

No. 9718

**JAPAN
and
NEW ZEALAND**

**Agreement on fisheries (with exchange of notes and
agreed minutes). Signed at Wellington on 12 July
1967**

*Authentic texts of the Agreement and agreed minutes: Japanese and English.
Authentic text of the exchange of notes: English.*

Registered by Japan on 16 July 1969.

**JAPON
et
NOUVELLE-ZÉLANDE**

**Accord concernant la pêche (avec échange de notes et
procès-verbal approuvé). Signé à Wellington le 12
juillet 1967**

*Textes authentiques de l'Accord et du procès-verbal approuvé: japonais et
anglais.*

Texte authentique de l'échange de notes: anglais.

Enregistré par le Japon le 16 juillet 1969.

AGREEMENT¹ ON FISHERIES BETWEEN JAPAN AND NEW ZEALAND

The Government of Japan and the Government of New Zealand,
Desiring to conclude an agreement concerning fishing by Japanese
vessels in waters adjacent to New Zealand,
Have agreed as follows:

Article I

For the purpose of this Agreement, "the Area" means the waters which are contiguous to the territorial sea of New Zealand and extend to a limit of twelve nautical miles from the base line from which the territorial sea of New Zealand is measured.

Article II

Japanese vessels and persons on board those vessels will not engage in fishing in the Area, except that, until 31 December 1970, Japanese vessels duly licensed by the Government of Japan may engage in bottom fish longline fishing on a scale to be agreed upon between the two Governments in terms of the number of mother ships and their tonnage, within the waters between six and twelve nautical miles from the base line from which the territorial sea of New Zealand is measured, in that part of the Area:

- (a) Off the coast of the North Island of New Zealand and adjacent islands; and
- (b) Off the northern coast of the South Island of New Zealand and adjacent islands, north of 41°30' South Latitude and east of 172°30' East Longitude.

Article III

Any infringement of the provisions of this Agreement by a Japanese vessel will be dealt with either by the Japanese or by the New Zealand

¹ Came into force on 26 July 1968, i.e., the thirtieth day after the date of the exchange of the instruments of ratification, which took place at Tokyo on 26 June 1968, in accordance with article VI.

authorities, and the two Governments may make arrangements in accordance with which their respective jurisdictions will be exercised.

Article IV

The New Zealand authorities may visit Japanese vessels within the Area to inspect their licences and to ascertain that the provisions of this Agreement are being observed.

Article V

Upon the request of either Government, the two Governments shall hold consultations regarding the implementation of this Agreement.

Article VI

This Agreement shall be subject to ratification. The instruments of ratification shall be exchanged at Tokyo as soon as possible. The Agreement shall enter into force on the thirtieth day after the date of exchange of the instruments of ratification.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto by their respective Governments, have signed this Agreement.

DONE in duplicate at Wellington in the Japanese and English languages, both texts being equally authentic, this 12th day of July, 1967.

For the Government of Japan:

Harumi TAKEUCHI

For the Government of New Zealand:

Keith HOLYOAKE

EXCHANGE OF NOTES

I

(Japanese Note)

12 July 1967

Your Excellency,

With reference to Article II of the Agreement on Fisheries between Japan and New Zealand signed today, I have the honour on behalf of the Government of Japan to confirm the following understandings:

1. The number of Japanese mother ships licensed to engage in bottom fish longline fishing in the Area will not at any time exceed seventeen.

2. The mother ships which are initially licensed to operate will not be of more than 500 gross tons with the exception of one mother ship of approximately 700 gross tons. In case any of these mother ships is to be replaced, the replacing ship will be of the same class as to size and in any case not of more than 500 gross tons.

I have the further honour to request Your Excellency to be good enough to confirm the foregoing understandings on behalf of your Government.

I avail myself, Your Excellency, of this opportunity to renew to Your Excellency the assurances of my highest consideration.

Harumi TAKEUCHI

Ambassador Extraordinary
and Plenipotentiary of Japan

The Right Honourable K. J. Holyoake, C. H.
Minister of External Affairs of New Zealand
Wellington

II

(New Zealand Note)

12 July 1967

Your Excellency,

I have the honour to acknowledge the receipt of your note of today's date, the text of which reads as follows:

[*See note I*]

On behalf of the Government of New Zealand, I have the honour to confirm the understanding set forth in Your Excellency's Note.

I avail myself, Your Excellency, of this opportunity to renew to Your Excellency the assurances of my highest consideration.

Keith HOLYOAKE

Minister of External Affairs

His Excellency Mr. Harumi Takeuchi
Ambassador of Japan
Wellington

III

(Japanese Note)

12 July 1967

Your Excellency,

With reference to Article III of the Agreement on Fisheries between Japan and New Zealand signed today, I have the honour on behalf of the Government of Japan to confirm the following understandings:

1. Without prejudice to New Zealand Jurisdiction, it will be primarily the responsibility of the Government of Japan to deal with any infringement of the provisions of the Agreement by a Japanese vessel.

(1) Accordingly, if any Japanese vessel is found by the New Zealand authorities to be infringing the provisions of the Agreement, they will notify the Japanese authorities of the infringement. In appropriate cases they may furnish evidence of the infringement.

(2) When they receive any such approach, the Japanese authorities will take the necessary action and will keep the New Zealand authorities informed of all measures taken.

2. These arrangements may be terminated at any time by either Government on giving three months' notice to that effect.

I have the further honour to request Your Excellency to be good enough to confirm the foregoing understandings on behalf of your Government.

I avail myself, Your Excellency, of this opportunity to renew to Your Excellency the assurances of my highest consideration.

Harumi TAKEUCHI

Ambassador Extraordinary
and Plenipotentiary of JapanThe Right Honourable K. J. Holyoake, C. H.
Minister of External Affairs of New Zealand
Wellington

IV

(New Zealand Note)

12 July 1967

Your Excellency,

I have the honour to acknowledge the receipt of your note of today's date, the text of which reads as follows:

[See note III]

On behalf of the Government of New Zealand, I have the honour to confirm the understandings set forth in Your Excellency's Note.

I avail myself, Your Excellency, of this opportunity to renew to Your Excellency the assurances of my highest consideration.

Keith HOLYOAKE

Minister of External Affairs

His Excellency Mr. Harumi Takeuchi
Ambassador of Japan
Wellington

AGREED MINUTES

In connection with the Agreement on Fisheries between Japan and New Zealand signed today, the representatives of the Government of Japan and the Government of New Zealand have agreed to record the following:

1. The Japanese authorities will, upon the entry into force of the Agreement, furnish the New Zealand authorities with a list of the Japanese mother ships licensed to engage in bottom fish long-line fishing in the Area, giving the names, registration numbers and gross tonnage; and will convey to the New Zealand authorities similar information about licensing of replacement vessels when replacement takes place.

2. The Japanese authorities will also keep the New Zealand authorities informed of the scheduled operation periods (including expected dates of arrival at and departure from the Area, if possible) of Japanese mother ships licensed to engage in bottom fish long-line fishing in the Area.

3. The Government of Japan will take necessary measures to ensure that the length of snapper to be harvested by Japanese vessels engaged in bottom fish long-line fishing in the Area will not be less than 25.4 centimetres (10 inches) in fork length.

Wellington 12 July 1967

Harumi TAKEUCHI

Keith HOLYOAKE