

ARTICLE VIII

1. The two parties recognize that each shall manage fisheries within its jurisdiction within the terms of its domestic laws. They agree that in the application of their domestic laws they shall be guided by the following principles:

- (a) preserving existing patterns of their reciprocal fisheries in keeping with the provisions of Article II; and
- (b) in the case of reciprocal salmon fisheries, the interest of the state of origin in salmon spawned in its rivers.

2. Regulations affecting the size limits, seasons, areas, gear and by-catch of existing fisheries established by the management entities of either party and pertaining to the taking or possession of fish in its zone shall apply equally to the nationals and vessels of both parties in the zone. In areas of the Canadian zone within 12 nautical miles in which Canadian domestic regulation at present prohibits trawl fishing by vessels exceeding 65 feet in length, such regulation shall also apply to United States vessels. These regulations shall be enforced by the government which issued them.

3. If either party proposes to introduce or alter any such regulations during the term of this Agreement, it shall notify the other party of the proposed regulatory measure as far in advance of its application as possible. At the request of either party, consultations shall be held expeditiously in order to review the proposed measure. In such consultations the parties shall be guided by the principles referred to in paragraph 1 above. Consultations on regulations respecting reciprocal salmon fisheries shall take place at the technical and official levels during the process of preparing such regulations, and, prior to their final approval and application, at the Secretarial or Ministerial level upon request of either party.

4. Fishery conservation and management regulations other than those referred to in paragraph 2 above and those required for the implementation of this Agreement, shall not be applied by either party to vessels and nationals of the other fishing in its zone pursuant to this Agreement.

ARTICLE IX

In the boundary regions, the following principles shall be applied as interim measures of mutual restraint pending the resolution of questions pertaining to the delimitation of areas subject to the respective fishery jurisdiction of each party:

- (1) As between the parties, enforcement shall be conducted by the flag State.
- (2) Neither party shall authorize fishing by vessels of third parties in the boundary regions.
- (3) Either party may enforce against third parties in the boundary regions.

ARTICLE X

Each party, subject to its domestic laws, will continue to permit transfers of herring between nationals and vessels of the two parties in its zone. The parties agree that the principal purpose of this provision is to enable the continuation of transfers of herring intended for purposes other than reduction.