# PACIFIC HALIBUT FISHERY

CONVENTION between Canada and the United States for the preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, signed at Ottawa, on the 9th day of May, 1930.



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## PACIFIC HALIBUT FISHERY CONVENTION

His Majesty the King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, and the Seas, Emperor of India, in respect of the Dominion of Canada, and the Seas, Emperor of India, in respect of the Dominion of Canada, and the Seas, Emperor of India, in respect of the Political desirous of the President of the United States of America, being equally desirous of the Northern Pacific Ocean securing the preservation of the halibut fishery of the Northern Pacific Ocean and Bering Sea, have resolved to conclude a Convention for this purpose, and have named as their plenipotentiaries:

His Majesty, for the Dominion of Canada:

The Right Honourable William Lyon Mackenzie King, Prime Minister and Secretary of State for External Affairs; and

Every national or inhabitant

The President of the United States of America:

Mr. B. Reath Riggs, Chargé d'Affaires of the United States of America in Canada;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

#### ARTICLE I

The nationals and inhabitants and fishing vessels and boats of the Dominion of Canada and of the United States of America, respectively, are hereby prohibited from fishing for halibut (Hippoglossus) both in the territorial waters and in the from fishing for halibut (Hippoglossus) both in the territorial waters and in the high seas off the western coasts of the Dominion of Canada, and of the United Scattern as well as the western the United States of America, including the southern as well as the western coasts of Alaska, from the first day of November next after the date of the exchange of Alaska, from the first day of the fifteenth day of the followexchange of ratifications of this Convention to the fifteenth day of the following Feb.

ing February, both days inclusive, and within the same period yearly thereafter. The International Fisheries Commission provided for by Article III is hereby empowered, subject to the approval of the Governor General of the Dominic empowered, subject to the approval of the United States of America, to Dominion of Canada and of the President of the United States of America, to suspend suspend or modify the closed season provided for by this article, as to part or all of the all of the convention waters, when it finds after investigation such changes are

It is understood that nothing contained in this convention shall prohibit the nationals or inhabitants or the fishing vessels or boats of the Dominion of Can-ada or of inhabitants or the fishing vessels or boats of the waters hereinbefore ada or of the United States of America, from fishing in the waters hereinbefore specified. specified for other species of fish during the season when fishing for halibut in such water species of fish during the season when fishing for halibut in such waters is prohibited by this Convention or by any regulations adopted in bursuance. bursuance of its provisions. Any halibut that may be taken incidentally when fishing for other fish during the season when fishing for halibut is prohibited under the other fish during the season when fishing for halibut is prohibited under the other fish during the season when fishing for halibut is prohibited under the other fish during the season when fishing for halibut is prohibited under the other fish during the season when fishing for halibut is prohibited under the other fish during the season when fishing for halibut is prohibited by this Convention or by any regulations adopted. under the provisions of this Convention or by any regulations adopted in purvessel by reliable provisions may be retained and used for food for the crew of the vessel by which they are taken. Any portion thereof not so used shall be landed and important they are taken. Any portion thereof of the Department and immediately turned over to the duly authorized officers of the Department of Marin of the Department of Canada or of the Department of of Marine and Fisheries of the Dominion of Canada or of the Department of Commerce and Fisheries of the Dominion of Canada or or the Department of the United States of America. Any fish turned over to such the Cores in the United States of America. Any fish turned over to such the original of this article shall be sold by them to officers in pursuance of the provisions of this article shall be sold by them to the highest bidder and the proceeds of such sale, exclusive of the necessary expenses in connection therewith, shall be paid by them into the treasuries of their respective countries.

It is further understood that nothing contained in this convention shall prohibit the International Fisheries Commission from conducting fishing operations for investigation purposes during the closed season. T CONVENION

## ARTICLE II

Every national or inhabitant, vessel or boat of the Dominion of Canada or of the United States of America engaged in halibut fishing in violation of the preceding article may be seized except within the jurisdiction of the other party by the duly authorized officers of either High Contracting Party and detained by the officers of either High Contracting Party and detained by the officers making such seizure and delivered as soon as practicable to an authorized official of the country to which such person, vessel or book belongs at the research belongs, at the nearest point to the place of seizure, or elsewhere, as may agreed upon. The authority to which such person, vessel of the place of seizure, or elsewhere, as may be agreed upon. agreed upon. The authorities of the nation to which such person, vessel or boat belongs alone shall be with the nation to which such person, vessel or boat belongs alone shall be with the nation to which such person, vessel or boat belongs alone shall be with the nation to which such person, vessel or boat belongs alone shall be with the nation to which such person, vessel or boat belongs alone when the nation to which such person, vessel or boat belongs alone when the nation to which such person is the nation to which such persons is the nation to which such persons is the nation to which the nation to belongs alone shall have jurisdiction to conduct prosecutions for the violation of the provisions of this Convention, or any regulations which may violations; and the witnesses are the witnesses are the witnesses and the witnesses are the witnesses and the witnesses are t violations; and the witnesses and proofs necessary for such prosecutions, so fall as such witnesses or proofs. as such witnesses or proofs are under the control of the other High Contraction Party, shall be furnished with all reasonable promptitude to the authorities having jurisdiction to conduct the prosecutions. good and due form, have sureed upon the following articles:

### ARTICLE III

The High Contracting Parties agree to continue under this Convention Commission as at present constituted and known as the International Fisheries Commission, established by the Convention between His Britannic Majesty and the United States of American Convention between the Britannic Majesty the the United States of America for the preservation of the halibut fishery of Northern Pacific Ocean including Paris Northern Pacific Ocean including Bering Sea, concluded March 2, 1923, consist ing of four members, two arms the preservation of the halibut fishery of ing of four members, two arms the preservation of the halibut fishery of ing of four members, two arms the preservation of the halibut fishery of of the hali ing of four members, two appointed by each Party, which Commission shall make such investigations as are make such investigations as are necessary into the life history of the halibut the convention waters and shall make into the life history of the halibut to the convention waters and shall publish a report of its activities from time. time. Each of the High Contracting Parties shall have power to fill, and shall fill from time to time vacancies which fill from time to time, vacancies which may occur in its representation on and Commission. Each of the High Contracting Parties shall pay the salaries expenses of its own members and injuries. expenses of its own members, and joint expenses incurred by the Commission shall be paid by the two High Contracting Parties in equal moieties.

The High Contracting Parties agree that for the purposes of protecting gentle erving the halibut fishery of the Parties agree that for the purposes of protecting gentless. the International Fisheries Commission, with the approval of the Governor gentler of the Dominion of Canada and Sering Gentler of Ca eral of the Dominion of Canada and of the President of the Governor United States of the President of the United States America, may, in respect of the nationals and inhabitants and fishing vessels and boats of the Dominion of Canada and inhabitants and fishing vessels and boats of the Dominion of Canada and of the United States of America, from

time to time.

(a) divide the convention waters into areas;

(b) limit the catch of halibut to be taken from each area;

(c) fix the size and character of halibut fishing appliances to be used therein;

(d) make such regulations for the collection of statistics of the catch of out including the licensing and decollection of statistics of the catch halibut including the licensing and clearance of vessels, as will enable the halinational Fisheries Commission to determine the condition and trend of the half-but fishery by banks and areas as a serving but fishery by banks and areas, as a proper basis for protecting and conserving

(e) close to all halibut fishing such portion or portions of an area or areas, as the International Fisherics Community of the small, as the International Fisheries Commission find to be populated by small immature halibut.

### ARTICLE IV

The High Contracting Parties agree to enact and enforce such legislation as may be necessary to make effective the provisions of this Convention and any regulation adopted thereunder, with appropriate penalties for violations

#### ARTICLE V

The present Convention shall remain in force for a period of five years and the present Convention shall remain in force for a period of five years thereafter until two years from the date when either of the High Contracting Particles of the desire to terminate it. Parties shall give notice to the other of its desire to terminate it.

This Convention shall, from the date of the exchange of ratifications be deemed to supplant the Convention between His Britannic Majesty and the United Convention between His Britannic Majesty Alber United States of America for the Preservation of the Halibut Fishery of the Northern Pacific Ocean including Bering Sea, concluded March 2, 1923.

#### ARTICLE VI

This Convention shall be ratified in accordance with the constitutional This Convention shall be ratified in accordance with the constitution at Ottawa as soon as practicable, and the Convention shall come into force on the day of the soon as practicable, and the Convention shall come into force on the day of the exchange of ratifications.

In faith whereof, the respective plenipotentiaries have signed the present Convention in duplicate, and have hereunto affixed their seals.

Done at Ottawa on the ninth day of May, in the year one thousand nine hundred and thirty.

> W. L. MACKENZIE KING, B. REATH RIGGS



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