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THE NORTHWEST ATLANTIC FISHERIES

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Amendments to ICNAF Handbook - 1969 Revised Edition

by

the Secretariat

The attached adds Section J: The 1970 Protocol Relating to Amendments to the Convention, which we have paged as 41(a) to 41(c), and replaces Section D: Trawl Regulations, formerly pages 65 to 82 inclusive and now pages 65 to 82(b) in the 1969 Revised Edition of the ICNAF Handbook.

J. Protocol to the International Convention for the Northwest Atlantic Fisheries Relating to Amendments to the Convention (Resolution adopted by the Commission 6 June 1970)

The Governments parties to the International Convention for the Northwest Atlantic Fisheries signed at Washington under date of February 8, 1949, which Convention, as amended, is hereinafter referred to as the Convention, desiring to facilitate the entry into force of amendments to the Convention, agree as follows:

Article I

Article XVII of the Convention is renumbered "Article XVIII" and a new Article XVII is inserted to read as follows:

"Article XVII

"1. Any Contracting Government or the Commission may propose amendments to this Convention to be considered and acted upon by a regular meeting of the Commission or by a special meeting of the Commission called in accordance with the provisions of paragraph 6 of Article II of the Convention. Any such proposed amendment shall be sent to the Executive Secretary at least ninety days prior to the meeting at which it is proposed to be acted upon, and he shall immediately transmit the proposal to all Contracting Governments and to all Commissioners.

"2. A proposed amendment to the Convention shall be adopted by the Commission by a three-fourths majority of the votes of all Contracting Governments. The text of any proposed amendment so adopted shall be transmitted by the Depositary Government to all Contracting Governments.

"3. Any amendment shall take effect for all Contracting Governments one-hundred and twenty days following the date on the notification by the Depositary Government of receipt of written notification of approval by three-fourths of all Contracting Governments unless any other Contracting Government notifies the Depositary Government that it objects to the amendment, within ninety days of the date on the notification by the Depositary Government of such receipt, in which case the amendment shall not take effect for any Contracting Government. Any Contracting Government which has objected to an amendment may at any time withdraw that objection. If all objections to an amendment are withdrawn, the amendment shall take effect for

all Contracting Governments one hundred and twenty days following the date on the notification by the Depositary Government of receipt of the last withdrawal.

"4. Any Government which becomes a party to the Convention after an amendment has been adopted in accordance with paragraph 2 of this Article shall be deemed to have approved the said amendment.

"5. The Depositary Government shall promptly notify all Contracting Governments of the receipt of notifications of approval of amendments, the receipt of notifications of objection or withdrawal of objections, and the entry into force of amendments."

Article II

1. This Protocol shall be open for signature and ratification or approval or for adherence on behalf of any Government party to the Convention.

2. This Protocol shall enter into force on the date on which instruments of ratification or approval have been deposited with, or written notices of adherence have been received by, the Government of the United States of America, on behalf of all Governments parties to the Convention.

3. Any Government which becomes a party to the Convention after this Protocol has been opened for signature shall at the same time adhere to this Protocol.

4. The Government of the United States of America shall inform all Governments signatory or adhering to the Convention of all ratifications and approvals deposited and adherences received and of the date this Protocol enters into force.

5. Any Protocol amending the Convention which has been signed but which has not entered into force at the date of entry into force of the present Protocol shall thereafter enter into force in accordance with the provisions of the present Protocol; provided, however, that, if instruments of ratification or approval or notices of adherence with respect to such Protocol have been received by the Depositary Government from three-fourths of all Contracting Governments at the time of entry into force of the present Protocol, the date on which the ninety, and one hundred and twenty, day periods

41(c)

specified in the first sentence of paragraph 3 of Article XVII shall commence with regard to such amendment shall be the date of entry into force of the present Protocol.

Article III

1. The original of this Protocol shall be deposited with the Government of the United States of America, which Government shall communicate certified copies thereof to all the Governments signatory or adhering to the Convention.
2. This Protocol shall bear the date on which it is opened for signature and shall remain open for signature for a period of fourteen days thereafter, following which period it shall be open for adherence.

IN WITNESS WHEREOF the undersigned, having deposited their respective full powers, have signed this Protocol.

DONE at Washington this 6th day of October 1970, in the English language
(Here follow the names of the signatories for the Member Countries)

Date of entry into force:

D. Fishery Regulations and Enforcement

1. Mesh-size Regulations in Force 1 January 1972

Subarea 1

1. The Contracting Governments take appropriate action to prohibit the taking of cod, *Gadus morhua* L.; haddock, *Melanogrammus aeglefinus* (L.); redfish, *Sebastes*; halibut, *Hippoglossus hippoglossus* (L.); witch, *Glyptocephalus cynoglossus* (L.); American plaice, *Hippoglossoides platessoides* (Fab.); and Greenland halibut, *Reinhardtius hippoglossoides* (Walb.), in Subarea 1 by persons under their jurisdiction with trawl nets having in any part of the net meshes of dimensions less than 130 mm or 5-1/8 inches as measured by the ICMAF gauge specified below. These mesh sizes relate to Manila twine netting when measured wet after use or the equivalent thereof when measured dry before use. The Commission may, on the basis of scientific advice as to selectivity equivalents, determine the appropriate mesh sizes when trawl nets made of materials other than Manila are used or when seine nets are used.

- a) Mesh sizes are measured by a flat wedge-shaped gauge having a taper of 2 centimeters in 8 centimeters and a thickness of 2.3 millimeters, inserted into the meshes under a pressure or pull of 5 kilograms. The mesh size of a net shall be taken to be the average of the measurements of any series of twenty consecutive meshes, at least ten meshes from the leadings, and when measured in the codend of the net beginning at the after end and running parallel to the long axis.

2. The Contracting Governments prohibit the use, by any person to whom this proposal would apply, of any means or device, other than those described in paragraph 3, which would obstruct the meshes of the nets or which would otherwise, in effect, diminish the size of the nets, provided that devices may be attached to the upper side of the codend in such a manner that they will not obstruct the meshes of the codend. Any such device must have the approval of the Commission based on scientific advice that the attached devices do not obstruct the meshes or reduce significantly the selectivity of the codend. Any approval so given may be withdrawn at any time on giving not less than 12 months' notice to the Contracting Governments.

3. The Contracting Governments permit any canvas, netting, or other material to be attached to the underside only of the codend of a net to reduce and prevent damage.

Subarea 2

1. The Contracting Governments take appropriate action to prohibit the taking of cod, *Gadus morhua* L.; haddock, *Melanogrammus aeglefinus* (L.); redfish, *Sebastes*; halibut, *Hippoglossus hippoglossus* (L.); witch, *Glyptocephalus cynoglossus* (L.); American plaice, *Hippoglossoides platessoides* (Fab.); and Greenland halibut, *Reinhardtius hippoglossoides* (Walb.) in Subarea 2 by persons under their jurisdiction with trawl nets having in any part of the net meshes of dimensions less than 130 mm or 5-1/8 inches as measured by the ICMAF gauge specified below. These mesh sizes relate to Manila twine netting when measured wet after use or the equivalent thereof when measured dry before use. The Commission may, on the basis of scientific advice as to selectivity equivalents, determine the appropriate mesh sizes when trawl nets made of materials other than Manila are used or when seine nets are used.

- a) Mesh sizes are measured by a flat wedge-shaped gauge having a taper of 2 centimeters in 8 centimeters and a thickness of 2.3 millimeters, inserted into the meshes under a pressure or pull of 5 kilograms. The mesh size of a net shall be taken to be the average of the measurements of any series of twenty consecutive meshes, at least ten meshes from the leadings, and when measured in the codend of the net beginning at the after end and running parallel to the long axis.

2. The Contracting Governments prohibit the use, by any person to whom this proposal would apply, of any means or device, other than those described in paragraph 3, which would obstruct the meshes of the nets or which would otherwise, in effect, diminish the size of the nets, provided that devices may be attached to the upper side of the codend in such a manner that they will not obstruct the meshes of the codend. Any such device must have the approval of the Commission based on scientific advice that the attached devices do not obstruct the meshes or reduce significantly the selectivity of the codend. Any approval so given may be withdrawn at any time on giving not less than 12 months' notice to the Contracting Governments.

3. The Contracting Governments permit any canvas, netting, or other material to be attached to the underside only of the codend of a net to reduce and prevent damage.

Subarea 3

1. The Contracting Governments take appropriate action to prohibit (except as provided in paragraphs 2 and 3) the taking of cod, *Gadus morhua* L.; haddock, *Melanogrammus aeglefinus* (L.); redfish, *Sebastes*; halibut, *Hippoglossus hippoglossus* (L.); witch, *Glyptocephalus cynoglossus* (L.); yellowtail flounder, *Limanda ferruginea* (Storer); American plaice, *Hippoglossoides platessoides* (Fab.); Greenland halibut, *Reinhardtius hippoglossoides* (Walb.); pollock (saithe), *Pollachius virens* (L.); and white hake, *Urophycis tenuis* (Mitch.) in Subarea 3 by persons under their jurisdiction with trawl nets having in any part of the net meshes of dimensions less than 130 mm or 5-1/8 inches as measured by the ICMF gauge specified below. These mesh sizes relate to manilla twine netting when measured wet after use or the equivalent thereof when measured dry before use. The Commission may, on the basis of scientific advice as to selectivity equivalents, determine the appropriate mesh sizes when trawl nets made of materials other than manilla are used or when seine nets are used.

a) Mesh sizes are measured by a flat wedge-shaped gauge having a taper of 2 centimeters in 8 centimeters and a thickness of 2.3 millimeters, inserted into the meshes under a pressure or pull of 5 kilograms. The mesh size of a net shall be taken to be the average of the measurements of any series of twenty consecutive meshes, at least ten meshes from the leadings, and when measured in the codend of the net beginning at the after end and running parallel to the long axis.

2. The prohibition set out in paragraph 1 shall not apply to the taking of redfish (genus *Sebastes*) in the statistical Divisions 3M, 3O, and 3P of Subarea 3.

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 cod, haddock, and other regulated species incidentally, the Contracting Governments permit persons under their jurisdictions to take these species with nets having a mesh size less than that specified in paragraph 1 so long as such persons do not have in possession on board a vessel fishing primarily for redfish with small meshed nets for each of (a) cod, (b) haddock and (c) other species mentioned in paragraph 1 taken together

quantities in excess of 5,000 lb. or 2,268 kg or 10% by weight of all fish on board such vessel whichever is greater, or so long as such persons do not catch with trawl nets having a mesh smaller than that specified in paragraph 1 in any period of 12 months (a) cod, (b) haddock or (c) other species mentioned in paragraph 1 taken together in excess of 10% by weight for each of (a), (b), and (c) of all the fish taken by such persons with such trawl nets in that period of 12 months.

4. The Contracting Governments prohibit the use, by any person to whom this proposal would apply, of any means or device, other than those described in paragraph 5, which would obstruct the meshes of the nets or which would otherwise, in effect, diminish the size of the nets, provided that devices may be attached to the upper side of the codend in such a manner that they will not obstruct the meshes of the codend. Any such device must have the approval of the Commission based on scientific advice that the attached devices do not obstruct the meshes or reduce significantly the selectivity of the codend. Any approval so given may be withdrawn at any time on giving not less than 12 months' notice to the Contracting Governments.

5. The Contracting Governments permit any canvas, netting, or other material to be attached to the underside only of the codend of a net to reduce and prevent damage.

Subarea 4

1. The Contracting Governments take appropriate action to prohibit (except as provided in paragraph 2) the taking of cod, *Gadus morhua* L.; haddock, *Melanogrammus aeglefinus* (L.); and flounders: witch, *Glyptocephalus cynoglossus* (L.); yellowtail, *Limanda ferruginea* (Storer); winter flounder, *Pseudopleuronectes americanus* (Walb.); and American plaice, *Hippoglossoides platessoides* (Fab.) in Subarea 4 by persons under their jurisdiction with trawl nets having in any part of the net meshes of dimensions less than 114 mm or 4-1/2 inches as measured by the ICMF gauge specified below. These mesh sizes relate to manilla twine netting when measured wet after use or the equivalent thereof when measured dry before use. The Commission may, on the basis of scientific advice as to selectivity equivalents, determine the appropriate mesh sizes when trawl nets made of materials other than manilla are used or when seine nets are used.

a) Mesh sizes are measured by a flat wedge-shaped gauge having a taper of 2 centimeters in 8 centimeters and a thickness of 2.3 millimeters, inserted into the meshes under a pressure or pull of 5 kilograms. The mesh size of a net shall be taken to be the average of the measurements of any series of twenty consecutive meshes, at least ten meshes from the leadings, and when measured in the codend of the net beginning at the after end and running parallel to the long axis.

2. In order to avoid impairment of fisheries conducted primarily for other species and which take small quantities of cod, haddock, and flounders incidentally, the Contracting Governments permit persons under their jurisdictions to take cod, haddock, and flounders with nets having a mesh size less than that proposed in the preceding paragraph, so long as such persons do not have in possession on board a vessel fishing primarily for other species, cod, haddock, or flounders in amounts in excess of 5,000 lb. or 2,268 kg for each, or 10% by weight for each, of all fish on board such vessel, whichever is greater; or so long as such persons do not catch with trawl nets having a mesh smaller than that specified in paragraph 1 in any period of 12 months, cod, haddock, and flounders in excess of 10% by weight for each of all the fish taken by such persons with such trawl nets in that period of 12 months.

3. The Contracting Governments prohibit the use, by any persons to whom this proposal would apply, of any means or device other than those described in paragraph 4, which would obstruct the meshes of the nets or which would otherwise, in effect, diminish the size of the meshes of the nets, provided that devices may be attached to the upper side of the codend in such a manner that they will not obstruct the meshes of the codend. Any such device must have the approval of the Commission based on scientific advice that the attached devices do not obstruct the meshes or reduce significantly the selectivity of the codend. Any approval so given may be withdrawn, at any time, on giving not less than 12 months' notice to the Contracting Governments.

4. The Contracting Governments permit any canvas, netting, or other material to be attached to the underside only of the codend of a net to reduce and prevent damage.

Subarea 5

1. That the Contracting Governments take appropriate action to prohibit (except as provided in paragraph 2) the taking of cod, *Gadus morhua* L.; haddock, *Melanogrammus aeglefinus* (L.); and yellowtail flounder, *Limanda ferruginea* (Storer) in Subarea 5, by persons under their jurisdiction with trawl nets having in any part of the net meshes of dimensions less than 114 mm or 4-1/2 inches in fisheries for cod, *Gadus morhua*, and haddock, *Melanogrammus aeglefinus*, and 130 mm or 5-1/8 inches for yellowtail flounder, *Limanda ferruginea*, as measured by the ICHAF gauge specified below. These mesh sizes relate to mesh twice netting when measured wet after use or the equivalent thereof when measured dry before use. The Commission may, on the basis of scientific advice as to selectivity equivalents, determine the appropriate mesh sizes when trawl nets made of materials other than mesh are used or when seine nets are used.

a) Mesh sizes are measured by a flat wedge-shaped gauge having a taper of 2 centimeters in 8 centimeters and a thickness of 2.3 millimeters, inserted into the meshes under a pressure or pull of 5 kilograms. The mesh size of a net shall be taken to be the average of the measurements of any series of twenty consecutive meshes, at least ten meshes from the leadings, and when measured in the codend of the net beginning at the after end and running parallel to the long axis.

2. That in order to avoid impairment of fisheries conducted primarily for other species and which take small quantities of cod and haddock incidentally, the Contracting Governments permit persons under their jurisdiction to take cod and haddock with trawl nets having a mesh size less than that proposed in the preceding paragraph, so long as such persons do not have in possession on board a vessel fishing primarily for other species, cod or haddock in amounts in excess of 5,000 lb. or 2,268 kg for each, or 10% by weight for each, of all fish on board such vessel, whichever is greater, or so long as such a person does not catch, in any period of 12 months, cod or haddock in quantities in excess of 10% for each species of all the trawl-caught fish taken by such persons in that period of 12 months.

3. The Contracting Governments prohibit the use, by any person to whom

this proposal would apply, of any means or device, other than those described in paragraph 4, which would obstruct the meshes of the nets or which would otherwise, in effect, diminish the size of the meshes of the nets, provided that devices may be attached to the upper side of the codend in such a manner that they will not obstruct the meshes of the codend. Any such device must have the approval of the Commission based on scientific advice that the attached devices do not obstruct the meshes or reduce significantly the selectivity of the codend. Any approval so given may be withdrawn, at any time, on giving not less than 12 months' notice to the Contracting Governments.

4. The Contracting Governments permit any canvas, netting, or other material to be attached to the underside only of the codend of a net to reduce and prevent damage.

2. Quota and Closure Regulations in Force 1 January 1972

1) Haddock in Subarea 5

"1. That the Contracting Governments take appropriate action to regulate the catch of haddock, *Melanogrammus aeglefinus* (L.), by persons under their jurisdiction fishing in Subarea 5 so that the aggregate annual catch of haddock by vessels taking haddock in Subarea 5 shall not exceed 6,000 metric tons per annum.

"2. That Competent Authorities of each Contracting Government shall report bi-weekly haddock catches taken in Subarea 5 by persons under their jurisdiction to the Executive Secretary of the Commission not later than 7 days after the end of a two-week reporting period. Information of haddock by-catch taken by the vessels which do not conduct specialized fishing for haddock shall be reported to the Executive Secretary of the Commission in 700-ton increments. The Executive Secretary shall notify each Contracting Government of the date on which accumulative catch and estimated catch of haddock in Subarea 5, the quantity estimated to be taken before closure could be introduced, and the likely incidental catch for the remainder of the year equal 100 percent of the allowable catch stated in paragraph 1. Within 10 days of receipt of such notification from the Executive Secretary, each Contracting Government shall prohibit the catching of haddock caught in Subarea 5 by persons under its jurisdiction except as provided in paragraph 4.

"3. That the Executive Secretary may, if, on the basis of further information, he finds that the catch for the year will equal less than 100 percent of the allowable catch stated in paragraph 1 after the closure provided in paragraph 2, inform Contracting Governments that fishing for such haddock may be permitted for a further period of a stated number of days, such period to begin 10 days after the date of notification.

"4. That in order to avoid impairment of fisheries conducted primarily for other species and which take small quantities of haddock incidentally, the Contracting Governments may permit persons under their jurisdiction to have in possession on board a vessel fishing primarily for other species subsequent to the closure referred to in paragraph 2, haddock caught in Subarea 5 in amounts not exceeding 5,000 lb or 2,268 kg, or 10 percent by weight, of all other fish on board caught in Subarea 5.

"5. That the Contracting Governments take appropriate action to prohibit persons under their jurisdiction from using fishing gear in a manner capable of catching demersal species during March, April and May of each year in areas of Subarea 5 bounded by straight lines connecting the following coordinates in the order listed:

(a) 69°55'N, 42°10'W	(b) 67°00'W, 42°20'N
69°10'N, 41°10'W	67°00'W, 41°15'N
68°30'N, 41°35'W	65°40'W, 41°15'N
69°00'N, 42°10'W	65°40'W, 42°00'N
	66°00'W, 42°20'N

The provisions of this paragraph shall not apply to vessels that fish with hooks having a gape of not less than 3 cm.

"6. That the Commission shall review the allowable catch provided in paragraph 1, and the area and dates provided in paragraph 5, at each Annual Meeting, and shall propose such changes as are necessary from time to time, taking into account such factors as fishing, natural variations in abundance, and natural variations in spawning."

11) Haddock in Division 4X of Subarea 4

73

- "1. That the Contracting Governments take appropriate action to regulate the catch of haddock, *Merlangius merlangus* (L.), by persons under their jurisdiction fishing in Division 4X of Subarea 4 so that the aggregate annual landings of haddock by vessels taking haddock in Division 4X of Subarea 4 in the year 1972 shall not exceed 9,000 metric tons.
- "2. That Competent Authorities of each Contracting Government shall report bi-weekly haddock catches taken in Division 4X of Subarea 4 by persons under their jurisdiction to the Executive Secretary of the Commission not later than 7 days after the end of a two-week reporting period. Information of haddock by-catch taken by the vessels which do not conduct specialized fishing for haddock shall be reported to the Executive Secretary of the Commission in 700-ton increments. The Executive Secretary shall notify each Contracting Government of the date on which accumulative catch and estimated catch of haddock in Division 4X of Subarea 4, the quantity estimated to be taken before closure could be introduced, and the likely incidental catch for the remainder of the year equal 100 percent of the allowable catch stated in paragraph 1. Within 10 days of receipt of such notification from the Executive Secretary each Contracting Government shall prohibit the catching of haddock caught in Division 4X of Subarea 4 by persons under its jurisdiction except as provided in paragraph 4.
- "3. That the Executive Secretary may, if, on the basis of further information, he finds that the catch for the year will equal less than 100 percent of the allowable catch stated in paragraph 1 after the closure provided in paragraph 2, inform Contracting Governments that fishing for such haddock may be permitted for a further period of a stated number of days, such period to begin 10 days after the date of notification.
- "4. That in order to avoid impairment of fisheries conducted primarily for other species and which take small quantities of haddock incidentally, the Contracting Governments may permit persons under their jurisdiction to have in possession on board a vessel fishing primarily for other species subsequent to the closure referred to in paragraph 2, haddock caught in Division 4X of Subarea 4 in amounts not exceeding 5,000 lb or

9

74

2,268 kg or 10 percent by weight, of all other fish on board caught in Division 4X of Subarea 4.

- "5. That the Contracting Governments take appropriate action to prohibit persons under their jurisdiction from using fishing gear in a manner capable of catching demersal species during March, April and May of 1972 in that part of Division 4X of Subarea 4 bounded by straight lines connecting the following coordinates in the order listed:

65°44'N, 42°04'W
64°30'N, 42°40'W
64°30'N, 43°00'W
66°32'N, 43°00'W
66°32'N, 42°20'W
66°00'N, 42°20'W "

111) Haddock in Division 4W of Subarea 4

- "1. That the Contracting Governments take appropriate action to regulate the catch of haddock, *Merlangius merlangus* (L.), by persons under their jurisdiction fishing in Division 4W of Subarea 4 so that the aggregate annual landings of haddock by vessels taking haddock in Division 4W of Subarea 4 in the year 1972 shall not exceed 4,000 metric tons.
- "2. That Competent Authorities of each Contracting Government shall report bi-weekly haddock catches taken in Division 4W of Subarea 4 by persons under their jurisdiction to the Executive Secretary of the Commission not later than 7 days after the end of a two-week reporting period. Information of haddock by-catch taken by the vessels which do not conduct specialized fishing for haddock shall be reported to the Executive Secretary of the Commission in 700-ton increments. The Executive Secretary shall notify each Contracting Government of the date on which accumulative catch and estimated catch of haddock in Division 4W of Subarea 4, the quantity estimated to be taken before closure could be introduced, and the likely incidental catch for the remainder of the year equal 100 percent of the allowable catch stated in paragraph 1. Within 10 days of receipt of such notification from the Executive Secretary each Contracting Government shall prohibit the catching of haddock caught in Division 4W of Subarea 4 by persons under its jurisdiction except as provided in paragraph 4.

10

"3. That the Executive Secretary may, if, on the basis of further information, he finds that the catch for the year will equal less than 100 percent of the allowable catch stated in paragraph 1 after the closure provided in paragraph 2, inform Contracting Governments that fishing for such haddock may be permitted for a further period of a stated number of days, such period to begin 10 days after the date of notification.

"4. That in order to avoid impairment of fisheries conducted primarily for other species and which take small quantities of haddock incidentally, the Contracting Governments may permit persons under their jurisdiction to have in possession on board a vessel fishing primarily for other species subsequent to the closure referred to in paragraph 2, haddock caught in Division 4W of Subarea 4 in amounts not exceeding 5,000 lb or 2,268 kg, or 10 percent by weight, of all other fish on board caught in Division 4W of Subarea 4."

(v) Yellowtail Flounder in Subarea 5

"1. That the Contracting Governments take appropriate action to regulate the catch of yellowtail flounder, *Limanda ferruginea* (Storer), by persons under their jurisdiction fishing in Subarea 5 so that the aggregate annual catch of yellowtail flounder per annum shall not exceed:

(a) 16,000 metric tons from fishing grounds east of 69°W,
 (b) 10,000 metric tons from fishing grounds west of 69°W.

"2. That Competent Authorities of each Contracting Government shall report bi-weekly yellowtail flounder catches by persons under their jurisdiction taken in each of the areas referred to in paragraph 1 to the Executive Secretary of the Commission not later than 7 days after the end of a two-week reporting period. Information of yellowtail flounder by-catch taken by the vessels which do not conduct specialized fishing for yellowtail flounder shall be reported to the Executive Secretary of the Commission in 700-ton increments. The Executive Secretary shall notify each Contracting Government of the dates on which accumulative catch and estimated catch of yellowtail flounder from each of the areas referred to in paragraph 1, the quantity estimated to be taken before closure could be introduced, and the likely incidental catch for the remainder

of the year equal 100 percent of the allowable catch for the area in question. Within 10 days of receipt of such notification from the Executive Secretary, each Contracting Government shall prohibit catches of yellowtail flounder by persons under their jurisdiction from the area or areas referred to in the notification from the Executive Secretary, except as provided in paragraph 4.

"3. That the Executive Secretary may, if, on the basis of further information, he finds that the catch for the year in either of the areas referred to in paragraph 1 will equal less than 100 percent of the allowable catch for the area in question after the closure provided in paragraph 2, inform Contracting Governments that fishing for yellowtail flounder in such area may be permitted for a further period of a stated number of days, such period to begin 10 days after the date of notification.

"4. That in order to avoid impairment of fisheries conducted primarily for other species and which take small quantities of yellowtail flounder incidentally, the Contracting Governments may permit persons under their jurisdiction to have in possession on board a vessel fishing primarily for other species subsequent to a closure referred to in paragraph 2, yellowtail flounder caught within such a closed area in amounts not exceeding 5,000 lb or 2,268 kg, or 10 percent by weight, of all other fish on board caught in the closed area.

"5. That the Commission shall review the allowable catches provided in paragraph 1 at each Annual Meeting, and shall propose such changes as are necessary from time to time, taking into account such factors as fishing and natural variations in abundance."

v) Red and Silver Hake in Subarea 5

"That the Contracting Governments take appropriate action to prohibit the taking of red hake, *Urophycis chuss* (Walib.), and silver hake, *Merluccius bilinearis* (Mich.), during the periods 1 January to 31 March of 1970, 1971 and 1972 in the area bounded by 69°00'W, 39°50'N, 71°40'W and 40°20'N however, provided that during this period groundfish vessels may be permitted to take on each trip during which they fish in the said area red and silver hake in amounts not to exceed 10 percent each of the total catch taken in the said area on that trip."

v1) Atlantic Salmon in the Convention Area

(a) 1969 proposal in effect for all Contracting Governments, except Denmark, Norway, and Fed. Rep. Germany.

"That the Contracting Governments take appropriate action to ensure that the fishing for Atlantic salmon, *Salmo salar* L., in the waters outside national fishing limits be prohibited in the Convention Area."

(b) 1971 proposal, due to Portugal objection, not in effect for at least 60 days from 1 January 1972.

"1. That each Contracting Government which has participated in the fishery for Atlantic salmon, *Salmo salar* L., take appropriate action to limit the aggregate tonnage of vessels employed or catch taken by its nationals in the fishery in the Convention Area to a level not exceeding the aggregate tonnage of vessels so employed or catch so taken in 1969.

"2. That Contracting Governments which have not accepted the prohibition on fishing for Atlantic salmon outside national fishery limits take appropriate action to prohibit fishing for Atlantic salmon outside national fishery limits in the Convention Area before 31 July and after 30 November.

"3. That the use for salmon fishing of any trawl net, any sonifilament net or any troll be prohibited throughout the Convention Area provided that Contracting Governments may authorize the continued use of sonifilament nets acquired before 1 July 1970.

"4. That these measures be in force for the years 1972 and 1973 subject to review within that period, in the event of substantial changes in the catches of Atlantic salmon in the Convention Area or in home waters or in the fish stocks, or in the event of the entry into the fishery of States not at present participating."

vii) Harp and Hooded Seals in the 'Gulf' and 'Front' Areas of the Convention Area

"1. That the Contracting Governments take appropriate action to ensure that the open season for the taking of harp seals, *Pagophilus groenlandicus*, and hooded seals, *Cystophora cristata*, in the "Gulf" area (all the waters and territories west of a straight line between the Lighthouse at Amour Point on the coast of Labrador and the Lighthouse on Flowers Island in Flowers Cove, Newfoundland) and the "Front" area (all the waters of the

Straits of Belle Isle and the Atlantic Ocean east of a straight line between the Lighthouse at Amour Point on the east coast of Labrador and the Lighthouse on Flowers Island in Flowers Cove, Newfoundland) commence not earlier than 12 March 1972 and close not later than 24 April 1972.

"2. That the Contracting Governments take appropriate action to prohibit the killing of adult (harp) seals in whelping patches in the "Gulf" and "Front" areas."

3. Scheme of Joint Enforcement in Force 1 January 1972 (with reservations)

Proposal for a Scheme of Joint International Enforcement of the Fishery Regulations in the Convention Area, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 5 June 1970.

That, pursuant to paragraph 5 of Article VIII of the Convention, the following arrangements be established, as from 1 July 1971, for international control outside national fishery limits for the purpose of ensuring the application of the Convention and the measures in force thereunder:

"1. Control shall be carried out by inspectors of the fishery control services of Contracting Governments. The names of the inspectors appointed for that purpose by their respective governments shall be notified to the Commission.

"2. Ships carrying inspectors shall fly a special flag or pennant approved by the Commission to indicate that the inspector is carrying out international inspection duties. The names of the ships so used for the time being, which may be either special inspection vessels or fishing vessels, shall be notified to the Commission.

"3. Each inspector shall carry a document of identity supplied by the authorities of the flag state in a form approved by the Commission and given him on appointment stating that he has authority to act under the arrangements approved by the Commission.

"4. Subject to the arrangements agreed under paragraph 9, a vessel employed for the time being in fishing for sea fish or in the treatment of sea fish in the Convention area shall stop when given the appropriate signal in the International Code of Signals by a ship carrying an inspector

inspectors. The provisions of this paragraph shall not impose any obligation on a Contracting Government to give the report of a foreign inspector a higher evidential value than it would possess in the inspector's own country. Contracting Governments shall collaborate in order to facilitate judicial or other proceedings arising from a report of an inspector under these arrangements.

"9. (1) Contracting Governments shall inform the Commission by 1 March each year of their provisional plans for participation in these arrangements in the following year and the Commission may make suggestions to Contracting Governments for the coordination of national operations in this field including the number of inspectors and ships carrying inspectors.

(11) The arrangements set out in this Recommendation and the plans for participation shall apply between Contracting Governments unless otherwise agreed between them; and such agreement shall be notified to the Commission:

Provided, however, that implementation of the scheme shall be suspended between any two Contracting Governments if either of them has notified the Commission to that effect, pending completion of an agreement.

"10. (1) Nets shall be inspected in accordance with the regulations in force for the subarea in which the inspection takes place. The number of underseised meshes and the width of each mesh examined shall be entered in the inspector's report, together with the average width of the meshes examined.

(11) Inspectors shall have authority to inspect all nets.

"11. The inspector shall affix an identification mark approved by the Commission, to any net which appears to have been used in contravention of the Commission's recommendations in force in relation to the flag state of the vessel concerned and shall record this fact in his report.

"12. The inspector may photograph the net in such a way that the identification mark and the measurement of the net is visible, in which case the subjects photographed should be listed in the report and copies of the photographs should be attached to the copy of the report to the flag state.

"13. The inspector shall have authority, subject to any limitations imposed by the Commission, to carry out such examination and measurement of the catch as be deemed necessary to establish whether the Commission's

unless fishing, shooting or hauling, in which case it shall stop immediately it has finished hauling. The master of the vessel shall permit the inspector, who may be accompanied by a witness, to board it. The master shall enable the inspector to make such examination of catch, nets or other gear and any relevant documents as the inspector deems necessary to verify the observance of the Commission's recommendations in force in relation to the flag state of the vessel concerned and the inspector may ask for any explanations that he deems necessary.

"5. On boarding the vessel an inspector shall produce the document described in 3 above. Inspections shall be made so that the vessel suffers the minimum interference and inconvenience. An inspector shall limit his enquiries to the ascertainment of the facts in relation to the observance of the Commission's recommendations in force in relation to the flag state of the vessel concerned. In making his examination an inspector may ask the master for any assistance he may require. He shall draw up a report of his inspection in a form approved by the Commission. He shall sign the report in the presence of the master of the vessel who shall be entitled to add or have added to the report any observations which he may think suitable and must sign such observations. Copies of the report shall be given to the master of the vessel and to the Inspector's Government who shall transmit copies to the appropriate authorities of the flag state of the vessel and to the Commission. Where any infringement of the recommendations is discovered the inspector should where possible also inform the competent authorities of the flag state, as notified to the Commission, and any inspection ship of the flag state known to be in the vicinity.

"6. Resistance to an inspector or failure to comply with his directions shall be treated by the flag state of the vessel as if the inspector were an inspector of that state.

"7. Inspectors shall carry out their duties under these arrangements in accordance with the rules set out in this recommendation but they shall remain under the operational control of their national authorities and shall be responsible to them.

"8. Contracting Governments shall consider and act on reports of foreign inspectors under these arrangements on the same basis as reports of national

recommendations are being complied with. He shall report his findings to the authorities of the flag state of the inspected vessel as soon as possible."

81

Reservations under the provisions of paragraph 9 (11) of the Scheme:

- (a) as between the USSR and other Contracting Governments the provisions of the Scheme relating to inspection of gear below deck and of catch would not be operative;
- (b) as between Poland and other Contracting Governments the provisions of the Scheme relating to inspection of gear or catch below deck would not be operative; and
- (c) as between Romania and other Contracting Governments the provisions of the Scheme relating to inspection of gear below deck and of catch would not be operative.

4. Simplified Guide to ICNAF Trawl Regulations, 1972

NOTE: This simplified guide is prepared for the benefit of those who need an easy reference to the ICNAF trawl regulations. It does not have the force of Law: those with questions of a legal nature must refer to the actual ICNAF regulations in force and national implementing laws and regulations.

The Contracting Governments to the International Convention for the Northwest Atlantic Fisheries (hereinafter referred to as the Parties) have agreed as follows:

- 1) To prohibit persons or vessels under their jurisdiction from using a trawl net or seine net for catching the species mentioned in paragraph (2) of these regulations which has a mesh size less than that mentioned in or determined under paragraph (3), except as provided in paragraph (8).
- 2) These regulations shall apply to the following species:
 - a) in Subarea 1 - cod, *Gadus morhua* L., haddock, *Melanogrammus aeglefinus* (L.), redfish, *Sebastes*, halibut, *Hippoglossus hippoglossus* (L.), witch, *Glyptocephalus cynoglossus* (L.), American plaice, *Hippoglossoides platessoides* (Fab.), Greenland halibut, *Reinhardtius hippoglossoides* (Walb.).
 - b) in Subarea 2 - cod, *Gadus morhua* L., haddock, *Melanogrammus aeglefinus* (L.), redfish, *Sebastes*, halibut, *Hippoglossus hippoglossus* (L.), witch, *Glyptocephalus cynoglossus* (L.), American plaice, *Hippoglossoides platessoides* (Fab.), Greenland halibut, *Reinhardtius hippoglossoides* (Walb.).
 - c) in Subarea 3 - cod, *Gadus morhua* L., haddock, *Melanogrammus aeglefinus* (L.), redfish, *Sebastes*, except in the statistical Div. 38, 30, and 3P, halibut, *Hippoglossus hippoglossus* (L.), witch, *Glyptocephalus cynoglossus* (L.), yellowtail flounder, *Limanda ferruginea* (Storer), American plaice, *Hippoglossoides platessoides* (Fab.), Greenland halibut, *Reinhardtius hippoglossoides* (Walb.), pollock (saithe), *Pollachius virens* (L.), white hake, *Urophycis tenuis* (Mitch.).
 - d) in Subarea 4 - cod, *Gadus morhua* L., haddock, *Melanogrammus aeglefinus* (L.), flounders: witch, *Glyptocephalus cynoglossus* (L.), yellowtail flounder, *Limanda ferruginea* (Storer), winter flounder, *Pseudopleuronectes americanus* (Walb.), American plaice, *Hippoglossoides platessoides* (Fab.).
 - e) in Subarea 5 - cod, *Gadus morhua* L., haddock, *Melanogrammus aeglefinus* (L.), yellowtail flounder, *Limanda ferruginea* (Storer).
- 3) The minimum mesh sizes for nets measured with the gauge specified in paragraph (4) are:
 - a) for trawl nets made of manila when measured wet after use or their equivalents when measured dry before use,
 - i) in Subareas 1, 2, and 3 - 130 mm
 - ii) in Subarea 4 - 114 mm
 - iii) in Subarea 5 - 114 mm, for cod and haddock - 130 mm, for yellowtail flounder
 - b) for seine nets and for trawl nets made of materials other than manila such as mesh sizes as the Commission may, on the basis of scientific advice as to selectivity equivalents, determine to be appropriate to the mesh sizes specified in sub-paragraph (3a).

- 4) Mesh sizes are measured by a flat wedge-shaped gauge having a taper of 2 cm in 8 cm and a thickness of 2.3 mm, inserted into the meshes under a pressure or pull of 5 kg.
- 5) For the purpose of paragraph (1) the mesh size of the net shall be taken to be the average of the measurements of any series of 20 consecutive meshes, at least 10 meshes from the lacing, in the codend beginning at the after end and running parallel to the long axis.
- 6) No seine or device may be used in any net under these regulations, other than those described in paragraph (7), which would obstruct the meshes of the nets or which would otherwise, in effect, diminish the size of the meshes.
- 7) a) The Commission may approve devices to be attached to the upper side of the codend, based on scientific advice that the attached devices do not obstruct the meshes or reduce significantly the selectivity of the codend. Any approval so given may be withdrawn at any time on giving not less than 12 months' notice to the Contracting Governments.
b) Any canvas, netting, or other material may be attached to the underside only of the codend of a net to reduce and prevent damage.
- 8) a) In order to avoid impairment of fisheries conducted primarily for species to which these regulations do not apply and which take incidentally small amounts of species to which these regulations do apply, regulated species, as specified in sub-paragraph (8c), may be taken with trawl nets having a mesh size less than that specified in paragraph (3).
b) Regulated species may be taken in accordance with sub-paragraph (8a) so long as such regulated species are not:
 - i) in possession on board a vessel fishing primarily for non-regulated species in amounts in excess of the greater of either:
 - a) 2,268 kg for each, or,
 - b) 10% by weight for each,
 - or
 - ii) caught by such vessel, in any period of 12 months, in amounts in excess of 10% by weight for each regulated species of all trawl-caught fish taken by such vessel in that period of 12 months.
- c) The classes of regulated species to which this paragraph applies are:
 - i) in Subarea 3 to:
 - a) cod,
 - b) haddock,
 - c) other species mentioned in sub-paragraph (2c) taken together.
 - ii) in Subarea 4 to:
 - a) cod,
 - b) haddock,
 - c) flounders, as mentioned in sub-paragraph (2d).
 - iii) in Subarea 5 to:
 - a) cod,
 - b) haddock,
 - c) yellowtail flounder.

-14-

82(b)

5. Authorized Topside Chafers

At the 1966, 1967 and 1970 Annual Meetings of the Commission four topside chafers were authorized for use in the Convention Area, the ICMAP-type chaffer, the modified ICMAP-type chaffer, the multiple flap-type chaffer, and the large mesh (modified Polish-type) chaffer. The chafers are described briefly in ICMAP Notification Series No. 1 dated 12 March 1967, No. 4 dated 28 July 1967, and No. 8 dated 19 October 1970.

(ICMAP Ann.Proc.Vol.16, p. 19)

(ICMAP Ann.Proc.Vol.17, p. 19)

(ICMAP Ann.Proc.Vol.20, p. 24)

6. Authorized Mesh Measuring Gauge

At the 1967 Annual Meeting of the Commission the ICMAP mesh measuring gauge as specified in the ICMAP trawl regulations was authorized as the only mesh measuring gauge for use in the Convention Area.

(ICMAP Ann.Proc.Vol.17, p. 20)

7. Authorized Mesh Size Differentials for Different Mesh Materials

At the 1967 Annual Meeting of the Commission the following mesh size differentials for different trawl mesh materials were approved for use in the Convention Area.

Part of Convention Area	Type of net	ICMAP gauge
Seine net		
Subareas 1-3	Such part of any trawl net as is made of hemp, polyamide fibres, or polyester fibres	110 mm (4-3/8 in.)
	Such part of any trawl net as is made of manila or any other material not mentioned above	120 mm (4-3/4 in.)
	Such part of any trawl net as is made of manila or any other material not mentioned above	130 mm (5-1/8 in.)
Seine net		
Subareas 4-5	Such part of any trawl net as is made of cotton, hemp, polyamide fibres, or polyester fibres	100 mm (4 in.)
	Such part of any trawl net as is made of manila or any other material not mentioned above	105 mm (4-1/8 in.)

(ICMAP Ann.Proc.Vol.17, p. 20)

