CONVENTION

BETWEEN -

CANADA

AND THE

UNITED STATES OF AMERICA

FOR THE

PRESERVATION OF THE HALIBUT FISHERY

THE NORTHERN PACIFIC OCEAN AND BERING SEA

Signed at Ottawa, January 29th, 1937

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OTTAWA
J. O. PATENAUDE, I.S.O.
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
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CONVENTION

BETWEEN

CANADA

UNITED STATES OF AMERICA

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RESERVATION OF THE HALIBUT FISHERY

HE NORTHERN PACIFIC OCEAN AND BERING SEA

Signed at Ottawa, January 29th, 1937



T. D. PATRINALDER I SO.
PRINTER TO THE HINGS WOST EXCELLENT BIAIRSTY.

CONVENTION BETWEEN CANADA AND THE UNITED STATES OF AMERICA FOR THE PRESERVATION OF THE HALIBUT FISHERY OF THE NORTHERN PACIFIC OCEAN AND BERING SEA SIGNED AT OTTAWA JANUARY 29th, 1937

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 President of the United States of America,

Desiring to provide more effectively for the preservation of the halibut Desiring to provide more effectively for the preservation of the conclude a construction of the northern Pacific Ocean and Bering Sea, have resolved to conclude the preservation of that fishery signed a convention revising the convention for the preservation of that fishery signed their behalf at Ottawa on May 9, 1930, and have named as their plenipolentiaries for that purpose,

His Majesty, for the Dominion of Canada:

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

The President of the United States of America:

Norman Armour, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Canada:

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

ARTICLE I

The nationals and inhabitants and fishing vessels and boats of the Chivaling for America and of Canada, respectively, are hereby prohibited from fishout (Hippoglossus) both in the territorial waters and in the high seas well western coasts of the United States of America, including the southern well as the coasts of Alaska, and of Canada, from the first day of western coasts of the United States of America, including the November as the western coasts of Alaska, and of Canada, from the first day of retifications of this Convention November next after the date of the exchange of ratifications of this Convention to the convention to to the fifteenth day of the following 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 President of the United States of merica and of the Governor General of Canada, to suspend or change the closed season and of the Governor Article so to part or all of the convention waters, Season provided for by this Article, as to part or all of the convention waters, when it rovided for by this Article, as to part or changes are necessary, and when it finds after investigation such suspensions or changes are necessary, and permit finds after investigation such suspensions or at any time when fishing opermit, limit, regulate and prohibit in any area or at any time when fishing that the taking retention and landing of halibut caught for halibut, limit, regulate and prohibit in any area or at any time which is prohibited, the taking, retention and landing of halibut caught is prohibited, the taking, retention and the possession during such neidentally to fishing for other species of fish, and the possession during such fishing of halibut of any origin.

the It is understood that nothing contained in this Convention shall prohibit of Antionals or inhabitants or the fishing vessels or boats of the United States of the United Stat of America or inhabitants or the fishing vessels or boats of the Onica of America or of Canada, from fishing in the waters hereinbefore specified for being specified or of Canada, from fishing in the waters hereinbefore specified for being specified or being specified for being specifi other species of of Canada, from fishing in the waters hereinbefore special prohibited to of fish during the season when fishing for halibut in such waters is brohibited to of fish during the season when fishing for halibut in such waters is the species of fish during the season when fishing for halibut in such waters is the special prohibited by this Convention or by any regulations adopted in pursuance of its provisions.

It is further understood that nothing contained in this Convention shall with the International Eight of Convention prohibit the International Fisheries Commission from conducting fishing operations tions for investigation purposes at any time.

ARTICLE II

Every national or inhabitant, vessel or boat of the United States of America or of Canada engaged in halibut fishing on the high seas in violation of this Convention or of any regulation of the Convention or of any regulation adopted under the provisions thereof may and seized by the duly outhorized of seized by the duly authorized officers of either High Contracting Party and detained by the officers making and detained by the officers making such seizure and delivered as soon as practicable to an authorized official of the to an authorized official of the country to which such person, vessel or belongs, at the nearest point to the all belongs, at the nearest point to the place of seizure, or elsewhere, as may be agreed upon. The authorities of the national services of the national services as may be agreed upon. agreed upon. The authorities of the nation to which such person, vessel or belongs alone shall have jurisdiction to which such person, vessel or belongs. belongs alone shall have jurisdiction to conduct prosecutions for the violation of the provisions of this Converting of the provisions of this Convention, or any regulations which may be adopted in pursuance of its provisions and to impursuance of its provisions and the in pursuance of its provisions, and to impose penalties for such violations, and the witnesses and proofs processors for the witnesses and proofs necessary for such prosecutions, so far as such provides the control of the nesses or proofs are under the control of the other High Contracting Party shall be furnished with all reasonable promptitude to the authorities having jurisdiction to conduct the present is a such prosecution. olgn jurisdiction to conduct the prosecutions.

Each High Contracting Party shall be responsible for the proper observance of this Convention, or of any regulation adopted under the provisions thereof

in the portion of its waters covered thereby.

ARTICLE III

net.

The High Contracting Parties agree to continue under this Convention the mission as at present constituted and help the continue under this Convention to the contracting Parties agree to continue under this Convention to the contracting Parties agree to continue under this Convention to the contracting Parties agree to continue under this Convention to the contracting Parties agree to continue under this Convention to the contracting Parties agree to continue under this Convention to the contracting Parties agree to continue under this Convention to the contracting Parties agree to continue under this Convention to the contracting Parties agree to continue under this Convention to the contracting Parties agree to continue under this Convention to the contraction Commission as at present constituted and known as the International Fisheric Commission, established by the Convention for the preservation of the halibutishery, signed at Washington, March 2, 1992 fishery, signed at Washington, March 2, 1923, and continued under the Convertion signed at Ottawa, May 2, 1920 tion signed at Ottawa, May 9, 1930, consisting of four members, two appoints by each Party, which Commission at all by each Party, which Commission shall make such investigations as are necessary into the life history of the bell make such investigations as are sary into the life history of the halibut in the convention waters and shall publish a report of its activities from the convention waters and convention waters. publish a report of its activities from time to time. Each of the High contracting Parties shall have power to fill the light of the High contracting Parties shall have power to fill the light of the High contraction. tracting Parties shall have power to fill, and shall fill from time to time, vacancies which may occur in its representation. which may occur in its representation on the Commission. Each of the Contracting Parties shall pay the salaries and Contracting Parties shall pay the salaries and expenses of its own members, conjoint expenses incurred by the Commission shall be salaried and expenses of its own members, conjugate the commission of the salaries and expenses of its own members, conjugate the commission of the salaries and expenses of its own members, conjugate the salaries and expenses of its own members, conjugate the salaries and expenses of its own members, conjugate the salaries and expenses of its own members, conjugate the salaries and expenses of its own members, conjugate the salaries and expenses of its own members, conjugate the salaries and expenses of its own members, conjugate the salaries and expenses of its own members, conjugate the salaries and expenses of its own members, conjugate the salaries and expenses of its own members, conjugate the salaries and expenses of its own members, conjugate the salaries and expenses of its own members, conjugate the salaries and expenses of its own members, conjugate the salaries and expenses of its own members, conjugate the salaries and expenses of its own members, conjugate the salaries and expenses of its own members. joint expenses incurred by the Commission shall be paid by the two High tracting Parties in equal moieties. tracting Parties in equal moieties.

The High Contracting Parties agree that for the purposes of protecting and erving the halibut fishery of the Northern B. the International Fisheries Commission, with the approval of the President in the United States of America and of the Covernment of the President in conserving the halibut fishery of the Northern Pacific Ocean and Bering the United States of America and of the Governor General of Canada, may, the respect of the nationals and inhabitants and fishing vessels and boats of United States of America and of Canada and fishing vessels and boats of the United States of America and of Canada and fishing vessels and boats of the United States of America and of Canada and fishing vessels and boats of the United States of America and of Canada and fishing vessels and boats of the United States of America and of Canada and fishing vessels and boats of the United States of America and of the Governor General of Canada and the United States of America and of Canada and the United States of America and of Canada and the United States of America and of Canada and the United States of America and the United States of

United States of America and of Canada, from time to time,

(b) limit the catch of halibut to be taken from each area within the season which fishing for halibut is allowed.

during which fishing for halibut is allowed;

(c) prohibit departure of vessels from any port or place, or from when ving vessel or station, to any area for halibut for the when receiving vessel or station, to any area for halibut fishing, after any date which in the judgment of the International Fisher in the judgment of the International Fisheries Commission the vessels fishing have departed for that area prior to that date or which are known to be that area shall suffice to catch the limit which have departed for the state of the state in that area shall suffice to catch the limit which shall have been set for that area under section (b) of this paragraph: (d) fix the size and character of halibut fishing appliances to be used in area;

any area;

(e) make such regulations for the licensing and departure of vessels and for the collection of statistics of the catch of halibut as it shall find necessary to determine the condition and trend of the halibut fishery and to carry out the other provisions of this Convention;

(f) close to all halibut fishing such portion or portions of an area or areas, as the International Fisheries Commission find to be populated by small, imma-

ture halibut.

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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 regulations 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 its Contracting parties until two years from the date when either of the High Contracting 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 for the preservation of the halibut fishery

signed at Ottawa, May 9, 1930.

ARTICLE VI

This Convention shall be ratified in accordance with the constitutional hethods of the High Contracting Parties. The ratifications shall be exchanged at Ottorn at Ottawa as soon as practicable, and the Convention shall come into force on the day. 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 twenty-ninth day of January, in the year one thousand nine hundred and thirty-seven.

- W. L. MACKENZIE KING (L.S.)
- NORMAN ARMOUR (L.S.)



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High Contracting Parities agree to enact and entonce such legislation by necessary to make effective the provisions of this Convention and

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