

North Pacific Fishery

Mr. MacNaught: I am informed that it covers all claims.

Mr. Green: By a state of the United States as well as by the nation?

Mr. MacNaught: That is right.

Mr. MacInnis: What is the definition of Canadian territorial waters at the present time? What distance from the shore out to sea is considered territorial waters?

Mr. MacNaught: The answer to that question is generally three miles.

Section agreed to.

Section 3 agreed to.

On section 4—*Regulations*.

Mr. Pearkes: May I ask a question on paragraph (a) of section 4, which has to do with the conservation and protection of fish in the convention area? Does that mean that Canada may pass regulations for the conservation and protection of other species of fish than salmon, halibut and herring, and provided the requirements for full utilization and scientific conservation are met on that, then the three contracting powers will agree to these other species being included?

Mr. MacNaught: If the commission makes the recommendations, this section gives the government of Canada power to make regulations relating thereto.

Mr. Pearkes: Has the government of Canada or the department under consideration including any other species of fish, because a good deal of exploratory work has already been carried out at the biological station at Departure Bay on several other species of fish and money has been expended on other species of fish beyond merely the salmon, halibut and herring.

Mr. MacNaught: No other species of fish has yet met the whole three regulations; some have met one and some have met two, but none except salmon, halibut and herring has met the three necessary conditions.

Mr. Pearkes: Of course no other power except the three contracting parties would be governed by these regulations.

Mr. MacNaught: That is right.

Mr. Green: Why is subparagraph (i) of paragraph (b) of section 4 limited to Canadian fishing vessels? I understand that it is not in general terms such as the other clauses and thereby applicable to any vessel that is exploiting the stocks of fish in any part of the convention area.

Mr. MacNaught: The government of Canada can only enforce the regulations against its own nationals. The United States similarly has power to enforce against its nationals under similar legislation.

Mr. Green: I suppose there is nothing to prevent countries having different regulations, or not having any regulations at all, with regard to some particular subject. If that is so the result might be that Canada would have regulations prohibiting Canadian vessels from exploiting an area; the United States might have different regulations, and then a United States vessel could come in and exploit the area while the Canadian vessel could not?

Mr. MacNaught: No; the commission will make the recommendations and regulations, and they will be identical for the three countries.

Section agreed to.

Section 5 agreed to.

On section 6—*Seizure and arrest for violation of convention*.

Mr. Pearkes: Again I presume that the seizure referred to applies to seizure on the high seas, and only on the high seas; is that correct?

Mr. MacNaught: That is correct.

Section agreed to.

On section 7—*Jurisdiction of courts*.

Mr. Green: If a United States vessel commits a breach of the regulations all the Canadian authorities can do is to seize the vessel and then turn it over to the United States who will do the fining or the imprisoning or the forfeiting of the ship; is that so?

Mr. MacNaught: That is correct. A similar provision applies in the operations of the halibut and salmon commissions.

Mr. Gibson: This does not affect our jurisdiction over territorial waters at all in so far as United States ships are concerned?

Mr. MacNaught: Seizures and arrests within territorial waters are covered by the Coastal Fisheries Protection Act we passed about two weeks ago.

Section agreed to.

Sections 8 and 9 agreed to.

On the schedule.

Mr. Pearkes: I should like to say a word on section 3 of article VI of the schedule. It says that the contracting parties agree to meet during the sixth year after the ratification of this convention. I think that may explain the difficulties of the hon. member for Skeena and the misapprehensions that the hon. member was suffering under.

Schedule agreed to.

Annex agreed to.