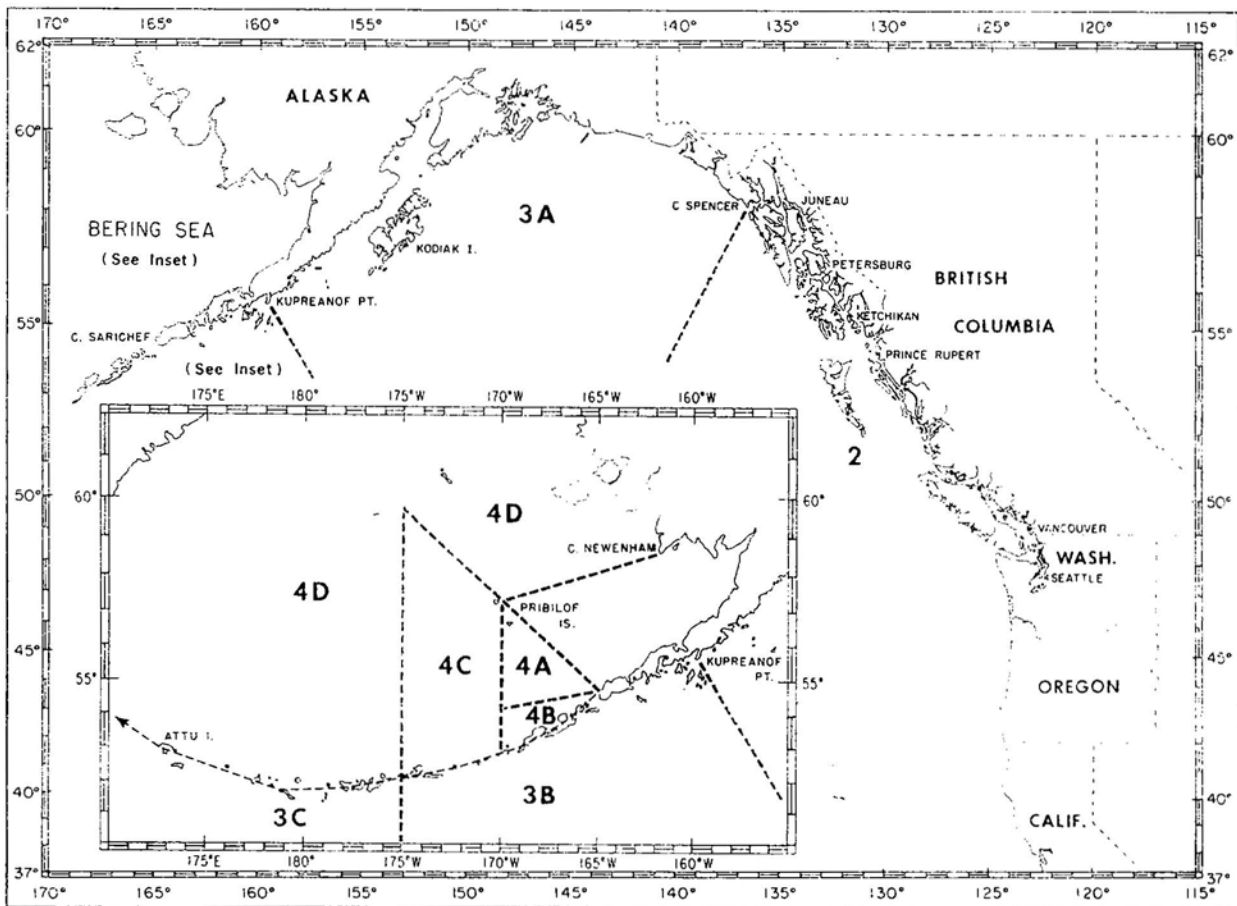


INTERNATIONAL PACIFIC HALIBUT
COMMISSION

Pacific
Halibut Fishery
Regulations

Effective March 17, 1970



Pacific Coast of North America showing the 1970 regulatory areas as defined by the International Pacific Halibut Commission

REGULATIONS OF THE INTERNATIONAL PACIFIC
HALIBUT COMMISSION ADOPTED PURSUANT TO THE
PACIFIC HALIBUT FISHERY CONVENTION BETWEEN
THE UNITED STATES OF AMERICA AND CANADA,
SIGNED MARCH 2, 1953

Section 1. Regulatory Areas

(a) The "convention waters" which include the territorial waters and the high seas off the western coasts of Canada and the United States of America including the southern and the western coasts of Alaska shall be divided into the following areas, all directions given being magnetic unless otherwise stated.

(b) Area 2 (south of Cape Spencer) shall include all convention waters off the coasts of the United States of America and of Alaska and of Canada that are southeast of a line running through the most westerly point of Glacier Bay, Alaska, to Cape Spencer Light as shown on Chart 8304, published in September 1964 (9th Edition), by the United States Coast and Geodetic Survey, which light is approximately latitude $58^{\circ} 11' 57''$ N., longitude $136^{\circ} 38' 18''$ W.; thence south one-quarter east.

(c) Area 3A (Cape Spencer to Shumagin Islands) shall include all convention waters off the coast of Alaska that are between Area 2 and a straight line running southeast one-half east from the highest point on Kupreanof Point, which highest point is approximately latitude $55^{\circ} 34' 08''$ N., longitude $159^{\circ} 36' 00''$ W.; the highest point on Kupreanof Point shall be determined from Chart 8859 as published March 1964 (4th Edition) by the United States Coast and Geodetic Survey.

(d) Area 3B (Shumagin Islands to Atka Island, not including Bering Sea) shall include all convention waters off the coast of Alaska that are between Area 3A and the meridian of 175° W. and that are south of straight lines running from Cape Kabuch Light at the head of Ikatan Bay, which light is approximately latitude $54^{\circ} 49' 00''$ N., longitude $163^{\circ} 21' 36''$ W.; thence to Cape Sarichef Light at the western end of Unimak Island, which light is approximately latitude $54^{\circ} 36' 00''$ N., longitude $164^{\circ} 55' 42''$ W.; thence to the head of Pumicestone Bay on Unalaska Island at a point approximately latitude $53^{\circ} 31' 45''$ N., longitude $166^{\circ} 58' 15''$ W.; thence to Ananiuliak Island Light on the southwest side of Umnak Island, which light is approximately latitude $52^{\circ} 59' 48''$ N., longitude $168^{\circ} 55' 06''$ W.; thence to Seguam Island Light, which light is approximately latitude $52^{\circ} 23' 16''$ N., longitude $172^{\circ} 26' 15''$ W.; thence to the point at intersection with the meridian of 175° W. on Atka Island at a point approximately latitude $52^{\circ} 04' 08''$ N. The positions of Cape Kabuch Light and Cape Sarichef Light were determined from Chart 8860 published in October 1964 (14th Edition);

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the positions of the head of Pumicestone Bay and Ananiuliak Island Light were determined from Chart 8861, published in March 1965 (2nd Edition); the positions of Seguam Island Light and the point on Atka Island were determined from Chart 8862, published in September 1963 (4th Edition), all charts as published by the United States Coast and Geodetic Survey.

(e) Area 3C (west of Atka Island, not including Bering Sea) shall include all convention waters off the coast of Alaska that are between Area 3B and a straight line running west northwest from Cape Wrangell, the westernmost extremity of Attu Island at a point approximately latitude $52^{\circ} 55' 20''$ N., longitude $172^{\circ} 28' 50''$ E., and that are south of straight lines running from a point on Atka Island at approximately latitude $52^{\circ} 04' 08''$ N., longitude $175^{\circ} 00' 00''$ W.; thence to Cape Amagalik on Tanaga Island, which cape is approximately latitude $51^{\circ} 40' 40''$ N., longitude $178^{\circ} 07' 00''$ W., thence to Aleut Point at the northwest end of Amchitka Island, which point is approximately latitude $51^{\circ} 38' 20''$ N., longitude $178^{\circ} 37' 20''$ E.; thence to Cape Wrangell. The position of Cape Amagalik was determined from Chart 8863, published in May 1959 (6th Edition), revised September 1963; the position of Aleut Point was determined from Chart 8864, published in June 1962 (6th Edition), revised March 1965; and the position of Cape Wrangell was determined from Chart 8865, published July 1963 (4th Edition), all charts as published by the United States Coast and Geodetic Survey.

(f) Area 4A (the edge between Unimak Pass and the Pribilof Islands in Bering Sea) shall include all convention waters within the following boundary: from Cape Sarichef Light at the western end of Unimak Island, which light is approximately latitude $54^{\circ} 36' 00''$ N., longitude $164^{\circ} 55' 42''$ W.; thence in a straight line to a point at latitude $54^{\circ} 00' 00''$ N., longitude $170^{\circ} 00' 00''$ W.; thence true north to a point northeast of St. Paul Island, approximately latitude $57^{\circ} 15' 00''$ N., longitude $170^{\circ} 00' 00''$ W.; thence to the point of origin at Cape Sarichef Light.

(g) Area 4B (Fox Islands in Bering Sea) shall include all convention waters within the following boundary: from Cape Sarichef Light at the western end of Unimak Island, which light is approximately latitude $54^{\circ} 36' 00''$ N., longitude $164^{\circ} 55' 42''$ W., westerly along the boundary line of Area 3B, as described in paragraph (d) of this section of the regulations, to the point of intersection with the meridian of 170° W. at a point approximately latitude $52^{\circ} 48' 00''$ N.; thence true north to a point at latitude $54^{\circ} 00' 00''$ N., longitude $170^{\circ} 00' 00''$ W.; thence to the point of origin at Cape Sarichef Light.

(h) Area 4C (south of a line between Cape Sarichef and Cape Navarin between 170° W. and 175° W. in Bering Sea) shall include all convention waters between the meridians of 170° W. and 175° W. that are north of the boundary of Area 3B as defined in paragraph (d) of this section, and that are south of a straight line between a point at latitude $57^{\circ} 15' 00''$ N., longitude $170^{\circ} 00' 00''$ W., and a point at latitude $59^{\circ} 42' 00''$ N., longitude $175^{\circ} 00' 00''$ W.

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(i) Area 4D (west of 175° W. and the northeastern flats) shall include all convention waters north of Areas 3C and 4C as defined in paragraphs (e) and (h) of this section, and north of a straight line extending between a point northeast of St. Paul Island at approximately latitude 57° 15' 00" N., longitude 170° 00' 00" W., and Cape Newenham, which cape is approximately latitude 58° 39' 00" N., longitude 162° 10' 25" W. The position of Cape Newenham was determined from Chart 9103 as published in September 1958 (3rd Edition), revised April 1962 by the United States Coast and Geodetic Survey.

Section 2. Length of Halibut Fishing Seasons

(a) In Area 2, the halibut fishing season shall commence at 1500 hours of the 25th day of April and terminate at 0600 hours on a date to be determined and announced under paragraph (b) of Section 5 of these regulations, or at 0600 hours of the 15th day of October, whichever is earlier.

(b) In Area 3A, the halibut fishing season shall commence at 1500 hours of the 25th day of April and terminate at 0600 hours on a date to be determined and announced under paragraph (b) of Section 5 of these regulations, or at 0600 hours of the 15th day of October, whichever is earlier.

(c) In Area 3B, there shall be two halibut fishing seasons: the first season shall commence at 1500 hours of the 1st day of April and terminate at 0600 hours of the 7th day of April; the second season shall commence at 1500 hours of the 25th day of April and terminate at 0600 hours on a date to be determined and announced under paragraph (b) of Section 5 of these regulations, or at 0600 hours of the 15th day of November, whichever is earlier.

(d) In Area 3C, the halibut fishing season shall commence at 1800 hours of the 17th day of March and terminate at 0600 hours of the 15th day of November.

(e) In Area 4A, the halibut fishing season shall commence at 1800 hours of the 22nd day of March and terminate at 0600 hours of the 4th day of April.

(f) In Area 4B, there shall be two halibut fishing seasons: the first season shall commence at 1800 hours of the 22nd day of March and terminate at 0600 hours of the 4th day of April; the second season shall commence at 1800 hours of the 1st day of September and terminate at 0600 hours of the 14th day of September.

(g) In Area 4C, the halibut fishing season shall commence at 1800 hours of the 17th day of March and terminate at 0600 hours of the 11th day of April.

(h) In Area 4D, the halibut fishing season shall commence at 1800 hours of the 17th day of March and terminate at 0600 hours of the 15th day of November.

(i) All hours of opening and closing of areas in this section and other sections of these regulations shall be Pacific Standard Time.

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Section 3. Closed Seasons

(a) Under paragraph 1 of Article I of the Convention, all convention waters shall be closed to halibut fishing except as provided in Section 2 of these regulations.

(b) All convention waters, if not already closed under other provisions of these regulations, shall be closed to halibut fishing at 0600 hours of the 15th day of November and shall remain closed until reopened as provided in Section 2 of these regulations, and the retention and landing of any halibut caught during this closed period shall be prohibited.

(c) Nothing contained in these regulations shall prohibit the fishing for species of fish other than halibut during the closed halibut seasons, provided that it shall be unlawful for a vessel to have halibut aboard, or for any person to have halibut in his possession while so engaged. Nor shall anything in these regulations prohibit the International Pacific Halibut Commission, hereafter in these regulations referred to as "the Commission," from conducting or authorizing fishing operations for investigation purposes as provided for in paragraph 3 of Article I of the Convention.

Section 4. Closed Nursery Grounds

(a) The following area in southeastern Bering Sea has been found to be populated by small, immature halibut and is designated as a nursery ground and closed to halibut fishing, and no person shall fish for halibut in such area, or shall have halibut in his possession while fishing for other species therein, or shall have halibut in his possession therein except in the course of a continuous transit across such area.

(b) The nursery ground designated in paragraph (a) of this section shall include all the waters within the following boundary: from Cape Sarichef Light at the western end of Unimak Island, which light is approximately latitude 54° 36' 00" N., longitude 164° 55' 42" W.; thence to a point northeast of St. Paul Island, approximately latitude 57° 15' 00" N., longitude 170° 00' 00" W.; thence to Cape Newenham, which cape is approximately latitude 58° 39' 00" N., longitude 162° 10' 25" W.; thence easterly and southerly along the Alaska coastline to Cape Kabuch Light at the head of Ikatan Bay, which light is approximately latitude 54° 49' 00" N., longitude 163° 21' 36" W.; thence to the point of origin at Cape Sarichef Light.

Section 5. Catch Limits in Areas 2, 3A and 3B

(a) The quantities of halibut to be taken during the halibut fishing season or seasons in areas with catch limits shall be limited to 20,000,000 pounds in Area 2, to 30,000,000 pounds in Area 3A, and to 3,000,000 pounds in Area 3B, each of the above quantities to consist of salable halibut and the weights in each limit to be computed as with heads off and entrails removed.

(b) The Commission shall as early in the said year as is practicable

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determine and announce the date on which it deems each limit of catch defined in paragraph (a) of this section will be attained, and the limit of each such catch shall then be that which shall be taken prior to said date, and fishing for halibut in the area to which each limit applies shall at that date be prohibited until each area is reopened to halibut fishing as provided in Section 2 of these regulations, and provided that if it shall at any time become evident to the Commission that the limit will not be reached by such date, it may substitute another date.

(c) Catch limits shall apply only to the halibut fishing seasons in Area 2, Area 3A and Area 3B.

Section 6. Size Limits

The catch of halibut to be taken from all areas shall be limited to halibut which with head on are 26 inches or more in length as measured from the tip of the lower jaw to the extreme end of the middle of the tail or to halibut which with the head off and entrails removed are 5 pounds or more in weight, and the possession of any halibut of less than the above length, or the above weight, according to whether the head is on or off, by any vessel or by any master or operator of any vessel or by any person, firm or corporation, is prohibited.

Section 7. Licensing of Vessels

(a) All vessels of any tonnage which shall fish for halibut in any manner or hold halibut in possession in any area, or which shall transport halibut otherwise than as a common carrier documented by the Government of the United States or of Canada for the carriage of freight, must be licensed by the Commission, provided that vessels of less than five net tons or vessels which use hook and line gear other than set lines need not be licensed.

(b) Each vessel licensed by the Commission shall carry on board at all times while at sea the halibut license thus secured when it is validated for halibut fishing, and this license shall at all times be subject to inspection by authorized officers of the Governments of Canada or the United States or by representatives of the Commission.

(c) The halibut license shall be issued without fee by the customs officers of the Governments of Canada or the United States or by representatives of the Commission or by fishery officers of the Governments of Canada or the United States at places where there are neither customs officers nor representatives of the Commission.

(d) The halibut license of any vessel shall be validated before departure from port for each halibut fishing operation for which statistical return is required and at such times as required by other provisions of these regulations. This validation of a license shall be by customs officers or by fishery officers of the Governments of Canada or the United States when available at places where there are no customs officers and shall

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not be made unless the area in which the vessel will fish is entered on the license form and unless the provisions of Section 8 of these regulations have been complied with for all landings and all fishing operations since issue of the license, provided that if the master or operator of any vessel shall fail to comply with the provisions of Section 8 of these regulations, the halibut license of such vessel may be validated by customs officers or by fishery officers upon evidence either that there has been a judicial determination of the offense or that the laws prescribing penalties therefor have been complied with, or that the said master or operator is no longer responsible for, nor sharing in, the operations of said vessel.

(e) The halibut license of any vessel fishing for halibut in Area 3B when Area 3A is closed to halibut fishing must be validated at Sand Point, Alaska, prior to such fishing, except as provided in paragraph (f) of this section.

(f) Any vessel already fishing in Area 3B prior to the date of closure of Area 3A may continue to fish in said area until first entry at a port or place with a validating officer or until any halibut is unloaded. The vessel must comply with paragraph (g) of this section when it departs from Area 3B.

(g) The halibut license of any vessel departing from Area 3B into Area 3A with any halibut on board when Area 3A is closed to halibut fishing, must be validated at Sand Point, Alaska, subsequent to fishing and prior to such departure.

(h) The halibut license of any vessel fishing for halibut in Areas 3C, 4A, 4B, 4C or 4D must be validated at Sand Point, Alaska, both prior to such fishing and prior to unloading any halibut at any port or place other than Sand Point, Alaska.

(i) A halibut license shall not be validated for departure for halibut fishing in Areas 2, 3A or 3B from any port or place inside said areas more than 48 hours prior to the commencement of the halibut fishing season in each of said areas.

(j) A halibut license shall not be validated for departure for halibut fishing in Areas 3A or 3B from any port or place outside said areas more than 96 hours prior to commencement of the halibut fishing season in each of said areas, except that a halibut license shall not be validated for departure for halibut fishing in Area 3A from any port or place within Area 3B more than 60 hours prior to commencement of the halibut fishing season in Area 3A, nor shall a halibut license be validated for departure for halibut fishing in Area 3B from any port or place within Area 3A more than 60 hours prior to commencement of the halibut fishing season in Area 3B.

(k) A halibut license shall not be validated for departure for halibut fishing in Areas 3C, 4A, 4B, 4C or 4D more than 96 hours prior to commencement of the halibut fishing season in each of said areas, except that a halibut license may be validated for departure for the second halibut fishing season in Area 4B at any time prior to commencement of the second halibut fishing season in said area.

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(l) Notwithstanding the provisions of paragraph (h) of Section 2 of these regulations, a halibut license shall not be valid for halibut fishing in that portion of Area 4D that is east of the meridian of 175° W. after 0600 hours of the 20th day of June, unless the master or operator of the vessel shall report by radio telegraph to the International Pacific Halibut Commission, Seattle; or to the United States customs officer, Sand Point, Alaska, at least 24 hours prior to entry into said area the intention of the vessel to shift its fishing activities into the area.

(m) A halibut license may be validated for halibut fishing in more than one of Areas 2 or 3A after 1500 hours of the 25th day of April.

(n) A halibut license validated for halibut fishing in Areas 3C, 4C or 4D prior to the opening of Areas 4A, 4B or 3B may at the same time be validated for halibut fishing in Areas 4A, 4B and 3B when the latter areas are opened.

(o) A halibut license may be validated for halibut fishing in more than one of Areas 3B, 3C, 4B or 4D after 1500 hours of the 23rd day of April.

(p) A halibut license may be validated for halibut fishing in more than one of Areas 3A and 3B after 1500 hours of the 25th day of April.

(q) A halibut license shall not be valid for halibut fishing in any area closed to halibut fishing nor for the possession of halibut in any area closed to halibut fishing except while in actual transit to an area open to halibut fishing, or to or within a port of sale. The said license shall become invalid for the possession of halibut if the licensed vessel is fishing or attempting to fish for any species of fish in any area closed to halibut fishing, or if the vessel has not complied with the provisions of Section 15 of these regulations, if applicable.

(r) Any vessel which is not required to be licensed for halibut fishing under paragraph (a) of this section of these regulations shall not possess any halibut of any origin in any area closed to halibut fishing except while in actual transit to or within a port of sale.

(s) A halibut license shall not be valid for halibut fishing in any area in 1970 if the vessel has fished in Areas 4A, 4B, 4C and that portion of Area 4D east of 175° W. longitude in 1970 with set lines of the type commonly used in the Pacific Coast halibut fishery during the 48 hours prior to commencement of the halibut fishing season in the aforesaid areas in Bering Sea; and the fishing with set lines shall in said areas and within this 48-hour period be construed to include the setting out of mark buoys.

(t) No person on any vessel which is required to have a halibut license under paragraph (a) of this section shall fish for halibut or have halibut in his possession, unless said vessel has a valid license issued and in force in conformity with the provisions of this section.

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Section 8. Statistical Return by Vessels

(a) Statistical return as to the amount of halibut taken during fishing operations must be made by the master or operator of any vessel licensed under these regulations following the landing, sale or transfer of halibut but prior to validation of the license for any subsequent fishing operation or at first entry thereafter into a port where there is an officer authorized to receive such return except that statistical return must be made within 96 hours of landing, sale or transfer of halibut following the final fishing operation in 1970.

(b) The statistical return must state the port of landing and the amount of halibut taken within the area or areas defined in these regulations in which the vessel fished.

(c) The statistical return must include all halibut landed or transferred to other vessels and all halibut held in possession on board and must be full, true and correct in all respects herein required.

(d) The master or operator or any person engaged on shares in the operation of any vessel licensed under these regulations may be required by the Commission or by any officer of the Governments of Canada or the United States authorized to receive such return to certify to its correctness to the best of his information and belief and to support the certificate by a sworn statement. Validation of a halibut license after such sworn return is made shall be provisional and shall not render the license valid in case the return shall later be shown to be false or fraudulently made.

(e) The master or operator of any vessel holding a license under these regulations shall keep an accurate log of all fishing operations including therein date, locality, amount of gear used, and amount of halibut taken daily in each such locality. This log record shall be retained for a period of two years and shall be open to inspection by representatives of the Commission authorized for this purpose.

(f) The master, operator or any other person engaged on shares in the operation of any vessel licensed under these regulations may be required by the Commission or by any officer of the Governments of Canada or the United States to certify to the correctness of such log record to the best of his information and belief and to support the certificate by a sworn statement.

(g) The master or operator of any vessel holding a license validated for fishing in Areas 3C, 4A, 4B, 4C or 4D on entering Sand Point, Alaska, en route to another port to unload, must report to an authorized representative of the United States or of the Commission the estimated amount of halibut on board that was caught in each regulatory area.

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Section 9. Statistical Return by Dealers

(a) All persons, firms or corporations that shall buy halibut or receive halibut for any purpose from fishing or transporting vessels or other carrier shall keep and on request furnish to customs officers or to any enforcement officer of the Governments of Canada or the United States or to representatives of the Commission, records of each purchase or receipt of halibut, showing date, locality, name of vessel, person, firm or corporation purchased or received from and the amount in pounds according to trade categories of the halibut.

(b) All records of all persons, firms or corporations concerning the landing, purchase, receipt and sale of halibut shall be retained for a period of two years and shall be open at all times to inspection by any enforcement officer of the Governments of Canada or the United States or by any authorized representative of the Commission. Such persons, firms or corporations may be required to certify to the correctness of such records and to support the certificate by a sworn statement.

(c) The possession by any person, firm or corporation of halibut which such person, firm or corporation knows to have been taken by a vessel without a valid halibut license is prohibited.

(d) No person, firm or corporation shall unload any halibut from any vessel that has fished for halibut in Areas 3B, 3C, 4A, 4B, 4C or 4D and has entered Area 3A when Area 3A is closed to halibut fishing unless the license of said vessel has been validated at Sand Point, Alaska, as required in paragraphs (e), (f), (g) and (h) of Section 7, and unless the vessel has complied with the provisions of Section 15 of these regulations, or unless permission to unload such halibut has been secured from an enforcement officer of the Governments of Canada or the United States.

Section 10. Dory Gear Prohibited

The use of any hand gurdy or other appliance in hauling halibut gear by hand power in any dory or small boat operated from a vessel licensed under the provisions of these regulations is prohibited in all convention waters.

Section 11. Retention of Halibut Taken by Nets

(a) It is prohibited to retain halibut taken with a net of any kind or to have in possession any halibut while fishing with any net or nets other than bait nets in any convention waters.

(b) All vessels with any halibut on board are prohibited to use or possess any net or nets other than bait nets.

(c) The character and the use of bait nets referred to in paragraphs (a) and (b) of this section shall conform to the laws and regulations of the country where they may be utilized and shall be of a type commonly used for such purposes, and said bait nets shall be utilized for no other purpose than the capture of bait for use of the vessel carrying them.

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Section 12. Retention of Tagged Halibut

Nothing contained in these regulations shall prohibit any vessel at any time from retaining and landing any halibut which bears a Commission tag at the time of capture, provided that such halibut with the tag still attached is reported at the time of landing to representatives of the Commission or to enforcement officers of the Governments of Canada or the United States and is made available to them for examination.

Section 13. Responsibility of Master

Wherever in these regulations any duty is laid upon any vessel, it shall be the personal responsibility of the master or operator of said vessel to see that said duty is performed, and he shall personally be responsible for the performance of said duty. This provision shall not be construed to relieve any member of the crew of any responsibility with which he would otherwise be chargeable.

Section 14. Supervision of Unloading and Weighing

The unloading and weighing of the halibut of any vessel licensed under these regulations shall be under such supervision as the customs or other authorized officer may deem advisable in order to assure the fulfillment of the provisions of these regulations.

Section 15. Sealing of Fishing Equipment

Any fishing vessel, prior to departing from Area 3B into Area 3A with any halibut on board when Area 3A as defined in Section 1 of these regulations is closed to halibut fishing, shall be equipped with approved attachments on the chute to permit the securing of a seal or seals, and prior to such departure shall request that said chute or the gurdy used for hauling gear or both chute and gurdy be sealed with such seal or seals as shall be required by any customs or fishery officer or any other duly authorized officer of the Government of the United States. The vessel shall keep such seal or seals intact until removed by a customs or fishery officer of the United States or of Canada and shall not unload any halibut until such time as said officer removes the seal or seals and grants permission to unload.

Section 16. Previous Regulations Superseded

These regulations shall supersede all previous regulations adopted pursuant to the 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 March 2, 1953, except as to offenses occurring prior to the approval of these regulations. These regulations shall be effective as to each succeeding year, with the dates herein specified changed accordingly, until superseded by subsequently approved

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regulations. Any determination made by the Commission pursuant to these regulations shall become effective immediately.

HAAKON M. SELVAR, Chairman
WILLIAM M. SPRULES, Vice Chairman
HAROLD E. CROWTHER
MARTIN K. ERIKSEN
L. ADOLPH MATHISEN
FRANCIS W. MILLERD

Approved by THE SECRETARY OF STATE OF THE UNITED STATES
OF AMERICA, MARCH 11, 1970.

Approved by THE GOVERNOR GENERAL OF CANADA,
by Order-in-Council P.C. 1970-465 of March 17, 1970.

Published by the International Pacific Halibut Commission

