



ANNUAL MEETING - JUNE 1965

Exemption clauses in the ICNAF Trawl regulations

1. Following considerable discussion in the Commission it was agreed in 1952 that, in order to avoid hardships on vessels which catch quantities of regulated species with otter trawl gear of sub-legal mesh size incidentally while fishing for non-regulated species, exemptions to the ICNAF trawl regulations were required.
2. Appendix I summarizes the status of exemptions to the ICNAF trawl regulations to the end of 1964 for the various subareas. Exemptions for the regulated species are of three kinds:
 - a) 5,000 lb per trip for each regulated species;
 - b) 10% of the total catch per trip for each regulated species;
 - c) 10% of the total catch per 12 months period for each regulated species.
3. The exemption clause prepared by the 1961 Annual Meeting for regulated groundfish species taken in the unregulated redfish fisheries in ICNAF Divisions 3N, 3O and 3P (Annual Proceedings 11, page 16, paragraph 3) is worded in such a manner that different interpretations of its intent are possible. The paragraph reads as follows:

"3. In order to avoid impairment of fisheries conducted primarily for redfish (genus *Sebastes*) in the area specified in paragraph 2 and which take small quantities of groundfish incidentally, the Contracting Governments permit persons under their jurisdictions to take groundfish with nets having a mesh size less than that proposed in paragraph 1 so long as such persons do not have in possession on board a vessel fishing primarily for redfish, cod (together with other groundfish with the exception of haddock and redfish) or haddock (together with other groundfish with the exception of cod and redfish) in amounts in excess of 10% by weight for each of all fish on board such vessel."

The interpretation of this clause by the Secretariat is recorded in Appendix I. This interpretation allows a maximum of 20% groundfish (except redfish) in the total catch per trip with small mesh gear for redfish, i.e. 10% cod and 10% haddock combined with other groundfish (except redfish) or vice versa 10% haddock and 10% cod combined with other groundfish (except redfish) could be landed.
4. Provision has been made in Item 15(b) of the Agenda for the meetings of the Commission's Plenary session for consideration of this matter in the light of the Canadian proposal to amend existing exemption provisions (Commissioners Document No. 8).

L. R. Day

(over)

Appendix 1. Summary of status of Exemption clauses in ICNAF Trawl Regulations (to 31 December 1964) by Subarea and year

	1	2	Subareas	3	4	5
1952						*4½" haddock 5,000 lb <u>or</u> 10% per trip
1955				**4" cod and haddock 5,000 lb <u>or</u> 10% per trip of each species	***4½" cod and haddock 5,000 lb <u>or</u> 10% per trip for each species	**4½" cod and haddock 5,000 lb <u>or</u> 10% per trip for each species
1956	e u o u	e u o u		***4½" groundfish except redfish in 3N, 30 and 3P cod (10%) + other groundfish (10%) (less cod & redfish) <u>or</u> haddock (10%) + other groundfish (10%) (less haddock & redfish) per trip (Total exemption 20% per trip)	***4½" cod, haddock, flounder 5,000 lb <u>or</u> 10% per trip for each of cod, haddock or flounder	**4½" cod and haddock 10% per 12 month period for each species
1961						

* amended ** in force *** pending