regulations.

Interpretation

2. In these Regulations,

“Convention” means the International Convention for the High Seas Fisheries of the North Pacific Ocean² and the Protocol thereto;

“Minister” means the Minister of the Environment.

Prohibition

3. No person aboard a Canadian fishing vessel shall fish for, load, process, transport or have in his possession salmon in that area of the Bering Sea that lies east of the line starting from Cape Prince of Wales on the west coast of Alaska, thence running westward to 168° 58' 22.59" west longitude, thence due south to a point 65° 15' 00" north latitude, thence along the Great Circle Course which passes through 51° north latitude and 167° east longitude, to its intersection with meridian 175° west longitude, thence south along a provisional line which follows this meridian to the territorial waters limit of Atka Island.

4. Every person who violates section 3 is liable upon summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding three months or to both.

Powers of protection officers

5. (1) A protection officer may, except within the territorial waters of another country, seize any Canadian fishing vessel and any goods found thereon including equipment, fishing gear or fish by means of or in relation to which section 3 has been violated.

(2) A protection officer shall take delivery of any Canadian fishing vessel seized and delivered by a duly authorized official of the United States or of Japan pursuant to Article X of the Convention.

¹ P.C. 1973-1479; 12 June 1973. SOR/73-318, *Canada Gazette* Part II, Vol. 107, No. 12, 27 June 1973. Adopted pursuant the North Pacific Fisheries Convention Act of 14 May 1953, reproduced in part in ST/LEG/SER.B/15, pp. 599-600. They supersede the North Pacific Fisheries Convention Regulations of 3 June 1954 reproduced in ST/LEG/SER.B/15, pp. 601-602.

² United Nations, *Treaty Series*, Vol. 205, page 65, and also in ST/LEG/SER.B/8, pp.57-63 and ST/LEG/SER.B/15, p. 840.

6. Subject to these Regulations, a protection officer who has the custody of any fishing vessel or goods that were seized in respect of an alleged violation of section 3 shall retain them in his custody or shall deliver them into the custody of such person as the Minister may direct.

7. Where fish or other perishable goods are seized in respect of an alleged violation of section 3, the protection officer or other person having the custody thereof may, with the consent of the person from whom they were seized, sell them, and the proceeds of the sale thereof shall be paid to the Receiver General or deposited in a chartered bank to the credit of the Receiver General.

Powers of court

8. Where a person is convicted of a violation of section 3, the convicting court or judge may, in addition to any other penalty imposed, order that

(a) The fishing vessel and any goods found thereon by means of or in relation to which the violation was committed; and

(b) If any of the person's goods have been sold under section 7, the proceeds of the sale thereof

be forfeited, and upon the making of such order the fishing vessel, goods and proceeds are forfeited to Her Majesty in right of Canada.

9. Where proceedings in respect of an alleged violation of section 3 have been instituted against a person, the court or judge may, with the consent of the protection officer who has the custody of any fishing vessel or goods that were seized in respect of the alleged violation, order that the vessel or goods be delivered into the custody of the person upon security by bond with two sureties, in an amount and form satisfactory to the court or judge, until the disposition of the prosecution.

Disposal of fishing vessel and goods after conviction

10. Any fishing vessel, goods or proceeds of sale ordered to be forfeited under section 8 shall be disposed of at such time and in such manner as the Minister directs.

Return of fishing vessel and goods

11. Where

(a) The Minister decides not to prosecute a person in respect of an alleged violation of section 3; or

(b) No proceedings against a person in respect of an alleged violation of section 3 have been instituted within three months after the date of the alleged violation,

any fishing vessel or goods seized from the person in respect of the alleged violation and any proceeds of the sale of his goods under section 7 shall be returned or paid to that person.

12. Subject to section 13, where a person is convicted of a violation of section 3, any fishing vessel or goods seized from that person in respect of the violation and any proceeds of the sale of his goods under section 7 shall be returned or paid to the person after the conclusion of the proceedings against

him unless the court or judge has ordered that the vessel, goods or proceeds of sale be forfeited under section 8.

13. (1) Where a person is convicted of a violation of section 3 and a fine is imposed in respect of the conviction, any fishing vessel or goods seized from the person may

(a) Be detained until the fine has been paid;

(b) If the fine remains unpaid for a period of thirty days, be sold under execution in satisfaction of the fine; or

(c) After the expiration of the time allowed by the court or judge for payment of the fine, be sold under execution in satisfaction of the fine.

(2) When a person is convicted of a violation of section 3 and a fine is imposed in respect of the conviction, the proceeds of the sale of the person's goods under section 7 may be applied in satisfaction of the fine.

(e) INTERNATIONAL FISHING VESSEL INSPECTION REGULATIONS
OF 4 SEPTEMBER 1973¹ AS AMENDED UP TO 1974²

Interpretation

2. In these Regulations,

"Act" means the *Northwest Atlantic Fisheries Convention Act*;³

"fishing vessel" means a Canadian fishing vessel or a fishing vessel of a foreign government;

"foreign government" means a government designated by section 3;

"foreign inspector" means a person authorized by a foreign government to carry out inspections pursuant to subsection 3.1 (2) of the Act;

"inspection flag" means a flag or pennant in the shape, size and colours set out in Schedule II;⁴

"inspection officer" means a foreign inspector or a protection officer;

"Minister" means the Minister of Fisheries for Canada.

Designation of Foreign Governments Authorized to Carry Out Inspections

3. The government of a country set out in column I of an item of Schedule I may authorize a person to carry out inspections pursuant to subsection 3.1 (2) of the Act on board Canadian fishing vessels while the vessels are within the Convention area but outside Canadian territorial waters.

¹ P.C. 1973-2587. SOR/73-510, *Canada Gazette*, Part II, vol. 107, No. 18, 26 September 1973.

² Amended by P.C. 1974-1550, 16 July 1974. SOR/74-428, *Canada Gazette*, Part II, Vol. 108, No. 15, 14 August 1974.

³ 2-3 Eliz., Chap. 18, 4 March 1954.

⁴ Schedule II is not reproduced here.

Powers of Inspection Officers

4. An inspection officer may carry out inspections pursuant to subsections 3.1 (2) and (3) of the Act on board a fishing vessel of a country set out in column I of an item of Schedule I subject to the inspection limitations specified in column II of that item.

Identification of Ships Carrying Inspection Officers

5. Whenever a ship in the Convention¹ area carries an inspection officer, that ship shall fly an inspection flag.

...

Identification of Inspection Officers

6. (1) While carrying out his duties under subsections 3.1 (2) or (3) of the Act,

(a) Every foreign inspector shall carry an identification card issued to him for that purpose by the foreign government that authorized him to carry out those duties; and

(b) Every protection officer shall carry an identification card in the form set out in Schedule III.²

(2) Every inspection officer shall produce his identification card upon the request of the master of a fishing vessel that he boards for the purpose of carrying out an inspection.

7. (1) Every fishing vessel in the Convention area shall stop or heave to when signalled to do so by a ship flying an inspection flag.

(2) For the purpose of subsection (1), the signal requiring a fishing vessel to stop or heave to is the hoisting of the International Code flag S.Q.3.

8. The master of any fishing vessel that is within the Convention area shall give to an inspection officer all reasonable assistance requested by him for the purpose of carrying out inspections pursuant to subsection 3.1 (3) of the Act.

9. A protection officer shall, within seven days, report to the Minister any failure by the master of a fishing vessel to comply with section 7.

10. The master of any Canadian fishing vessel that has any net or portion thereof sealed by an inspection officer shall keep the same on board his fishing vessel until it has been checked by a protection officer.

Reporting

...

Penalties

12. Every person who violates these Regulations is liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one month or to both.

¹ Northwest Atlantic Fisheries Convention of 8 February 1949. United Nations, *Treaty Series*, Vol. 157, page 157, and ST/LEG/SER.B/15, pp. 832-838.

² Schedule III is not reproduced here.

SCHEDULE I

<i>Column I</i> Country	<i>Column II</i> Inspection Limitations
1. Bulgaria	No inspection permitted
2. Denmark	None
3. France	None
4. Federal Republic of Germany	None
5. Iceland	No inspection permitted
6. Italy	None
7. Japan	None
8. Norway	None
9. Poland	None
10. Portugal	None
11. Romania	None
12. Spain	None
13. Union of Soviet Socialist Republics	None
14. United Kingdom	None
15. United States	None

(f) NORTHWEST ATLANTIC FISHERIES REGULATIONS
OF 15 JANUARY 1974¹ AS AMENDED²

Short title

1. These Regulations may be cited as the Northwest Atlantic Fisheries Regulations.

Interpretation

2. In these Regulations,

“American plaice” means a fish of the species *Hippoglossoides platessoides* (Fab.); (plie du Canada)

“billfish” means a fish of the species *Scomberesox saurus*; (balaou)

“capelm” means a fish of the species *Mallotus villosus*; (Capelan)

“cod” means a fish of the species *Gadus morhua* (L); (morue)

“cod-end” means a bag-like extension attached to the after end of the belly of a trawl net and used to retain the catch; (cul)

¹ P.C. 1974-75, 15 January 1974. SOR/74-59, *Canada Gazette*, Part II, Vol. 108, No. 3, 13 February 1974. Adopted pursuant the Northwest Atlantic Fisheries Convention Act of 4 March 1954 (reproduced in part in ST/LEG/SER.B/15, pp. 600-601). To give effect to the Northwest Atlantic Fisheries Convention, done in Washington on 8 February 1949 (reproduced in United Nations, *Treaty Series*, Vol. 157, page 157 and in ST/LEG/SER.B/15, pp. 832-838).

² P.C. 1974-470, 5 March 1974. SOR/74-143, *Canada Gazette*, Part II, Vol. 108, No. 6, 27 March 1974; P.C. 1974-1201, 30 May 1974. SOR/74-337, *Canada Gazette*, Part II, Vol. 108, No. 12, 26 June 1974 and P.C. 1974-2122, 24 September 1974. SOR/74-547, *Canada Gazette*, Part II, Vol. 108, No. 19, 9 October 1974.

“division” means a division of a subarea described in Schedule I; (division)

“dogfish” means a fish of the species the family name of which is (Squalidae); (aiguillat)

“finfish” means any of several species of fish having fins; (poisson à nageoires)

“goods” means fish, fishing gear, rigging and other equipment; (effets)

“government vessel” has the same meaning as in the Coastal Fisheries Protection Act; (bâtiment du gouvernement)

“Greenland halibut” means a fish of the species *Reinhardtius hippoglossus* (Walb.); (flétan du Groenland)

“haddock” means a fish of the species *Melanogrammus aeglefinus* (L.); (aiglefin)

“halibut” means a fish of the species *Hippoglossus hippoglossus* (L.); (flétan)

“herring” means a fish of the species *Clupea harengus* (L.); (hareng)

“mackerel” means a fish of the species *Scomber scombrus*; (maquereau bleu)

“menhaden” means a fish of the species *Brevoortia tyrannus*; (alose tyran)

“Minister” means the Minister of Fisheries for Canada; (Ministre)

“pollock” means a fish of the species *Saithes* or *Pollachius virens* (L.) (goberge)

“redfish” means a fish of the species *Sebastes marinus*; (sébaste)

“red hake” means a fish of the species *Urophycis chuss*; (merluche écureuil)

“Regional Director” means the Regional Director of Fisheries for the Maritimes Region or the Newfoundland Region; (directeur régional)

“regulated species” means a species of fish set out in column II of Schedule II or column I of Schedule IV; (espèce réglementée)

“shark” means any of several species of fish belonging to the order Pleurotreinata (Squaliformes); (requin)

“silver hake” means a fish of the species *Merluccius bilinearis*; (merluche argentée)

“squid” means cephalopods of the species *Illex illecebratus* and *Loligo pealei*; (calmar)

“trawl net” means any large bag net dragged in the sea by a vessel or vessels for the purpose of taking fish; (chalut)

“tuna” has the same meaning as in section 2 of the Tuna Fishery Regulations; (thon)

“vessel” means a Canadian fishing vessel as defined in the Coastal Fisheries Protection Act; (bateau)

“white hake” means a fish of the species *Urophycis tenuis* (Mitch.); (merluche blanche)

“winter flounder” means a fish of the species *Pseudopleuronectes americanus* (Walb.); (plie rouge)

“witch flounder” means a fish of the species *Ghyptocephalus cynoglossus* (L.); (plie grise)

“yellowtail flounder” means a fish of the species *Limanda ferruginea* (Storer). (limande à queue jaune)

Application

3. These Regulations apply to commercial fishing in the Convention area by citizens or residents of Canada by means of vessels.

Mesh size restrictions

4. (1) Subject to subsection (2), no person on board a vessel shall fish for or take from a subarea set out in column I of an item of Schedule II any species of fish set out in column II of that item except by means of a net described in column III of that item having a mesh size that is

(a) In the cod-end, not less than the size set out in column IV of that item opposite that net; and

(b) In any part of the net other than the cod-end, not less than the size set out in column V of that item opposite that net.

(2) A person fishing in a subarea set out in column I of item 3, 4 or 5 of Schedule II for a species of fish other than a species set out in column II of that item and using a net that does not meet the requirements of subsection (1) may catch and retain any species of fish set out in column II of that item if the quantity of any species so retained does not exceed the greater of five thousand pounds and ten per cent of the total weight of fish on board his vessel.

(3) For the purposes of this section, mesh size means

(a) In respect of the cod-end of a net, the average of the measurements of any twenty consecutive meshes running parallel to the long axis of the cod-end, beginning at the after end of the cod-end, and at least ten meshes from the lacings; and

(b) In respect of any part of a net other than the cod-end, the average of the measurements of any twenty consecutive meshes that are at least ten meshes from the lacings.

(4) The measurements referred to in subsection (3) shall be made by inserting into the meshes a flat wedge-shaped gauge having a taper of two inches in eight inches and a thickness of three thirty-secondths of an inch with a weight of eleven pounds attached.

5. (1) Subject to subsection (2), no person on board a vessel that is operating in subarea 3, 4 or 5 shall use any device by means of which the openings in the mesh in any part of a trawl net are obstructed or the size of the mesh is diminished.

(2) For the purpose of preventing wear and tear to a trawl net, a person may attach

(a) To the underside of the cod-end, hides, canvas, netting or any similar material; and

(b) To the topside of the cod-end;

(i) A piece of netting the width of which is at least one and one-half times the width of the area of the cod-end that is covered, the width being measured at right angles to the long axis of the cod-end, and the mesh size of which, being the average of the measurements of twenty consecutive meshes across the netting, is not less than the mesh size required by section 4 if the piece of netting is fastened to the cod-end only along the forward and lateral edges of the netting in a manner that will permit it to extend;

(A) Where a splitting strap is used, over not more than that part of the cod-end between the fourth mesh forward of the splitting strap and the fourth mesh from the cod line mesh; and

(B) Where a splitting strap is not used, over not more than one-third of the cod-end measured from not closer than four meshes in front of the cod line mesh; or

(ii) At the rear portion thereof, a rectangular piece of netting made of twine of the same material and size as that of the cod-end, the width of which is the same as the width of the cod-end and the mesh size of which is twice as large as the mesh size of the cod-end, if the piece of netting is fastened to the cod-end along the forward, lateral and rear edges of the netting in a manner that will permit the meshes of that piece of netting to exactly overlies the meshes of the cod-end over which it extends.

Closed seasons

6. (1) No person in command of, and no crew member on, a fishing vessel shall, during March, April or May in any year, fish with any

(a) Otter trawl or similar device;

(b) Gill net;

(c) Hook and line; or

(d) Any other gear that is capable of taking any demersal species of fish

in any portion of subarea 5 or division 4X of subarea 4 bounded by the straight lines connecting the geographical coordinates of points listed in Schedule III in the order in which they are listed.

(2) Subsection (1) does not apply to any person fishing with a hook having a gape of not less than one and three-sixteenths of an inch (three centimetres) in those portions of subarea 5 bounded by the geographical coordinates of points listed in items 1 and 2 of Schedule III.

7. (1) No person shall, during the month of April in any year, fish for red hake or white hake in that portion of subarea 5 bounded by the meridian of 69° 00' west longitude, the parallel of 39° 50' north latitude, the meridian of 71° 40' west longitude and the parallel of 42° 20' north latitude.

(2) A person fishing during the period and in the waters described in subsection (1) for any species of fish other than the species referred to in that subsection may catch and retain fish of the species referred to in that subsection if the quantity so retained in the aggregate does not exceed the greater of five thousand pounds and ten per cent of the total weight of fish on board his vessel.

7.1. No person shall, by means of a vessel that is more than one hundred and forty-five feet in overall length, fish for any demersal species of fish from 1 July to 31 December, both dates inclusive, in any year, in that portion of subarea 5 that is north of 40° 20' north latitude, south of 43° 17' north latitude and west of a straight line drawn from a point at 68° 15' west longitude and 40° 20' north latitude to a point at 70° 00' west longitude and 43° 17' north latitude.

Fishing quotas

8. (1) No person shall, in any year, fish for a species of fish set out in column I of an item of Schedule IV in an area or portion thereof set out in column II of that item after notice is given in respect of that species stating that the annual quota set out in column III of that item, opposite that area or portion thereof, has been, or is about to be, reached.

(2) The notice referred to in subsection (1) may be given by the Regional Director and shall be published in a daily newspaper in each of the Provinces of New Brunswick, Nova Scotia, Prince Edward Island and Newfoundland within seven days of the day it is given.

Incidental catches

9. Where a notice has been given pursuant to section 8 in respect of a species of fish set out in column I of an item of Schedule IV and an area or portion thereof set out in column II of that item, a person fishing in that area or portion thereof for a species of fish other than the species mentioned in the notice may catch and retain fish of that other species if the quantity so retained does not exceed the greater of five thousand pounds and ten per cent of the total weight of fish on board his vessel.

Recording and reporting catches

10. (1) The master of every vessel in excess of twenty-five tons gross tonnage that is fishing in the Convention Area for any species of fish specified in these Regulations shall maintain a record in which he shall record daily the estimated weight of the catch of each species of fish and the area in which the catch was taken.

(2) A copy of the record of catch referred to in subsection (1) shall be given to the purchaser of the catch at the time of sale and the purchaser shall forward that copy and a copy of the sales slip to the Minister.

Haddock

11. (1) Subject to subsection (2), no person shall fish for haddock in division 4V, 4W or 4X of subarea 4 or in subarea 5.

(2) A person fishing for species other than haddock in a division or subarea referred to in subsection (1) may catch and retain haddock if the quantity so retained does not exceed the greater of five thousand pounds and ten per cent of the total weight of fish on board his vessel.

Scallops

12. (1) Subject to subsection (2), no person fishing in any Northwest Atlantic Fisheries Convention subarea with a vessel over sixty-five feet in length shall fish for, catch or retain any sea scallops (*Placopecten magellanicus* Gmelin)

(a) The shell sizes of which are less than 81.5 mm. (3 1/4 inches) measured from the hinge to the opposite edge of the shell; or

(b) The meats of which weigh on the average less than 7.5 grams based on an average count of not more than sixty scallop meats per pound.

(2) A person fishing for sea scallops in an area or portion thereof referred to in subsection (1) and with a vessel described in that subsection may catch and retain scallops the average weight of the meats of which is less than that specified in paragraph (1) (b) if the number of such scallops does not exceed five per cent of the total number of scallops retained by that person while so fishing, the percentage being determined on the basis of not less than eight representative samples, each sample weighing not less than one pound.

(3) Any person who catches a sea scallop the shell size of which is less than that specified in paragraph (1) (a) shall return it to the water immediately.

Herring

13. (1) Subject to subsection (2), no person shall, in those portions of division 4W of subarea 4 south of 44° 52' north latitude, in those portions of division 4X of subarea 4 south of 43° 50' north latitude and in subarea 5, catch and retain any herring that is less than nine inches in length measured from the tip of the nose to the end of the caudal fin.

(2) A person fishing for herring in the areas specified in subsection (1) may catch and retain herring the length of which is less than that specified in subsection (1) if the number of such herring does not exceed twenty-five per cent of the total number of herring caught and retained by that person while so fishing, the percentage being determined on the basis of not less than four representative samples, each sample weighing not less than twenty-five pounds.

Enforcement

14. (1) A protection officer may

(a) Require a vessel to bring to;

(b) Board the vessel; and

(c) Examine under oath the master or any member of the crew of the vessel concerning its cargo and voyage.

(2) Where a protection officer boards a vessel pursuant to paragraph (1) (b), the master of the vessel shall provide any assistance required by the protection officer.

(3) For the purpose of subsection (1), the signal requiring a vessel to bring to is

(a) The hoisting of a rectangular flag known as the International Code Flag "L", which flag is divided vertically and horizontally into quarters and coloured so that

(i) Both the upper quarter next to the staff and the lower quarter next to the fly are yellow; and

(ii) Both the lower quarter next to the staff and the upper quarter next to the fly are black;

(b) The flashing of a light to indicate the International Morse Code Letter "L", which consists of one short flash followed by one long flash followed by two short flashes; or

(c) The sounding of a horn or whistle to indicate the International Morse Code Letter "L", which consists of one short blast followed by one long blast followed by two short blasts.

Offences

15. Every person who,

(a) Being the master or person in command of a vessel, fails without legal excuse to bring to when required to do so by a protection officer or by a signal of a government vessel;

(b) Being on board a vessel, refuses to answer under oath any question asked him by a protection officer;

(c) Being on board a vessel that has been required by a protection officer or by a signal of a government vessel to bring to, throws overboard or destroys any part of the vessel's cargo, outfit or equipment;

(d) Resists or wilfully obstructs any protection officer in the execution of his duty; or

(e) Violates any other provision of these Regulations,

is guilty of an offence and is liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one month or to both.

Seizure of goods

16. (1) Whenever a protection officer suspects on reasonable grounds that an offence under these Regulations has been committed, he may seize any vessel or any goods found on board the vessel by means of or in relation to which he reasonably believes the offence was committed.

(2) Subject to this section, any vessel or goods seized under subsection (1) shall be retained in the custody of the protection officer making the seizure or shall be delivered into the custody of such person as the Minister directs.

(3) Where fish or other perishable articles are seized under subsection (1), the protection officer or other person having the custody thereof may sell them, and the proceeds of the sale shall be paid to the Receiver General or deposited in a chartered bank to the credit of the Receiver General.

(4) Where any vessel or goods have been seized under subsection (1) and proceedings in respect of the offence have been instituted, the court or judge may, with the consent of the protection officer who made the seizure, order the vessel or goods to be returned to the person from whom they were seized upon the giving to Her Majesty of security by bond, with two sureties, in an amount and form satisfactory to the Minister.

(5) Any vessel or goods seized under subsection (1) and the proceedings of any sale made under subsection (3) shall be returned or paid to the person from whom the vessel or goods were seized if the Minister decides not to institute proceedings in respect of the offence, and in any event shall be so returned or paid upon the expiration of three months from the day of seizure unless before that time proceedings in respect of the offence are instituted.

17. (1) Where a person is convicted of an offence under these Regulations, the convicting court or judge may, in addition to any other penalty imposed, order that

(a) Any vessel or any goods on board the vessel by means of or in relation to which the offence was committed; or

(b) The whole or any part of the proceeds of any sale made under subsection 16 (3)

be forfeited, and upon the making of the order the goods or proceeds so ordered to be forfeited are forfeited to Her Majesty.

(2) Where, at the conclusion of any proceedings in respect of an offence under these Regulations, any vessel or goods seized under subsection 16 (1) or proceeds of a sale made under subsection 16 (3) are not ordered to be forfeited, the vessel or goods shall be returned or the proceeds paid to the person from whom the vessel or goods were seized, unless there has been a conviction and a fine imposed, in which case

(a) The vessel or goods may be detained until the fine is paid;

(b) The vessel or goods may be sold under execution in satisfaction of the fine; or

(c) The proceeds may be applied in payment of the fine.

(3) Any vessel, goods or proceeds forfeited pursuant to subsection (1) may be disposed of as the Minister directs.

Protection of persons claiming interest in goods seized

18. Section 59 of the Fisheries Act applies, with such modifications as the circumstances may require, in respect of any vessel or goods forfeited under section 17 as though the vessel or goods were articles forfeited under subsection 58 (5) of that Act.

SCHEDULE I

Divisions of Subareas

1. *Division 2J of subarea 2.* That portion of the Convention area bounded on the north by the parallel of 55° 20' north latitude; on the east by a rhumb line drawn in a northwesterly direction from a point at 52° 15' north latitude and 42° 00' west longitude to a point at 61° 00' north latitude and 59° 00' west longitude; on the south by the parallel of 52° 15' north latitude; and on the west by the Canadian territorial waters off the coast of the Province of Newfoundland.

2. *Division 3K of subarea 3.* That portion of the Convention area bounded on the north by the parallel of 52° 15' north latitude; on the east by the meridian of 42° 00' west longitude; on the south by the parallel of 49° 15' north latitude; and on the west by the Canadian territorial waters off the coast of the Province of Newfoundland.

3. *Division 3L of subarea 3.* That portion of the Convention area bounded on the north by the parallel of 49° 15' north latitude; on the east by the meridian of 46° 30' west longitude; on the south by the parallel of 46° 00' north latitude; and on the west by a straight line drawn from a point at 46°00' north latitude and 54° 30' west longitude to Cape St. Mary's in the Province of Newfoundland and by the Canadian territorial waters off the coast of the Province of Newfoundland.

3.1. *Division 3M of subarea 3.* That portion of the Convention area bounded on the north by the parallel of 49° 15' north latitude; on the east by the meridian of 42° 00' west longitude; on the south by the parallel of 39° 00' north latitude; and on the west by the meridian of 46° 30' west longitude.

4. *Division 3N of subarea 3.* That portion of the Convention area bounded on the north by the parallel of 46° 00' north latitude; on the east by the meridian of 46° 30' west longitude; on the south by the parallel of 39° 00' north latitude; on the southwest by a rhumb line drawn from a point at 39° 00' north latitude and 50° 00' west longitude to a point at 47° 50' north latitude and 60° 00' west longitude; and on the west by the meridian of 51° 00' west longitude.

5. *Division 3O of subarea 3.* That portion of the Convention area bounded on the north by the parallel of 46° 00' north latitude; on the east by the meridian of 51° 00' west longitude; on the southwest by a rhumb line drawn from a point at 39° 00' north latitude and 50° 00' west longitude to a point at 47° 50' north latitude and 60° 00' west longitude; and on the west by the meridian of 54° 30' west longitude.

6. *Division 3Ps of subarea 3.* That portion of the Convention area bounded on the north by the Canadian territorial waters off the coast of the Province of Newfoundland; on the east by a line drawn from Cape St. Mary's in the Province of Newfoundland to a point 46° 00' north latitude and 54° 30' west longitude and by the meridian of 54° 30' west longitude; on the southwest by a rhumb line drawn from a point at 39° 00' north latitude and 50° 00' west longitude to a point at 47° 50' north latitude and 60° 00' west longitude; on the northwest by a straight line drawn from a point at 46° 50' north latitude and 58° 50' west longitude to Burgeo Island in the Province of Newfoundland.

7. *Division 3Pn of subarea 3.* That portion of the Convention area bounded on the north by the Canadian territorial waters off the coast of the Province of Newfoundland; on the southeast by a straight line drawn from Burgeo Island in the Province of Newfoundland to a point at 46° 50' north latitude and 58° 50' west longitude; on the southwest by a rhumb line drawn from a point at 39° 00' north latitude and 50° 00' west longitude to a point at 47° 50' north latitude and 60° 00' west longitude; and on the northwest by a straight line drawn from Cape Ray in the Province of Newfoundland to Cape North in the Province of Nova Scotia.

7.1. *Division 4T of subarea 4.* That portion of the Convention area bounded on the south and west by the territorial waters of Canada along the coasts of the Provinces of Nova Scotia, Prince Edward Island, New Brunswick and Quebec, on the north and northwest by a line beginning at Pointe des Monts and running due east to a point at $49^{\circ} 25'$ north latitude and $64^{\circ} 40'$ west longitude, thence along a rhumb line in a eastsoutheasterly direction to a point at $47^{\circ} 50'$ north latitude and $60^{\circ} 00'$ west longitude, and on the east by a line from the last mentioned point to Cape North in the Province of Nova Scotia.

7.2. *Division 4Vn of subarea 4.* That portion of the Convention area bounded on the west by the territorial waters of Canada off the Province of Nova Scotia and a line drawn from Cape North to a point $47^{\circ} 50'$ north latitude and $60^{\circ} 00'$ west longitude, on the northeast by a rhumb line drawn from the last mentioned point to a point $39^{\circ} 00'$ north latitude and $50^{\circ} 00'$ west longitude, and on the south by the parallel of $45^{\circ} 40'$ north latitude.

8. *Division 4Vs of subarea 4.* That portion of the Convention area bounded on the north by the parallel of $45^{\circ} 40'$ north latitude; on the northeast by a rhumb line drawn from a point at $39^{\circ} 00'$ north latitude and $50^{\circ} 00'$ west longitude to a point at $47^{\circ} 50'$ north latitude and $60^{\circ} 00'$ west longitude; on the south by the parallel of $39^{\circ} 00'$ north latitude; and on the west by the meridian of $59^{\circ} 00'$ west longitude, the parallel of $44^{\circ} 10'$ north latitude and the meridian of $60^{\circ} 00'$ west longitude.

9. *Division 4W of subarea 4.* That portion of the Convention area bounded on the north by the parallel of $45^{\circ} 40'$ north latitude; on the east by the meridian of $60^{\circ} 00'$ west longitude, the parallel of $44^{\circ} 10'$ north latitude and the meridian of $59^{\circ} 00'$ west longitude; on the south by the parallel of $39^{\circ} 00'$ north latitude; on the west by the meridian of $63^{\circ} 20'$ west longitude and a straight line drawn from a point at $63^{\circ} 20'$ west longitude and $44^{\circ} 20'$ north latitude to Cape Sambro in the Province of Nova Scotia; and on the northwest by the Canadian territorial waters off the coast of the Province of Nova Scotia.

10. *Division 4X of subarea 4.* That portion of the Convention area bounded on the north by the Canadian territorial waters off the coast of the Provinces of Nova Scotia and New Brunswick; on the east by a straight line drawn from Cape Sambro in the Province of Nova Scotia to a point at $44^{\circ} 20'$ north latitude and $63^{\circ} 20'$ west longitude and the meridian of $63^{\circ} 20'$ west longitude; on the south by the parallel of $39^{\circ} 00'$ north latitude; on the west by the meridian of $65^{\circ} 40'$ west longitude, by a rhumb line drawn from a point at $42^{\circ} 00'$ north latitude and $65^{\circ} 40'$ west longitude to a point at $42^{\circ} 20'$ north latitude and $66^{\circ} 00'$ west longitude, by the parallel of $42^{\circ} 20'$ north latitude, by the meridian of $67^{\circ} 40'$ west longitude, by the parallel of $43^{\circ} 50'$ north latitude and by the meridian of $66^{\circ} 54' 11.23''$ west longitude to its intersection with the parallel of $44^{\circ} 46' 35.43''$ north latitude.

11. *Division 5Y of subarea 5.* That portion of the Convention area bounded on the north and west by the outer limits of the territorial waters off the east coast of the United States; on the east by the meridian of $66^{\circ} 55' 11.23''$ west longitude, by the parallel of $43^{\circ} 50'$ north latitude, by the meridian of $67^{\circ} 40'$ west longitude and by the meridian of $70^{\circ} 00'$ west longitude from $42^{\circ} 20'$ north latitude to Cape Cod; and on the south by the parallel of $42^{\circ} 20'$ north latitude.

12. *Division 5Ze of subarea 5.* That portion of the Convention area bounded on the north by the parallel of $42^{\circ} 20'$ north latitude; on the northeast by a rhumb line drawn from a point at $42^{\circ} 20'$ north latitude and $66^{\circ} 00'$ west longitude to a point $42^{\circ} 00'$ north latitude and $65^{\circ} 40'$ west longitude; on the east by the meridian of $65^{\circ} 40'$ west longitude; on the south by the parallel of $39^{\circ} 00'$ north latitude; and on the west by the meridian of $70^{\circ} 00'$ west longitude and the outer limits of the territorial waters off the east coast of the United States.

13. *Division 5Zw of subarea 5.* That portion of the Convention area bounded on the north by the outer limits of the territorial waters off the east coast of the United States; on the east by the meridian of 70° 00' west longitude; on the south by the parallel of 39° 00' north latitude; and on the west by the meridian of 71° 40' west longitude.

SCHEDULE II

Mesh sizes of nets

<i>Column I Part of Convention Area</i>	<i>Column II Regulated Species</i>	<i>Column III Type of Net</i>	<i>Column IV Mesh Size (Cod-end of Net)</i>	<i>Column V Mesh Size (Generally)</i>
1. Subarea 1	Cod	Seine net	4 3/8 in.	4 3/8 in.
	Haddock			
	Redfish	Such part of any trawl net as is made of cotton, hemp, polyamide fibres or polyester fibres . . .	4 3/4 in.	4 3/4 in.
	Halibut			
	Witch flounder	Such part of any trawl net as is made of any other material not mentioned above	5 1/8 in.	5 1/8 in.
2. Subarea 2	American plaice			
	Greenland halibut			
	Cod	Seine net	4 3/8 in.	4 3/8 in.
	Haddock			
	Redfish	Such part of any trawl net as is made of cotton, hemp, polyamide fibres or polyester fibres . . .	4 3/4 in.	4 3/4 in.
	Halibut	Such part of any trawl net as is made of any other material not mentioned above	5 1/8 in.	5 1/8 in.
3. Subarea 3	Witch flounder			
	American plaice			
	Greenland halibut			
	Cod	Seine net	4 3/8 in.	4 3/8 in.
	Haddock			
	Redfish, except in Divisions 3N, 3O, 3Ps and 3Pn	Such part of any trawl net as is made of cotton, hemp, polyamide fibres or polyester fibres . . .	4 3/4 in.	4 3/4 in.
	Halibut	Such part of any trawl net as is made of any other material not mentioned above	5 1/8 in.	5 1/8 in.
Witch flounder				
Yellowtail flounder				
American plaice				
Greenland halibut				
Pollock				
White hake				

SCHEDULE II (continued)

Mesh sizes of nets

<i>Column I</i> Part of Convention Area	<i>Column II</i> Regulated Specie.	<i>Column III</i> Type of Net	<i>Column IV</i> Mesh Size (Cod-end of Net)	<i>Column V</i> Mesh Size (Generally)
4. Subarea 4	Cod	Seine net		4 3/8 in.
	Haddock			
	Witch flounder	Such part of any trawl net as is made of cotton, hemp, polyamide fibres or polyester fibres . . .	4 3/4 in.	4 1/8 in.
	Winter flounder American plaice			
	Yellowtail flounder	Such part of any trawl net as is made of any other material not mentioned above	5 1/8 in.	4 1/2 in.
5. Subarea 5	Cod	Seine net		4 3/8 in.
	Haddock			
	Yellowtail flounder	Such part of any trawl net as is made of cotton, hemp, polyamide fibres or polyester fibres . . .	4 3/4 in.	4 1/8 in.
		Such part of any trawl net as is made of any other material not mentioned above	5 1/8 in.	4 1/2 in.

SCHEDULE III

Geographical coordinates of points

	<i>Column I</i> Longitude	<i>Column II</i> Latitude
1.	(1) 69° 55' West	42° 10' North
	(2) 69° 10' West	41° 10' North
	(3) 68° 30' West	41° 35' North
	(4) 68° 45' West	41° 50' North
	(5) 69° 00' West	41° 50' North
2.	(1) 67° 00' West	42° 20' North
	(2) 67° 00' West	41° 15' North
	(3) 65° 40' West	41° 15' North
	(4) 65° 40' West	42° 00' North
	(5) 66° 00' West	42° 20' North
3.	(1) 65° 44' West	42° 04' North
	(2) 64° 30' West	42° 40' North
	(3) 64° 30' West	43° 00' North
	(4) 66° 32' West	43° 00' North
	(5) 66° 32' West	42° 20' North
	(6) 66° 00' West	42° 20' North

SCHEDULE IV

Fishing quotas

<i>Column I</i> Species	<i>Column II</i> Area or Portion Thereof	<i>Column III</i> Annual quota in metric tons
1. American Plaice	(a) Subarea 2 and Division 3K of Subarea 3	(a) 2,500
	(b) Divisions 3L, 3N and 3O of Subarea 3	(b) 48,000
	(c) Division 3M of subarea 3	(c) 800
	(d) Division 3Ps of subarea 3	(d) 8,800
2. Cod	(a) Division 2J of subarea 2 and divisions 3K and 3L of subarea 3 . . .	(a) 60,000
	(b) Division 3M of subarea 3	(b) 3,000
	(c) Divisions 3N and 3O of subarea 3 .	(c) 15,000
	(d) Division 3Ps of subarea 3	(d) 40,000
	(e) Division 4T of subarea 4 during the whole year and division 4Vn of subarea 4 during the period 1 January to 30 April	(e) 46,000
	(f) Division 4Vn of Subarea 4 during the period 1 May to 30 December .	(f) 5,808
	(g) Division 4Vs and 4W of subarea 4 .	(g) 24,250
	(h) Divisions 5Zc and 5Zw of subarea 5	(h) 4,820
3. Finfish (not including menhaden, tuna, billfish or any species of shark except dogfish) and squid	Subarea 5	25,000
4. Herring	(a) Division 5Y of subarea 5	(a) 6,000
	(b) Division 5Zc of subarea 5	(b) 2,980
	(c) Division 4X of Subarea 4 and that portion of division 4W of subarea 4 south of 44° 52' north latitude .	(c) 67,500
	(d) Division 4V of subarea 4 and that portion of division 4W of subarea 4 north of 44° 52' north latitude .	(d) 39,800
5. Mackerel	(a) Division 4V, 4W and 4X of subarea 4	(a) 20,000
	(b) Subarea 5	(b) 8,000
6. Pollock	Divisions 4V, 4W and 4X of subarea 4 and subarea 5	34,000
7. Redfish	(a) Division 3M of subarea 3	(a) 1,000
	(b) Divisions 3L and 3N of subarea 3 .	(b) 3,000
	(c) Division 3O of subarea 3	(c) 3,000
	(d) Division 3P of subarea 3	(d) 9,500

SCHEDULE IV (continued)

Fishing quotas

Column I Species	Column II Area or Portion Thereof	Column III Annual quota in metric tons
	(e) Divisions 4V, 4W and 4X of sub-area 4	(e) 20,000
	(f) Subarea 5	(f) 414
	(g) Subarea 2 and Division 3K of subarea 3	(g) 3,500
8. Silver hake	Divisions 4V, 4W and 4X of subarea 4 .	2,000
9. Witch flounder	(a) Division 2J of subarea 2 and divisions 3K and 3L of subarea 3 . . .	(a) 6,000
	(b) Divisions 3N and 3O of subarea 3 .	(b) 4,500
	(c) Division 3Ps of subarea 3	(c) 2,500
10. Yellowtail flounder	Divisions 4V, 4W and 4Y of subarea 3 .	32,400
11. Yellowtail flounder, Witch flounder and American plaice	Divisions 4V, 4W and 4Y of subarea 4 .	20,000 in the aggregate
12. Greenland halibut	Subarea 2 and Divisions 3K and 3L of subarea 3	7,000
13. Capelin	(a) Subarea 2 and Division 3K of Subarea 3	(a) 10,000
	(b) Divisions 3L, 3N, 3O and 3Ps of subarea 3	(b) 20,000

(g) INTERNATIONAL PACIFIC HALIBUT CONVENTION REGULATIONS OF 26 FEBRUARY 1974¹

Section I

Regulatory areas

(a) The "convention waters" include the territorial waters and the high seas off the western coasts of Canada and the United States of America and are divided into the following areas. All bearings are magnetic and all positions are determined by the most recent charts issued by the United States Coast and Geodetic Survey or National Ocean Survey.

¹ P.C. 1974-345, 26 February 1974. SOR/74-132, *Canada Gazette*, Part II, Vol. 108, No. 5, 13 March 1974. These Regulations implement the Regulations of the International Pacific Halibut Commission adopted pursuant to the Pacific Halibut Fishery Convention between Canada and the United States of America, signed on 2 March 1953 (United Nations, *Treaty Series*, Vol. 222, p. 77. Reproduced in part in ST/LEG/SER.B/8, pp. 51-53). In accordance with Section 13, the regulations reproduced in this volume are to be effective each succeeding year until superseded. They supersede all previous regulations of the Commission, including those of 1971 reproduced in part in ST/LEG/SER.B/16, pp. 288-291.

(b) Area 2 includes all convention waters east of a line running northwest one-quarter west (309°) from Cape Spencer Light (latitude 58° 11' 57" N., longitude 136° 38' 18" W.) and south and east of a line running south one-quarter east (174°) from said light.

(c) Area 3 includes all convention waters north and west of Area 2, excluding the Bering Sea.

(d) Area 4 includes all convention waters in the Bering Sea. Areas 4A, 4B, 4C, 4D-East and 4E include all waters in the Bering Sea east of 175° W. Area 4D-West includes all waters in the Bering Sea west of 175° W.

(e) The boundary between Area 3 and Area 4 is from Cape Kabuch Light (latitude 54° 49' 00" N., longitude 163° 21' 36" W.) to Cape Sarichef Light (latitude 54° 36' 00" N., longitude 164° 55' 42" W.); then to a point in Pumicestone Bay on Unalaska Island (latitude 52° 59' 48" N., longitude 168° 55' 06" W.); then to Sequam Island Light (latitude 52° 23' 16" N., longitude 172° 26' 15" W.); then to Cape Amagalik (latitude 51° 40' 40" N., longitude 178° 07' 00" W.); then to Aleut Point (latitude 51° 38' 20" N., longitude 178° 37' 20" E.); then to Cape Wrangell, the westernmost extremity of Attu Island (latitude 52° 55' 20" N., longitude 172° 26' 50" E.); then west northwest.

(f) Area 4E includes all convention waters in the Bering Sea that are east of a line from Cape Sarichef Light (latitude 54° 36' 00" N., longitude 164° 55' 42" W.); to a point northeast of St. Paul Island (latitude 57° 15' 00" N., longitude 170° 00' 00" W.); and south of a line from the latter point to Cape Newenham (latitude 58° 39' 00" N., longitude 162° 10' 25" W.).

Section 2

Commercial fishing for halibut

The regulations and requirements in sections 3 to 11 pertain only to commercial fishing. The regulations for sport fishing are listed in section 12.

Section 3

Fishing seasons

(a) In Areas 2 and 3 the halibut fishing season shall commence at 1500 hours on 17 May and terminate at 0600 hours on a date to be determined and announced under paragraph (b) of section 5 of these Regulations, or at 0600 hours on 15 September, whichever is earlier.

(b) In Areas 4A, 4B, 4C and 4D-East the first halibut fishing season shall commence at 1800 hours on 1 April and terminate at 0600 hours on 19 April; the second season shall commence at 1800 hours on 15 September and terminate at 0600 hours on 30 September.

(c) In Area 4D-West the halibut fishing season shall commence at 1800 hours on 1 April and terminate at 0600 hours on 15 November.

(d) Area 4E in south-eastern Bering Sea is closed to halibut fishing, and no person shall fish for halibut therein or have halibut in his possession therein except in the course of a continuous transit across the area.

(e) All hours of opening and closing shall be Pacific Daylight Time in Areas 2 and 3 and Pacific Standard Time in Area 4.

Section 4

Closed seasons

(a) All convention waters shall be closed to commercial halibut fishing except as provided in section 3 of these Regulations, and the retention and landing of any halibut caught during any closed period shall be prohibited.

(b) These Regulations shall not prohibit the fishing for species of fish other than halibut during the closed halibut seasons, provided that it shall be unlawful for a vessel to have halibut aboard, or for any person to have halibut in his possession while so engaged. Nor shall these Regulations prohibit the International Pacific Halibut Commission, hereafter referred to as "the Commission", from conducting or authorizing fishing operations for research purposes.

Section 5

Catch limits

(a) The quantities of halibut to be taken during the halibut fishing season shall be limited to 13,000,000 pounds in Area 2 to 12,000,000 pounds in Area 3.

(b) The Commission will determine and announce the dates on which the catch limits will be attained in each area. Fishing for halibut in the area will be prohibited after that date.

Section 6

Size limits

(a) No person, firm or corporation may retain or have in possession any halibut that with head on is less than 32 inches as measured in a straight line, passing over the pectoral fin, from the tip of the lower jaw to the extreme end of the middle of the tail, or with head off is less than 24 inches as measured from the base of the pectoral fin, at its most anterior point, to the extreme end of the middle of the tail (see illustration).¹

(b) Possession of halibut or portions from halibut below the minimum size is prohibited.

Section 7

Licensing of vessels

(a) All vessels of any tonnage which shall fish for halibut in any manner or hold halibut in possession in any area, or which shall transport halibut otherwise than as a common carrier documented by the Government of Canada or the United States for the carriage of freight, must be licensed by the Commission, provided that vessels of less than five net tons or vessels which use hook and line gear other than setlines need not be licensed.

(b) The halibut license must be carried on the vessel at all times and shall be subject to inspection by customs and fishery officers of the Government of Canada or the United States (hereinafter called the Governments) or by representatives of the Commission.

¹ Not reproduced in this volume.

(c) The halibut license shall be issued without fee by the customs officers of the Government of Canada or the United States or by representatives of the Commission or by fishery officers of the Government of Canada or the United States at places where there are neither customs officers nor representatives of the Commission.

(d) The halibut license of any vessel fishing for halibut in Area 4 must be validated at Sand Point, Alaska, both prior to such fishing and prior to unloading any halibut at any port other than Sand Point, Alaska. This validation shall be by United States customs or fishery officers or by a representative of the Commission.

(e) A halibut license shall not be valid for halibut fishing nor for possession of halibut in any area closed to halibut fishing except while in transit to an area open to halibut fishing, or to or within a port of sale. The license shall be invalid for the possession of halibut if the licensed vessel is fishing or attempting to fish for any species of fish in any area closed to halibut fishing.

(f) Any vessel which is not required to be licensed for halibut fishing under paragraph (a) of this section of these Regulations shall not possess any halibut of any origin in any area closed to halibut fishing except while in actual transit to or within a port of sale.

(g) No person on any vessel shall fish for halibut or have halibut in his possession, unless said vessel has a valid license issued in conformity with the provisions of this section.

(h) The captain or operator of any vessel holding a license under these Regulations shall keep an accurate log of all fishing operations including date, locality, amount of gear used and amount of halibut taken daily in each such locality. This log record shall be retained for a period of two years and shall be open to inspection by authorized representatives of the Commission.

(i) The captain, operator or any other person engaged on shares in the operation of any vessel licensed under these Regulations may be required by the Commission or by any officer of the Governments to certify to the correctness of such log record to the best of his information and belief and to support the certificate by a sworn statement.

Section 8

Statistical return by dealers

(a) All persons, firms or corporations that buy halibut or receive halibut from fishing or transporting vessels or other carrier shall keep records of each purchase or receipt of halibut, showing date, locality (statistical area), name of vessel, person, firm or corporation purchased or received from and the amount in pounds according to trade categories of the halibut.

(b) These records shall be retained for a period of two years and shall be open to inspection by any enforcement officer of the Governments or by any authorized representative of the Commission. Such persons, firms or corporations may be required to certify to the correctness of such records and to support the certificate by a sworn statement.

(c) The possession of halibut known to have been taken by a vessel without a valid halibut license is prohibited.

Section 9

Fishing gear

(a) Halibut are permitted to be taken only with hook and line gear. The retention or possession of halibut taken with any other gear, such as nets or pots, is prohibited.

(b) The retention or possession of halibut is prohibited when any commercial fishing gear other than hook and line gear or nets used solely for the capture of bait are on board.

Section 10

Retention of tagged halibut

Nothing contained in these Regulations shall prohibit any vessel at any time from retaining and landing a halibut which bears a Commission tag at the time of capture, provided that the halibut with the tag still attached is reported at the time of landing and made available for examination by representatives of the Commission or by enforcement officers of the State, Provincial or Federal Governments.

Section 11

Supervision of unloading and weighing

The unloading and weighing of halibut may be subject to the supervision of customs or other authorized officers to assure the fulfilment of the provisions of these Regulations.

Section 12

Sport fishing for halibut

(a) Sport fishing is permitted from 1 March to 31 October in all convention waters. The daily catch by any person is limited to one halibut of any size, caught with a hook attached to a handline or rod.

(b) It is illegal for any person to possess sport-caught halibut aboard a vessel when other fish or shellfish aboard said vessel are destined for commercial use (sale, trade or barter).

(c) Nothing in these Regulations shall restrict the right of the Government of Canada or of the state fisheries agencies of the United States of America to establish additional restrictive measures for the halibut sport fishery.

Section 13

Previous regulations superseded

These Regulations shall supersede all previous regulations of the Commission. These Regulations shall be effective each succeeding year, until superseded.

**(h) COASTAL FISHERIES PROTECTION REGULATIONS
OF 19 MARCH 1974¹ AS AMENDED²**

Short title

1. These Regulations may be cited as the Coastal Fisheries Protection Regulations.

Interpretation

2. In these Regulations,

“Act” means the Coastal Fisheries Protection Act;³

“Minister” means the Minister of Fisheries for Canada;

“license” means a license issued pursuant to these Regulations;

“permit” means a permit issued pursuant to these Regulations.

Licenses and permits

3. (1) The Minister may issue any license or permit referred to in these Regulations.

(2) A person designated by the Minister may issue a permit referred to in section 5.

Entering Canadian ports

4. (1) A United States fishing vessel may, under the authority of a license, enter any port on the Atlantic coast of Canada for the purpose of purchasing bait, supplies or outfits.

(2) A foreign fishing vessel, other than a United States fishing vessel, may, under the authority of a license, enter any port in the Province of Nova Scotia or Newfoundland during the period stated in the license for the purpose of purchasing bait, supplies or outfits.

(3) A license issued under this section is valid only during the calendar year in which it is issued.

(4) A fee of one dollar shall be paid upon application for a license issued under this section.

5. Subject to the customs laws of Canada, fish on board a disabled foreign fishing vessel entering any port on the Atlantic coast of Canada for repairs may, under the authority of a permit, be unloaded, landed or trans-shipped.

6. Subject to the customs and immigration laws of Canada, a foreign fishing vessel may, under the authority of a permit, enter any Canadian port

¹ P.C. 1974-605, 19 March 1974, SOR/74-173, *Canada Gazette*, Part II, Vol. 108, No. 7, 10 April 1974. These regulations supersede the regulations of 17 January 1957 as amended up to 1973, reproduced in ST/LEG/SER.B/15, pp. 602-603.

² P.C. 1974-1199, 30 May 1974, SOR/74-335, *Canada Gazette*, Part II, Vol. 108, No. 12, 26 June 1974.

³ Partially reproduced in ST/LEG/SER.B/15, p. 599 and in ST/LEG/SER.B/16, pp. 282-283.

(a) To discharge or take on board a crew member or passenger of that vessel or of any other fishing vessel registered under the same national flag; or

(b) To unload, land, re-embark or trans-ship any equipment, other than fishing gear, of that vessel or of any other fishing vessel registered under the same national flag.

Entering Canadian fisheries waters

7. A United States fishing vessel may pass through the Canadian fisheries waters known as the "Inland Passage" in the Province of British Columbia under the following conditions:

(a) All fishing gear shall be removed from its normal position of operation on board the vessel and stowed in such a manner that it is not in readiness for fishing; and

(b) The vessel shall comply with any directions given to it by a protection officer.

8. A United States fishing vessel may, under the authority of a permit, enter Canadian fisheries waters off the coast of British Columbia to take on board or trans-ship pink salmon.

9. A United States sport fishing vessel may enter Canadian fisheries waters for sport fishing subject to the fisheries and customs laws of Canada.

10. A fishing vessel of any state that is a party to a fisheries conservation convention with Canada and the crew thereof may, under the authority of a permit, enter Canadian fisheries waters for the purpose of scientific research or engaging in experimental fisheries operations, and do all or any of the things described in paragraphs 3 (2) (a) to (e) of the Act, subject to the conditions set out in the permit

Signal to bring to

11. For the purpose of section 7 of the Act, the signal requiring a fishing vessel to bring to is

(a) The hoisting of a rectangular flag known as the International Code Flag "L", which flag is divided vertically and horizontally into quarters and coloured so that

(i) Both the upper quarter next to the staff and the lower quarter next to the fly are yellow; and

(ii) Both the lower quarter next to the staff and the upper quarter next to the fly are black;

(b) The flashing of a light to indicate the International Morse Code Letter "L", which consists of one short flash followed by one long flash followed by two short flashes; or

(c) The sounding of a horn or whistle to indicate the International Morse Code Letter "L", which consists of one short blast followed by one long blast followed by two short blasts.

Fishing zones

12. Fishing vessels of the United States may fish in the fishing zones established by section 4 of the Territorial Sea and Fishing Zones Act.

3. DENMARK

(a) ACT NO. 570 OF 21 DECEMBER 1972 ON THE PROHIBITION OF SALMON FISHING IN THE NORTH-WEST ATLANTIC¹

Article 1. 1. In pursuance of the recommendations made by the International Commission for the Northwest Atlantic Fisheries, the Minister of Fisheries may establish regulations prohibiting, as from 1 January 1976, the fishing of salmon in those parts of the Atlantic waters to which article 1 of the Convention of 8 February 1949 for the Northwest Atlantic Fisheries² applies (Notice No. 3 of 8 February 1951, *Lovtidende C*) and which lie outside the national fishing limits.

2. In respect of Danish nationals or companies, etc., domiciled elsewhere in the realm than in Greenland, the Minister of Fisheries may also establish similar regulations for that part of the area covered by the Convention lying between 12 and 3 nautical miles from the coast or from the baselines established off Greenland.

3. As regards the Faroe Islands, the regulations referred to in paragraphs 1 and 2 shall be established after consultation with and with the approval of the local government of the Faroe Islands.

...

(b) ACT NO. 413 OF 13 JUNE 1973 ON COMMERCIAL FISHING, TRAPPING AND HUNTING IN GREENLAND³

Article 1. 1. Commercial fishing, trapping and hunting in the sea off Greenland within a distance of 12 nautical miles from the boundary line set by the Minister for Greenland may be engaged in only by:

(1) Persons who are resident in Greenland and have a regular connexion with the Greenland community;

(2) Institutions and associations the management of which consists exclusively of persons referred to in subparagraph (1);

(3) Jointly-owned shipping companies not less than two thirds of the shares in which and the majority of the capital of which are owned by persons referred to in subparagraph (1), and the managing owner of which is a person referred to in subparagraph (1);

(4) Joint-stock companies and other limited liability companies which have elected a board of directors, if at least two thirds of the board and the majority of the partners consist of persons referred to in subparagraph (1) and if the majority of the company's capital is owned by persons referred to in subparagraph (1).

¹ Danish text provided by the Ministry of Foreign Affairs in a note verbale of 4 January 1974. Translation by the Secretariat of the United Nations.

² United Nations, *Treaty Series*, vol. 157, p. 157. Reproduced in ST/LEG/SER.B/15, pp. 832-838.

³ Danish text provided by the Ministry of Foreign Affairs of Denmark in a note verbale of 4 January 1974. Translation by the Secretariat of the United Nations. For the status of previous legislation, see article 12.

2. Where institutions, associations or companies are partners in a jointly-owned shipping company or in a company as referred to in paragraph 1, subparagraph (4), each partner must meet the requirements to be able to engage in commercial fishing, trapping and hunting independently.

...

5. Persons, etc., other than those referred to in paragraph 1 may not, without permission from the Minister or from the Governor of Greenland by authorization of the Minister, process or trans-ship fish or fish products in the area referred to in paragraph 1, or transport fish or fish products directly from the sea through that area to landing places in Greenland.

6. Only vessels registered as having their home port in Greenland may be used for the purposes referred to in paragraphs 1 and 5.

7. In very exceptional circumstances the Minister may depart from the provisions of paragraphs 1 and 6 when such departure is considered important for the development of the Greenland fishing industry.

8. The Minister may lay down regulations¹ under which persons and companies, etc., not covered by paragraph 1, but covered by article 1, paragraph 1, of Act No. 233 of 3 June 1967 on commercial trapping, fishing and hunting in Greenland,² may continue, until 31 December 1977, to engage in the activities referred to in paragraphs 1 and 5, and for that purpose may use vessels registered as having their home port in another part of the Kingdom.

...

Article 4. 1. The Minister for Greenland may, for the land territory and territorial waters of Greenland, lay down regulations concerning:

(1) The protection of animal and fish varieties, including regulations concerning:

- (a) Closed seasons;
- (b) Protected areas;
- (c) Quantitative restrictions on the catch and restrictions on the input;
- (d) Prohibitions on catching;
- (e) Minimum sizes;
- (f) The supply and use of implements and accessories;
- (g) Prohibition of the use of certain appliances, types of appliances and catching methods;
- (h) The apportionment, including apportionment at the national level, of the quantities that may be caught and of the input;

(2) Fishing rules;

(3) Measures to check observance of the regulations.

...

¹ See, e.g., *infra* (c).

² Reproduced in part in ST/LEG/SER.B/15, pp. 627-629.

Article 5. Vessels equipped for fishing, trapping or hunting which enter the sea area mentioned in article 1, paragraph 1, without being entitled to fish, trap or hunt in that area shall have all their fishing, trapping or hunting gear stowed inboard and the boats aboard the vessel in their normal position.

Article 6. The Fishery Inspection Service of the Office of Naval Defence and the Greenland authorities may cause fishing vessels or vessels used to transport fish to be stopped and boarded so that official actions, including examination of ship's papers and inspection of fishing gear and catches, may be carried out, and they may require gear to be brought in for the purposes of official inspection. Furthermore, such vessels may be ordered to accompany the inspecting vessel to port for the purposes of search or the unloading of the catch.

Article 7. 1. Any breach of article 1, paragraphs 1-3, 5 and 6, article 3, paragraph 1, and article 5, or failure to comply with an order given in pursuance of article 6 may give rise to a warning or be punishable by a fine.

2. Regulations made under the Act may provide that violation of provisions of the regulations may also give rise to a warning or be punishable by a fine.

3. Confiscation shall be governed by the provisions of the Criminal Code. However, gear may be confiscated by reason both of a wilful offence and of an offence due to negligence. In addition, the catch or the value thereof may be confiscated even if it cannot be proved with certainty to have resulted entirely from the unlawful conduct.

Article 8. 1. If a reasonable presumption exists that a vessel has been used in connexion with an offence covered by article 7, the vessel may be seized by the authorities mentioned in article 6.

2. Outside the sea area referred to in article 1, paragraph 1, a foreign vessel may be stopped, searched or seized if a reasonable presumption exists that the offence was committed within the area or if pursuit was begun while the vessel was still within the area and was thereafter continued without interruption.

Article 9. 1. A vessel which is seized in pursuance of this Act may, if in the commission of the offence it was used by persons, companies, etc., other than those referred to in article 1, paragraph 1, be detained together with all gear until the amounts due in respect of fines, confiscation and costs have been paid or security for the payment thereof has been furnished. If payment is not made or security furnished within two months after the final disposition of the case, satisfaction may be sought against the vessel and gear.

Article 11. The Act shall be without prejudice to any rights granted to foreign nationals in Greenland under international agreements entered into before the Act came into force.

Article 12. Act No. 223 of 3 June 1967 on commercial trapping, fishing, and hunting in Greenland¹ is repealed. Notice No. 528 of 3 December 1969

¹ Reproduced in part in ST/LEG/SER.B/15, pp. 627-629.

on the regulation of fishing in Greenland waters, Notice No. 529 of 3 December 1969 on the admission of foreign vessels to Greenland waters for fishing, etc.,¹ and Notice No. 241 of 2 June 1972 on the prohibition of the use of certain means of transport for hunting in Greenland remain, however, in force.

(c) EXECUTIVE ORDER NO. 436 OF 23 JULY 1973 CONCERNING
DANISH AND FAROESE FISHERIES IN GREENLAND WATERS²

Pursuant to article 1, paragraphs 5 and 8, of Act No. 413 of 13 June 1973 on Commercial Fishing, Trapping and Hunting in Greenland,³ it is hereby ordered as follows:

Article 1. 1. This Notice shall apply to the following persons and establishments not resident in Greenland and having no regular connexion with the Greenland community:

- (1) Danish nationals;
- (2) Institutions and associations the management of which consists exclusively of Danish nationals who are resident in Denmark;
- (3) Jointly-owned shipping companies at least two thirds of which are owned by Danish nationals and the managing owner of which is a Danish national and is resident in Denmark;
- (4) Joint-stock companies and other with limited-liability companies which have elected a board of directors, if at least two thirds of the board consists of Danish nationals who are resident in Denmark;
- (5) Other companies in which at least two thirds of the partners are Danish nationals who are resident in Denmark.

2. Where institutions, associations or companies are partners in a jointly-owned shipping company or in a company as referred to in paragraph 1 (5), each partner must meet the requirements of this Notice to be able to engage in fishing operations independently.

Article 2. The persons and establishments referred to in paragraph 1 shall be allowed to engage in the activities specified hereunder (see, however, the exceptions in articles 3 to 5); they may do so only until 31 December 1977 and only with vessels registered in Denmark:

- (1) To engage in commercial fishing within 12 nautical miles from the baselines established in the Order on the delimitation of the territorial waters of Greenland;

¹ Reproduced in ST/LEG/SER.B/16, pp. 296-297.

² This Executive Order, in accordance with article 8 thereof, came into force on 24 July 1973, the day after its publication in the Official Gazette (*Lovtidende*). It repealed Notice No. 530 of 3 December 1969 concerning commercial trapping, fishing and hunting in Greenland, reproduced in part in ST/LEG/SER.B/16, pp. 297-298. Danish text provided by the Ministry of Foreign Affairs of Denmark in a note verbale of 4 January 1974. Translation by the Secretariat of the United Nations.

³ *Supra* (b).

(2) To process and trans-ship fish and fish products within the area mentioned in (1) above;

(3) To transport fish and fish products directly from the sea through the area mentioned in (1) above to landing places in Greenland.

Article 3. Commercial fishing may not be engaged in the areas mentioned in the annex¹ to this Notice ("closed areas").

Article 4. Commercial fishing involving the use of fixed fishing tackle attached to land may not be carried on within a distance of 3 nautical miles from the baselines established in the Order on the delimitation of the territorial waters of Greenland.

Article 5. Commercial salmon and sea-trout fishing may not be carried on inside the baselines established in the Order on the delimitation of the territorial waters of Greenland.

Article 6. The Governor of Greenland may, in special cases, grant to persons other than those mentioned in article 1 specific permission to engage in the activities mentioned in article 2 (2) and (3).

Article 7. Any violation of the provisions of this Notice or of the conditions of the authorizations granted pursuant to the Notice may lead to a warning or fine. Such cases shall be tried, moreover, in accordance with the rules laid down in the Act on commercial fishing, trapping and hunting in Greenland.

...

(d) EXECUTIVE ORDER NO. 25 OF 28 JANUARY 1974 FOR THE FAROE ISLANDS CONCERNING THE REGULATION OF FISHERIES IN THE NORTH-EAST ATLANTIC OCEAN²

Article 1. This Executive order shall apply, in accordance with the provisions of the North-East Atlantic Fisheries Convention,³ to fisheries in waters situated within

1. Those parts of the Atlantic and Arctic Oceans and their dependent seas which lie north of 36° north latitude and between 42° west longitude and 51° east longitude, but excluding

(a) The Baltic Sea and Belts lying to the south and east of lines drawn from Hasenore Head to Griben Point, from Korshage to Spodsbjerg and from Gilbjerg Head to the Kullen; and

(b) The Mediterranean Sea and its dependent seas as far as the point of intersection of the parallel of 36° north latitude and the meridian of 5° 36' west longitude.

¹ The annex is not reproduced in this volume.

² Issued by the Ministry of Fisheries on 28 January 1974. In force immediately in accordance with article 20. It superseded a prior Executive Order of 7 February 1973 on the same subject. Danish text transmitted by the Ministry of Foreign Affairs of Denmark in a note verbale of 20 December 1974. Translation by the Secretariat of the United Nations.

³ Reproduced in document ST/LEG/SER.B/15, pages 853-857.

2. That part of the Atlantic Ocean north of 59° north latitude and between 44° west longitude and 42° west longitude.

Article 2. The Convention area referred to in article 1 shall be divided into three regions, indicated on the attached map and defined as follows:

Region 1. The part of the Convention area bounded on the south by a line running from a point 59° north latitude 44° west longitude due east to the meridian of 42° west longitude; thence due east to the meridian of 4° west longitude; thence due north to the parallel of 64° north latitude; thence due east to the coast of Norway; thence north and east along the coast of Norway and along the coast of the Soviet Union as far as the meridian of 51° east longitude.

Region 2. The part of the Convention area situated north of 48° north latitude and not covered by region 1.

Region 3. The part of the Convention area between 36° and 48° north latitude.

Article 3. 1. No vessel may carry on board or use any kind of trawl, Danish seine or other net towed through the water where the size of the mesh in any part of the net is smaller than that specified in articles 4 to 7 (cf., however, articles 8 to 10).

2. The size of the mesh shall correspond to the maximum width of a flat gauge 2 mm thick which can pass easily through the mesh stretched diagonally lengthwise when the net is wet.

Article 4. In region 1 the minimum size shall be as follows:

1. In the case of those waters situated east of the meridian of Greenwich:

(a) In the case of Danish seines of any material: 110 mm.

(b) In the case of those parts of trawl nets made of cotton, hemp, polyamide fibre or polyester fibre: 120 mm.

(c) In the case of those parts of trawl nets made of any materials other than those mentioned in subparagraph (b): 130 mm.

2. In the case of those waters situated west of the meridian of Greenwich:

(a) In the case of Danish seines of any material: 110 mm.

(b) In the case of those parts of trawl nets made of cotton, hemp, polyamide fibre or polyester fibre: 120 mm.

(c) In the case of those parts of trawl nets made of any materials other than those mentioned in subparagraph (b): 130 mm.

Article 5. In region 2 the minimum mesh size shall be as follows:

(1) In the case of Danish seines of any material and in the case of trawl nets made of single twine without manila or sisal: 70 mm.

(2) In the case of trawl nets made of double twine without manila or sisal: 75 mm.

(3) In the case of trawl nets made of manila or sisal: 80 mm.

Article 6. In region 3 the minimum mesh size of Danish seines or trawl nets shall be 60 mm.

Article 7. Throughout the entire Convention area outside the national fishery limits the following regulations shall apply with respect to gear used for salmon fishing: drift nets, fixed nets and Danish seines shall have a mesh-gauge no smaller than 160 mm. Hooks shall have an opening no smaller than 1.9 cm and the snell (suspended) shall have a minimum strength equivalent to 0.6 monofilament nylon. The use of all kinds of trawl, monofilament netting and trolling line shall be prohibited.

Article 8. (1) Notwithstanding the foregoing regulations concerning mesh size, cordage or similar materials may be attached to the underside of the cod-end of a trawl net to prevent or reduce wear and tear.

(2) In those waters where the prescribed minimum mesh size is 100 mm or more, a rectangular protective bag of netting may, until 31 December 1975, also be affixed to the upper side of the cod-end of the trawl net to prevent or reduce wear and tear, subject to the following requirements:

- (i) The netting may not have a mesh-gauge smaller than that prescribed for the net itself.
- (ii) The netting may only be attached to the cod-end in front and along the sides and shall be attached in such a way that, in front, it only extends as far as four meshes before the splitting strap and, behind, ends at least four meshes before the cod-line. If a splitting strap is not used, the net may cover no more than a third of the cod-end, measured from the front edge to at least four meshes before the cod-line.
- (iii) The number of meshes in the width of the netting shall be no less than one and a half times as large as in the width of the part of the cod-end which it covers. Both widths shall be measured at right angles to the longitudinal axis of the cod-end.

Article 9. (1) Vessels, fishing for mackerel, all clupeoid species, sand eel, Norway pout poutassou, capelin, smelt, eel, greater weever, horse-mackerel, shrimp, deep-water shrimp, deep-water lobster or molluscs, may, for the purpose of such fishing, carry on board and use seines with a smaller mesh-gauge than that indicated in articles 4 to 6.

(2) However, vessels engaging in the type of fishing referred to in paragraph 1 in waters west of the line between Hanstholm and Lindesnes, may not carry nets with a mesh-gauge ranging between 50 mm and the minimum size specified in articles 4 to 6.

Article 10. Notwithstanding the provisions of article 5, until 1 January 1980 vessels with a motor power not exceeding 150 hp, engaged in fishing for whiting in the waters east of a line running between Hanstholm and Lindesnes may use nets with a mesh-gauge smaller than that indicated in article 5 and land whiting under the minimum size indicated in article 13 without any restriction as to quantity. Such catches may not include fish other than the species mentioned in article 13.

Article 11. The National Executive may permit fishing gear not meeting the requirements laid down in articles 4 to 9, to be carried and used when this is done with a view to transplantation or for scientific purposes.

Article 12. The Act of the Legislative Assembly's concerning fishing in the fishery zone shall not be affected by the provisions of this Executive Order.

Article 13. (1) The following minimum dimensions for the species of fish enumerated below, measured from the tip of the snout to the extreme end of the tail fin, are prescribed for the Convention area (cf. arts. 1 and 2):

	<i>Region</i>		
	<i>1</i>	<i>2</i>	<i>3</i>
	<i>cm.</i>	<i>cm.</i>	<i>cm.</i>
Salmon (<i>Salmo salar</i>)	60	60	60
Atlantic cod (<i>Gadus morhua</i>)	34	30	
Haddock (<i>Melanogrammus aeglefinus</i>)	31	27	
Whiting (<i>Merlangus merlangus</i>)	23	23	
European hake (<i>Merluccius merluccius</i>)	30	30	30
European plaice (<i>Pleuronectus platessa</i>)	25	25	
Common dab (<i>Limanda limanda</i>)	15	15	
Witch (<i>Glyptocephalus cynoglossus</i>)	28	28	
Lemon sole (<i>Microstomus kitt</i>)	25	25	
Sole (<i>Solea solea</i>)	24	24	24
Turbot (<i>Psetta maxima</i>)	30	30	
Brill (<i>Scophthalmus rhombus</i>)	30	30	
Fluke (<i>Lepidorhombus whiffiagonis</i>)	25	25	

(2) The provisions of paragraph 1 shall not apply to fish caught in the Faroese fishery zone with a handline or long line.

(3) The regulations laid down in other fishery legislation concerning the minimum size of certain species of fish shall not be affected by this Executive Order where they are stricter.

Article 14. (1) Salmon fishing shall not be permitted in the Convention area (cf. arts. 1 and 2) outside the national fishery limits

- (i) Between the parallels of 63° and 68° north latitude east of the meridian of Greenwich and east of the meridian of 22° east longitude;
- (ii) In region 2 south of the parallel of 62° north latitude between 2° east longitude and 11° west longitude;
- (iii) Within an area defined by the following lines: from 27° west longitude along the parallel of 62° north latitude to 11° west longitude; thence due north to 68° north latitude, thence due west to 27° west longitude and thence due south to 62° north latitude.

(2) In regions 1 and 2 salmon fishing shall not be permitted outside the national fishery limits during the period from 1 July to 5 May inclusive.

Article 15. (1) Herring fishing in the North Sea and the Skagerrak shall not be permitted during the period from 1 February to 15 June 1974

inclusive. In this connexion the Skagerrak and the North Sea are bounded in the north by the parallel of 62° north latitude, in the west by the meridian of 4° west longitude from 62° north latitude to the Scottish coast, and in the English Channel by 1° west longitude and in the east by a line running from Skagen to Pater Noster Lighthouse.

(2) Notwithstanding the provisions of paragraph 1, any landing of fish may contain up to 10 per cent in weight of herring.

(3) The Faroese National Executive may, after consultation with the Minister for Fisheries allow a certain amount of herring to be caught during the close season for special consumption purposes in accordance with decisions by the North-East Atlantic Fisheries Commission.

Article 15A. Purse seines may not be used for herring fishing in the Celtic Sea. In this connexion the Celtic Sea is bounded in the north by 52° 30' north latitude, in the south by 49° north latitude, in the east by 5° west longitude, and in the west by 9° west longitude.

Article 15B. (1) Herring fishing shall not be permitted in that part of regions 1 and 2 which is bounded to the west and south by the following lines, along 11° west longitude due south to 63° north latitude; thence due west to 15° west longitude; thence due south to 60° north latitude; thence due east to 5° west longitude; thence due north to 60° 30' north latitude; thence due east to 4° west longitude; thence due north to 62° north latitude; thence due east to the Norwegian coast.

(2) The Faroese National Executive may, after consultation with the Minister for Fisheries, allow a certain amount of herring to be caught in the protected area for special consumption purposes in accordance with a decision by the North-East Atlantic Fisheries Commission.

(3) The provisions of paragraph 1 shall not apply to catches in the Faroese fishery zone of the local, early summer-spawning herring.

Article 16. (1) In the case of mackerel caught in the North Sea, the Skagerrak and the Kattegat, and which are not considered to be for human consumption, these shall be a minimum size of 30 cm, measured from the tip of the snout to the extreme end of the tail fin. In this connexion, the North Sea, the Skagerrak and the Kattegat are bounded in the north from 62° north latitude to the Scottish coast; in the English Channel by the parallel of 51° north latitude and in the east by the lines running between Hasenore and Gniben Point, Korshage and Spodsbjerg and Gilbjerg Head and the Kullen.

(2) Notwithstanding the provisions of paragraph 1, any landing of mackerel may contain up to 20 per cent in weight of mackerel under the prescribed minimum size.

Article 17. (1) Fish or parts of fish which do not conform to the minimum size prescribed in article 13, and protected fish caught in the close season (cf. articles 14 and 15) may not be killed, kept on board, landed, stored, sold, offered for sale or taken from one place to another, but shall immediately be returned to the sea as far as possible in a condition fit for survival.

(2) In the types of fishing referred to in article 9, however, catches not considered to be for human consumption may contain up to 10 per cent in weight of the species of fish mentioned in article 13, paragraph 1, except for salmon under the minimum size prescribed in article 13. Similarly, in the aforesaid types of fishing the minimum size for whiting shall be 20 cm.

(3) The National Executive may permit the catching, landing and transport of fish under the prescribed minimum size where the catch is made with a view to transplantation or for the purpose of scientific research.

Article 18. (1) Control over the implementation of the provisions of this Executive Order and the rules laid down in connexion therewith shall be exercised by the police or such organs or persons as are authorized to that effect by the National Executive.

(2) Pursuant to a decision by the North-East Atlantic Fisheries Commission, the supervisory functions referred to in paragraph 1 may be exercised outside the fishery limits also by inspectors especially authorized for the purpose by authorities of another member country.

(3) Vessels with the inspectors referred to in paragraph 2 on board shall fly a pennant with two yellow and two blue fields with the letters NE in the upper yellow field.

(4) Upon orders from one of the control authorities referred to in paragraphs 1 and 2 any vessel, fishing or dealing with fish in the Convention area shall stop unless it is engaged in putting out gear, fishing with gear or hauling in gear, in which case it shall stop as soon as the hauling-in process is completed. The master of the fishing vessel shall permit the inspector and, if necessary, a witness to go on board. The master shall also assist the inspector in such inspection of catch and gear both on and below deck and examination of ship's papers as the inspector may find necessary in order to verify that the provisions of this Executive Order have been complied with. The inspector shall be entitled to request such explanations as he may find necessary.

Article 19. (1) Offences against article 3, paragraph 1, article 7, article 8, paragraph 2, article 10, second sentence, article 14, article 15, paragraphs 1 and 2, article 15A, article 15B, article 16 and article 18, paragraph 4, shall be punishable by a fine.

(2) The regulations of the Civil Criminal Code shall apply with respect to confiscation. A catch may be confiscated even if it cannot be definitely established that it derives in its entirety from the unlawful circumstance.

(3) Undersized fish and protected fish shall be set free in the open sea by the supervisory authorities immediately after the impounding or seizure in accordance with Chapter 68 of the Code of Civil Procedure provided that the person charged with the offence admits the offence and provided that the fish are in a condition fit for survival.

(4) Half of the fines shall go to the Treasury and the other half to the Relief Fund for Disabled Fishermen.

(e) EXECUTIVE ORDER NO. 26 OF 28 JANUARY 1974 BY THE MINISTRY OF FISHERIES CONCERNING THE REGULATION OF FISHERIES IN THE NORTH-EAST ATLANTIC OCEAN¹ AS AMENDED²

Articles 1-11³

Article 12. The provisions contained in Chapter IV A of the Act on Salt-Water Fisheries⁴ concerning the use of certain types of fishing gear shall not be affected by the provisions of this Executive Order.

Article 13. (1) The following minimum dimensions for the species of fish enumerated below, measured from the tip of the snout to the extreme end of the tail fin, are prescribed for the Convention area (cf. arts. 1 and 2):⁵

	Region		
	1	2	3
	cm.	cm.	cm.
Salmon (<i>Salmo salar</i>)	60	60	60
Atlantic cod (<i>Gadus morhua</i>)	34	30	
Haddock (<i>Melanogrammus aeglefinus</i>)	31	27	
Whiting (<i>Merlangus merlangus</i>)	23	23	
European hake (<i>Merluccius merluccius</i>)	30	30	30
European plaice (<i>Pleuronectus platessa</i>)	25	25	
Common dab (<i>Limanda limanda</i>)	15	15	
Witch (<i>Glyptocephalus cynoglossus</i>)	28	28	
Lemon sole (<i>Microstomus kitt</i>)	25	25	
Sole (<i>Solea solea</i>)	24	24	24
Turbot (<i>Psetta maxima</i>)	30	30	
Brill (<i>Scophthalmus rhombus</i>)	30	30	
Fluke (<i>Lepidorhombus whiffiagonis</i>)	25	25	

(2) The regulations laid down in other fishery legislation concerning the minimum size of certain species of fish shall not be affected by this Executive Order where they are stricter.

Article 14. (1) Salmon fishing shall not be permitted in the Convention area (cf. arts. 1 and 2) outside the national fishery limits

- (i) Between the parallels of 63° and 68° north latitude, east of the meridian of Greenwich and east of the meridian of 22° east longitude;

¹ This Executive Order does not apply to Greenland and the Faroe Islands as provided in article 21. In force as of the day after its publication in the Official Gazette (*Lovtidende*) in accordance with article 20. It superseded a prior Executive Order of 24 January 1973 on the same subject. Danish text transmitted by the Ministry of Foreign Affairs of Denmark in a note verbale of 20 December 1974. Translation by the Secretariat of the United Nations.

² By Executive Order No. 86 of 25 February 1974 by the Ministry of Fisheries.

³ Identical to Articles 1-11 of Executive Order No. 25 of 28 January 1974, *supra* (d).

⁴ Reproduced in ST/LEG/SER.B/15, pages 623-627.

⁵ *Supra* (d).

- (ii) In region 2 south of the parallel of 62° north latitude between 2° east longitude and 11° west longitude;
- (iii) Within an area defined by the following lines: from 27° west longitude along the parallel of 62° north latitude to 11° west longitude; thence due north to 68° north latitude; thence due west to 27° west longitude and thence due south to 62° north latitude.

(2) In regions 1 and 2 salmon fishing shall not otherwise be permitted outside the national fishery limits during the period from 1 July to 5 May inclusive.

Article 15. (1) Herring fishing in the North Sea and the Skagerrak shall not be permitted during the period from 1 February to 15 June 1974 inclusive. In this connexion the Skagerrak and the North Sea are bounded in the north by the parallel of 62° north latitude, in the west by the meridian of 4° west longitude from 62° north latitude to the Scottish coast, and in the English Channel by 1° west longitude and in the east by a line running from Skagen to Pater Noster Lighthouse.

(2) Notwithstanding the provisions of paragraph 1, any landing of fish may contain up to 10 per cent in weight of herring.

(3) The Minister for Fisheries may allow a certain amount of herring to be caught during the close season for special consumption purposes in accordance with decisions by the North-East Atlantic Fisheries Commission.

Article 15A. (1) Herring fishing shall not be permitted in that part of regions 1 and 2 which is bounded to the west and south by the following lines, along 11° west longitude due south to 63° north latitude; thence due west to 15° west longitude; thence due south to 60° north latitude, thence due east to 5° west longitude; thence due north to 60° 30' north latitude; thence due east to 4° west longitude; thence due north to 62° north latitude; thence due east to the Norwegian coast.

(2) The Minister for Fisheries may allow a certain amount of herring to be caught in the protected area for special consumption purposes in accordance with a decision by the North-East Atlantic Fisheries Commission.

(3) The provisions of paragraph 1 shall not apply to catches in the Faroese fishery zone of the local, early summer-spawning herring.

Article 16. (1) In the case of mackerel caught in the North Sea, the Skagerrak and the Kattegat, and which are not considered to be for human consumption, there shall be a minimum size of 30 cm, measured from the tip of the snout to the extreme end of the tail fin. In this connexion the North Sea, the Skagerrak and the Kattegat are bounded in the north by the parallel of 62° north latitude, in the west by the parallel of 4° west longitude from 62° north latitude to the Scottish coast; in the English Channel by the parallel of 51° north latitude and in the east by lines running between Hasenore and Sniben Point, Korshage and Spodsbjerg and Gilbjerg Head and the Kullen.

(2) Notwithstanding the provisions of paragraph 1, any landing of mackerel may contain up to 20 per cent in weight of mackerel under the prescribed minimum size.

Article 17. (1) Fish or parts of fish which do not conform to the minimum size prescribed in article 13, and protected fish caught within the close season (cf. articles 14 and 15) may not be killed, kept on board, landed, stored, sold, offered for sale or taken from one place to another, but shall immediately be returned to the sea as far as possible in a condition fit for survival.

(2) In the types of fishing referred to in article 9, however, catches not considered to be for human consumption may contain up to 10 per cent in weight of the species of fish mentioned in article 13, except for salmon under the minimum size prescribed in article 13. Similarly, in the aforesaid types of fishing the minimum size for whiting shall be 20 cm.

(3) As far as the Danish fishery zone is concerned, the exception mentioned in paragraph 2 shall apply only to haddock, common dab, whiting, witch and fluke.

(4) The Minister for Fisheries may permit the catching, landing and transport of fish under the prescribed minimum size where the catch is made with a view to transplantation or for the purpose of scientific research.

Article 18. (1) Supervision of the implementation of the provisions of this Executive Order and the rules laid down in connexion therewith shall be exercised by the police, the fishery control authorities and masters of the ships and vessels coming under the Ministry of Fisheries who are authorized to that effect by the Minister for Fisheries.

(2) Pursuant to a decision by the North-East Atlantic Fisheries Commission, the supervisory functions referred to in paragraph 1 may be exercised outside the fishery limits also by inspectors especially authorized for the purpose by authorities of another member country.

(3) Undersized fish and protected fish shall be set free in the open sea by the fishery control authorities immediately after the impounding or seizure (cf. chap. 68 of the Code of Civil Procedure) provided that the person charged with the offence admits the offence and provided that the fish are in a condition fit for survival.

(4) Upon orders from one of the control authorities referred to in paragraphs 1 and 2, any vessel, fishing or dealing with fish in the Convention area shall stop unless it is engaged in putting out gear, fishing with gear or hauling in gear, in which case it shall stop as soon as the hauling-in process is completed. The master of the fishing vessel shall permit the inspector and, if necessary, a witness to go on board. The master shall also assist the inspector in such inspection of catch and gear both on and below deck and examination of ship's papers as the inspector may find necessary in order to verify the provisions of this Executive Order have been complied with. The inspector shall be entitled to request such explanations as he may find necessary.

Article 19. 1. Offences against article 3, paragraph 1, article 8, paragraph 2, article 9, paragraph 2, article 10, second sentence, article 14, article 15, paragraphs 1 and 2, article 15A, paragraph 1, article 16, article 17, paragraphs 1, 2 and 3, and article 18, paragraph 4, shall be punishable by a fine.

2. The regulations of the Civil Criminal Code shall apply with respect to confiscation. A catch may be confiscated even if it cannot be definitely established that it derives in its entirety from the unlawful circumstance.

3. Undersized fish and protected fish shall be set free in the open sea by the fishery control authorities immediately after the impounding or seizure (cf. chap. 68 of the Code of Civil Procedure) provided that the person charged with the offence admits the offence and provided that the fish are in a condition fit for survival.

4. Half of the fines shall go to the Treasury and the other half shall be paid to the Ministry of Fisheries for apportionment between the relief fund of the Danish Fishery Association and the relief fund of the Deep-Sea Fishery Association of Denmark in the proportion of two thirds and one third respectively.

...

(f) EXECUTIVE ORDER NO. 118 OF 12 MARCH 1974 BY THE MINISTRY OF FISHERIES CONCERNING THE REGULATION OF FISHERIES IN THE NORTH-WEST ATLANTIC OCEAN¹ AS AMENDED²

Article 1. 1. This Executive Order shall apply to catches of fish in those parts of the Atlantic Ocean area outside the Greenland fishery zone which are covered by article 1 of the Convention of 8 February 1949 for the North-West Atlantic Fisheries (cf. annex 1 (I) of the Executive Order).

2. The Convention area referred to in paragraph 1 is divided, pursuant to article 1, paragraph 3, of the Convention, into five sub-areas (cf. annex 1, (II and III) of this Executive Order).

Article 2. 1. The following species of fish may be caught in the parts of the Convention area specified below only with the authorization of the Minister for Fisheries or of such person as he may authorize to that effect.

¹ In force as of 17 March 1974 in accordance with article 9. It superseded a prior Executive Order of 12 September 1973 on the same subject. Danish texts of this Order and of the amendments thereto by Executive Order No. 458 of 6 September 1974 were provided by the Ministry of Foreign Affairs of Denmark in a note verbale of 20 December 1974. Translation by the Secretariat of the United Nations.

² By Executive Order No. 458 of 6 September 1974 by the Ministry of Fisheries. In force as of the day after its publication in the Official Gazette (*Lovtidende*).

*Parts of the Convention area for
which authorization is required
(cf. annex 1, III)*

(a) Species of fish

Atlantic cod (<i>Gadus morhua</i>)	1; 2; 3K, L, M, N, O, Ps; 4T, V, W
Rat-tail (<i>Cryphaenoides rupestris</i>)	2; 3
Capelin (<i>Mallotus villosus</i>)	2; 3K, L, N, O, Ps
Greenland halibut (<i>Reinhardtius hippoglossoides</i>)	2; 3K, L
Witch (<i>Glyptocephalus cynoglossus</i>)	2J; 3K, L, N, O, Ps; 4V, W, X
Long rough dab (<i>Hippoglossoides platessoides</i>)	2; 3K, L, N, O, Ps; 4V, W, X
Yellowtail flounder (<i>Limanda ferruginea</i>)	3L, N, O; 4V
Redfish (<i>Sebastes marinus</i>)	2; 3K, L, M, N, O, P; 4V, W, X
Haddock (<i>Melanogrammus aeglefinus</i>)	4V, W, X
Herring (<i>Clupea harengus</i>)	4V, W, X
Silver hake (<i>Merluccius bilinearis</i>)	4V, W, X
Saithe (<i>Pollachius virens</i>)	4V, W, X
Atlantic mackerel (<i>Scomber scombrus</i>)	4V, W, X
Great silver smelt (<i>Argentina silus</i>)	4V, W, X

(b) In sub-area 5 all species of fish except for menhaden, tuna, sail-fish, spearfish, marlin, sharks, except for pickled dogfish, and cuttlefish.

2. In connexion with the authorization referred to in paragraph 1 special conditions may be prescribed for the conduct of fishing activities, including

- (a) Limits on the total catch quantity for one or more species of fish, applicable to the individual water areas and/or vessels;
- (b) Duty to report on the catch;
- (c) Minimum size of fish;
- (d) Protected areas;
- (e) Close seasons

in accordance with the decisions taken by the Commission for the North-West Atlantic Fisheries (ICNAF).

Article 3. 1. No vessel may carry on board or use any kind of trawl or Danish seine where the mesh size in any part of the net is smaller than that specified in articles 4 to 5 (cf., however, article 6).

2. The mesh shall be measured when stretched and when the net is wet, in the manner described in paragraph 3. The mesh size shall be estimated as an average of measurements of 20 connected meshes.

3. The mesh size shall be measured with a flat wedge-shaped gauge 2 mm thick, as shown in annex 2,¹ inserted in the meshes at a pressure of 5 kg.

Article 4. 1. In sub-area 1, outside the Greenland fishery zone, and in sub-areas 2 and 3, the minimum size of mesh used in fishing for cod,

¹ Not reproduced in this volume.

haddock, red fish, Atlantic halibut, Greenland halibut, witch and long rough dab, and in sub-area 3 for saithe, tusk and yellowtail flounder shall be as follows:

- (1) In Danish seines of any material: 110 mm;
- (2) In those parts of trawl nets which are made of hemp (but not manila), polyamide fibre or polyester fibre: 120 mm;
- (3) In those parts of trawl nets which are made of manila or materials other than those mentioned in subparagraph (2): 130 mm.

2. Notwithstanding the foregoing provisions vessels engaged in fishing for red fish in sub-areas 3N, 3O and 3P may use nets with a mesh-gauge smaller than that indicated in paragraph 1. Such catches may contain up to 10 per cent in weight of the other species of fish mentioned.

Article 5. 1. In sub-areas 4 and 5 the minimum mesh size used in fishing for cod, haddock and yellowtail flounder, and in sub-area 4 for witch, winter flounder and long rough dab shall be as follows:

- (1) In Danish seines of any material: 110 mm;
- (2) In the whole trawl net except for the cod-end
 - (i) In those parts which are made of cotton, hemp (but not manila), polyamide or polyester fibre: 120 mm;
 - (ii) In those parts which are made of manila or materials other than those mentioned in subparagraph (2) b i: 130 mm.

2. Notwithstanding the foregoing provisions vessels engaged in fishing in sub-area 4 for species of fish other than those mentioned in this paragraph, for which nets with a mesh size smaller than that indicated in paragraph 1 are used, shall be permitted catches containing up to 10 per cent in weight of the species of fish mentioned.

3. Notwithstanding the foregoing provisions vessels engaged in fishing in sub-area 5 for species of fish other than cod and haddock, for which nets with a mesh size smaller than that indicated in paragraph 1 are used, shall be permitted catches containing up to 10 per cent in weight of cod and haddock.

Article 6. 1. Notwithstanding the foregoing regulations concerning mesh size, cordage or similar material may be attached to the underside of the cod-end to prevent or reduce wear and tear.

2. To prevent or reduce wear and tear a protective net meeting the requirements laid down in annex 3¹ may also be affixed to the upper side of the cod-end of the trawl net.

Article 7. 1. Supervision of the implementation of the provisions of this Executive Order or the rules laid down in connexion therewith shall be exercised by the police, the fishery control authorities, the fishery inspection authorities, or in the case of the Faroe Islands such persons as are authorized to that effect by the National Executive of the Faroe Islands.

2. Pursuant to a decision by the Commission for the North-West Atlantic Fisheries the supervisory functions referred to in paragraph 1 may be

¹ Not reproduced in this volume.

exercised outside the fishery limits also by inspectors especially authorized for the purpose by authorities of another member country.

3. Vessels with the inspectors referred to in paragraph 2 on board shall fly a pennant with two yellow and two blue fields with the letters NW in the upper yellow field.

4. Upon orders from one of the control authorities referred to in paragraphs 1 and 2, any vessel, fishing or dealing with fish in the Convention area shall stop unless it is engaged in putting out gear, fishing with gear or hauling in gear, in which case it shall stop as soon as the hauling-in process is completed. The master of the fishing vessel shall permit the inspector and, if necessary, a witness to go on board. The master shall also assist the inspector in such inspection of catch and gear both on and below deck and examination of ship's papers as the inspector may find necessary in order to verify that the rules laid down in this Executive Order have been complied with. The inspector shall be entitled to request such explanations as he may find necessary.

Article 8. 1. Offences against the provisions of this Executive Order or the rules laid down in connexion therewith shall be punishable by a fine.

2. The regulations of the Civil Criminal Code and the Criminal Law for Greenland shall apply with respect to confiscation. A catch may be confiscated even if it cannot be definitely established that it derives in its entirety from the unlawful circumstance.

3. Half of the fine shall go to the Treasury and the other half shall be paid to the Ministry of Fisheries for apportionment between the relief fund of the Danish Fishery Association and the relief fund of the Deep-sea Fishery Association of Denmark in the proportion of two thirds and one third respectively. However, in the case of persons or companies domiciled in Greenland or the Faroe Islands, the last-mentioned half shall be paid, in the case of Greenland, to the Governor of Greenland and shall be allotted to KNAPP's assistance fund (Carl Egede's Fund) for distribution and assistance to distressed fishermen and their survivors and, in the case of the Faroe Islands, to the Relief Fund for Disabled Fishermen.

ANNEX I

I.

The area covered by the Convention of 8 February 1949 concerning the North-West Atlantic Fisheries,¹ hereinafter referred to as "the Convention area", shall be all waters, except territorial waters, bounded by a line beginning at a point on the coast of Rhode Island in 71° 40' west longitude; thence due south to 39° 00' north latitude; thence due east to 42° 00' west longitude; thence due north to 59° 00' north latitude; thence due west to 44° 00' west longitude; thence due north to the coast of Greenland; thence along the west coast of Greenland to 78° 10' north latitude; thence southward to a point in 75° 00' north latitude and 73° 30' west longitude; thence along a rhumb line to a point in 69° 00' north latitude and 59° 00' west longitude; thence due south to 61° 00' north

¹ Reproduced in ST/LEG/SER.B/15, pp. 832-838. The Convention area is defined in article 1, *ibid.*, p. 832.

latitude; thence due west to 64° 30' west longitude; thence due south to the coast of Labrador; thence in a southerly direction along the coast of Labrador to the southern terminus of its boundary with Quebec; thence in a westerly direction to the coast of Quebec, and in an easterly and southerly direction along the coasts of New Brunswick, Nova Scotia, and Cape Breton Island to Cabot Strait; Maine, New Hampshire, Massachusetts, and Rhode Island to the point of the beginning.

II.

The sub-areas referred to in article I, paragraph 3, of the Convention¹ shall be as follows:

sub-area 1

That portion of the Convention area which lies to the north and east of a line extending from a point (1) in 75° 00' north latitude and 73° 30' west longitude to a point (2) in 69° 00' north latitude and 59° 00' west longitude; east of 59° 00' west longitude and to the north and east of a line running from 61° 00' north latitude and 59° 00' west longitude to 52° 15' north latitude and 42° 00' west longitude.

sub-area 2

That portion of the Convention area lying to the south and west of sub-area 1 defined above and to the north of the parallel of 52° 15' north latitude.

sub-area 3

That portion of the Convention area lying south of the parallel of 52° 15' north latitude; and to the east of a line extending due north from Cape Bauld on the north coast of Newfoundland to 52° 15' north latitude to the north of the parallel of 39° 00' north latitude; and to the east and north of a line extending in a northwesterly direction which passes through (1) 43° 30' north latitude, 55° 00' west longitude, in the direction of (2) 47° 50' north latitude, 60° 00' west longitude, until it intersects a straight line connecting Cape Ray, on the coast of Newfoundland, with Cape North on Cape Breton Island; thence in a northeasterly direction along said line to Cape Ray.

sub-area 4

That portion of the Convention area lying to the west of sub-area 3 defined above, and to the east of a line described as follows: beginning at the terminus of the international boundary between the United States of America and Canada in Grand Manan Channel, at a point in 44° 46' 35.34" north latitude, 66° 54' 11.23" west longitude; thence due south to the parallel of 43° 50' north latitude; thence due west to the meridian of 67° 40' west longitude; thence due south to the parallel of 42° 20' north latitude; thence due east to a point in 66° 00' west longitude; thence along a line in a southeasterly direction to 42° 00' north latitude, 65° 40' west longitude; thence due south to the parallel of 39° 00' north latitude.

sub-area 5

That portion of the Convention area lying west of sub-area 4 defined above.

III. *Division of the sub-areas*

re sub-area 1

1 A - That part of the sub-area situated north of 68° 50' north latitude (Christianshab).

1 B - That part of the sub-area situated between 66° 15' north latitude (5 nautical miles north of Umanarsugssuak and 68° 50' north latitude) (Christianshab).

¹ *Ibid.*, Annex, Section 1.

1 C – That part of the sub-area situated between 64° 15' north latitude (4 nautical miles north of Godthab and 66° 15' north latitude (5 nautical miles north of Umanarsugssuak).

1 D – That part of the sub-area situated between 62° 30' north latitude (Frederikshab Isblink) and 64° 15' north latitude (4 nautical miles north of Godthab).

1 E – That part of the sub-area situated between 60° 45' north latitude (Cape Desolation) and 62° 30' north latitude (Frederikshab Isblink).

1 F – That part of the sub-area situated south of 60° 45' north latitude (Cape Desolation).

re sub-area 2

2 G – That part of the sub-area situated north 57° 40' north latitude (Cape Mugford).

2 H – That part of the sub-area situated between 55° 50' north latitude (Hopedale) and 57° 40' north latitude (Cape Mugford).

2 J – That part of the sub-area situated south of 55° 20' north latitude (Hopedale).

re sub-area 3

3 K – That part of the sub-area situated north of 49° 15' north latitude (Cape Freels, Newfoundland).

3 L – That part of the sub-area situated between the coast of Newfoundland from Cape Freels to Cape St. Mary and a line described as follows: from Cape Freels due east to 46° 40' west longitude; thence along a line to Cape St. Mary, Newfoundland.

3 M – That part of the sub-area situated south of 49° 30' north latitude and east of 46° 30' west longitude.

3 N – That part of the sub-area situated south of 46° 00' north latitude and between 46° 30' west longitude and 51° west longitude.

3 O – That part of the sub-area situated south of 46° 00' north latitude and between 51° 00' west longitude and 54° 30' west longitude.

3 P – That part of the sub-area situated south of the coast of Newfoundland and west of a line extending from Cape St. Mary, Newfoundland, to 46° 00' north latitude, 54° 30' west longitude; thence due south to the boundary line between sub-areas 3 and 4. Sub-area 3 P shall be divided into two parts: a north-western and a south-eastern part, defined as follows:

3 Pn – The north-western part—that part of sub-area 3 P situated north-west of a line extending from Burgeo Island, Newfoundland, approximately south-west of 46° 50' north latitude and 58° 50' west longitude.

3 Ps – The south-eastern part of sub-area 3 P situated south-east of the line delimiting 3 Pn.

re sub-area 4

4 R – That part of the sub-area situated between the coast of Newfoundland from Cape Bauld to Cape Ray and a line described as follows: from Cape Bauld due north to 52° 15' north latitude; thence due west to the coast of Labrador; thence along the coast of Labrador to the terminus of the Labrador-Quebec boundary line; thence along a line in a south-westerly direction to 49° 25' north latitude, 60° 00' west longitude; thence due south to 47° 50' north latitude, 60° 00' west longitude; thence along a line in a south-easterly direction to the point of intersection of a straight line between Cape North, Nova Scotia and Cape Ray, Newfoundland; thence to Cape Ray, Newfoundland.

4 S – That part of the sub-area situated between the south coast of the Province of Quebec from the terminus of the Labrador-Quebec boundary line to Pte. des Monts and a line described as follows: from Pte. des Monts due east to 49° 25' north latitude,

64° 40' west longitude; thence along a line in an east-southeasterly direction to 47° 50' north latitude, 60° 00' west longitude; thence due north to 49° 25' north latitude; 60° 00' west longitude; thence along a line in a north-easterly direction to the terminus of the Labrador-Quebec boundary line.

4 T – That part of the sub-area situated between the coasts of Nova Scotia, New Brunswick and Quebec from Cape North to Pte. des Monts and a line described as follows: from Pte. des Monts due east to 49° 25' north latitude, 64° 40' west longitude; thence along a line in an east-southeasterly direction to 47° 50' north latitude, 60° 00' west longitude; thence along a line in a southerly direction to Cape North, Nova Scotia.

4 V – That part of the sub-area situated between the coast of Nova Scotia between Cape North and Fourchu and a line described as follows: from Fourchu along a line in a southerly direction to 45° 40' north latitude, 60° 00' west longitude; thence due south along 60° 00' west longitude to 44° 10' north latitude; thence due east to 59° 00' west longitude; thence due south to 39° 00' north latitude; thence due east to a point where the boundary line between sub-areas 3 and 4 meets the parallel of 39° 00' north latitude; thence along the boundary line between sub-areas 3 and 4 and a line continuing in a northwesterly direction to 47° 50' north latitude, 60° 00' west longitude; thence along a line in a southerly direction to Cape North, Nova Scotia.

Sub-area 4 V shall be divided into two parts: a northern and a southern part defined as follows:

4 Vn – The northern part—that part of sub-area 4 V situated north of 45° 40' north latitude.

4 Vs – The southern part—that part of sub-area 4 V situated south of 45° 40' north latitude.

4 W – That part of the sub-area situated between the coast of Nova Scotia between Halifax and Fourchu and a line described as follows: from Fourchu along a line in a southerly direction to 45° 40' north latitude, 60° 00' west longitude; thence due south along 60° 00' west longitude to 44° 10' north latitude; thence due east to 59° 00' west longitude; thence due south to 39° 00' north latitude; thence due west to 63° 20' west longitude; thence due north to a point on that meridian at 44° 20' north latitude; thence along a line in a north latitude; thence along a line in a northwesterly direction to Halifax, Nova Scotia.

4 X – That part of the sub-area situated between the boundary lines of sub-areas 4 and 5 and the coasts of New Brunswick and Nova Scotia from the terminus of the boundary line between New Brunswick and Maine to Halifax and a line described as follows: from Halifax along a line in a southeasterly direction to 44° 20' north latitude, 63° 20' west longitude; thence due south to 39° 00' north latitude; thence due west to 65° 40' west longitude.

re sub-area 5

5 Y – That part of the sub-area situated between the coasts of Maine, New Hampshire and Massachusetts from the boundary between Maine and New Brunswick to 70° west longitude at Cape Cod (at approx. 42° north latitude) and a line described as follows: from Cape Cod at 70° west longitude (at approx. 42° north latitude) due north to 42° 20' north latitude; thence due east to 67° 40' west longitude at the boundary line of sub-areas 4 and 5; thence along the boundary line to the boundary line of Maine and New Brunswick.

5 Z – That part of the sub-area situated south and east of sub-area 5 Y. Sub-area 5 Z shall be divided into two parts: an eastern and a western part defined as follows:

5 Ze – The eastern part—that part of sub-area 5 Z situated east of 70° 00' west longitude.

5 Zw – The western part—that part of sub-area 5 Z situated west of 70° 00' west longitude.

(g) EXECUTIVE ORDER No. 251 OF 20 MAY 1974 BY THE MINISTRY OF FISHERIES CONCERNING THE REGULATION OF FISHERIES IN WATERS OFF THE FAROE ISLANDS¹

Article 1. This Executive Order shall apply, in accordance with the provisions of the Arrangement between Denmark, Belgium, France, Norway, Poland, the United Kingdom and the Federal Republic of Germany, signed on 18 December 1973, concerning fisheries in waters off the Faroe Islands,² to those waters situated within a line drawn due east from 15° west longitude along the parallel of 63° north latitude to 4° west longitude; thence due south to 60° 30' north latitude; thence due west to 5° west longitude; thence due south to 60° north latitude; thence due west to 15° west longitude; thence due north to 63° north latitude.

Article 2. 1. Fisheries in the area referred to in article 1 shall be regulated as follows:

2. In the case of persons or companies and the like domiciled in the Faroe Islands the annual catch of cod and haddock may not exceed 32,000 tons of whole, uncleaned fish.

3. Such further regulations as may be necessary for the implementation of the provisions contained in paragraph 2 shall be established by the National Executive of the Faroe Islands.

4. In the case of persons or companies and the like domiciled in the realm outside the Faroe Islands, fishing for demersal fish species, including flat-fish and gadids, may take place only with the authorization of the Minister for Fisheries.

5. Special provisions concerning the conduct of fishing activities may be established in connexion with the authorization mentioned in paragraph 4, covering such matters as:

(a) Limits on the total catch quantity applicable to the individual area and/or vessel.

(b) Duty to report on the catch.

Article 3. 1. Trawl fishing may not take place in the areas indicated below during the periods specified:

Area 1:

8 nautical miles from the fishery limit between a line 0° true from Eidiskoleor and a line 90° true from Bispur: 15 February to 15 May.

Area 2:

18 nautical miles from the fishery limit between a line 90° true from Bispur and a line 90° true from Akraberg: 1 June to 30 November.

¹ In force as of the day after its publication in the Official Gazette (*Lovtidende*). Danish text transmitted by the Ministry of Foreign Affairs in a note verbale of 20 December 1974. Translation by the Secretariat of the United Nations.

² *Infra* Part II, Division IV, Subdivision A, 6.

Area 3:

(a) 12 nautical miles from the fishery limit between a line 150° true from Akraberg and a line 190° true from Akraberg.

(b) 6 nautical miles from the fishery limit between a line 190° true from Akraberg and a line 240° true from Ørnaniplan:

1 April to 30 June and 1 October to 31 December.

Area 4:

12 nautical miles from the fishery limit between a line 240° true from Trøllhøvdi and a line 320° true from Bardid: 1 December to 31 March and 1 May to 31 May.

Area 5:

The area within the 200 metre isobath in the waters situated within a line drawn due east from 10° west longitude along the parallel of 60° north latitude to 8° west longitude; thence due north to 60° 30' north latitude; thence due east to 7° 30' west longitude; thence due north to a point at 61° 15' north latitude, 7° 30' west longitude; thence in a northwesterly direction to a point at 61° 30' north latitude, 8° 00' west longitude; thence due west to 10° west longitude; thence due south to 60° north latitude: 1 March to 31 March.

2. The areas referred to in paragraph 1 are indicated on Danish map No. 80 (SUB-AREA 1-5).*

Article 4. 1. Notwithstanding the provisions of article 3, the National Executive of the Faroe Islands may permit small Faroese ships to engage in trawl fishing within areas 2, 3 and 4 during the periods in which trawl fishing is not otherwise permitted. The overall annual catch of cod and haddock on the basis of such permits may not exceed:

In area 2: 1,250 tons;

In area 3: 1,250 tons;

In area 4: 500 tons.

2. The catch quantities indicated in paragraph 1 shall be included in the permissible catch of cod and haddock for persons or companies and the like domiciled in the Faroe Islands (cf. article 2, paragraph 2).

3. Further regulations for the conduct of trawl fishing activities in pursuance of paragraph 1 shall be laid down by the National Executive of the Faroe Islands.

Article 5. Supervision of the implementation of the provisions contained in this Executive Order and the rules laid down in connexion therewith shall be exercised by the police, the fishery control authorities, the fishery inspection authorities or, in the case of the Faroe Islands, such persons as are authorized to that effect by the National Executive of the Faroe Islands.

Article 6. 1. Offences against article 3 and against the regulations established in pursuance of article 2, paragraphs 3 and 5, and article 4, paragraph 3, shall be punishable by a fine.

* Map No. 80 is not reproduced here.

2. Half of the fines shall go to the Treasury and the other half shall be paid to the Relief Fund for Disabled Fishermen. However, in the case of persons or companies domiciled in the realm outside the Faroe Islands the latter half shall be paid as follows: in the case of Greenland, to the Governor of Greenland and allotted to KNAPP's assistance fund (Carl Egede's Fund) for distribution and assistance to distressed fishermen and their survivors, and in other cases to the Ministry of Fisheries for further apportionment between the relief fund of the Danish Fishery Association and the relief fund of the Deep-Sea Fishery Association of Denmark in the proportion of two thirds and one third respectively.

...

(h) EXECUTIVE ORDER NO. 283 OF 7 JUNE 1974 BY THE MINISTRY FOR GREENLAND CONCERNING SALMON FISHING IN THE GREENLAND FISHERY ZONE¹

Article 1. This Executive Order shall apply to commercial salmon fishing carried on in the Greenland fishery zone west of Kap Farval by Greenland, Danish and Faroese fishermen.

Article 2. (1) Salmon fishing may take place only with the authorization of the Minister for Greenland or such person as he may authorize to that effect. In connexion with such authorization an apportionment of the quantities may be made among the persons having such authorization.

(2) Authorizations for the persons specified in article 3, paragraph 1 (1) may not be granted where the main occupation of such persons lies outside the fields of fishing, trapping and sheep farming.

Article 3. (1) Salmon fishing shall be limited to the following annual catch quantities (whole fish):

- (i) In the case of persons residing in Greenland and having a permanent connexion with the Greenland community, or companies and the like domiciled in Greenland: 1,050 tons.
- (ii) In the case of persons domiciled in the areas specified below and who only own boats measuring no more than 26 Danish feet, in addition:
 - Nanortalik commune – 20 tons.
 - Egedesminde and Kangasdtstiaq communes and Ikamiut – 20 tons.
 - Umanak commune – 5 tons.
 - Upernavik commune – 5 tons.
 These catches shall be sold to coastal installations in the area concerned.
- (iii) In the case of persons or companies and the like domiciled in the realm outside Greenland: 846 tons.

¹ Danish text transmitted by the Ministry of Foreign Affairs of Denmark in a note verbale of 20 December 1974. Translation by the Secretariat of the United Nations.

(2) The aforesaid catch quantities shall be reduced by the amount of salmon caught in the ICNAF area outside the Greenland fishery zone. The ICNAF area is described in the annex to this Executive Order.¹

(3) Notice of the discontinuance of fishing in accordance with the aforesaid quotas shall be given by the Governor of Greenland over the radio and in the press.

Article 4. Supervision of the implementation of the provisions of this Executive Order shall be exercised by the police, the fishery control authorities, the fishery inspection authorities or, in the case of the Faroe Islands, such persons as are authorized to that effect by the National Executive of the Faroe Islands.

Article 5. (1) Offences against the provisions of this Executive Order may entail a warning or a fine.

(2) The regulations contained in the Civil Criminal Code and the Criminal Law for Greenland shall apply. With respect to confiscation a catch may be confiscated even if it cannot definitely be established that it derives in its entirety from the unlawful circumstance.

(3) Half of the fines shall go to the Treasury and the other half shall be paid to the Ministry of Fisheries for further apportionment between the relief fund of the Danish Fishery Association and the relief fund of the Deep-Sea Fishery Association of Denmark in the proportion of two thirds and one third respectively. However, in the case of persons or companies domiciled in Greenland or the Faroe Islands the latter half shall be paid as follows: in the case of Greenland, to the Governor of Greenland and allotted to KNAPP's assistance fund (Carl Egedes Fund) for distribution and assistance to distressed fishermen and their survivors, and in the case of the Faroe Islands to the Relief Fund for Disabled Fishermen.

(i) EXECUTIVE ORDER NO. 326 OF 24 JUNE 1974 BY THE MINISTRY OF FISHERIES CONCERNING THE REGULATION OF SALMON FISHING IN THE NORTH-WEST ATLANTIC OCEAN²

Article 1. (1) During the period up to 31 December 1974 salmon fishing in the ICNAF area³ outside the Greenland fishery zone may only take place with the authorization of the Minister for Fisheries or such person as he may authorize to that effect, and shall be limited to the following catch quantities:

(i) In the case of persons or companies and the like domiciled in Greenland: 1,100 tons (whole fish).

¹ The annex is not reproduced in this volume. For the area referred to in this provision see *supra* (f), Annex 1 (I). See also Article 1 of the International Convention for the North-west Atlantic Fisheries of 8 February 1949, reproduced in ST/LEG/SER.B/15, p. 832.

² Danish text transmitted by the Ministry of Foreign Affairs of Denmark in a note verbale of 20 December 1974. Translation by the Secretariat of the United Nations.

³ See *Supra* (f), Annex I (I). See also Article 1 of the International Convention for the North-west Atlantic Fisheries of 8 February 1949, reproduced in part in ST/LEG/SER.B/15, p. 832.

(ii) In the case of persons or companies and the like domiciled in the realm outside Greenland: 846 tons (whole fish).

(2) In connexion with the authorization referred to in paragraph 1 an apportionment of the aforesaid catch quantities may be made among the persons having such authorization.

(3) The catch quantities referred to in paragraph 1 shall be reduced by the quality of salmon fished in the Greenland fishery zone.

Article 2. Supervision of the implementation of the provisions of this Executive Order shall be exercised by the police, the fishery control authorities, the fishery inspection authorities or, in the case of the Faroe Islands, such persons as are authorized to that effect by the National Executive of the Faroe Islands.

Article 3. (1) Offences against the provisions of this Executive Order shall be punishable by a fine.

(2) The regulations contained in the Civil Criminal Code and in the Criminal Law for Greenland shall apply with respect to confiscation. The catch may be confiscated even if it cannot be definitely established that it derives in its entirety from the unlawful circumstance.

(3) Half of the fines shall go to the Treasury and the other half shall be paid to the Ministry of Fisheries for further apportionment between the relief fund of the Danish Fishery Association and the relief fund of the Deep-Sea Fishery Association of Denmark in the proportion of two thirds and one third respectively. However, in the case of persons or companies domiciled in Greenland or the Faroe Islands, the latter half shall be paid as follows: in the case of Greenland, to the Governor of Greenland and allotted to KNAPP's assistance fund (Carl Egedes Fund) for distribution and assistance to distressed fishermen and their survivors and, in the case of the Faroe Islands, to the Relief Fund for Disabled Fishermen.

4. FRANCE

(a) [LOI No 71-1060 DU 24 DECEMBRE 1971 RELATIVE A LA DELIMITATION DES EAUX TERRITORIALES FRANCAISES, ARTICLE 4]¹

(b) LOI No 72-620 DU 5 JUILLET 1972 RELATIVE A LA CONSERVATION DES RESSOURCES BIOLOGIQUES DE LA MER AU LARGE DU DEPARTEMENT DE LA GUYANE²

Art. 1^{er}. — En vue d'assurer la conservation des ressources biologiques de la mer au large du département de la Guyane et en attendant l'entrée en vigueur de conventions ou accords internationaux appropriés, l'application des dispositions du décret du 9 janvier 1852³ modifié sur l'exercice de la pêche maritime est étendue à une zone de 80 milles marins mesurés à partir des lignes de base servant, pour ce département, à la délimitation des eaux territoriales.

¹ *Supra*, Division I, Subdivision A, Chapter I, 3 (a).

² *Journal officiel*, 9 juillet 1972.

³ Reproduit partiellement dans ST/LEG/SER.B/6, p. 492 et 493.

Art. 2. — Dans la partie de la zone définie à l'article premier ci-dessus qui s'étend au-delà des eaux territoriales, des mesures sont prises, en tant que de besoin, dans des conditions fixées par décret, pour limiter la pêche des diverses espèces d'animaux marins. L'application de ces mesures aux navires des Etats étrangers est faite en tenant compte de la situation géographique de ces Etats et des habitudes de pêche de leurs ressortissants.

Dans la même partie de zone, la pêche peut être interdite par décret aux navires des Etats qui n'autorisent pas l'exercice de la pêche par les navires français dans des conditions comparables.

Art. 3. — Les dispositions du décret du 9 janvier 1852 modifié, à l'exception de celles qui concernent le montant des pénalités, sont applicables à la constatation et à la répression des infractions aux mesures prises pour l'application des dispositions du premier alinéa de l'article 2 ci-dessus.

Les dispositions de la loi du 1^{er} mars 1888 modifiée¹, ayant pour objet d'interdire aux étrangers la pêche dans des eaux territoriales, sont applicables à la constatation et à la répression des infractions aux dispositions du deuxième alinéa de l'article 2 ci-dessus.

(c) ARRETE DU 28 DECEMBRE 1973 RELATIF A L'INTERDICTION DE PECHE A CERTAINES SAISONS DANS LA ZONE DE LA CONVENTION SUR LES PECHERIES DE L'ATLANTIQUE DU NORD-OUEST ²

Article premier. Il est interdit de capturer de l'églefin dans les sous-secteurs 4 V, 4 W et 4 X, et dans le secteur 5 de la zone de la convention internationale des pêcheries du Nord-Ouest Atlantique³.

Toutefois ne sera pas considéré comme contraire aux dispositions de l'alinéa précédent le fait d'avoir, à bord des navires recherchant essentiellement d'autres espèces, des églefins, capturés à titre accessoire, à condition que ces derniers ne dépassent pas soit 10 p. 100 en poids par rapport au poids total des captures se trouvant à bord, soit le chiffre forfaitaire de 2 268 kg, le chiffre le plus favorable pouvant être retenu.

Article 2. Il est interdit d'utiliser tous engins permettant de capturer des espèces de fonds pendant les mois de mars, avril et mai de chaque année dans les zones suivantes :

1. Partie du sous-secteur 4 X délimitée par les lignes joignant les points suivants.

65" 44' O., 42" 04' N.	65" 32' O., 43" 20' N.
64" 30' O., 42" 40' N.	66" 32' O., 42" 20' N.
64" 30' O., 43" 00' N.	66" 00' O., 42" 20' N.
66" 32' O., 43" 00' N.	

¹ Reproduite partiellement, *ibid.*, p. 497.

² *Journal officiel*, 27 février 1974, p. 2305. Arrêté pris compte tenu des recommandations adoptées par la Commission internationale des pêcheries de l'Atlantique du Nord-Ouest le 16 juin 1973.

³ Reproduite dans le *Recueil des Traités* de l'Organisation des Nations Unies, vol. 157, p. 157, et dans ST/LEG/SER.B/15, p. 832-838.

2. Parties du secteur 5 délimitées par les lignes joignant les points suivants.

a) 69° 55' O., 42° 10' N.	b) 67° 00' O., 42° 20' N.
69° 10' O., 41° 10' N.	67° 00' O., 41° 15' N.
68° 30' O., 41° 35' N.	65° 40' O., 41° 15' N.
68° 45' O., 41° 50' N.	65° 40' O., 42° 00' N.
69° 00' O., 41° 50' N.	66° 00' O., 42° 20' N.

Article 3. Il est interdit de capturer du merlu rouge et du merlu argenté pendant le mois d'avril dans la zone délimitée par les coordonnées 69° 00' O., 39° 50' N. et 71° 40' O., 40° 20' N.

Toutefois, ne sera pas considéré comme contraire aux dispositions de l'alinéa précédent le fait d'avoir, à bord des navires recherchant d'autres espèces de fonds dans cette zone, des merlus rouges et des merlus argentés capturés à titre accessoire à condition que ces derniers ne dépassent pas 10 p. 100 en poids par rapport au poids total des captures réalisées au cours de chaque voyage dans ladite zone.

Article 4. Les infractions au présent arrêté seront passibles des peines prévues à l'article 8 (1°) du décret du 9 janvier 1852 modifié sur l'exercice de la pêche maritime.

...

(d) ARRETE DU 28 DECEMBRE 1973 RELATIF A LA TAILLE MARCHANDE DE CERTAINES ESPECES CAPTUREES DANS LA ZONE DE LA CONVENTION SUR LES PECHERIES DE L'ATLANTIQUE DU NORD-OUEST¹

Article premier. Il est interdit de pêcher, de faire pêcher et de garder à bord dans la zone de la convention sur les pêcheries de l'Atlantique du Nord-Ouest les poissons et coquillages qui ne seraient pas parvenus aux dimensions fixées, suivant les espèces et les secteurs, au tableau ci-dessous.

Cette interdiction vise également l'achat, la vente, le transport et l'emploi à un usage quelconque de ces produits.

<i>Espèces</i>	<i>Secteurs</i>	<i>Dimension et méthode utilisée pour la mesurer</i>
Hareng	4 et 5	22,7 cm mesurés du haut du museau à l'extrémité de la nageoire caudale.
Coquilles Saint-Jacques . .	5 Z	95 mm mesurés d'un bord à l'autre de la coquille à partir de la charnière.

En outre, le poids moyen de la chair de coquilles Saint-Jacques devra être inférieur à 11,3 grammes.

¹ *Journal officiel*, 27 février 1974, p. 2306. Arrêté pris compte tenu des recommandations adoptées par la Commission internationale des pêcheries de l'Atlantique du Nord-Ouest lors de ses réunions de février et juin 1972.

Article 2. Toutefois, ne sera pas considéré comme contraire aux dispositions de l'article précédent le fait d'avoir à bord d'un navire, dans un des secteurs visés au tableau ci-dessus, des harengs d'une dimension inférieure à 22,7 cm à condition qu'ils ne dépassent pas 10 p. 100 en poids par rapport au total des captures de harengs réalisées par ce même navire au cours de l'année dans les secteurs 4 et 5.

Article 3. Les infractions au présent arrêté seront poursuivies et réprimées conformément aux articles 7 et 16 du décret susvisé du 9 janvier 1852.

(e) ARRETE DU 28 DECEMBRE 1973 RELATIF AUX CONDITIONS DE CAPTURE DE CERTAINES ESPECES DANS LA ZONE D'APPLICATION DE LA CONVENTION SUR LES PECHERIES DE L'ATLANTIQUE DU NORD-OUEST¹

Article premier. Les captures effectuées dans la zone de la convention internationale des pêcheries du Nord-Ouest Atlantique, tant par les bateaux immatriculés dans un port métropolitain que par ceux immatriculés à Saint-Pierre et Miquelon, ne devront pas dépasser pour l'année 1974 les quantités fixées, suivant les espèces et les secteurs ou groupes de secteurs, au tableau figurant à l'annexe 1.

Article 2. Les captures effectuées dans la zone et par les bateaux visés à l'article premier du présent arrêté ne devront pas dépasser en 1974, en ce qui concerne les espèces, secteurs ou groupes de secteurs énumérés au tableau figurant à l'annexe 2, le montant maximum autorisé pour l'ensemble des pays membres de la Commission internationale des pêcheries du Nord-Ouest Atlantique auxquels un contingent particulier n'a pas été alloué.

Article 3. Les patrons pêcheurs devront consigner chaque jour sur le carnet de pêche tenu à bord de chaque navire opérant dans les secteurs visés aux articles premier et 2 du présent arrêté les renseignements portant sur la position du navire, les quantités des espèces capturées et leur destination, le type d'engin utilisé et son temps d'utilisation ainsi que les quantités de captures rejetées à la mer.

Les armateurs à la pêche rendront compte, tous les quinze jours au moins, au secrétariat général de la marine marchande (direction des pêches maritimes) des résultats des captures réalisées dans les conditions définies au tableau 1 annexé au présent arrêté.

Ils lui rendront également compte des résultats des captures réalisées dans les conditions définies au tableau 2 annexé au présent arrêté dès que les captures atteindront le chiffre de 100 tonnes, et au-delà, chaque fois qu'elles atteindront à nouveau ce chiffre de 100 tonnes.

Article 4. Lorsque le total des captures réalisées dans les conditions définies au tableau 1 visé à l'article premier du présent arrêté atteindra, pour chaque espèce, le chiffre maximum prévu dans chaque secteur ou groupe de secteurs, un arrêté interdira la pêche de cette espèce dans ce secteur ou groupe de secteurs.

¹ *Ibid.* Arrêté pris compte tenu des recommandations adoptées par la Commission internationale des pêcheries de l'Atlantique du Nord-Ouest les 14 et 16 juin 1973 et le 19 octobre 1973.

Article 5. Le montant des captures réalisées dans les conditions définies au tableau 2 visé à l'article 2 du présent arrêté sera régulièrement notifié au secrétaire exécutif de la Commission internationale des pêcheries du Nord-Ouest Atlantique. Lorsque ce dernier aura fait connaître que le total des captures ainsi notifié par l'ensemble des pays membres de la Commission visés à l'article 2 atteint, pour une espèce dans un secteur ou groupe de secteurs, le montant maximum autorisé en 1974, un arrêté interdira la pêche de cette espèce dans ce secteur ou groupe de secteurs.

Article 6. Les infractions aux dispositions de l'article 3 seront passibles des peines prévues à l'article R. 26 (15^o) du code pénal.

...

TABLEAU I

<i>Espèces</i>	<i>Secteurs et sous-secteurs</i>	<i>Maximum de captures autorisées aux navires français</i>
		<i>Tonnes</i>
Morue	1	6 300
	2 G et H	500
	2 J, 3 K et L	51 100
	3 M	8 000
	3 N et O	1 000
	3 PS	5 300
Carrelet américain ou balai	4 VS et 4 W	1 500
	3 L, N et O	900
Sébaste	3 P	2 500
	4 V W X	1 000
Plie cynoglosse	3 PS	400
Carrelet américain ou balai, plie cynoglosse, limande ferrugineuse	4 V W et X	300

TABLEAU II

<i>Espèces</i>	<i>Secteurs et sous-secteurs</i>	<i>Maximum de captures autorisées pour l'ensemble des pays visés à l'article 2</i>
		<i>Tonnes</i>
Limande ferrugineuse	3 L, N et O	600
Sébaste	3 M	9 000
	3 L et N	1 700
	3 O	1 200
	3 P	
Plie cynoglosse	2 J, 3 K et L	1 100
	3 N et O	600
Merlu argenté	4 V W et X	8 000
Lieu noir	4 V W et X et 5	4 100
Hareng	4 V et W	700

(f) ARRETE DU 2 AVRIL 1974 RELATIF AUX CONDITIONS DE CAPTURE DU HARENG DANS LA ZONE DE LA CONVENTION SUR LES PECHERIES DE L'ATLANTIQUE DU-NORD-EST (MER CELTIQUE)¹

Article premier. La pêche du hareng est interdite du 1^{er} avril 1974 au 31 mars 1975 dans la zone limitée :

Au nord, par le 52" 30' de latitude nord, entre les côtes irlandaises et anglaises;

A l'ouest, le long des côtes de l'Irlande jusqu'à la jonction des points 51" 30' de latitude nord et 9" de longitude ouest, puis plein sud jusqu'à la jonction des points 50" de latitude nord et 9" de longitude ouest;

Au sud, de la jonction des points 50" de latitude nord et 9" de longitude ouest jusqu'à la jonction des points 50" de latitude nord et 7" de longitude ouest;

A l'est, de la jonction des points 50" de latitude nord et 7" de longitude ouest à la jonction des points 50" 30' de latitude nord et 7" de longitude ouest, puis plein est de ce point à l'intersection des points 50" 30' de latitude nord et 6" de longitude ouest, puis plein nord de ce point à la jonction des points 51" de latitude nord et 6" de longitude ouest, puis plein est de ce point à la jonction des points 51" de latitude nord et 5" de longitude ouest, puis plein nord de ce point à la côte anglaise.

Article 2. Toutefois, pendant la période et dans la zone visée à l'article premier, des captures de hareng n'excédant pas 5 000 tonnes pourront être effectuées par les pêcheurs détenant une autorisation de pêche sur le contingent ainsi fixé. La délivrance et le retrait de ces autorisations seront soumis aux conditions fixées aux articles 3 à 5 de l'arrêté du 19 janvier 1973 modifié susvisé.

Article 3. Les directeurs des affaires maritimes, au Havre, Nantes et Bordeaux sont chargés, chacun en ce qui le concerne, de l'exécution du présent arrêté. . . .

5. GHANA

[TERRITORIAL WATERS AND CONTINENTAL SHELF DECREE, 1973, SECTION 2]²

¹ *Journal officiel*, 1^{er} juin 1974, p. 5973. Arrêté pris compte tenu des recommandations adoptées par la Commission des pêcheries de l'Atlantique du Nord-Est à Londres en décembre 1973. La Convention sur les pêcheries de l'Atlantique du Nord-Est est reproduite dans le *Recueil des Traités* de l'Organisation des Nations Unies, vol. 496, p. 157, et dans le document ST/LEG/SER.B/15, p. 853-857.

² *Supra* Division I, Subdivision A, Chapter 1, 5.

6. ICELAND

(a) LAW No. 44 OF 5 APRIL 1948, CONCERNING THE SCIENTIFIC CONSERVATION OF THE CONTINENTAL SHELF FISHERIES, AS AMENDED UP TO 1974¹

Article 1. The Ministry of Fisheries shall issue regulations establishing explicitly bounded conservation zones within the limits of the continental shelf of Iceland; or in the ocean up to 200 nautical miles outside baselines; wherein all fisheries shall be subject to Icelandic rules and control; provided that the conservation measures now in effect shall in no way be reduced. The Ministry shall further issue the necessary regulations for the protection of the fishing grounds within the said zones. The Fiskifélag Islands (Fisheries Society) and the Atvinnudeild Háskóla Islands (University of Iceland Industrial Research Laboratories) shall be consulted prior to the promulgation of the said regulations.

The regulations shall be revised in the light of scientific research.

...

Article 3. Violations of the regulations promulgated under Article 1 of the present law shall be punishable in accordance with the provisions of law No. 62 of 18 May 1967, as amended, relative to prohibition of fishing with trawl and mid-water trawl, law No. 40 of 9 June, 1960 concerning a limited permission for fishing with Danish seine-netting within the fisheries jurisdiction of Iceland under scientific supervision, law No. 33 of 19 June 1922, as amended, on the right to fish within the fisheries jurisdiction or in case of violations not applicable to the aforementioned laws, shall be punishable by fines of from kr. 10,000.00 to kr. 1,000,000.00.

(b) REGULATIONS OF 15 JULY 1975 BY THE MINISTRY OF FISHERIES CONCERNING THE FISHERY LIMITS OFF ICELAND²

Article 1. The fishery limits off Iceland shall be drawn 200 nautical miles outside base-lines drawn between the following points:

1. Horn	66° 27' 4 N., 22° 24' 3 W.
2. Ásbúðharrif	66° 08' 1 N., 20° 11' 0 W.
3. Siglunes	66° 11' 9 N., 18° 49' 9 W.
4. Flatey	66° 10' 3 N., 17° 50' 3 W.
5. Lágcy	66° 17' 8 N., 17° 06' 8 W.
6. Raudhinúpur	66° 30' 7 N., 16° 32' 4 W.
7. Rifstangi	66° 32' 3 N., 16° 11' 8 W.
8. Hraunhafnartangi	66° 32' 2 N., 16° 01' 5 W.
9. Langanes	66° 22' 7 N., 14° 31' 9 W.

¹ By law No. 45 of 13 May 1974. In effect immediately in accordance with article 3 thereof. English text of law provided by the Permanent Representative of Iceland to the United Nations in a note verbale of 12 July 1974. Only the amended articles are reproduced here. See also ST/LEG/SER.B/1, pp. 12-13; ST/LEG/SER.B/6, pp. 513-514 and ST/LEG/SER.B/8, pp. 10-11.

² In force as of 15 October 1975 in accordance with article 8. English text provided by the Permanent Representative of Iceland to the United Nations in a letter dated 23 July 1975.

10. Glettinganes	65° 30' 5 N., 13° 36' 3 W.
11. Nordhíjardharhorn	65° 10' 0 N., 13° 30' 8 W.
12. Gerpir	65° 04' 7 N., 13° 29' 6 W.
13. Hólmur	64° 58' 9 N., 13° 30' 6 W.
14. Setusker	64° 57' 7 N., 13° 31' 5 W.
15. Thursaker	64° 54' 1 N., 13° 36' 8 W.
16. Ystibodhi	64° 35' 2 N., 14° 01' 5 W.
17. Selsker	64° 32' 8 N., 14° 07' 0 W.
18. Hvítangar	64° 23' 9 N., 14° 28' 0 W.
19. Stokksnes	64° 14' 1 N., 14° 58' 4 W.
20. Hrollaugseyjar	64° 01' 7 N., 15° 58' 7 W.
21. Hvítangar	63° 55' 7 N., 16° 11' 3 W.
22. Ingólfshöfðhi	63° 47' 8 N., 16° 38' 5 W.
23. Hvalsíki	63° 44' 1 N., 17° 33' 5 W.
24. Medhallandssandur I	63° 32' 4 N., 17° 55' 6 W.
25. Medhallandssandur II	63° 30' 6 N., 17° 59' 9 W.
26. Mýrnatangi	63° 27' 4 N., 18° 11' 8 W.
27. Kötlutangi	63° 23' 4 N., 18° 42' 8 W.
28. Lundadrangur	63° 23' 5 N., 19° 07' 5 W.
29. Surtsey	63° 17' 6 N., 20° 36' 3 W.
30. Eldeyjarðrangur	63° 43' 8 N., 22° 59' 4 W.
31. Geirfugladrangur	63° 40' 7 N., 23° 17' 1 W.
32. Skálasnagi	64° 51' 3 N., 24° 02' 5 W.
33. Bjargtangar	65° 30' 2 N., 24° 32' 1 W.
34. Kópanes	65° 48' 4 N., 24° 06' 0 W.
35. Bardhi	66° 03' 7 N., 23° 47' 4 W.
36. Straumnes	66° 25' 7 N., 23° 08' 4 W.
37. Kögur	66° 28' 3 N., 22° 55' 5 W.
38. Horn	66° 27' 9 N., 22° 28' 2 W.

Limits shall also be drawn around the following points 200 nautical miles seaward:

39. Kolbeinsey	67° 08' 8 N., 18° 40' 6 W.
40. Hvalbakur	64° 35' 8 N., 13° 16' 6 W.
41. Grimsey, from its outermost points and rocks.	

Each nautical mile shall be equal to 1852 metres.

Where the distance between base-lines of the Faeroes and Greenland on the one hand and Iceland on the other is less than 400 nautical miles, the fishery limits of Iceland shall be demarcated by the equidistance line. These Regulations shall not be enforced for the time being or until further notice in the area outside the equidistance line between the base-lines of Jan Mayen and Iceland.

Article 2. Within the fishery limits all fishing activities by foreign vessels shall be prohibited in accordance with the provisions of Law No. 33 of 19 June 1922, concerning Fishing inside the Fishery Limits.¹

Article 3. Icelandic vessels using bottom trawl, mid-water trawl or Danish seine-netting are prohibited from fishing inside the fishery limits in the following areas and periods:

I. Off the North East Coast during the period 1 April to 1 June in an area which in the west is demarcated by a line drawn true North from

¹ Reproduced in part in ST/LEG/SER.B/6, pp. 510-512.

Rifstangi (Base-point 7), in the east by a line which is drawn true North-East from Langanes (Base-point 9) and in the north by a line drawn 50 nautical miles outside base-lines.

2. All year within a line drawn 12 nautical miles from Kolbeinsey ($67^{\circ} 08' 8''$ N., $18^{\circ} 40' 6''$ W.).

Icelandic vessels are prohibited from all fishing in the following areas and periods:

1. Off the South Coast during the period 20 March to 1 May in an area demarcated by lines drawn between the following points:

- (a) $63^{\circ} 32' 0''$ N., $21^{\circ} 25' 0''$ W.
- (b) $63^{\circ} 00' 0''$ N., $21^{\circ} 25' 0''$ W.
- (c) $63^{\circ} 00' 0''$ N., $22^{\circ} 00' 0''$ W.
- (d) $63^{\circ} 32' 0''$ N., $22^{\circ} 00' 0''$ W.

2. Fishing with any gear is prohibited within the fishery limits off the West-Fjords in an area which in the west is demarcated by a line true 340° from point $66^{\circ} 57' 0''$ N. and point $23^{\circ} 36' 0''$ W. and in the east by a line true 0° from point $67^{\circ} 01' 0''$ N. and $22^{\circ} 24' 0''$ W. In the south a line is drawn between the points mentioned and in the north the area is demarcated by a line drawn 50 nautical miles outside base-lines.

The Ministry of Fisheries will determine the necessary rules for the protection of the fishstocks within the fishery limits. Action will be taken upon receipt of proposals from the Marine Research Institute and the Fisheries Association of Iceland.

If in a given area there occurs the catch of small fish to the extent considered undesirable or dangerous the Ministry of Fisheries, upon receiving the advice of the Marine Research Institute, will take the measures required. The Ministry will then announce the closure of specified areas during longer or shorter periods for all trawling and other fishing to the extent required. The advice of the Marine Research Institute shall always be available before such restrictions are abolished.

With these exceptions Icelandic vessels using bottom trawl, mid-water trawl or Danish seine-netting shall be allowed to fish within the fishery limits in accordance with the provisions of Law No. 102 of 27 December 1973, concerning Fishing with Trawl and Mid-water Trawl, or special provisions made before these Regulations become effective.

Article 4. Trawlers shall have all their fishing gear properly stowed aboard while staying in areas where fishing is prohibited, i. e. that trawl panels are properly secured and trawlnets fastened.

Article 5. Fisheries statistics shall be forwarded to the Fiskifélag Islands (Fisheries Association of Iceland) in the manner prescribed by Law No. 55 of 27 June 1941, concerning Catch and Fisheries Reports.

If the Ministry of Fisheries envisages the possibility of overfishing, the Ministry may limit the number of fishing vessels and the maximum catch of each vessel.

Article 6. Violation of the provisions of these Regulations shall be subject to penalties provided for by Law No. 102 of 27 December 1973,

concerning Fishing with Trawl, Mid-water Trawl and Danish Seine-netting, Law No. 33 of 19 June 1922, concerning Fishing inside the Fishery Limits, as amended, or if the provisions of said Laws do not apply, to fines from kr. 10,000.00 to kr. 1,000,000.00.

Article 7. These Regulations are promulgated in accordance with Law No. 44 of 5 April 1948, concerning the Scientific Conservation of the Continental Shelf Fisheries, cf. Law No. 45 of 13 May 1974.¹ When these Regulations become effective, Regulations No. 189 of 14 July 1972,² concerning the Fishery Limits off Iceland, as amended by Regulations No. 362 of 4 December 1973, shall cease to be effective.

7. IRAN

PROCLAMATION OF 30 OCTOBER 1973 CONCERNING THE OUTER LIMIT OF THE EXCLUSIVE FISHING ZONE OF IRAN IN THE PERSIAN GULF AND THE SEA OF OMAN³

Whereas the coastal communities of Iran have throughout history been engaged in fishing activities in the seas adjacent to the Iranian coast; and

Whereas under Article 7 of the law of 12 April 1959 on the territorial sea of Iran,⁴ fishing and other rights of Iran beyond the limits of its territorial sea have been reaffirmed; and

Whereas the natural resources of the seas adjacent to the Iranian coast are of vital importance to the economic and social progress of Iran;

Now, therefore, in order to safeguard the fishing rights and interests of Iran in the seas adjacent to its coast and the coasts of its Islands, it is hereby proclaimed that:

(1) The outer limits of the exclusive fishing zone of Iran in the Persian Gulf shall be the outer limits of the superjacent waters of the continental shelf of Iran.

(a) In areas where the continental shelf of Iran has been delimited under bilateral agreements with other States, the outer limits of the exclusive fishing zone of Iran shall correspond to the outer limits of the continental shelf of Iran as specified in those agreements.

(b) Where the outer limits of the continental shelf of Iran has not yet been delimited under bilateral agreements, unless otherwise agreed, the outer limits of the superjacent waters of the continental shelf of Iran shall be, for the purpose of delimitating the exclusive fishing zone of Iran, the median line every point of which is equidistant from the nearest points of the baselines from which the breadth of the territorial seas of the parties concerned are measured.

¹ *Supra* (a).

² Reproduced in ST/LEG/SER.B/16, pp. 301-303.

³ English text provided by the Permanent Representative of Iran to the United Nations in a note verbale of 23 November 1973.

⁴ Reproduced in ST/LEG/SER.B/16, pp. 10-11.

(2) The outer limits of the exclusive fishing zone of Iran in the sea of Oman shall be 50 nautical miles from the baseline from which the breadth of the territorial sea of Iran is measured.

In areas where the exclusive fishing zone of Iran and that of another coastal State may overlap, unless otherwise agreed, the boundary shall be the median line every point of which is equidistant from the nearest points of the baselines from which the breadth of the territorial seas of the parties concerned are measured.

(3) Fishing and all related activities by non-Iranians in the exclusive fishing zone of Iran are prohibited unless prior authorization is obtained from the Government of Iran.

(4) The outer limits of the exclusive fishing zones of Iran in the Persian Gulf and the Sea of Oman shall be drawn on Maritime Charts.

(5) The provisions of this proclamation shall be without prejudice to the right of international navigation exercised in accordance with the rules and principles of International Law.

8. MADAGASCAR

[ORDONNANCE No 73-060 DU 28 SEPTEMBRE 1973 FIXANT LES LIMITES DE LA MER TERRITORIALE ET DU PLATEAU CONTINENTAL DE LA REPUBLIQUE MALGACHE, article 2]¹

9. MEXICO

(a) ACT OF 29 DECEMBER 1971 ON TAXES AND ON FEES FOR FISHERIES²

Chapter I

Subject and scope of the taxes

Article 1. The taxes established in this Act shall apply to the exploitation in national waters of flora and fauna in general, irrespective of the method used for that purpose.

Article 2. It shall be presumed that, in the absence of proof to the contrary, when vessels carrying products referred to in this Act put into national ports the exploitation was carried out in national waters.

Article 3. Individuals or bodies corporate and national or foreign economic entities in any of the situations envisaged in this Act shall be liable to the taxes.

Article 4. All persons who, in whatever capacity or for whatever purpose, have in their possession or transport exploited products, shall be severally liable for the payment of taxes, with the exception of those who acquire such products after processing or for domestic consumption.

¹ *Supra* Division I, Subdivision A, Chapter 1, 10.

² *Diario Oficial*, 30 December 1971. Came into effect on 1 January 1972. This Act revoked the Act of 31 December 1951 on Taxes on Fisheries and all the provisions relating thereto. Translation by the Secretariat of the United Nations.

Chapter II

Rules and manner of payment of the taxes

Article 5. All persons who operate from vessels flying the Mexican flag or use fishing devices of any kind shall pay taxes in cash at the rate of 2 per cent of the official price of the taxable products.

...

Article 10. Persons operating from vessels flying a foreign flag under an authorization from the Secretariat for Industry and Commerce, in accordance with the provisions of the Federal Act on Fisheries Development, shall pay the tax in cash in respect of each journey at the rate of 225 pesos per net register ton or fraction of the vessel.

The maximum duration of each journey shall be as follows:

- I. Fifteen days for vessels up to 40 tons;
- II. Thirty days for vessels between 40 and 80 tons;
- III. Sixty days for vessels between 80 and 150 tons; and
- IV. Ninety days for vessels over 150 tons.

...

Article 12. Fisheries offices shall not issue authorizations to ships flying a foreign flag without prior proof that they have met their tax obligations.

...

Chapter V

Fees for exploitation activities, sport fishing and commercial sport fishing

Article 17. For the purpose of conducting the activities of exploiting the flora and fauna of national waters using any types of vessels or devices, application shall be made for the appropriate permit for each activity at the appropriate fisheries office before the activities begin.

...

Chapter VI

Violations and penalties

Article 18. Failure to comply with the obligations established in this Act shall be punished in accordance with the provisions of the Fiscal Code of the Federation, with the following exceptions:

I. Non-payment of taxes shall be punishable by a fine amounting to three times the unpaid tax;

In the absence of proof to the contrary, non-payment of taxes on exploited products shall be presumed unless they are covered by documentation attesting the payment of taxes;

II. When a person operating under a fishing authorization issued for a vessel flying a foreign flag is found to be shipping products liable to the tax to another vessel or landing them at a national port, a fine of from 25,000 to 100,000 pesos shall be imposed on the offender;

III. When a person using a vessel flying the Mexican flag is found to be transshipping exploited products to a vessel flying a foreign flag, a fine of from 5,000 to 15,000 pesos shall be imposed on the offender;

IV. When any person transports in vessels flying a foreign flag any type of exploited products outside the holds, refrigerated compartments and other places authorized in the fishery registration certificate of the vessel, a fine of from 5,000 to 15,000 pesos shall be imposed on him.

...

(b) FEDERAL ACT OF 10 MAY 1972 ON FISHERIES DEVELOPMENT¹

Chapter I

General provisions

Article 1. This Act implements article 27 of the Constitution relative to the regulation, development and use of aquatic flora and fauna as natural entities susceptible of appropriation, with a view to achieving an equitable distribution of the national wealth and securing its conservation. The natural resources in question may be exploited by persons or companies constituted in conformity with the laws of Mexico only by virtue of a concession, permit or authorization issued by the Federal Executive. This Act concerns:

- I. Fisheries;
- II. The protection of aquatic flora and fauna;
- III. Resources research and the culture of aquatic species;
- IV. The processing of fishery products;
- V. The regulation of the home and export markets for fishery production.

...

Article 3. For the purposes of this Act, fishing shall mean the act of taking or catching by any authorized process species or biological entities whose environment is water, and any prior or subsequent acts related thereto.

Article 4. Prior acts shall be those whose direct purpose is fishing and subsequent acts shall be those performed directly on species taken or caught and shall include processing.

Article 5. This Act shall regulate and develop fisheries in:

- I. Nationally-owned inland waters;
- II. Waters of the territorial sea;
- III. Extraterritorial waters in the case of vessels flying the Mexican flag;
- IV. Exclusive or preferential zones so declared by the Federation;
- V. Waters overlying the continental shelf;
- VI. The continental shelf; and
- VII. Waters of the high seas.

¹ *Diario Oficial*, 25 May 1972. Came into effect on 9 June 1972. This act revoked the Fisheries Act of 16 January 1950, as amended, and other legal provisions which were inconsistent therewith. Translation by the Secretariat of the United Nations.

These matters shall also be regulated by the respective Acts and international treaties and agreements which have been or may be concluded in accordance with article 133 of the Constitution.

Article 6. Fisheries shall be classified as follows:

- I. Fishing for domestic consumption purposes;
- II. Commercial fishing;
- III. Fishing for scientific research purposes;
- IV. Sport fishing.

Article 7. Fishing shall be deemed to be for domestic consumption purposes when it is conducted on a non-profit basis and for the purpose of obtaining food products for subsistence consumption by the person concerned and members of his household.

No concession or permit shall be required for fishing for domestic consumption purposes and such fishing may be carried on even in waters covered by a concession. It shall likewise be exempt from any fiscal dues.

Article 8. Fishing shall be deemed to be commercial when it is conducted by individuals or bodies corporate for the purposes of gain, by fishery production and co-operative societies and *ejido* communities.

Article 9. Fishing shall be deemed to be for scientific research purposes when it is conducted on a non-profit basis and its purpose is the study of, experimentation with, or cultivation or restocking of fishery species.

Article 10. Fishing shall be deemed to be sport fishing when it is conducted on a non-profit basis for recreational purposes and with such gear as the Regulations may determine.

The following species shall be reserved exclusively for sport fishing: marlin, sailfish, shad, dory, dorado and any other species that may be prescribed on the advice of the National Fisheries Institute.

...

Chapter V

Concessions, permits and authorizations

Article 25. A concession or permit shall be required for commercial and sport fishing and for the cultivation of species whose normal environment is water.

A concession shall be granted when the technical, economic and social study of the fishery submitted by the applicant and approved by the Secretariat for Industry and Commerce, the nature of the proposed activities and the level of investment demonstrate that a period of not less than two years is required to ensure stability and safety in the conduct of the undertaking. In other cases permits shall be granted. A concession shall be required, in all cases,

- I. For the cultivation and development of species whose normal environment is water. Species reserved to fisheries production co-operative societies shall be cultivated by such societies only; and

II. For sport fishing associations and clubs.

Decisions regarding the grant of concessions shall be issued within not more than 120 days.

...

Article 27. Concessions and permits may be granted to:

- I. Mexicans by birth or by naturalization;
- II. Fishery production and *ejido* fishery production co-operatives;
- III. Decentralized agencies or enterprises in which the State is a shareholder;
- IV. Commercial companies satisfying the following requirements:
 - (a) That they are constituted under Mexican law and have their registered office in Mexico;
 - (b) That their share certificates are registered;
 - (c) That not less than 51 per cent of the share capital with voting rights is subscribed by Mexicans or by Mexican companies whose articles of association provide that shares may not be held by aliens;
 - (d) That the articles of association provide that the majority of the directors shall be nominated by the Mexican shareholders and that only persons of Mexican nationality shall be nominated.

Article 28. The period of validity of concessions shall be not less than five years and not more than twenty years. Upon expiry the concession may be extended.

Article 29. The period of validity of permits shall be two calendar years. They may be renewed by the local fishery offices and may not be transferred.

Article 30. Permits may be granted for sport or scientific fishing to foreign nationals who comply with the conditions laid down in article 27 (1) of the Constitution, the Organic Art thereof and other pertinent legislation. Fishing permits for a period in excess of 48 hours shall be validated at the first Mexican port at which the vessel concerned calls.

Article 31. No foreign Government may be a shareholder in or establish in its favour any right in respect of concessions or permits. Any acts in contravention of this provision shall be *ipso facto* null and void, and such assets and rights as the said foreign Government may thereby have acquired shall revert to the Mexican nation.

This provision shall appear in all concessions and permits.

...

Article 37. Commercial fishing by foreign vessels in national waters shall be prohibited. However, the Secretariat for Industry and Commerce may, by way of exception, grant permits on a trip-by-trip basis, to foreign vessels, which satisfy the following requirements:

- I. That they leave the territorial waters within the specified time;
- II. That they do not land the products caught in the national territory;
- III. That at least 50 per cent of the crew are of Mexican nationality;

IV. That the Mexican crew are engaged on Mexican territory, at wages and with benefits equal to those received by the non-Mexican crew whenever these are higher than or otherwise superior to those prevailing in Mexico;

V. That the person responsible produces evidence as to the net tonnage capacity of the hold in the form of a certificate from the National Fisheries Register;

VI. That no commercial fishing for sardine, anchoveta (Peruvian anchovy) and species reserved to co-operatives shall be undertaken;

VII. That live sardine is not caught for bait in areas prohibited by the Secretariat for Industry and Commerce;

VIII. That no commercial fishing is carried on in areas reserved pursuant to this Act; and

IX. That a cash bond is deposited by way of guaranteeing compliance with the foregoing requirements.

The general prohibition shall be waived in the case of sport fishing. Contravention of any of the foregoing provisions shall result in forfeiture of the relevant bond to an amount to be determined by the Secretariat for Industry and Commerce according to the seriousness of the offence, without prejudice to other penalties that may apply.

Article 38. The following obligations shall devolve upon all persons engaging in fisheries:

I. To take or catch only authorized species in the areas prescribed by the Secretariat for Industry and Commerce;

II. To observe the prescriptions of the Secretariat for Industry and Commerce with respect to minimum sizes and weights of species;

III. To observe the maximum volume of operations specified in the concession or permit;

IV. To co-operate with the Secretariat for Industry and Commerce and, as appropriate, the Secretariat for Water Resources in their operations in the reproduction, cultivation and restocking of species;

V. To admit on board vessels and processing plant research personnel and persons undergoing training in fishing;

VI. In the case of commercial fishing, to keep a register in which are to be entered in chronological order the volume caught, the species taken or caught, and the grounds worked;

VII. To submit returns, annually in the case of concession holders, and for each trip in the case of permit holders, on the full utilization of the fisheries;

VIII. To notify the appropriate Fisheries Office of the arrival and landing of catches;

IX. To furnish to the appropriate authorities any information required pursuant to the relevant legislation;

X. To allow and facilitate inspection by officers accredited by the appropriate authorities subject to the procedures provided for by the Constitution in order to establish that the persons concerned have complied with their obligations;

XI. In the case of ocean-going fishing vessels, to keep the documents and logs prescribed by the relevant legislation, and

XII. To comply with all other provisions of this Act and of other relevant legislation.

...

Article 41. The transport of fishery products within the national territory shall be carried out in Mexican vehicles covered by the "Fisheries Director" to be issued by the Secretariat for Industry and Commerce. Holders of permits for sport and scientific fishing and fishing for household consumption purposes shall be exempted from the foregoing. In the event of there being no Mexican vessels suitable for the transport of fishery products, the Secretariat for Industry and Commerce may authorize foreign vessels for that purpose provided that they satisfy the requirements laid down by other competent authorities. The said foreign vessels shall be subject to the inspection and control referred to in this Act and other relevant provisions.

...

Chapter VI

Forfeitures and revocation of concessions, and cancellation of permits and authorizations

Article 44. The following shall constitute grounds for the forfeiture of concessions:

- I. Failure to initiate operations within the period laid down;
- II. Failure to initiate investment, construction of works and installations or the purchase of equipment within the periods laid down;
- III. Failure to complete the works and installations by the specified dates.

Article 45. The following shall constitute grounds for the revocation of concessions:

- I. Failure to adhere to the established investment plan;
- II. Suspension, without justified cause, of operations for more than 30 consecutive days;
- III. The use of part or all of the production for purposes other than those specified in the concession, this Act and other pertinent provisions;
- IV. Repeated falsification of fishery data;

...

VI. Failure, without justified cause, to observe the general technical requirements prescribed by the Secretariat for Industry and Commerce within the time laid down for so doing;

VII. Transfer of the concession, in contravention of the provisions of this Act; and

*Chapter X**Offences*

Article 78. The following shall constitute violations:

- I. To conduct commercial fishing, scientific research or sport fishing without the relevant concession or permit;
- II. To take or catch species during the declared closed season;
- III. To use prohibited devices, gear or methods of fishing;
- IV. To gather, keep or market nests or roe of fishery species without the authorization of the Secretariat for Industry and Commerce, or to destroy them;
- V. To take or catch animals of a smaller size or weight than that prescribed by the Secretariat for Industry and Commerce;
- VI. To catch, without authorization, species reserved for sport fishing;
- VII. To take, catch or destroy fishery species in or at areas or sites designated as refuges or for cultivation or to interfere with the ecology of such areas or sites;
- VIII. To have on board vessels intended for fishing any prohibited devices or fishing gear, explosives or contaminants;
- IX. To install fixed fishing gear or to erect works in waters under Federal jurisdiction without the authorization of the Secretariat for Industry and Commerce or the Secretariat for Water Resources;
- X. To employ for taking or catching methods that have not been authorized by the Secretariat for Industry and Commerce;
- XI. To trade in the products of domestic, sport or scientific fishing;
- ...
- XIV. To export or import fishery products without the permission of the Secretariat for Industry and Commerce;
- XV. To set up floating plants for the processing of fishery products without the authorization of the Secretariat for Industry and Commerce;
- XVI. To manufacture fertilizer, meal, oil or other industrial products from fishery species without the authorization of the Secretariat for Industry and Commerce;
- XVII. To cause the death, degeneration or injuring of fishery species, save in the case of authorized taking or catching or for purposes of scientific research;
- ...
- XIX. To trans-ship fishery products to any other vessel without the authorization of the Secretariat for Industry and Commerce, save in the event of an accident;
- XX. To land commercial fishery products from foreign vessels without the authorization of the Secretariat for Industry and Commerce, save in the event of an accident;
- ...
- XXII. Other cases of failure to comply with this Act, as specified in Chapter XII.

Article 79. The pollution of waters shall be governed by the provisions of the Federal Act on the Prevention and Control of Environmental Pollution.¹

Chapter XII

Penalties

Article 88. Contraventions of the provisions of this Act shall be punished by the Secretariat for Industry and Commerce as set forth in the following articles:

Article 89. Fines shall be imposed as follows:

I. 50-1,000 pesos for contraventions of articles 21, 32 (III), 38 (V) and (VI), 81 and 83;

II. 1,000-5,000 pesos for contraventions of articles 36 (II) and (III), 38 (I), (II), (IV), (VII) and (VIII), 41, 66, 71 and 78 (I), (V), (VII) and (X);

III. 5,000-10,000 pesos for contraventions of articles 24, 38 (III), 68 (I), (II) and (III), and 78 (XX);

IV. 10,000-25,000 pesos for contraventions of articles 37, 40, 41 and 78 (IV), (VI), (XIV) and (XV); and

V. 100-20,000 pesos for contraventions of article 78 (VIII), (XI), (XII), (XIII), (XVIII), (XIX) and (XXI), and for any other violation of the provisions of this Act.

Article 90. For the second and subsequent offences, the amount of the fine shall be doubled.

By second and subsequent offences shall be understood the repetition of the same act if the said act involves the violation of the same provision.

Article 91. In addition to the fines provided for in article 89, one or more of the following penalties may be imposed at the same time:

I. Confiscation of the fishery products, means of transport, fishing devices and gear, for violations of articles 38 (I), 41 and 69 (VI), (VII), (VIII) and (XIX);

II. Temporary closure for up to 30 days for violations of articles 25 (I), 36 (II) and (III) and 78 (VI), (XIV), (XV) and (XVI).

For the second and subsequent first offences permanent closure may be imposed;

III. Revocation of concessions or cancellation of permits for violations of articles 38 (III) and 78 (VI), (VII) and (X).

...

Article 93. Fishing in territorial waters and exclusive fishing zones by foreign vessels not in possession of the relevant permit shall be punishable by a fine of from 75,000 to 300,000 pesos and confiscation of the fishing gear

¹ Dated 12 March 1971. Came into effect on 24 March 1971. *Diario Oficial*, 23 March 1971, pp. 8-11.

and the species on board. The vessels shall be impounded in the appropriate Mexican port until the fine has been paid.

...

10. MOROCCO

[DAHIR PORTANT LOI No. I.73.211 DU 2 MARS 1973 FIXANT LA LIMITE DES EAUX TERRITORIALES ET DE LA ZONE DE PECHE EXCLUSIVE MAROCAINES, articles 4-6]¹

11. PAKISTAN

PRESIDENTIAL PROCLAMATION OF 20 MARCH 1973 EXTENDING THE EXCLUSIVE FISHERY ZONE²

Whereas the coastal communities of Pakistan have from time immemorial been engaged in fishing activities in the high seas adjacent to its territorial waters;

And whereas certain areas of these high seas provide fisheries which contribute to the food and means of livelihood of large sections of the population;

And whereas Pakistan has special interests and rights in the exploitation of fisheries adjacent to its coast;

Now, therefore, in partial modification of the earlier Proclamation of 19th February 1966³ in respect of exclusive fishing rights, I, Zulfikar Ali Bhutto, President of the Islamic Republic of Pakistan do hereby proclaim and declare that—

Pakistan shall have an exclusive fishery zone in areas of the high seas adjacent to the territorial waters of Pakistan up to a distance of 50 nautical miles from the coast-line.

12. SWEDEN

(a) ACT NO. 596 of 1 DECEMBER 1950 CONCERNING FISHERY RIGHTS,⁴ AS AMENDED UP TO 1973⁵

Article 1. This Act relates to the right to fish in the territorial sea of Sweden and in the Swedish fishery zone.

¹ *Supra* Division I, Subdivision A, Chapter I, 14.

² Text provided by the Permanent Representative of Pakistan to the United Nations in a note verbale of 24 April 1973.

³ Reproduced in ST/LEG/SER.B/15, p. 661.

⁴ Reproduced in part in ST/LEG/SER.B/6, pp. 565-567. The Act as amended in 1960 and 1967 is reproduced in part in ST/LEG/SER.B/15, pp. 669-670.

⁵ The 1973 amendment was made by the Act of 23 November 1973 to Amend the Act (1950: 596) respecting Fishery Rights, published in *Swedish Code of Statutes*, 4 December 1973. The amendment, which relates only to article I, is to come into effect on the date as the King will determine. Swedish text provided by the Permanent Representative of Sweden to the United Nations in a note verbale of 17 December 1973. Translation by the Secretariat of the United Nations.

The fishery zone shall comprise such area of the sea up to eight nautical miles or 14,816 metres outside the territorial limits along the coast of Sweden as the King shall determine.

The provisions of this Act relating to fishing in public waters shall also apply to the fishery zone, subject however to the restrictions arising from the Continental Shelf Act.¹

In respect of any area within which fishing is regulated by an agreement with a foreign State the provisions of this Act shall to the extent that they conflict with that agreement not apply.

...
 (b) ORDER OF 8 JANUARY 1971 BY THE NATIONAL BOARD OF FISHERIES INCORPORATING CERTAIN REGULATIONS CONCERNING FISHING IN THE AREA COVERED BY THE NORTH-EAST ATLANTIC FISHERIES CONVENTION AND IN THE ÖRESUND CHANNEL²

Pursuant to a Convention (the North-East Atlantic Fisheries Convention)³ concluded on 24 January 1959 between Sweden and a number of other European countries for the purpose of ensuring the conservation of the fish stocks and the rational exploitation of the fisheries in the Convention area, and pursuant to Royal Order No. 500 of 13 August 1965 concerning regulation of the size of mesh of fishing nets, minimum size of fish, etc., the Board of Fisheries hereby directs as follows.

Introductory provisions

Paragraph 1. This Order relates to fishing in the area covered by the North-East Atlantic Fisheries Convention and in the Öresund Channel.

The Convention sea comprises—subject to the exceptions indicated below—the parts of the Atlantic Ocean and the Arctic Ocean and their dependent seas which lie north of 36 degrees north latitude and between 42 degrees west longitude and 51 degrees east longitude, together with the part of the Atlantic Ocean which lies north of 59 degrees north latitude and between 42 degrees and 44 degrees west longitude.

The Convention area does not include the Baltic Sea, the Belts and the Öresund Channel to the south and east of lines drawn from Hasenöre Head to Gniben Point, from Korshage to Spodsbjerg and from Gilbjerg Head to the Kullen, nor the Mediterranean Sea and its dependent inland seas.

The Convention area is divided into the following regions:

...

¹ Reproduced in part in ST/LEG/SER.B/15, pp. 437-441.

² *Swedish Code of Statutes*, 8 February 1971. Came into force on 9 February 1971. Swedish text provided by the Permanent Representative of Sweden to the United Nations in a note verbale of 13 March 1973. Translation by the Secretariat of the United Nations.

³ United Nations, *Treaty Series*, vol. 486, p. 157. Reproduced in part in ST/LEG/SER.B/15, pp. 853-857.

The Öresund Channel comprises the area between the boundary of the Convention area and the line from Falsterbo Light to Stevns Light.

Paragraph 2. The word "vessel" as used in this Order means any vessel or boat employed in fishing for sea fish or in the treatment of sea fish.

Size of mesh of fishing nets

Paragraph 3. When fishing in the parts specified below of the Convention area a Swedish vessel may not, except as stated in paragraph 4, carry on board or use any trawl, seine or other net towed or hauled at or near the bottom of the sea unless the inside length, between the end knots, of the meshes in the net is at least as stated below.

...

Paragraph 4. Notwithstanding the provisions of paragraph 3, nets having meshes of a size smaller than the size there specified may be used in fishing for mackerel, clupeoid fishes, sand eels (*Ammodytes*), Norway pout (*Gadus esmarkii*), snelts, eels, great weevers (*Trachinus draco*), capelin (*Mallotus villosus*), poutassou or blue whiting (*Gadus poutassou*), horse mackerel (*Trachurus trachurus*), prawns, Norway lobsters and molluscs on condition that the gear is not used for the purpose of catching fish and crustaceans of kinds other than those just named.

For the conservation of the stocks of deep-water prawns (*Pandalus borealis*) the specific regulation relating thereto shall apply.

What is stated in the first subparagraph hereof shall however not apply to fishing for horse mackerel and poutassou (blue whiting) in region III or in fishing for poutassou in that part of region II which lies south of 52 degrees 30 minutes north latitude and west of 7 degrees west longitude.

In the Convention area other than the area east of the line Hanstholm—Lindesnäs, no fishing gear having in the cod-end meshes of a size between 50 millimetres and the dimensions specified in paragraph 3 for region II may be carried on board or used on Swedish vessels.

Minimum sizes of certain kinds of fish

Paragraph 6. Fish of the kinds indicated below which have been caught in the Convention area and whose length, in the ungutted condition, from the tip of the snout to the extreme end of the tail fin is less than that indicated for each individual area in the following list may not be retained on board a Swedish vessel, or be killed, but shall be returned to the sea immediately.

...

Paragraph 7. No one may import into the Kingdom or in the Kingdom land, deal in, offer for sale, sell, or buy for purposes of resale fish which have been caught within the areas specified in paragraph 1 and whose length is of less than the minimum dimension prescribed in paragraph 6 for fish of the kind concerned.

If in fishing in conformity with paragraph 4 fishes specified in paragraph 6 have been caught which are of less than the prescribed minimum size, the undersized fish may until the end of the year 1973 and notwithstanding the regulations laid down in the foregoing be retained on board, killed, landed, dealt in, offered for sale, sold, or bought for purposes of resale if they do not constitute more than 10 per cent by weight of every landing or part thereof not intended to be used as fish for human consumption. Whittings of a length between 20 and 23 centimetres shall however not be regarded as undersized in this connexion.

Notwithstanding the provisions in paragraph 3, fishing nets having a mesh size smaller than the size there prescribed may until the end of the year 1979 be used in fishing for whittings in the Kattegatt and the Skagerak east of a straight line from Hanstholm to Lindesnäs if the engine power of the vessel does not exceed 150 horse-power. During the same period, whittings which have been caught in fishing performed in the manner described which are of less than the prescribed minimum size may, notwithstanding the aforesaid provisions, be retained on board, killed, landed, dealt in, offered for sale, sold, or bought for purposes of resale on condition that the catch landed does not contain fish other than fish of the kinds enumerated in paragraph 6.

The regulations laid down in paragraph 6 and in the foregoing shall not apply to whittings caught with the hook in Swedish waters.

Provisions concerning salmon fishing

Paragraph 8. The following shall apply throughout the Convention area but outside the fishery limits of the States concerned.

Caught salmon whose length from the tip of the snout to the extreme end of the tail fin is less than 60 centimetres may not be retained on board, but shall be returned to the sea immediately.

Trawl nets, nets of fully-drawn nylon, spoon baits or whiffing-lines may not be used in salmon fishing.

Drift-nets, anchored nets and seines used in salmon fishing shall have a mesh size of not less than 160 mm measured as prescribed in paragraph 3.

The aperture of the salmon hook shall be of not less than 19 mm and the gut of the salmon hook shall be of a strength corresponding at least to that of a fully-drawn nylon line 0.6 mm thick.

Paragraph 9. In regions I and II but outside the fishery limits of the States concerned, salmon fishing is prohibited from 1 July to 5 May, both dates included; it is moreover prohibited altogether between 63 and 68 degrees north latitude east of the prime meridian and east of 22 degrees east longitude.

...

Paragraph 14. After authorization by the Board of Fisheries, undersized fish may be caught and be retained on board a Swedish vessel for the purpose of transplantation to other areas.

The provisions of this Order shall not apply to fishing performed for scientific purposes. Undersized fish caught during such fishing may be retained on board, killed and landed, but may not be sold.

...

(c) ROYAL ORDER OF 19 NOVEMBER 1971 CONCERNING REGULATION OF THE SIZE OF MESH OF FISHING NETS, MINIMUM SIZE OF FISH, ETC.¹

His Majesty the King has deemed it proper to ordain in the matter of the Order (1965:500) concerning regulation of the size of mesh of fishing nets, minimum size of fish, etc., that

The present paragraphs 2-4 shall be numbered 6-8; that

The new paragraphs 6-8 shall be worded as shown hereunder; and that

Four new paragraphs, numbered 2-5, together with an annex, all worded as shown thereunder, shall be inserted in the Order.

In consequence hereof the Order will be worded as shown below as from the date on which the present Order enters into force.

Paragraph 1. The Board of Fisheries (*Fiskeristyrelsen*) shall enact the provisions, governing, *inter alia*, the size of mesh of fishing nets and the minimum size of fish, necessitated by Sweden's accession to the North-East Atlantic Fisheries Convention,² on 24 January 1959 and to an Agreement with Denmark and the Federal Republic of Germany, signed on behalf of Sweden on 20 December 1962, concerning measures to preserve stocks of salmon in the Baltic Sea.³

The Board of Fisheries shall likewise enact provisions on the same subjects for the Swedish sea fisheries.

Paragraph 2. Supervision of the observance of provisions enacted pursuant to paragraph 1 shall be performed within the North-East Atlantic Fisheries Convention area outside the territorial sea of Sweden and the Swedish fishing zone in conformity with the recommendation concerning international control activity which was adopted by the North-East Atlantic Fisheries Commission at its seventh session at Reykjavik from 7 to 13 May 1968. The wording of the recommendation is as shown in the annex hereto.⁴ Paragraphs 3 to 6 shall apply in the implementation of the recommendation.

...

Paragraph 6. A fine or a sentence of not more than six months' imprisonment shall be imposed on any person who

¹ *Swedish Code of Statutes*, 10 December 1971. Entered into force on 1 January 1972. It amends a prior Order (1965: 500) on the same subject. Swedish text provided by the Permanent Representative of Sweden to the United Nations in a note verbale of 13 March 1973. Translation by the Secretariat of the United Nations.

² United Nations, *Treaty Series*, vol. 486, p. 157. Reproduced in part in ST/LEG/SER.B/15, pp. 853-857.

³ Reproduced *ibid.*, pp. 859-861.

⁴ Annex is not reproduced here.

1. Wilfully or through negligence acts in breach of a provision which has been enacted pursuant to paragraph 1; or

2. Resists or otherwise seeks by force to hinder an inspector as referred to in the recommendation in the performance of his duty or who fails to obey directions given by such inspector, unless the act is punishable under the Criminal Code.

Paragraph 7. Fish which have been caught or have otherwise been the object of an act conflicting with a provision enacted pursuant to paragraph 1 shall be declared forfeit unless such declaration would be manifestly inequitable.

If, in a batch of fish, fish are found which, under the first subparagraph of this paragraph, should be declared forfeit on the grounds that they are of less than the prescribed minimum size, and the owner of the batch does not immediately have the other fish sorted by a trustworthy person at his own expense, the other fish also shall be declared forfeit, unless such declaration would be manifestly inequitable.

Fishing gear which has been used to help in the commission of a breach of a provision which has been enacted pursuant to paragraph 1 may be declared forfeit if so required for the purpose of preventing a breach or if special grounds therefore otherwise exist.

The value of the fish or gear may be declared forfeit in place of the actual fish or gear.

Paragraph 8. The provisions of articles 34-37 and 40 of the Fisheries Act (*Fiskeristadgan*) (1954:607)¹ shall apply as appropriate in the matter of a breach as referred to in this Order.

(d) ROYAL ORDER OF 23 NOVEMBER 1973 CONCERNING
THE EXTENT OF THE SWEDISH FISHERY ZONE²

His Majesty the King ordains, pursuant to the Act (1950:596) respecting the Fishery Rights, article 1,³ as follows:

Paragraph 1. The Swedish fishery zone shall comprise the area of the sea outside the territorial limits up to eight nautical miles or 14,816 metres from those limits.

The fishery zone shall however

1. Not extend further than the territorial limits of a foreign State;
2. In the area nearest to the limits with Norway not extend beyond straight lines between the most westerly point on the outermost limits of

¹ Reproduced in part in ST/LEG/SER.B/15, pp. 671-673.

² *Swedish Code of Statutes*, 4 December 1973. Entered into force on 1 January 1974, on which date the Royal Notice of 5 September 1968 (1968:486) concerning the extent of the Swedish fishery zone, reproduced in part in ST/LEG/SER.B/16, p. 330, ceased to have effect. Swedish text provided by the Permanent Representative of Sweden to the United Nations in a note verbale of 17 December 1973. Translation by the Secretariat of the United Nations.

³ *Supra* (a).

Sweden's territorial sea towards Norway, the point 58° 53' 34.0" N., 10° 38' 25.0" E. and the point 58° 45' 41.3" N., 10° 35' 40.0" E.;

3. Extend in the Kattegatt not further than up to a line on which all points lie at the same distance from the nearest points on the low-water lines on the Swedish coast and the Danish coast;

4. In the Öresund Channel not extend beyond the line in the longitudinal direction of the Channel which is specified in the Joint Declaration with Denmark, made on 30 January 1932, concerning certain circumstances relating to the frontier in the Öresund Channel;¹

5. Extend in the Baltic Sea, including the Åland Sea, the Sea of Bothnia and the Gulf of Bothnia not further than up to a line on which all points lie at the same distance from the nearest points on the baselines from which the width of the territorial sea of Sweden and a foreign State, respectively, are reckoned.²

Paragraph 2. The outermost limits of the fishery zone shall be marked by the National Administration of Shipping and Navigation (*sjöfartsverket*) on nautical charts available to the public.

...
...

13. TOGO

LOI No 64-14 DU 11 JUILLET 1964 PORTANT REGLEMENTATION DE LA PECHE³

Article premier. – Le Gouvernement exerce la surveillance et la police de la pêche dans l'intérêt général.

Chapitre 1 – De la pêche maritime

Article 2. – Les établissements de pêches industrielles, à l'exclusion des pêcheries traditionnelles, les parcs, les dépôts de coquillages formés sur le rivage de la mer, le long des côtes, sur les lagunes et sur les rives des lagunes sont soumis à autorisation dans les conditions qui seront fixées par décret en conseil des ministres. Les infractions audit décret seront passibles d'une amende de 12 000 francs à 120 000 francs.

Article 3. – L'utilisation des plages ou parties de plages et délimitation des zones réservées au bain, au tourisme, à l'industrie, au rejet des eaux résiduaires ou à tout autre usage seront réglementées par décret.

L'occupation de ces zones peut donner lieu à perception de redevances dans les conditions qui seront fixées par décret en conseil des ministres.

¹ Reproduced in ST/LEG/SER.B/6, pp. 792-794.

² Notwithstanding these new provisions, fishing from a fishing vessel whose home State is Denmark, Finland, Poland, the Soviet Union, the German Democratic Republic or the Federal Republic of Germany may be carried out in the Swedish fishery zone in the waters specified in paragraph 1, subparagraph 5, until the end of 1975, unless his Majesty the King ordains otherwise.

³ Texte transmis par la Mission permanente du Togo auprès de l'Organisation des Nations Unies par note en date du 23 mai 1973.

Article 4. – La pêche est interdite aux navires étrangers dans les eaux territoriales togolaises en deçà d'une limite fixée à 12 milles marins au large de la laisse de basse mer.

Article 5. – Si le capitaine d'un navire étranger ou les hommes de son équipage sont surpris en action de pêche dans les eaux territoriales togolaises, le capitaine est puni d'une amende de 120 000 francs à 1 200 000 francs CFA.

Article 6. – En cas de récidive, la peine d'amende peut être portée au double; en outre, la confiscation des engins et des produits de la pêche est obligatoirement prononcée et le capitaine est passible d'un emprisonnement de quinze jours à trois mois.

Il y a récidive lorsque, dans les deux années précédant la constatation du délit, il a été rendu contre le contrevenant un jugement en application de l'article 4 de la présente loi.

Article 7. – En cas d'infraction à l'article 4 de la présente loi, le navire peut être saisi et retenu jusqu'à entier paiement des frais de garde et d'entretien, des frais de justice et des amendes.

Passé le délai de trois mois à compter du jour où le jugement est devenu définitif, le navire peut être vendu par autorisation de justice.

Article 8. – Les dispositions qui précèdent ne portent pas atteinte à la libre circulation des navires de pêche étrangers naviguant ou mouillant dans les eaux territoriales togolaises.

Chapitre II. – De la pêche fluviale

...

Chapitre III. – De la pêche par explosifs ou drogues

Article 10. – Il est interdit de faire usage pour la pêche maritime ou pour la pêche fluviale d'explosifs ou matières explosives de quelque nature que ce soit, de drogues pouvant détruire, enivrer ou modifier le comportement normal des poissons, crustacés, coquillages ou animaux aquatiques quelconques.

Sont prohibés la vente, le transport et le colportage du produit des pêches interdites au paragraphe précédent.

Lorsque les produits de la pêche ont toutes les apparences d'avoir été obtenus à l'aide d'explosifs ou de drogues, la preuve contraire incombe aux détenteurs de ces produits.

Article 11. – Toute infraction aux dispositions de l'article 10 sera punie d'une peine d'emprisonnement d'un an à cinq ans et d'une amende de 50 000 francs à 500 000 francs ou de l'une de ces deux peines seulement.

La confiscation des explosifs ou drogues et du produit de la pêche sera obligatoire. En outre, le tribunal pourra ordonner la confiscation des navires ou bateaux ayant servi au délit et des véhicules ayant servi au transport des explosifs ou drogues ou du produit de la pêche prohibée.

Article 12. – Le bénéfice de la transaction est exclu en matière de pêche par explosifs ou drogues.

Article 13. – La pêche maritime ou fluviale à l'aide de feux, d'engins éclairants ou d'engins électriques peut être interdite ou réglementée par décret en conseil des ministres.

Le rejet à la mer et la décharge dans la limite des eaux territoriales de tous produits toxiques et notamment des hydrocarbures sont passibles des peines prévues à l'article 28 ci-après.

Chapitre IV. – De la constatation et de la poursuite des infractions

Article 14. – Les agents assermentés des services des pêches, des eaux et forêts, de l'élevage et des douanes, les officiers de police judiciaire et les personnes commissionnées par arrêtés ministériels et dûment assermentées constatent les infractions en matière de pêche maritime ou de pêche fluviale.

...

Article 16. – Les délits en matière de pêche seront prouvés par procès-verbaux qui feront foi jusqu'à preuve contraire.

Article 17. – Les agents visés à l'article 14 sont autorisés à saisir les instruments de pêche prohibés ainsi que le produit des pêches frauduleuses. Ces engins prohibés ne peuvent être remis sous caution. Ils sont déposés au greffe et détruits après jugement définitif.

Article 18. – En cas de refus de la part des délinquants de remettre immédiatement les filets ou engins prohibés après sommation, le tribunal pourra prononcer une peine d'amende d'un montant double de la valeur des engins prohibés. Cette amende ne se confond pas avec les peines sanctionnant le délit de pêche.

...

Article 28. – Les infractions aux décrets pris pour l'application de la présente loi seront passibles d'une amende de 12 000 à 120 000 francs et d'un emprisonnement de quinze jours à six mois ou de l'une de ces deux peines seulement. La confiscation des engins de pêche et des poissons peut être prononcée s'il y a lieu.

Article 29. – Les peines prévues par la présente loi pourront être portées au double lorsque les délits auront été commis la nuit.

...

14. TONGA

FISHERIES PROTECTION ACT, 1973¹

...

¹ Act No. 10 of 6 August 1973. Given Royal assent on 7 September 1973. Text transmitted to the Secretary-General of the United Nations by the Acting Prime Minister and Minister for Foreign Affairs of Tonga in a letter dated 25 June 1974.

2. In this Act—

“Court” means the Supreme Court;

“fish” means any aquatic animal, whether piscine or not, and includes shell-fish, crustaceans, sponge, holothurian (beche-de-mer) and turtle, and the young and eggs thereof;

“Fisheries Protection Officer” means any person as specified in section 4 of this Act;

“fishing” means taking, hunting, pursuing, catching, killing or possessing any fish, or attempting to do any of these things, and “to fish” has a corresponding meaning;

“foreign fishing vessel” means any vessel used commercially for fishing or for the processing or storage of fish which is either not registered in Tonga or is owned or controlled by a person or persons not ordinarily resident in Tonga, but does not include any canoe or any vessel used for the transport of fish or fish products as part of its general cargo;

“Minister” means such Minister as may be appointed to administer this Act;

“territorial waters of the Kingdom” means all waters within the area bounded by the fifteenth and twenty-third and half degrees of south latitudes and the one hundred and seventy-third and the one hundred and seventy-seventh degrees of west longitudes, and also within the area bounded by the Proclamation made on the 15th day of June, 1972 affirming and proclaiming Teleki Tonga and Teleki Tokelau part of the Kingdom of Tonga.

3. (1) A foreign fishing vessel shall not enter within the territorial waters of the Kingdom, except for a purpose recognized by international law, or by any convention, treaty or arrangement for the time being in force between Tonga and any Foreign State, or because of stress of weather or other unavoidable circumstances.

(2) If a foreign fishing vessel enters the territorial waters of the Kingdom, it—

(a) Shall return outside of the territorial waters of the Kingdom as soon as the purpose for which it entered them has been fulfilled;

(b) Shall not fish or attempt to fish while within the territorial waters of the Kingdom;

(c) Shall not load, unload or tranship any fish while within these limits;

(d) Shall stow its fishing gear in accordance with regulations issued by the Minister; and

(e) Shall obey such other regulations as may from time to time be issued by the Minister.

(3) In the event of contravention of this section in the case of a foreign fishing vessel—

(a) The master of the foreign fishing vessel shall be liable to a fine not exceeding T\$100,000 or imprisonment for a term not exceeding five years or both;

(b) The Court may on conviction of the master of the foreign fishing vessel of an offence under this section also order the forfeiture to the Government of Tonga of the foreign fishing vessel and of any fish and tackle, engines, nets, gear, apparatus, cargo and stores.

(4) The foregoing provisions of this section shall not prohibit or restrict fishing by foreign fishing vessels in areas within the territorial waters of the Kingdom with respect to which special provision for fishing by such vessels is made by any arrangement between the Government of Tonga and the Government of the country in which such vessels are registered or the owners of such vessels.

4. The following persons shall be Fisheries Protection Officers for the purposes of this Ordinance, that is to say—

- (a) Members of the Police Force;
- (b) Commissioned officers of the Tonga Defence Services;
- (c) Persons in command or charge of any vessel or aircraft operated by or on behalf of the Tonga Defence Services;
- (d) Any other person appointed as a Fisheries Protection Officer by the Minister.

5. For the purposes of enforcing the provisions of this Act a Fisheries Protection Officer shall have the following powers, that is—

(a) He may with or without a warrant stop, board and search any foreign fishing vessel reasonably suspected of being used for the purposes of fishing and may examine any fish on the boat and the equipment of the boat including the fishing gear and require persons on the boat to do anything which appears to him to be necessary for facilitating such examination;

(b) Where it appears that any contravention of the provisions of this Act has taken place, he may, with or without a warrant, arrest any person whom he believes has committed any such contravention, and if the Fisheries Protection Officer arresting that person is not a police officer, he shall without unnecessary delay make over that person to a police officer;

(c) Where it appears that any contravention of the provisions of this Act has taken place, he may, with or without a warrant, seize the fishing vessel in relation to which the contravention took place together with its tackle, engines, nets, gear, apparatus, cargo and stores and may take the same and the crew of the fishing vessel to the port which appears to him to be the nearest convenient port and may detain the same and the crew until the completion of proceedings for the contravention;

(d) Where it appears that any fish have been taken or are possessed in contravention of this Act, he may seize same and if adequate facilities are not available to preserve such fish pending the completion of proceedings for the contravention, he may take all necessary steps for the sale of such fish at its reasonable market value, the net proceeds of such sale to be paid to the Registrar of the Supreme Court pending the making of a final order by the Court in respect of the forfeiture or otherwise of that fund;

(e) Where it appears that any contravention of the provisions of this Act has taken place, he may engage in hot pursuit of the vessel or fishing vessel in relation to which the contravention took place or of its mother ship; and such

hot pursuit shall be in accordance with the provisions of Article 23 of the Convention on the High Seas signed at Geneva on 29th day of April 1958,¹ which Article 23 is set out in the Schedule annexed hereto.²

6. Any person who—

(a) Wilfully obstructs any Fisheries Protection Officer in the exercise of any of his powers under this Act; or

(b) Fails to comply with any lawful requirement imposed or to answer any lawful enquiry made by any Fisheries Protection Officer under this Ordinance; or

(c) Being on board any vessel being pursued or about to be boarded by any Fisheries Protection Officer throws overboard or destroys any fish, fishing gear or any other thing whatsoever

shall be guilty of an offence against this Act and shall be liable to a fine of one thousand pa'anga or to imprisonment for two years or to both such fine and imprisonment, and if said offence takes place on board or alongside a fishing vessel, the master of the fishing vessel shall be guilty of a like offence and liable to a like penalty.

7. No Fisheries Protection Officer shall be personally liable in respect of any act done or omitted to be done by him in good faith in the execution or purported execution of his powers and duties under this Act.

8. Where a fine is imposed on the master or member of the crew of a foreign fishing vessel who is convicted of an offence under this Act or on any person or persons convicted under this Act of an offence which took place while he or she or they were on board or alongside a foreign fishing vessel, the Court may order—

(a) That the said vessel be detained for a period of three months from the date of the conviction or until the fine is paid, whichever occurs first; and

(b) In the event of non-payment of the fine within the said period of three months, that the said vessel and fish, tackle, engines, nets, gear, apparatus, cargo and stores be forfeited to the Government, and that notwithstanding the fact that the value of same exceeds the amount of the fine.

9. Notwithstanding any provision in any other Ordinance or Act the Supreme Court will have exclusive jurisdiction in all prosecutions brought under this Act and in all other matters relative thereto.

10. The Minister may with the consent of Cabinet make such regulations as seem to him expedient for carrying into effect any or all of the purposes or provisions of this Act and such regulations, when published in the Gazette shall have the force and effect of law.

¹ United Nations *Treaty Series*, vol. 450, p. 82, and also ST/LFG/SER.B/15, pp. 800-807.

² Not reproduced in this volume.

15. UNION OF SOVIET SOCIALIST REPUBLICS

- (a) [REGULATIONS OF 11 JANUARY 1974 FOR SAFEGUARDING THE CONTINENTAL SHELF OF THE USSR.]¹
- (b) [SCHEDULE FOR THE CALCULATION OF FINES IMPOSED FOR DAMAGE CAUSED TO LIVING ORGANISMS BELONGING TO THE SEDENTARY SPECIES, AND FORMING PART OF THE NATURAL RESOURCES OF THE CONTINENTAL SHELF OF THE USSR, AS A RESULT OF THE ILLEGAL HARVESTING OF SUCH SPECIES BY NATIONALS OF THE USSR OR BY FOREIGN INDIVIDUALS OR BODIES CORPORATE]²

16. UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- (i) FOREIGN SEA-FISHERY OFFICERS (NORTH-EAST ATLANTIC FISHERIES COMMISSION SCHEME) ORDER 1969,³ AS AMENDED⁴

...

SCHEDULE 1

Part I

...

Reservations

(a) As between the Union of Soviet Socialist Republics and other Contracting States the provisions of the Scheme relating to inspection of gear or catch below deck do not apply.

[(b) of the original Order has been repealed.]

[(c) of the original Order has been repealed.]

...

¹ *Supra* Division II, 15 (a).

² *Supra* Division II, 15 (b).

³ *Statutory Instruments*, 1969 No. 1822. Reproduced in part in ST/LEG/SER.B/16, pp. 353-356.

⁴ Amended by the Foreign Sea-Fishery Officers (North-East Atlantic Fisheries Commission Scheme) Variation Order 1972 (*Statutory Instruments*, 1972, No. 758), the Foreign Sea-Fishery Officers (North-East Atlantic Fisheries Commission Scheme) Variation (No. 2) Order 1973 (*ibid.*, 1973 No. 127); the Foreign Sea-Fishery Officers (North-East Atlantic Fisheries Commission Scheme) Variation (No. 3) Order 1973 (*ibid.*, 1973 No. 789) and the Foreign Sea-Fishery Officers (North-East Atlantic Fisheries Commission Scheme) Variation (No. 4) Order 1973 (*ibid.*, 1973 No. 1701). Except for the texts reproduced here, the original Order remains unchanged.

SCHEDULE 2

Foreign Countries which are parties to the Scheme

- | | | |
|------------|-------------|--------------------------------------------|
| 1. Belgium | 6. Poland | 10. Union of Soviet
Socialist Republics |
| 2. Denmark | 7. Portugal | 11. Federal Republic of
Germany |
| 3. France | 8. Spain | 12. The Netherlands |
| 4. Iceland | 9. Sweden | |
| 5. Norway | | |

(ii) [HADDOCK (RESTRICTIONS ON LANDING) ORDER 1972]¹

(iii) [SEA FISHING (NORTHWEST ATLANTIC) LICENSING ORDER 1972]²

(iv) [SALMON AND MIGRATORY TROUT (RESTRICTIONS ON LANDING)
ORDER 1972]³

(v) FISHING BOATS (EUROPEAN ECONOMIC COMMUNITY)
DESIGNATION ORDER 1972⁴

...

2. *Interpretation.* (1) In this Order

“the Act” means the Fishery Limits Act 1964;⁵

¹ Dated 24 November 1972. *Statutory Instruments*, 1972, No. 1793. Came into operation on 22 December 1972. This Order, which was made under section 6 and 15 of the Sea Fish (Conservation) Act 1967, implemented a recommendation of the Northwest Atlantic Fisheries Commission by prohibiting the landing in the United Kingdom of haddock caught in a specified area of the Northwest Atlantic during the period 22 December 1972 to 31 December 1972. For the text of the 1967 Act, see ST/LEG/SER.B/16, pp. 334-340.

² Dated 30 November 1972. *Ibid.*, 1972, No. 1857. Came into operation on 1 January 1973 and ceased to have effect on 1 January 1974. This Order, which implemented the recommendation of the International Commission for the Northwest Atlantic Fisheries, appointed 1 January 1973 as the date from which no British fishing boat should fish for specified types of fish in specified areas of the Northwest Atlantic.

³ Dated 14 December 1972. *Ibid.*, 1972, No. 1966. Came into operation on 15 February 1973. This Order, made under the powers contained in section 6 of the Sea Fish (Conservation) Act 1967 (1967 c. 84), prohibits the landing in Great Britain of salmon and migratory trout caught in certain waters specified in the order for ten years. For the text of the 1967 Act, see ST/LEG/SER.B/16, pp. 334-340.

⁴ Dated 21 December 1972. *Ibid.*, 1972, No. 2026. Came into operation on 1 January 1973. This Order revoked the Fishing Boats (Federal Republic of Germany) Designation Order 1964, the Fishing Boats (Belgium) Designation (Amendment) Order 1965 and the Fishing Boats (Netherlands) Designation (No. 2) Order 1966, all of which are reproduced in ST/LEG/SER.B/15, and the Fishing Boats (Belgium) Designation (Amendment) Order 1967 and the Fishing Boats (France) Designation (Amendment) Order 1967, which are reproduced in ST/LEG/SER.B/16. It also revoked in part the Fishing Boats (France) Designation Order 1965, the Fishing Boats (Republic of Ireland) Designation Order 1965 and the Fishing Boats (Belgium) Designation Order 1965, all of which are reproduced in ST/LEG/SER.B/15.

⁵ 1964 c. 72. Reproduced in part in ST/LEG/SER.B/15, pp. 676-679.

“the baselines” means the baselines from which the territorial sea adjacent to the United Kingdom is measured as prescribed by the Territorial Waters Order in Council 1964;¹

“the Community States” means the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, the Republic of Ireland, the Italian Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands;

“demersal fish” means all sea fish other than salmon, migratory trout, mackerel, clupeoid fish, sand eels, Norway pout, smelts, eels, great weevers, crustaceans and molluscs (other than squids);

“the exclusive fishery limits” means the United Kingdom fishery limits to a distance of 6 miles from the baselines;

“fishing boat” means a vessel of whatever size and in whatever way propelled which is for the time being employed in sea fishing;

“the Ministers” means the Minister of Agriculture, Fisheries and Food and the Secretaries of State concerned with the sea fishing industry in Scotland and Northern Ireland respectively;

“the outer belt” means the United Kingdom fishery limits other than the exclusive fishery limits;

“the outer belt appurtenant to” in relation to a coast or island means that part of the outer belt which is within 12 miles of the baseline along such coast or round such island;

“the reserved waters” means the areas comprising the waters within those parts of the outer belt described in Schedule 1² to this Order;

“United Kingdom fishery limits” means those parts of the fishery limits of the British Islands which are adjacent to the United Kingdom.

...

4. *General and special fishing rights.* For the purpose of giving effect to the Treaty relating to the accession of the United Kingdom to the European Economic Community (in so far as sea fishing by fishing boats is provided for under that Treaty), and for the purposes of section 1 (3) of the Act (which empowers the Ministers by order to designate any country outside the United Kingdom, the Channel Islands and the Isle of Man, and the area in which and descriptions of sea fish for which fishing boats registered in that country may fish in the outer belt) the Ministers:

(a) As respects the area consisting of so much of the outer belt as does not include the reserved waters hereby designate (i) each of the Community States, (ii) that area and (iii) sea fish of all descriptions;

(b) As respects the reserved waters, hereby designate (i) each of the Community States specified in column 1 of Schedule 3³ to this Order, (ii) such parts of reserved waters as are in relation to each such State specified in column 2 of that Schedule and (iii) such descriptions of sea fish as are in relation to such States and such parts, specified in column 3 of that Schedule.

...

¹ 1965 III, p. 6452A. Reproduced *ibid.*, pp. 129-131.

² Schedules are not reproduced here.

³ Schedules are not reproduced here.

(vi) SALMON AND MIGRATORY TROUT (PROHIBITION OF FISHING)
ORDER 1972¹

...

2. *Interpretation.* (1) In this order—

“exclusive fishery limits” means the waters surrounding England and Wales to a distance of six miles from the baselines from which the breadth of the territorial sea is measured.

...

3. During the period 15 February 1973 to 14 February 1983 both days inclusive, fishing for salmon or migratory trout within the area of sea specified in the Schedule to this order is hereby prohibited.

4. In accordance with the provisions of section 5 (3) of the Sea Fish (Conservation) Act 1967² it is hereby declared that this order is not made for the sole purpose of giving effect to such a convention or agreement as is mentioned in section 5 (1) of that Act.

SCHEDULE

The area of sea (excluding the exclusive fishery limits) contained within a line drawn from the coast of England along the southern boundary of the mouth of the River Tweed to the eastmost point of that boundary; thence due east to the intersection with the boundary of the fishery limits of the British Islands; thence along that boundary in a clockwise direction around the coast of England and Wales to the intersection with the parallel of latitude 54° 30' north in the Irish Sea; thence eastwards along that parallel until it meets the coast of England.

(vii) SALMON AND MIGRATORY TROUT (PROHIBITION OF FISHING)
(NO. 2) ORDER 1972³

...

3. (1) During the period 15 February 1973 to 14 February 1983, both days inclusive, fishing for salmon or migratory trout by a specified method within the area of sea specified in the schedule to this order is hereby prohibited.

(2) In this Article—

“specified method” means a method of fishing with drift-net, trawl net, seine net, troll or long-line, but does not include beach seining or fishing from the shore by net and coble;

“drift-net” means any length of net allowed to float or drift being either attached to or released from a fishing boat and not being a length of net attached to or held on the shore.

¹ Dated 14 December 1972. *Statutory Instruments*, 1973 No. 188. Came into operation on 15 February 1973.

² 1967 c. 84. Reproduced in part in ST/LEG/SER.B/16, pp. 334-340.

³ Dated 18 December 1972. *Statutory Instruments*, 1973 No. 207. Came into operation on 15 February 1973.

4. In accordance with the provisions of section 5 (3) of the Sea Fish (Conservation) Act 1967¹ it is hereby declared that this order is not made for the sole purpose of giving effect to such a convention or agreement as is mentioned in section 5 (1) of that Act.

SCHEDULE

1. The area of sea within the fishery limits of the British Islands lying west of the meridian of longitude 3° west and north of the parallel of latitude 54° 30' north, excluding—

(a) The waters within so much of the exclusive fishery limits as are adjacent to England but not nearer to any point on the coast of Scotland than to any point on the coast of England;

(b) The waters within that area, being waters within so much of those fishery limits as are mentioned in section 4 (2) of the Fishery Limits Act 1964.²

2. The area of sea within those fishery limits lying east of the meridian of longitude 3° west and north of the southern boundary of the mouth of the River Tweed and of a line drawn due east from the eastmost point of that boundary.

(viii) SALMON AND MIGRATORY TROUT (NORTH-EAST ATLANTIC) ORDER 1972³

...

3. *Prohibition.* During the period 15 February 1973 to 14 February 1983, both days inclusive, fishing for salmon or migratory trout within the area of sea specified in the Schedule to this order (being part of the area to which the North-East Atlantic Fisheries Convention⁴ applies) is hereby prohibited.

4. In accordance with the provisions of section 5 (3) of the Sea Fish (Conservation) Act 1967⁵ it is hereby declared that this order is not made for the sole purpose of giving effect to such a convention or agreement as is mentioned in section 5 (1) of that Act.

SCHEDULE

Those areas of the Atlantic and Arctic Oceans and seas adjacent to those oceans which lie outside the fishery limits of the British Islands, north of 36° north latitude, between 42° west longitude and 51° east longitude and north of 59° north latitude between 44° west longitude and 42° west longitude, but excluding the Mediterranean and Baltic Seas and Belts lying to the south and east of lines drawn from Hasenore Head, Denmark, to Griben Point, Denmark, from Korshage, Denmark to Spodsbjerg, Denmark and from Gilbjerg Head, Denmark, to Kullen, Sweden.

¹ 1967 c. 84. Reproduced in part in ST/LEG/SER.B/16, pp. 334-340.

² 1964 c. 72. Reproduced in part in ST/LEG/SER.B/15, pp. 676-679.

³ Dated 14 December 1972. *Statutory Instruments*, 1973 No. 189. Came into operation on 15 February 1973.

⁴ United Nations, *Treaty Series*, vol. 486, p. 157. Reproduced in ST/LEG/SER.B/15, pp. 853-857.

⁵ 1967 c. 84. Reproduced in part in ST/LEG/SER.B/16, pp. 334-340.

(ix) SALMON AND MIGRATORY TROUT (ENFORCEMENT)
ORDER 1973¹

...

4. *Powers of British Sea-fishery Officers.* For the purpose of the enforcement of (i) The Salmon (Northwest Atlantic) Order 1971² (ii) The Salmon and Migratory Trout (North-East Atlantic) Order 1972,³ (iii) The Salmon and Migratory Trout (Prohibition of Fishing) Order 1972,⁴ (iv) The Salmon and Migratory Trout (Prohibition of Fishing) (No. 2) Order 1972,⁵ and (v) The Salmon and Migratory Trout (Restrictions on Landing) Order 1972,⁶ there are hereby conferred on every British sea-fishery officer the powers of a British sea-fishery officer under section 8 (2) to (4) of the Sea Fisheries Act 1968.⁷

(x) [SEA FISH (CONSERVATION) (ISLE OF MAN) ORDER 1973]⁸

(xi) [SEA FISH (CONSERVATION) (MANX BOATS) ORDER 1973]⁹

(xii) [HAKE (REGULATION OF LANDING) ORDER 1973]¹⁰

(xiii) CONSERVATION OF SEALS (SCOTLAND) ORDER 1973¹¹

...

3. *Prohibition of killing, injuring or taking common seals.* On and after the date of the commencement of this order there is hereby prohibited the

¹ Dated 12 February 1973. *Statutory Instruments*, 1973 No. 210. Came into operation on 13 March 1973. This order revoked the Salmon and Migratory Trout (Enforcement) Order 1971 (*ibid.*, 1971 No. 627) and the Salmon and Migratory Trout (Enforcement) Order 1972 (*ibid.*, 1972 No. 112).

² *Ibid.*, 1971 No. 171.

³ *Ibid.*, 1973 No. 189.

⁴ *Ibid.*, 1973 No. 188.

⁵ *Ibid.*, 1973 No. 207.

⁶ *Ibid.*, 1972 No. 1966.

⁷ 1968 c. 77. Reproduced in part in ST/LEG/SER.B/16, pp. 345-349.

⁸ Dated 16 February 1973. *Statutory Instruments*, 1973 No. 237. Came into operation on 1 April 1973. This Order extended sections 1, 3 and 5 of the Sea Fish (Conservation) Act 1967 (1967 c. 84) and certain ancillary provisions to the Isle of Man with exceptions, adaptations and modifications. For the 1967 Act, see ST/LEG/SER.B/16, pp. 334-340.

⁹ Dated 16 February 1973. *Statutory Instruments*, 1973 No. 238. Came into operation on 1 April 1973. This Order applied sections 4 and 5 of the Sea Fish (Conservation) Act 1967 to the British fishing boats registered in the Isle of Man.

¹⁰ Dated 28 February 1973. *Ibid.*, 1973 No. 347. Came into operation on 1 April 1973. This Order prohibited the landing in the United Kingdom of red hake and silver hake caught in a specified area of the North-West Atlantic during the period 1 April 1973 to 30 April 1973, thus implementing a recommendation of the International Commission for the North-West Atlantic Fisheries.

¹¹ Dated 15 June 1973, *Ibid.*, 1973 No. 1079 (S.81). Came into operation on 1 September 1973.

killing, injuring or taking of common seals, that is to say seals of the species known as *Phoca Vitulina*, in the County of Zetland and the territorial waters adjacent thereto.

(xiv) SEA FISHERIES (SCOTLAND) BYELAW (NO. 86) 1973¹

...

2. *Methods of fishing permitted in a defined area of the Moray Firth.*
Notwithstanding the provisions of—

(a) Byelaw (No. 10) made by the Fishery Board for Scotland on 27 September 1892 and confirmed by the Secretary for Scotland on 22 November 1892² (prohibition of trawling in Moray Firth); and

(b) Sea Fisheries (Scotland) Byelaw (No. 81) 1963³ (conditional permitting of trawling in part of Moray Firth)

it shall be lawful to use the methods of fishing known as beam trawling and otter trawling in that area of the Moray Firth comprising that part lying to the west of a line from Duncansby Head to Rattray Point except such parts thereof as are within the fishery limits of the British Islands appurtenant to the coast of Scotland between Duncansby Head and Rattray Point.

(xv) [HERRING (NORTH YORKSHIRE COAST) (PROHIBITION OF FISHING) ORDER 1973]⁴

(xvi) [HERRING (ISLE OF MAN) (PROHIBITION OF FISHING) ORDER 1973]⁵

(xvii) FOREIGN SEA-FISHERY OFFICERS ORDER 1973⁶

...

Interpretation

2. (1) In this order—

“the Act” means the Sea Fisheries Act 1968;⁷

“the baselines” means the lines drawn round the coast of Iceland so as to join successively, in the order in which they are there set out, the points

¹ Dated 25 June 1973. *Statutory Instruments*, 1973 No. 1122 (S.85). Came into operation on 31 August 1973.

² *Statutory Rules and Orders*, 1892, p. 1010.

³ *Statutory Instruments*, 1968, No. 1011.

⁴ Dated 19 July 1973, *Ibid.*, 1973 No. 1259. Came into operation on 20 August 1973. This Order prohibited fishing for herring in an area of sea adjacent to the North Yorkshire coast within the fishery limits of the British Islands for the period 20 August 1973 to 30 September 1973.

⁵ Dated 22 August 1973. *Ibid.*, 1973 No. 1496. Came into operation on 1 October 1973. This Order prohibited fishing for herring in waters adjacent to the Isle of Man within the fishery limits of the British Islands but excluding the territorial waters during the period 1 October 1973 to 17 November 1973.

⁶ Dated 27 November 1973. *Statutory Instruments*, 1973 No. 1998. Came into operation 1 December 1973.

⁷ Reproduced in part in ST/LEG/SER.B/16, pp. 345-349.

identified by the co-ordinates of latitude and longitude in Schedule 1 to this order;

“the Convention” means the Interim Agreement between Her Majesty’s Government in the United Kingdom and the Government of Iceland constituted by the Exchange of Notes of 13 November 1973 (b);¹

“the Convention area” means the area to which the Convention applies being the area described in Schedule 2 to this order;

“mile” means nautical mile;

“the 12 mile line” means a line drawn round the coast of Iceland 12 miles from the baselines and extended seawards by lines drawn 12 miles from and around the Island of Grimsey (from its outermost headlands and skerries) and around Hvalbakur (64° 35.8’ north latitude 13° 16.7’ west longitude).

“the 50 mile line” means a line drawn round the coast of Iceland 50 miles from the baselines and extended seawards by lines drawn 50 miles around Hvalbakur (64° 35.8’ north latitude 13° 16.7’ west longitude) and Kolbeinsey (67° 07.5’ north latitude 18° 36’ west longitude).

...

Foreign Sea-Fishery Officers

3. In relation to the Convention there are hereby specified as foreign sea-fishery officers, entitled to exercise in relation to British fishing boats anywhere within the Convention area the powers referred to in section 9 of the Act, coastguard officers duly appointed by the Government of Iceland to enforce the provisions of the Convention.

SCHEDULE 2

...

The area between the 12 mile line and the 50 mile line but excluding therefrom the area within a radius of 12 miles from Kolbeinsey (67° 07.5’ north latitude 18° 36’ west longitude).

(xviii) SEA-FISHING (SPECIFIED NORTHERN WATERS) PROHIBITION ORDER 1973²

...

Interpretation

2. (1) In this order—

“the baselines” means the lines drawn round the coast of Iceland so as to join successively, in the order in which they are there set out, the points identified by the co-ordinates of latitude and longitude in Schedule 1 to this order;

¹ In force immediately upon conclusion. United Nations, *Treaty Series*, Vol. 903, No. 12886. Cmnd. 5484.

² Dated 27 November 1973. *Statutory Instruments*, 1973 No. 1999. Came into operation on 1 December 1973. This Order gives effect to an Interim Agreement made on 13 November 1973 and now in force between the Governments of the United Kingdom and Iceland.

“mile” means nautical mile;

“the 12 mile line” means a line drawn round the coast of Iceland 12 miles from the baselines and extended seawards by lines drawn 12 miles from and around the Island of Grimsey (from its outermost headlands and skerries) and around Hvalbakur (64° 35.8' north latitude 13° 16.7' west longitude);

“the 50 mile line” means a line drawn round the coast of Iceland 50 miles from the baselines and extended seawards by lines drawn 50 miles around Hvalbakur (64° 35.8' north latitude 13° 16.7' west longitude) and Kolbeinsey (67° 07.5' north latitude 18° 36' west longitude).

...

Prohibition

3. (1) There is hereby prohibited, in relation to any area defined in column 1 of Part I of Schedule 2 to this order, for the period specified in column 2 of that Part opposite the area so defined, all fishing for sea fish within that area.

(2) Without prejudice to paragraph (1) of this Article, there is hereby also prohibited in relation to any area defined in column 1 of Part II of Schedule 2 (being an area included in, or partly included in, an area as defined in column 1 of Part I of Schedule 2) for the period specified in column 2 of the said Part II opposite the area so defined, all fishing for sea fish within that area.

Enforcement

4. For the purpose of the enforcement of this order there are hereby conferred on every British sea-fishery officer the powers of a British sea-fishery officer under section 8 (2) and (3) of the Sea Fisheries Act 1968.¹

...

¹ Reproduced in part in ST/LEG/SER.B/16, pp. 345-349.

SCHEDULE 2

Part I

<i>Column 1</i>	<i>Column 2</i>
<i>Area</i>	<i>Period</i>
An area off the north-west coast of Iceland between the 12 mile line and the 50 mile line, and between the meridian of 22° 24' west longitude anti-clockwise to the parallel of 65° 30' north latitude.	The months of September and October in the years 1974 and 1975.
An area off the south-west coast of Iceland between the 12 mile line and the 50 mile line, and between the parallel of 65° 30' north latitude anti-clockwise to the meridian of 20° 30' west longitude.	From the date of the coming into operation of this order until 31 December 1973 (both dates inclusive); the months of November and December in the year 1974; 1 November 1975 to 13 November 1975 (both dates inclusive).

Part I (continued)

<i>Column 1</i> <i>Area</i>	<i>Column 2</i> <i>Period</i>
An area off the south coast of Iceland between the 12 mile line and the 50 mile line, and between the meridian of 20° 30' west longitude anti-clockwise to the meridian of 14° 30' west longitude.	The months of May and June in the years of 1974 and 1975.
An area off the south-east coast of Iceland between the 12 mile line and the 50 mile line, and between the meridian of 14° 30' west longitude anti-clockwise to a line drawn 045 from Bjarnarey (65° 47.1' north latitude 14° 18.2' west longitude).	The months of January and February in the years 1974 and 1975.
An area off the north-east coast of Iceland between the 12 mile line and the 50 mile line, and between a line drawn 045° from Bjarnarey anti-clockwise to the meridian of 16° 11.8' west longitude.	The months of July and August in the years 1974 and 1975.
An area off the north coast of Iceland between the 12 mile line and the 50 mile line, and between the meridian of 16° 11.8' west longitude anti-clockwise to the meridian of 22° 24' west longitude, but excluding therefrom the area within a radius of 12 miles from Kolbeinsey (67° 07.5' north latitude 18° 36' west longitude).	The months of March and April in the years 1974 and 1975.

Part II

<i>Column 1</i> <i>Area</i>	<i>Column 2</i> <i>Period</i>
An area off the north-west coast of Iceland demarcated by— — a line drawn between the positions 66° 57' north latitude 23° 36' west longitude and 67° 01' north latitude 22° 24' west longitude; — a line drawn 340° from the position 66° 57' north latitude 23° 36' west longitude; — the meridian of 22° 24' west longitude; — the 50 mile line.	From the date of the coming into operation of this order until 13 November 1975 (both dates inclusive).

Part II (continued)

<i>Column 1</i>	<i>Column 2</i>
<i>Area</i>	<i>Period</i>
<p>An area off the south coast of Iceland demarcated by—</p> <ul style="list-style-type: none"> – the meridian of 22° 00' west longitude; – the parallel of 63° 00' north latitude; – the meridian of 21° 25' west longitude; – the 12 mile line. 	20 March to 20 April (both dates inclusive) in the years 1974 and 1975.
<p>An area off the north-east coast of Iceland demarcated by—</p> <ul style="list-style-type: none"> – the meridian of 16° 11.8' west longitude; – the 12 mile line; – a line drawn 045° from Langanes (66° 22.7' north latitude 14° 31.9' west longitude); – the 50 mile line. 	1 April to 1 June (both dates inclusive) in the years 1974 and 1975.
<p>An area off the north-west coast of Iceland between the 12 mile line and a line drawn 20 miles from the baselines, and between the meridian of 22° 24' west longitude anti-clockwise to the parallel of 65° 30' north latitude.</p>	From the date of the coming into operation of this order until 13 November 1975 (both dates inclusive).
<p>An area off the east coast of Iceland between the 12 mile line and a line drawn 20 miles from the baselines, and demarcated in the south by the 12 mile line around Hvalbakur (64° 35.8' north latitude 13° 16.7' west longitude) and in the north by a line drawn 045° from Bjarnarey (65° 47.1' north latitude 14° 18.2' west longitude).</p>	From the date of the coming into operation of this order until 13 November 1975 (both dates inclusive).
<p>An area off the north coast of Iceland demarcated by—</p> <ul style="list-style-type: none"> – a line drawn between the positions 66° 39.7' north latitude 22° 24' west longitude and 66° 23.8' north latitude 18° 50' west longitude; – the 12 mile line. 	From the date of the coming into operation of this order until 13 November 1975 (both dates inclusive).

(xix) SEA FISHING (SPECIFIED NORTHERN WATERS)
LICENSING ORDER 1973¹

...

Interpretation

2. (1) In this order—

“the Act” means the Sea Fish (Conservation) Act 1967;²

“the baselines” means the lines drawn round the coast of Iceland so as to join successively, in the order in which they are there set out, the points identified by the co-ordinates of latitude and longitude in Schedule 1 to this order;

“mile” means nautical mile;

“the 12 mile line” means a line drawn round the coast of Iceland 12 miles from the baselines and extended seawards by lines drawn 12 miles from and around the Island of Grimsey (from its outermost headlands and skerries) and around Hvalbakur (64° 35.8' north latitude 13° 16.7' west longitude);

“the 50 mile line” means a line drawn round the coast of Iceland 50 miles from the baselines and extended seawards by lines drawn 50 miles around Hvalbakur (64° 35.8' north latitude 13° 16.7' west longitude) and Kolbeinsey (67° 07.5' north latitude 18° 36' west longitude).

“the specified area” means the area described in Schedule 2 to this Order.

...

Appointed Day

4. The appointed day for the purpose of section 4 of the Act (which provides for the licensing of British fishing vessels in relation to fishing by way of trade or business in specified areas) in conjunction with this order is the day on which this order comes into operation.

Area and Period

5. This order applies to fishing for sea fish in the specified area for the period beginning with the day on which this order comes into operation and ending on 13 November 1975 (both dates inclusive).

Provided that nothing in this order shall authorize a licence under section 4 of the Act to be granted in respect of any part of the specified area in any period in which fishing for sea fish in such part is prohibited by the Sea Fishing (Specified Northern Waters) Prohibition Order 1973 (*c*).

Enforcement

6. For the purposes of the enforcement of section 4 of the Act in conjunction with this order there are hereby conferred on every British sea-fishery officer the powers of a British sea-fishery officer under section 8 (2) and (3) of the Sea Fisheries Act 1968.

...

¹ Dated 29 November 1973. *Statutory Instruments*, 1973 No. 2000. Came into operation on 1 December 1973. It revoked the Sea Fishing (Specified Northern Waters) Licensing Order 1972, *ibid.*, 1972 No. 1477.

² Reproduced in part in ST/LEG/SER.B/16, pp. 334-340.

SCHEDULE 2

The area of sea between the 12 mile line and the 50 mile line but excluding therefrom the area within a radius of 12 miles from Kolbeinsey (67° 07.5' north latitude 18° 36' west longitude).

(xx) HADDOCK (RESTRICTIONS ON LANDING) ORDER 1973¹*Interpretation*

2. (1) In this Order—

“the specified waters” means the waters described in Schedule 1 to this Order.

Prohibition on Landing

3. Except as hereinafter provided, the landing in the United Kingdom of haddock (*Melanogrammus aeglefinus*) caught in the specified waters is hereby prohibited.

Exception from the Prohibition on Landing

4. (1) There shall be excepted from the prohibition contained in Article 3 of this Order the landing in the United Kingdom of haddock caught in the specified waters provided that:

- (i) The haddock were caught in the course of fishing for sea fish of any description other than haddock; and
- (ii) The haddock so caught are comprised in a catch the whole or part of which was taken in the specified waters and do not exceed in weight one-tenth of the total weight of the catch landed in the United Kingdom or, if only part of the catch was taken in the specified waters, one-tenth of the total weight of that part landed as aforesaid.

(2) Notwithstanding the exception contained in Article 4 (1) of this Order the prohibition contained in Article 3 of this Order shall apply to the landing in the United Kingdom of haddock caught during the period 1 March 1974 to 31 May 1974 (both dates inclusive):

(a) In those parts of the specified waters described in Part I of Schedule 2 to this Order; or

(b) In that part of the specified waters described in Part II of Schedule 2 to this Order with hooks having a gape of less than 3 centimetres.

Powers of British Sea-Fishery Officers

5. For the purpose of the enforcement of this Order there are hereby conferred on every British sea-fishery officer the powers of a British sea-fishery officer under section 8 (2) and (3) of the Sea Fisheries Act 1968.²

¹ Dated 29 November 1973. *Statutory Instruments*, 1973 No. 2004. Came into operation on 1 January 1974. It implements a recommendation of the International Commission for the North-West Atlantic Fisheries.

² Reproduced in part in ST/LEG/SER.B/16, pp. 345-349.

SCHEDULE 1

The area bounded by the coasts of Nova Scotia, west of Halifax; New Brunswick; Maine; New Hampshire; Massachusetts and Rhode Island, to a point 71° 40' west longitude; and thence by straight lines connecting the following co-ordinates in the order listed:

39° 00' north, 71° 40' west;
 39° 00' north, 63° 20' west;
 44° 20' north, 63° 20' west;
 Halifax, Nova Scotia.

SCHEDULE 2

Part I

Those two parts of the Northwest Atlantic Ocean which are respectively bounded by straight lines connecting the following co-ordinates in the order listed:

(a) 42° 20' north, 67° 00' west;
 41° 15' north, 67° 00' west;
 41° 15' north, 65° 40' west;
 42° 00' north, 65° 40' west;
 42° 20' north, 66° 00' west.

(b) 42° 04' north, 65° 44' west;
 42° 40' north, 64° 30' west;
 43° 00' north, 64° 30' west;
 43° 00' north, 66° 32' west;
 42° 20' north, 66° 32' west;
 42° 20' north, 66° 00' west.

Part II

That part of the Northwest Atlantic Ocean bounded by straight lines connecting the following co-ordinates in the order listed:

42° 10' north, 69° 55' west;
 41° 10' north, 69° 10' west;
 41° 35' north, 68° 30' west;
 41° 50' north, 68° 45' west;
 41° 50' north, 69° 00' west.

(xxi) HERRING (ATLANTO-SCANDIAN) (PROHIBITION OF FISHING)
 ORDER 1973¹

Prohibition

3. During the period from 1 January 1974 to 31 December 1974, both dates inclusive, fishing for herring (*Clupea harengus*) within the areas of sea specified in the Schedule to this order (being parts of an area to which the North-East Atlantic Fisheries Convention² applies) is hereby prohibited.

¹ 21 November 1973. *Statutory Instruments*, 1973 No. 2020. Came into operation on 1 January 1974. It implements a recommendation of the International Commission for the North-West Atlantic Fisheries.

² Reproduced in part in ST/LEG/SER.B/15, pp. 853-857.

Enforcement

4. For the purpose of the enforcement of this order, there are hereby conferred on every British sea-fishery officer the powers of a British sea-fishery officer under section 8 (2) and (3) of the Sea Fisheries Act 1968.¹

SCHEDULE

Areas to which the Order relates

(1) The areas of sea lying between longitudes 11° W. and 68° 30' E. to the north of a line running from a position longitude 11° W. and latitude 63° N. in an easterly direction along the parallel of latitude 63° N. to longitude 4° W. thence due south to latitude 62° N. thence due east to the coast of Norway; and

(2) The areas of sea bounded by a line drawn east from the meridian of 15° W. longitude along the parallel of 60° N. latitude to the meridian of 5° W. longitude thence due north to the parallel of 60° 30' thence due east to the meridian of 4° W. longitude thence due north to the parallel of 63° N. latitude thence due west to the meridian of 15° W. longitude thence due south to the parallel of 60° N. latitude.

(xxii) SEA FISHING (NORTH-WEST ATLANTIC) LICENSING ORDER 1973²*Interpretation*

2. (1) In this Order "the Act" means the Sea Fish (Conservation) Act 1967.³

Appointed day

3. The appointed day for the purposes of section 4 of the Act (which prohibits the use of British fishing boats for fishing by way of trade or business in any area specified in an order made under that section as from a day appointed by the order except under the authority of a licence) in conjunction with this Order, is 10 January 1974.

Area

4. This Order applies to fishing for all sea fish in the areas of sea specified in the Schedule to this Order.

Enforcement

5. For the purpose of the enforcement of section 4 of the Act in conjunction with this Order, there are hereby conferred on every British

¹ *Supra* 8 (b), footnote.

² Dated 7 December 1973. *Statutory Instruments* 1973 No. 2084. Came into operation on 10 January 1974. Implements recommendations of the International Commission for the North-West Atlantic Fisheries.

³ Reproduced in part in ST/LEG/SER.B/16, pp. 334-340.

sea-fishery officer the powers of a British sea-fishery officer under section 8 (2) and (3) of the Sea Fisheries Act 1968.¹

SCHEDULE

Specified areas to which the Order applies:

(a) [waters to which the International Convention for the North-West Atlantic Fisheries applies]²

(b) All waters, except territorial waters, bounded by a line beginning at a point on the coast of Rhode Island in 71° 40' west longitude; thence due south to 39° north latitude; thence due east to 65° 40' west longitude; thence due south to 35° north latitude; thence due west to the coast of North Carolina; thence in a northerly direction along the coasts of North Carolina, Virginia, Maryland, Delaware, New Jersey, New York, Connecticut, and Rhode Island to the point of beginning.

(xxiii) SEA FISHING (FAROES REGION) LICENSING AND PROHIBITION OF FISHING METHOD ORDER, 1973³

...

Interpretation

2. (1) In this order:

"The Act" means the Sea Fish (Conservation) Act 1967;

"Faroes Region" means the area described in Schedule 1 to this order, comprising the statistical area Vb of the International Council for the Exploration of the Sea;

"Fishing Zone" means the area within the existing 12 mile Faroese fishing limits.

...

Prohibition

4. The fishing for sea fish by trawl in any of the specified sub-areas described in Column 1 of Schedule 2 to this order during the periods shown against these areas in Column 2 of that Schedule is hereby prohibited.

Enforcement

5. For the purposes of the enforcement of sections 4 and 5 of the Act in conjunction with this order there are hereby conferred on every British sea-fishery officer the powers of a British sea-fishery officer under section 8 (2) and (2) of the Sea Fisheries Act 1968.⁴

¹ *Ibid.*, pp. 345-349.

² United Nations, *Treaty Series*, vol. 157, p. 157; also ST/LEG/SER.B/15, p. 832.

³ Dated 21 December 1973. *Statutory Instruments*, 1973 No. 2185. Came into operation on 1 January 1974.

⁴ Reproduced in part in ST LEG/SER.B/16, pp. 345-349.

SCHEDULE I

*Faroes Region**International Council for the Exploration of the Sea Statistical Area Vb*

The area of sea bounded by a line drawn east from the meridian of 15° west longitude along the parallel of 60° north latitude to the meridian of 5° west longitude thence due north to the parallel of 60° 30' thence due east to the meridian of 4° west longitude thence due north to the parallel of 63° north latitude thence due west to the meridian of 15° west longitude thence due south to the parallel of 60° north latitude.

SCHEDULE II

Specified sub-areas to which the order applies

<i>Column 1</i>	<i>Column 2</i>
<i>Description</i>	<i>Close Period (all dates inclusive)</i>
Sub-area 1: 8 nautical miles from the limit of the fishing zone between a line 0° true from Eidiskoll and a line 90° true from Bispur.	15th February to 15th May
Sub-area 2: 18 nautical miles from the limit of the fishing zone between a line 90° true from Bispur and a line 90° true from Akrabergi.	1st June to 30th November
Sub-area 3: (a) 12 nautical miles from the limit of the fishing zone between a line 150° true from Akrabergi and a line 190° true from Akrabergi, and (b) 6 nautical miles from the limit of the fishing zone between a line 190° true from Akrabergi and a line 240° true from Ørnanipuni.	1st April to 30th June and 1st October to 31st December
Sub-area 4: 12 nautical miles from the limit of the fishing zone between a line 240° true from Trøllhøvdá and a line 320° true from Bardi.	1st December to 31st March and 1st May to 31st May
Sub-area 5: Faroe Bank (ICES sub-Division Vb2) within the 200 m. isobath.	1st March to 31st March

(xxiv) MACKEREL (REGULATION OF LANDING) ORDER 1974¹

¹ Dated 8 March 1974. *Statutory Instruments*, 1974 No. 397. Came into operation on 10 April 1974. It implements a recommendation of the North-East Atlantic Fisheries Commission.

Interpretation

2. (1) In this Order—

“specified waters” means those waters of the North-East Atlantic Ocean comprising the International Council for the Exploration of the Sea statistical areas IIIa and IV which areas are described in the Schedule to this Order; “undersized mackerel” means mackerel (*Scomber scombrus*) of a length less than 30 centimetres measured from tip of snout to extreme end of tail fin.

Prohibition on landing

3. Subject to Article 4 of this Order, the landing in the United Kingdom of any undersized mackerel caught in the specified waters is hereby prohibited.

Exception from prohibition on landing

4. Notwithstanding the prohibition contained in Article 3 of this Order undersized mackerel caught in the specified waters may be landed in the United Kingdom if:

- (a) They are landed for the purpose of human consumption; or
- (b) They are landed for any other purpose and do not exceed in weight, in respect of each landing, one fifth of the total weight of the mackerel caught in the specified waters.

Enforcement

5. For the purpose of the enforcement of this Order, there are hereby conferred on every British sea-fishery officer the powers of a British sea-fishery officer under section 8 (2) to (4) of the Sea Fisheries Act 1968.¹

SCHEDULE

(a) *International Council for the Exploration of the Sea statistical area IIIa*

The area of sea bounded by a line drawn south from a point on the coast of Norway at 7° E. longitude to 57° 30' N. latitude, thence due east to 8° E. longitude, thence due south to 57° N. latitude, thence due east to the coast of Denmark, thence in a northerly and easterly direction along the coast of Denmark to the Skaw, thence south to Hasenore Head, thence to Gniben Point, thence in an easterly direction along the coast to Gilbjerg Head, thence to The Kullen in Sweden, thence in a northerly direction along the coasts of Sweden and Norway to 7° E. longitude.

(b) *International Council for the Exploration of the Sea statistical area IV*

The area of sea bounded by a line drawn from a point on the coast of Scotland at 4° W. longitude, thence due north to 62° N. latitude, thence due east to the coast of Norway, thence in a southerly direction along the west coast of Norway to 7° E. longitude, thence due south to 57° 30' N. latitude, thence due east to 8° E. longitude, thence due south to 57° N. latitude, thence due east to the coast of Denmark, thence in a westerly direction along the coasts of Denmark, Germany, Holland, Belgium and France to 51° N. latitude, thence due west to the coast of England, thence in a northerly direction along the east coast of England and Scotland to the point of origin.

¹ Reproduced in part in ST/LEG/SER.B/16, pp. 345-349.

(xxv) [FOREIGN SEA-FISHERY OFFICERS (INTERNATIONAL COMMISSION FOR THE NORTHWEST ATLANTIC FISHERIES SCHEME) VARIATION ORDER 1974]¹

(xxvi) NORTH SEA HERRING (RESTRICTION ON LANDING) ORDER 1974²

...

Prohibition of landings

2. As from 16 June 1974 the landing in the United Kingdom of any herring (*clupea harengus*) caught in the waters comprised in the North Sea being the area described in the Schedule to this order, is prohibited, but this prohibition shall not apply to the landing of herring so caught, which are landed within 24 hours of being so caught, and herring which, though not so landed, were, immediately on being so caught, packed in ice in boxes, stored in a refrigerated sea water tank or otherwise processed in such a way as to secure preservation for human consumption.

...

Powers of British Sea-Fishery Officers

3. For the purposes of the enforcement of this order there are hereby conferred on every British sea-fishery officer all the powers of a British sea-fishery officer under section 8 (2) to (4) of the Sea Fisheries Act 1968.³

SCHEDULE

The North Sea

The area of sea contained within a line drawn from a position having the co-ordinates of 62° north latitude and 4° west longitude, due south to the north coast of Scotland, thence generally south-eastwards along the north and east coasts of Scotland and the east coast of England, thence westwards along the south coast of England to the meridian of 1° west longitude, thence due south to the coast of France, thence generally in a north-easterly direction along the coasts of France, Belgium, the Netherlands, the Federal Republic of Germany and Denmark to Skagen Point, thence along a rhumb line to the Pater Noster Lighthouse on the coast of Sweden, thence generally in a north-westerly, south-westerly and northerly direction along the coasts of Sweden and Norway to the parallel of 62° north latitude, thence due west to the meridian of 4° west longitude.

(xxvii) NORTHWEST ATLANTIC (DEMERSAL FISH) ORDER 1974⁴

...

¹ Dated 9 April 1974. *Statutory Instruments*, 1974 No. 701. Came into operation on 14 May 1974. This Order provides for the elimination of reservation (a) in Part I of Schedule 1 of the Foreign Sea-Fishery Officers (International Commission for the Northwest Atlantic Fisheries Scheme) Order 1971, reproduced in part in document ST/LEG/SER.B/16, pp. 359-361.

² Dated 20 May 1974, *Statutory Instruments*, 1974 No. 881. Came into operation 16 June 1974.

³ Reproduced in part in ST/LEG/SER.B/16, pp. 345-349.

⁴ Dated 25 June 1974, *Statutory Instruments*, 1974 No. 1100. Came into operation on 29 July 1974.

Interpretation

2. (1) In this Order "demersal fish" means all sea fish other than salmon, migratory trout, mackerel, clupeoid fish, Norway pout, smelts, crustaceans and molluscs.

Prohibition

3. During the periods 29 July 1974 to 31 December 1974 and 1 July to 31 December in every subsequent year (all dates inclusive) the fishing for demersal fish in the area of sea specified in the Schedule to this Order (being part of the area to which the International Convention for the North-west Atlantic Fisheries¹ applies) is hereby prohibited.

Enforcement

4. For the purpose of the enforcement of this Order, there are hereby conferred on every British sea-fishery officer the powers of a British sea-fishery officer under section 8 (2) and (3) of the Sea Fisheries Act 1968.²

SCHEDULE

The area to which the order applies

All waters, except territorial waters, bounded by a line beginning at a point on the coast of Rhode Island in 71° 40' west longitude; thence due south to 40° 20' north latitude; thence due east to 68° 15' west longitude; thence in a north-westerly direction to a point in 70° 00' west longitude, 43° 17' north latitude; thence due west to the coast of Maine, thence in a southerly direction along the coasts of Maine, New Hampshire, Massachusetts and Rhode Island to the point of beginning.

17. WESTERN SAMOAFISHERIES PROTECTION ACT 1972³

2. *Interpretation.* In this Act, if not inconsistent with the context—

"Court" means any Court of competent jurisdiction in Western Samoa:

"Fish" means any marine animal and includes molluscs, crustaceans and all other forms of marine animal life:

"Fishing" means taking, hunting, pursuing, catching, illing or possessing any fish, and "to fish" has a corresponding meaning:

"Fisheries officer" means any fisheries officer employed in the Fisheries Division of the Department of Agriculture, Forests and Fisheries, and includes the Director, Deputy Director, and Chief Fisheries Officer:

¹ United Nations, *Treaty Series*, vol. 157, p. 157; also ST/LEG/SER.B/16, pp. 832-838.

² Reproduced in part in ST/LEG/SER.B/16, pp. 345-349.

³ Act No. 2 of 21 March 1972. Text transmitted through the Charge d'Affaires a.i. of New Zealand to the United Nations in a note verbale of 9 July 1974.

“Foreign fishing vessel” means any fishing vessel owned or controlled by a person or persons not ordinarily resident in Western Samoa:

“Marine officer” means any officer employed in the Marine Department:

“Minister” means the Minister of Agriculture, Forests and Fisheries, or such other Minister as may from time to time be charged with the administration of this Act:

“Police officer” means a commissioned officer of Police, and includes any sergeant, corporal and constable acting with the authority of a commissioned officer of Police:

“Western Samoan waters” comprise the territorial sea of Western Samoa and any other waters in which Western Samoa for the time being has the right to control fishing.

3. *Administration.* The general administration of this Act shall be under the control and direction of the Minister, who may delegate, either generally or particularly, all or any of the powers conferred on him under this Act.

4. *Prohibition against foreign fishing vessels.* It shall be an offence for the master or any crew member of a foreign fishing vessel to engage in fishing or to possess any fish or to engage in activities in support of a foreign fishery fleet within Western Samoan waters except as expressly provided in an agreement or convention to which Western Samoa is a party provided that the Minister may grant exemptions from this prohibition in special cases if he considers such exemption is desirable for purposes of fishery research or is otherwise in the national interest.

5. *Penalty and forfeiture.* (1) Any person committing an offence against this Act shall be liable on conviction to a fine not exceeding one hundred thousand tālā, or imprisonment for a term not exceeding five years, or both.

(2) When any person is convicted of an offence under this Act every vessel employed in any manner in connexion with the offence, together with its tackle, engines, nets, gear, apparatus, cargo and stores, and all fish taken or possessed contrary to this Act or the monetary value thereof or the net proceeds of sale thereof may be ordered by the convicting Court to be forfeited to the Government Samoa and all things so forfeited shall be disposed of as the Minister thinks fit with the net proceeds of realization thereof to be paid into the Public Account.

6. *Apprehension of offenders.* (1) Any Fisheries officer, Police officer, or Marine officer shall have the power—

(a) With or without a warrant, to arrest any person committing in his sight or presence an offence against this Act;

(b) With or without a warrant to board and search any vessel and, if as a result of such search he has reasonable cause to believe that any person on board has committed an offence against this Act, then to arrest such person;

(c) To seize any vessel, together with its tackle, engines, nets, gear, apparatus, cargo and stores, used or employed in breach of the provisions of this Act or which it reasonably appears to have been so used or employed;

(d) To seize all fish taken or possessed in breach of this Act, and if adequate facilities are not available to preserve such fish pending the determination of the Court proceedings in respect of the taking or possessing of such fish, then to take all necessary steps for the sale of such fish at its reasonable market value, the net proceeds of such sale to be paid to the Registrar of the Court pending the making of a final order by the Court in respect of the forfeiture or otherwise of that fund.

(2) All persons, if called upon to assist any officer in the execution of any power vested in him by the preceding subsection, are hereby authorized and required to render such assistance.

7. *Discharge of seized fish on security.* Notwithstanding anything herein contained, the Minister may discharge any fish seized under this Act on receiving suitable and adequate security for the equivalent value of the fish, by way of bond, guarantee or other stipulation, conditioned for payment of such equivalent value in the event that such amount shall be adjudged by the Court to be forfeited to the Government of Western Samoa.

8. *Reward to informers and others.* The Minister may direct and the Financial Secretary is hereby empowered to pay—

(a) To any person, other than an Officer mentioned in section 6 of this Act, who submits to any such officer original information concerning the commission of any offence against this Act, leading to any penalty or forfeiture incurred in respect of such offence; and

(b) To any person or the dependents of any person who renders assistance to any officer pursuant to subsection 2 of section 6 hereof, and who in so doing suffers personal injury or death, a reward of not more than five thousand tālā, and in no case exceeding one half of the amount of such penalty or forfeiture.

9. *Regulations.* The Head of State acting on the advice of Cabinet may from time to time make regulations for any purpose for which regulations are required or contemplated by this Act and for giving full effect to the provisions of this Act.
