

**No. 5501**

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**NORWAY  
and  
FINLAND**

**Agreement (with annex) regarding new fishing regulations  
for the fishing area of the Tana River. Signed at  
Oslo, on 15 November 1960**

*Official texts: Norwegian and Finnish.*

*Registered by Norway on 1 January 1961.*

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**NORVÈGE  
et  
FINLANDE**

**Accord (avec annexe) concernant une nouvelle réglementation  
de la pêche dans le Tana. Signé à Oslo, le 15 novembre  
1960**

*Textes officiels norvégien et finnois.*

*Enregistré par la Norvège le 1<sup>er</sup> janvier 1961.*

[TRANSLATION — TRADUCTION]

No. 5501. AGREEMENT<sup>1</sup> BETWEEN THE KINGDOM OF NORWAY AND THE REPUBLIC OF FINLAND REGARDING NEW FISHING REGULATIONS FOR THE FISHING AREA OF THE TANA RIVER. SIGNED AT OSLO, ON 15 NOVEMBER 1960

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The Kingdom of Norway and the Republic of Finland have agreed as follows :

*Article 1*

Fishing regulations for the fishing area of the Tana river shall be issued, so far as possible simultaneously, in Norway and Finland, in Norway in accordance with the annexed Norwegian text,<sup>2</sup> and in Finland in accordance with the annexed Finnish text.<sup>3</sup>

The fishing regulations shall come into force in both countries on 1 January 1961.

*Article 2*

The fishing regulations shall remain in force until further notice. If either country desires to terminate or amend the regulations in force, notice to that effect shall be given to the other country at least one year before such termination or amendment takes effect.

*Article 3*

Joint Norwegian-Finnish fishery inspection patrols consisting of one Norwegian and one Finnish inspector may be established for the part of the watercourse forming the frontier. The number of patrols, the inspection areas, etc., shall be decided jointly by the county governor of Finnmark County and the county governor of Lapland County. Each country shall pay and equip its own inspectors, but joint costs shall be divided equally between the two countries.

The competent Norwegian and Finnish district bailiffs and fisheries inspectors are authorized to communicate directly with each other if either of them becomes aware, either through personal observation or through information from a reliable source, that, in the parts of the rivers forming the frontier, fishing is taking or has taken place in the territory of the other country in violation of this Agreement or of the fishing regulations in force and under such conditions that the inspection authorities of the country concerned are presumably unaware of the fact.

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<sup>1</sup> Came into force on 1 January 1961, in accordance with article 1.

<sup>2</sup> See p. 166 of this volume.

<sup>3</sup> See p. 167 of this volume.

If the competent district bailiff is informed by his own authorities that the fishing regulations have been waived as provided in article 19 of the Norwegian and Finnish regulations at a place where the rivers form the frontier, he shall so notify the competent district bailiff of the other country.

#### *Article 4*

A person desiring to fish with rod or hand-line in the part of the fishing area which forms the frontier must, before fishing begins, procure a fishing card entitling the holder to fish in the other country's territory also. Rowers must also be in possession of a valid fishing card.

A fishing card shall not exempt the holder from the obligation to comply with the regulations for the time being in force concerning entry, registration with the police, etc. An alien not having access to both countries without a viséd passport may not be granted a fishing card unless he proves that he is in possession of a viséd passport valid for both countries.

A fishing card may be procured upon payment of the following fees :

A person entitled to engage in fishing and residing permanently in the aforementioned part of the area shall, for the right to fish on the other side of the frontier, pay 2 kroner in Norway or 100 markkaa in Finland per calendar year.

A person not entitled to engage in fishing but residing permanently within the river valleys of the fishing area, in the communes of Polmak, Karasjok, Kautokeino, Utsjok and Enare, and the inspectors referred to in article 3 shall, for fishing in the aforementioned part of the fishing area, pay 4 kroner in Norway or 200 markkaa in Finland per calendar year.

Other Norwegian and Finnish nationals shall pay 20 kroner in Norway or 1,000 markkaa in Finland, and nationals of all other countries, 30 kroner or 1,500 markkaa, respectively, per day. Fishing rights as mentioned in the preceding sentence shall not be granted to any person for more than ten days in any calendar year and shall entitle the holder to engage only in fly fishing, except in Skiettsjamjokka where fishing with tinbait and hand-line is also authorized. The fishing period may be divided into not more than two parts. Persons referred to in the first sentence of this paragraph who engage in fishing from boats which are not locally owned shall pay an additional fee of 10 kroner in Norway or 500 markkaa in Finland per day.

The fishing day shall be reckoned from twelve o'clock.

If the rate of exchange between the currencies of Norway and Finland changes, the county governor of Finnmark County and the county authority of Lapland

County shall, before the end of April of each year, jointly make the corresponding changes in the fees for fishing rights and for fishing from boats.

Norwegian and Finnish nationals shall procure fishing cards in their own country.

Nationals of other countries may procure fishing cards in either of the two countries.

The fishing card, as well as the card indicating payment of the fee for fishing from boats which are not locally owned, shall on demand be produced to the inspection authorities, including those of the other country. The county governor of Finnmark County and the county authority of Lapland County shall, by 1 April of each year, inform each other of the names and addresses of persons by whom fishing cards are issued and boat fees are collected.

All revenue from the issue of fishing cards and from boat fees shall be divided equally between the two countries. The apportionment shall be carried out by the county governor of Finnmark County and the county authority of Lapland County. The county governor and the county authority shall, by 1 December of each year, forward to each other a statement of account for the revenue from the fishing cards issued and the boat fees collected during the fishing season in the country concerned.

#### *Article 5*

In the part of the fishing area forming the frontier, the competent Norwegian and Finnish district bailiffs shall jointly designate and mark the places where seine fishing is permitted. In other parts of the fishing area, the places for seine fishing shall be designated and marked by the competent district bailiff.

In August of each year, notice of new places for seine fishing shall be given by the competent district bailiff, in Norway to the county governor of Finnmark County and in Finland to the county authority of Lapland County.

The county governor of Finnmark County and the county authority of Lapland County may jointly modify decisions taken by the district bailiffs under the first paragraph, first sentence.

Similar action on decisions in regard to places for seine fishing in other parts of the fishing area may be taken by the county governor in Norway and the county authority in Finland.

#### *Article 6*

Within the area clearly marked by the competent Norwegian and Finnish district bailiffs at Storfossen (Alaköngäs) in the Tana river in the Polmak district, Norwegian and Finnish nationals shall divide the fishing on the Norwegian and Finnish

sides for three-day periods at a time, in such a manner that when Norwegian nationals have a preferential right to fish on the Finnish side, Finnish nationals shall have a preferential right to fish on the Norwegian side, and vice versa.

A person who does not have a preferential right shall unconditionally yield his place to a person who does have such right.

The foregoing arrangement shall not apply to fishermen who are not Norwegian or Finnish nationals.

During the first three-day period of the 1961 fishing season, Finnish nationals shall have a preferential right to fish on the Finnish side and Norwegian nationals a preferential right to fish on the Norwegian side. In subsequent fishing seasons, the fishing areas for the first three-day period shall be alternated.

#### *Article 7*

In so far as tributaries lying entirely within its territory are concerned, each country may establish its own fishing regulations and take measures to promote fishing.

#### *Article 8*

The county governor of Finnmark County, the county authority of Lapland County and the persons in each country concerned with fishery inspection shall ensure that the fishing regulations made under this Agreement are complied with.

#### *Article 9*

The county governor of Finnmark County and the county authority of Lapland County, may in consultation with each other and within their respective areas of responsibility, make further regulations for the execution of this Agreement and of the fishing regulations, including the form and content of the aforementioned fishing cards and boat-fee cards in Norway and Finland.

#### *Article 10*

This Agreement supersedes the Agreement between Norway and Finland regarding fishing regulations for the fishing area of the Tana river of 20 May 1953<sup>1</sup> and the Agreement of 2 June 1959<sup>2</sup> regarding arrangements for fishing at Storfossen (Alaköngäs) in the Tana river in the Polmak district.

This Agreement may be terminated by either country at one year's notice.

<sup>1</sup> United Nations, *Treaty Series*, Vol. 173, p. 163.

<sup>2</sup> United Nations, *Treaty Series*, Vol. 338, p. 373.

This Agreement and the fishing regulations have been drawn up in the Norwegian and Finnish languages, both texts being equally authentic.

DONE at Oslo, on 15 November 1960.

For the Kingdom of Norway :  
Halvard LANGE

For the Republic of Finland :  
T. LEIVO-LARSSON

[TRANSLATION OF THE NORWEGIAN TEXT]

## FISHING REGULATIONS FOR THE FISHING AREA OF THE TANA RIVER

### Chapter I

#### THE EXTENT OF THE FISHING AREA

##### *Article 1*

The fishing area of the Tana river comprises the Norwegian parts of the Skiettsjam-jokka, the Anarjokka and the Tana river as far as its mouth, together with the tributaries flowing into these rivers as far up as salmon are known to go.

In so far as tributaries lying entirely within its territory are concerned, each country may establish its own fishing regulations and take measures to promote fishing.

### Chapter II

#### THE CATCHING OF SALMON AND SEA TROUT. — TACKLE

##### *Article 2*

Subject to the restrictions resulting from the following provisions, the following tackle may be used for catching salmon and sea trout (*komse*) :

- a) Barriers with hook nets and, or fish traps ;
- b) Drift nets ;
- c) Ordinary bar nets ;
- d) Seine nets ;
- e) Rods and hand-lines. This does not, however, include beam trawls or similar tackle.

It shall be unlawful, for the purpose of fishing, to use shrimp, shrimp gear or similar tackle or fish as bait. This shall not, however, apply to winter fishing for burbot.

Fishing with rod or hand-line shall be prohibited :

1. In the river from an anchored boat ;
2. From a motor boat when the engine is in use ;
3. Within connecting nets in barriers or within an area extending 50 metres below a barrier and 10 metres on either side.

*Article 3*

No person entitled to fish may use more than two barriers. If a barrier location is rendered unusable because of alteration of the bottom or for other reasons, the competent district bailiff may designate a new location.

Bar nets (cf. article 2 (c)) may not exceed thirty metres in length, and when fishing is being carried on with this tackle, artificial breakwaters may not be used.

Drift nets may not exceed 45 metres in length, and, when in use, the distance between two drift nets shall at no point be less than 200 metres. When in use, no part of a drift net may come nearer any part of a barrier than 100 metres, and drifting may not take place for a greater distance than 500 metres. When drifting is being carried on, only one boat may be used.

*Article 4*

The use of seine nets shall be permitted only above (to the south of) the mouth of the Levajokka.

Seine nets may not exceed 100 metres in length, and not more than four boats may be used in casting out a seine net. The distance between the place where a seine net is cast out and the place where it is taken in may not exceed 250 metres measured along the bank of the river.

Seine nets or drift nets may not be drawn against artificial barriers (*goldem*).

In the part of the fishing area forming the frontier, the competent Norwegian and Finnish district bailiffs shall jointly designate and mark the places where seine fishing is permitted. In other parts of the fishing area, the competent district bailiff may designate and mark places for seine fishing.

In August of each year, notice of new places for seine fishing shall be given by the competent district bailiff, in Norway to the county governor of Finnmark County and in Finland to the county authority of Lapland County.

The county governor of Finnmark County and the county authority of Lapland County may jointly modify decisions taken by the district bailiffs under the fourth paragraph, first sentence. Similar action on decisions in regard to places for seine fishing in other parts of the fishing area may be taken by the county governor in Norway and the county authority in Finland.

*Article 5*

Knotted tackle having a mesh smaller than 58 millimetres between the knots, counting from the middle of each knot when the tackle is wet, may not be used for salmon fishing.

Bar nets for catching sea trout (*komse*) may have a mesh which, measured in the same manner, is between 40 and 45 millimetres.

## Chapter III

## PROTECTION

*Article 6*

In the part of the fishing area lying north of (below) the marked southern boundary of zone 7 in the Tana district, it shall be unlawful, from 20 July to 30 April, inclusive, to catch or kill salmon or sea trout or to use or lay out tackle for such fish, or to allow the tackle to remain in position for catching fish. Notwithstanding this provision, sea trout (*komsse*) may be caught, until 31 August inclusive, with rod or hand-line or with bar nets of the type referred to in article 5, second paragraph.

In the remaining part of the fishing area, salmon and sea trout shall be protected in the same manner from 1 September to 30 April, inclusive.

Seine nets may not be used from 1 August to 30 April, inclusive.

Drift nets may not be used from 21 June to 9 May, inclusive.

All knotted tackle, as well as fish traps and connecting nets, shall be taken on land immediately at the beginning of the annual close period, and all sticks, posts, trestles, etc., shall be taken on land two weeks thereafter.

*Article 7*

In the part of the fishing area lying north of (below) the marked southern boundary of zone 7 in the Tana district, it shall be unlawful, from 6 p. m. on Saturday to 12 p. m. on Sunday, to use, lay out or leave in position tackle designed for the catching of salmon or sea trout, in such a manner that the fish may be caught or their movement hampered.

All knotted tackle, except connecting nets in barriers, shall during this period be taken on land.

In the remaining part of the fishing area, salmon and sea trout shall be protected in the same manner from 6 p. m. on Friday to 6 p. m. on Monday.

During this period, connecting nets shall be suspended above the water, and all other knotted tackle—including hook nets and fish traps in barriers—shall be taken on land.

The provision regarding the weekly close period shall not apply to fishing with rod or hand-line.

## Chapter IV

## FISHING AT STORFOSSEN (ALAKÖNGÄS)

*Article 8*

Within the area clearly marked by the competent Norwegian and Finnish district bailiffs at Storfossen (Alaköngäs) in the Tana river in the Polmak district, Norwegian and Finnish nationals shall divide the fishing on the Norwegian and Finnish sides for



three-day periods at a time, in such a manner that when Norwegian nationals have a preferential right to fish on the Finnish side, Finnish nationals shall have a preferential right to fish on the Norwegian side, and vice versa.

A person who does not have a preferential right shall unconditionally yield his place to a person who does have such right.

The foregoing arrangement shall not apply to fishermen who are not Norwegian or Finnish nationals.

During the first three-day period of the 1961 fishing season, Finnish nationals shall have a preferential right to fish on the Finnish side and Norwegian nationals a preferential right to fish on the Norwegian side. In subsequent fishing seasons, the fishing areas for the first three-day period shall be alternated.

## Chapter V

### THE CATCHING OF OTHER FISH

#### *Article 9*

For the purpose of catching fresh-water trout, red char, caryling, fresh-water herring vendace, pike, perch and burbot in a river or in a lake within 200 metres of its inlet or outlet, only bar nets without breakwaters or only rods and hand-lines may be used. The annual and weekly close periods established in articles 6 and 7 shall apply in these areas.

For the purpose of catching such fish in those parts of a lake exceeding the aforementioned distance, bar nets, seine nets, fish traps, lines and other hook tackle may be used.

In addition, burbot may be caught with hook tackle and fish traps while the rivers are icebound.

#### *Article 10*

The mesh of tackle used for catching the kinds of fish mentioned in article 9 shall not be less than 30 millimetres or more than 45 millimetres between the knots, counting from the middle of each knot when the tackle is wet. It shall, however, be permissible to catch vendace in lakes with bar nets of a mesh down to 20 millimetres.

Fish traps, including connecting nets, may not anywhere exceed 1.5 metres in height.

## Chapter VI

### MISCELLANEOUS PROVISIONS

#### *Article 11*

Nets of metal wire shall not be used in tackle for catching fish.

*Article 12*

The use, for the purpose of catching fish, of tackle other than that mentioned in chapters II and III and article 9 shall be prohibited. The use of fish-gigs or any other tackle with points or hooks which is not intended to be swallowed by fish, and the use of lime, explosives, poisonous substances or electric current shall also be prohibited. It shall, in addition, be unlawful to use tackle with hooks in such manner or in such circumstances that fish can be caught in the hooks. It shall, however, be permissible to use gaffs, fish-axes or spoon nets as auxiliary tackle.

*Article 13*

All posts below the level of the water, the end post of a barrier and other posts that are left standing on account of gravel deposits or other natural obstacles shall in every case be clearly marked by bundles of branches of such a height as to be always above the level of the water.

*Article 14*

Objects calculated to frighten fish or to hamper their freedom of movement may not be placed in or over the water.

*Article 15*

No part of barriers or bar nets may be fixed over the centre line of the channel in the main stream or in subsidiary streams which contain water all summer. In addition, the outer part of a barrier may not at any point extend to within less than 10 metres of the opposite bank. If such tackle is laid out from opposite banks either immediately opposite each other or within a distance of 120 metres reckoned along the river, at least one fourth of the width of the stream must be clear, with the result that no part of the tackle may be fixed nearer the centre line of the channel than was one eighth of the width of the river or stream at the average summer water-level.

Where there is a tributary up which salmon travel, barriers may not be placed on the main stream on the same side of the channel less than 200 metres below the boundary between the main stream and the tributary.

*Article 16*

The competent district bailiff may establish :

- a) The boundary between rivers and lakes ;
- b) The boundary between main streams and tributaries ;
- c) The centre line of the channel in main streams and tributaries ;
- d) Protected zones in and near salmon passes.

In the part of the fishing area forming the frontier, decisions in the foregoing matters shall be made jointly by the competent Norwegian and Finnish district bailiffs.

An appeal against a decision of the district bailiff may be lodged with the country governor of Finnmark County or the county authority of Lapland County, as the case may be, whose decision shall be final, but the final decision in a matter relating to the part of the fishing area which is on the frontier shall be made jointly by the county governor of Finnmark County and the county authority of Lapland County.

*Article 17*

It shall be unlawful to catch or kill salmon, sea trout or fresh-water trout less than 25 centimetres in length, measured from the tip of the snout to the end of the central part of the tail fin.

If such fish are caught, they shall immediately be released. The same shall apply to salmon, even when exceeding the minimum dimension, if they are :

- (a) Caught in the annual close season ;
- (b) Caught in the weekly close period otherwise than with rod or hand-line ;
- (c) Caught out of season (winter thaw).

*Article 18*

Pollution of the water and the discharge of waste harmful to fish shall be prohibited, cf. the Watercourses Act of 15 February 1940.

*Article 19*

The present regulations shall not prevent the inspector of fresh-water fishing, subject to such conditions as he considers necessary, from permitting fishing free of charge for scientific purposes or for the improvement of fish stocks.

*Article 20*

A person intending to fish shall, before doing so, procure a fishing card, which he shall on demand produce to inspectors of the country concerned.

*Article 21*

Fishery inspectors shall be considered on the same footing as police officials in respect of any insulting language or action used against them.

*Article 22*

Breaches of these provisions shall be subject to penalties. Boats or fishing tackle used for unlawful fishing and fish unlawfully caught, or the value of such boats, tackle and fish, may be confiscated.

*Article 23*

These regulations shall come into force on 1 January 1961.

## [TRANSLATION OF THE FINNISH TEXT]

## FISHING REGULATIONS FOR THE FISHING AREA OF THE TANA RIVER

## Chapter I

## THE EXTENT OF THE FISHING AREA

*Article 1*

The fishing area of the Tana river comprises the Finnish parts of the Skiettsjam-jokka, the Anarjokka and the Tana river, together with the tributaries flowing into these rivers as far up as salmon are known to go.

In so far as tributaries lying entirely within its territory are concerned, each country may establish its own fishing regulations and take measures to promote fishing.

[For articles 2 to 6, see translation of Norwegian text]

*Article 7*

During the open fishing season, it shall be unlawful, from 6 p. m. on Friday to 6 p. m. on Monday, to use, lay out or leave in position tackle designed for the catching of salmon or sea trout, in such a manner that the said fish may be caught or their movement hampered. During this period, connecting nets in barriers shall be suspended above the water, and all other knotted tackle—including hook nets and fish traps—shall be taken on land.

The provision regarding the weekly close periods shall not apply to fishing with rod or hand-line.

[For articles 8 to 17, see translation of Norwegian text]

*Article 18*

Any pollution of, or the discharge of waste or sewage into, the waters in the fishing area shall be prohibited unless duly authorized.

*Article 19*

These regulations shall not apply to such fishing carried on for scientific purposes or for the improvement of fish stocks as the Board of Agriculture, subject to the conditions which it prescribes to prevent abuses, has permitted. Such fishing shall be free of charge.

*Article 20*

A person intending to fish shall, before doing so, procure a fishing card, which he shall on demand produce to inspectors of the country concerned. In the part of the fishing area forming the frontier, fishing with rod and hand-line shall be permitted without payment of the fish conservation fee provided for in article 83 of the Fisheries Act.

*Article 21*

Any person duly authorized to supervise the observance of these regulations shall have the same rights and legal protection as a police officer.

*Article 22*

Breaches of the present regulations and Agreement shall be subject to ordinary legal penalties. The confiscation of prohibited fishing tackle or boats used for unlawful fishing, fish unlawfully caught or the value of such tackle, boats or fish shall be subject to the regulations otherwise in force concerning such matters.

*Article 23*

These regulations shall come into force on 1 January 1961.

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