

allowable catches surplus to Canadian harvesting capacity, in accordance with the provisions of paragraphs (2) and (3) of this Article.

2. In the exercise of its sovereign rights in respect of living resources in the area referred to in paragraph (1), the Government of Canada shall determine annually, subject to adjustment when necessary to meet unforeseen circumstances:

- (a) the total allowable catch for individual stocks or complexes of stocks, taking into account the interdependence of stocks, internationally accepted criteria, and all other relevant factors;
- (b) the Canadian harvesting capacity in respect of such stocks; and
- (c) after appropriate consultations, allotments, as appropriate, for Spanish vessels of parts of surpluses of stocks or complexes of stocks.

3. To fish for allotments pursuant to the provisions of paragraphs (1) and (2), Spanish vessels shall obtain licences from the competent authorities of the Government of Canada. They shall comply with the conservation measures and other terms and conditions established by the Government of Canada and shall be subject to the laws and regulations of Canada in respect of fisheries.

4. The Government of Spain undertakes to co-operate with the Government of Canada, as appropriate in light of the development of fisheries relations between the two countries pursuant to the provisions of this Article, in scientific research for purposes of conservation and management of the living resources of the area under Canadian fisheries jurisdiction off the Atlantic coast.

5. The Government of Canada undertakes to authorize Spanish vessels licenced to fish pursuant to the provisions of this Article, to enter Canadian Atlantic ports, in accordance with Canadian laws, regulations and administrative requirements, for the purpose of purchasing bait, supplies or outfits, or effecting repairs, and such other purposes as may be determined by the Government of Canada, subject to the availability of facilities and the needs of Canadian vessels. Such authorization shall become null and void in respect of any vessel upon the cancellation or termination of its licence to fish, except for the purpose of entering port to purchase supplies or effect repairs necessary for its outward voyage. The provisions of this paragraph shall not affect the question of access to Canadian ports in cases of distress, medical emergency or force majeure, or by vessels not involved in fishing in the area off the Canadian coast.

#### ARTICLE III

1. The Government of Canada and the Government of Spain recognize that states in whose rivers anadromous stocks originate have the primary interest in and responsibility for such stocks and agree that fishing for anadromous species should not be conducted in areas beyond the limits of national fisheries jurisdiction. They will continue to work together for the establishment of permanent multilateral arrangements reflecting this position.