

NORTH-EAST ATLANTIC FISHERIES CONVENTION

The States Parties to this Convention

Desiring to ensure the conservation of the fish stocks and the rational exploitation of the fisheries of the North-East Atlantic Ocean and adjacent waters, which are of common concern to them;

Have agreed as follows:

ARTICLE 1

(1) The area to which this Convention applies (hereinafter referred to as "the Convention area") shall be all waters which are situated

(a) within those parts of the Atlantic and Arctic Oceans and their dependent seas which lie north of 36° north latitude and between 42° west longitude and 51° east longitude, but excluding

(i) the Baltic Sea and Belts lying to the south and east of lines drawn from Hasenore Head to Gniben Point, from Korshage to Spodsbjerg and from Gilbjerg Head to the Kullen, and

(ii) the Mediterranean Sea and its dependent seas as far as the point of intersection of the parallel of 36° latitude and the meridian of 5° 36' west longitude.

(b) within that part of the Atlantic Ocean north of 59° west latitude and between 44° west longitude and 42° west longitude.

(2) The Convention area shall be divided into regions, the boundaries of which shall be those defined in the Annex to this Convention. The regions shall be subject to such alterations as may be made in accordance with the provisions of paragraph (4) of Article 5 of this Convention.

(3) For the purposes of this Convention

(a) the expression "vessel" means any vessel or boat employed in fishing for sea fish or in the treatment of sea fish which is registered or owned in the territories of, or which flies the flag of, any Contracting State; and

(b) the expression "territories", in relation to any Contracting State, extends to

(i) any territory within or adjacent to the Convention area for whose international relations the Contracting State is responsible;

(ii) any other territory, not situated within the Convention area or adjacent to it, for whose international relations the Contracting State is responsible and for which such State shall have made known, by written declaration to the Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as the Government of the United Kingdom), either at the time of signature, of ratification, or of adherence, or subsequently, that this Convention shall apply to it;

(iii) the waters within the Convention area where the Contracting State has exclusive jurisdiction over fisheries.

ARTICLE 2

Nothing in this Convention shall be deemed to affect the rights, claims, or views of any Contracting State in regard to the extent of jurisdiction over fisheries.

ARTICLE 3

(1) A North-East Atlantic Fisheries Commission (hereinafter referred to as the Commission) is hereby established and shall be maintained for the purposes of this Convention.

(2) Each Contracting State may appoint as its Delegation to the Commission not more than two Commissioners and such experts and advisers to assist them as that State may determine.

(3) The Commission shall elect its own President and not more than two Vice-Presidents who need not be chosen from the Commissioners or their experts or advisers. If a member of a Delegation has been elected President he shall forthwith cease to act as a member of that Delegation, and if a Commissioner has been elected the State concerned shall have the right to appoint another person to serve in his place.

(4) The Office of the Commission shall be in London.

(5) Except where the Commission determines otherwise, it shall meet once a year in London at such time as it shall decide: provided, however, that upon the request of a Commissioner of a Contracting State and subject to the concurrence of a Commissioner of each of three other Contracting States, the President shall, as soon as practicable, summon a meeting at such time and place as he may determine.

(6) The Commission shall appoint its own Secretary and may from time to time appoint such other staff as it may require.

(7) The Commission may set up such Committees as it considers desirable to perform such functions as it may determine.

(8) Each Delegation shall have one vote in the Commission which may be cast only by a Commissioner of the State concerned. Decisions shall be taken by a simple majority except where otherwise specifically provided. If there is an even division of votes on any matter which is subject to a simple majority decision, the proposal shall be regarded as rejected.

(9) Subject to the provisions of this Article, the Commission shall draw up its own Rules of Procedure, including provisions for the election of the President and Vice-Presidents and their terms of office.

(10) The Government of the United Kingdom shall call the first meeting of the Commission as soon as practicable after the coming into force of this Convention, and shall communicate the provisional agenda to each of the other Contracting States not less than two months before the date of the meeting.

(11) Reports of the proceedings of the Commission shall be transmitted and proposals and recommendations shall be notified as soon as possible to all Contracting States in English and in French.

ARTICLE 4

(1) Each Contracting State shall pay the expenses of the Commissioners, experts and advisers appointed by it.

(2) The Commission shall prepare an annual budget of the proposed expenditures of the Commission.

(3) In any year in which the annual budget amounts to £200 or less for each Contracting State, the total sum shall be shared equally between Contracting States.

(4) In any year in which the annual budget exceeds £200 for each Contracting State, the Commission shall calculate the payments due from each Contracting State according to the following formula:—

(a) from the budget there shall be deducted a sum of £200 for each Contracting State;

(b) the remainder shall be divided into such number of equal shares as correspond to the total number of Regional Committee memberships;

(c) the payment due from any Contracting State shall be the equivalent of £200 plus the number of shares equal to the number of Regional Committees in which that State participates.

(5) The Commission shall notify to each Contracting State the sum due from that State as calculated under paragraph (3) or (4) of this Article and as soon as possible thereafter each Contracting State shall pay to the Commission the sum so notified.