

**INTERNATIONAL PACIFIC HALIBUT COMMISSION**

**Pacific**  
**Halibut Fishery**  
**Regulations**  
**1991**

**INTERNATIONAL PACIFIC HALIBUT COMMISSION**

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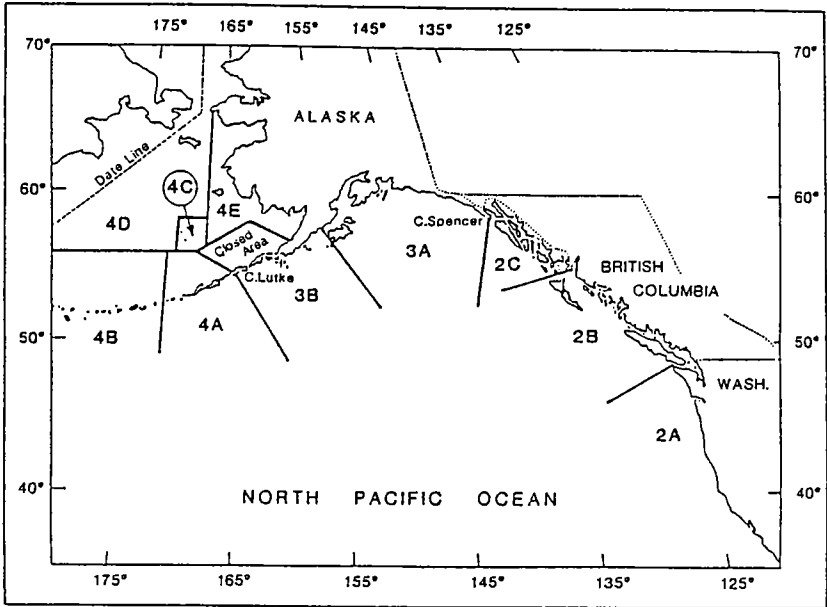
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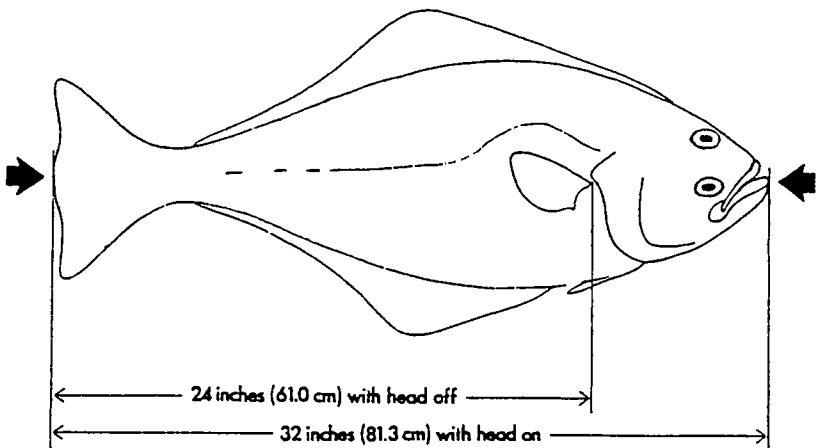
Official regulations of the respective countries can be found in:

For the U.S.: Title 50 of the Code of Federal Regulations, Part 301,  
Pacific Halibut Fisheries

For Canada: The Canada Gazette



Regulatory areas for the Pacific halibut fishery.



Minimum commercial size.

**REGULATIONS RESPECTING 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**

**1. Short Title**

These regulations may be cited as the Pacific Halibut Fishery Regulations.

**2. Interpretation**

(l) In these Regulations,

- (a) “automated hook stripper” (commonly known as a crucifier) means a device through which the groundline can be passed during gear retrieval which allows the groundline and hooks to pass freely, but does not allow fish to pass, thereby removing fish from the hooks;
- (b) “charter vessel” means a vessel used for hire in sport fishing for halibut, but not including a vessel without a hired operator;
- (c) “commercial fishing” means fishing the resulting catch of which either is or is intended to be sold or bartered;
- (d) “Commission” means the International Pacific Halibut Commission;
- (e) “fishery officer” means any State, Federal, or Provincial officer authorized to enforce these regulations including, but not limited to, the National Marine Fisheries Service (NMFS), Canadian Department of Fisheries and Oceans (DFO), Alaska Department of Fish and Wildlife Protection (ADFWP), and the United States Coast Guard (USCG);
- (f) “fishing” means the taking, harvesting, or catching of fish, or any activity that can reasonably be expected to result in the taking, harvesting, or catching of fish, including specifically the deployment of any amount or component part of setline gear anywhere in the maritime area;
- (g) “fishing period limit” means the maximum amount of halibut that may be retained and landed by a vessel during one fishing period;
- (h) “land” with respect to halibut means to bring to shore and to offload;
- (i) “license” means a halibut fishing license issued by the Commission pursuant to section 3;
- (j) “maritime area”, in respect of the fisheries jurisdiction of a Contracting Party, includes without distinction areas within and seaward of the territorial sea or internal waters of that Party;
- (k) “operator”, with respect to any vessel, means the master or other individual on board and in charge of that vessel;
- (l) “overall length” of a vessel means the horizontal distance, rounded to the nearest foot, between the foremost part of the stem and the aftermost part of the stern (excluding bowsprits, rudders, outboard motor brackets, and similar fittings or attachments);
- (m) “person” includes an individual, corporation, firm, or association;
- (n) “regulatory area” means an area referred to in section 6;

## PACIFIC HALIBUT FISHERY REGULATIONS 1991

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- (o) "setline gear" means one or more stationary, buoyed, and anchored lines with hooks attached;
  - (p) "sport fishing" means all fishing other than commercial fishing and treaty Indian ceremonial and subsistence fishing;
  - (q) "tender" means any vessel that buys or obtains fish directly from a catching vessel and transports it to a port of landing or fish processor.
- (2) In these Regulations, all bearings are true and all positions are determined by the most recent charts issued by the National Ocean Service or the Canadian Hydrographic Service.

### 3. Licensing Vessels

- (1) No person shall operate or fish for halibut from a vessel, nor possess halibut on board a vessel used either for commercial fishing or as a charter vessel, unless the Commission has issued a license in respect of that vessel.
- (2) A license issued in respect of a vessel referred to in paragraph (1) must be carried on board that vessel at all times and the vessel operator shall permit its inspection by fishery officers of the Contracting Parties.
- (3) The Commission shall issue a license in respect of a vessel, without fee from its office in Seattle, Washington, upon receipt of a completed, written, and signed "Application for Vessel License for the Halibut Fishery" form.
- (4) Application forms may be obtained from fishery officers of either Contracting Party, or from the Commission.
- (5) Information on an "Application for Vessel License for the Halibut Fishery" form must be accurate.
- (6) The "Application for Vessel License for the Halibut Fishery" form shall be completed and signed by the vessel owner.
- (7) Licenses issued under this section shall be valid only during the year in which they are issued.
- (8) A new license is required for a vessel that is sold, transferred, renamed, or redocumented.
- (9) The license required under this section is in addition to any license, however designated, that is required under the laws of Canada or any of its Provinces or the United States or any of its States.
- (10) The United States may suspend, revoke, or modify any license issued under this section under policies and procedures in 15 CFR Part 904.

### 4. In-season Actions

- (1) The Commission is authorized to establish or modify regulations during the season after determining that such action
  - (a) will not result in exceeding the catch limit established preseason for each regulatory area;
  - (b) is consistent with the Convention between the United States of America and Canada for the Preservation of the Halibut Fishery of the Northern Pacific Ocean and Bering Sea, and applicable domestic law of either Canada or the United States; and

## PACIFIC HALIBUT FISHERY REGULATIONS 1991

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- (c) is consistent, to the maximum extent practicable, with any domestic catch sharing plans developed by the United States or Canadian governments.
- (2) In-season actions may include, but are not limited to, establishment or modification of the following:
  - (a) closed areas;
  - (b) fishing periods;
  - (c) fishing period limits;
  - (d) gear restrictions;
  - (e) recreational bag limits;
  - (f) size limits; or
  - (g) vessel clearances.
- (3) In-season changes will be effective at the time and date specified by the Commission.
- (4) The Commission will announce in-season actions under this section by providing notice to major halibut processors; Federal, State, United States treaty Indian, and Provincial fishery officials; and the media.

### 5. Application

- (1) These Regulations apply to persons and vessels fishing for halibut in waters off the west coast of Canada and the United States, including the southern as well as the western coasts of Alaska, within the respective maritime areas in which each of those countries exercises exclusive fisheries jurisdiction as of March 29, 1979.
- (2) Sections 6 to 18 apply to commercial fishing for halibut.
- (3) Section 19 applies to fishing for halibut by United States treaty Indian tribes in the State of Washington.
- (4) Section 20 applies to sport fishing for halibut.
- (5) These Regulations do not apply to fishing operations authorized or conducted by the Commission for research purposes.

### 6. Regulatory Areas

The following areas shall be regulatory areas for the purposes of the Convention:

- (1) Area 2A includes all waters off the states of California, Oregon, and Washington;
- (2) Area 2B includes all waters off British Columbia;
- (3) Area 2C includes all waters off Alaska that are east of a line running 340° true from Cape Spencer Light (latitude 58°11'57" N., longitude 136°38'18" W.), and south and east of a line running 205° true from said light;
- (4) Area 3A includes all waters between Area 2C and a line extending from the most northerly point on Cape Aklek (latitude 57°41'15" N., longitude 155°35'00" W.) to Cape Ikolik (latitude 57°17'17" N., longitude 154°47'18" W.), then along the Kodiak Island coastline to Cape Trinity (latitude 56°44'50" N., longitude 154°08'44" W.), then 140° true;
- (5) Area 3B includes all waters between Area 3A and a line extending 150° true from Cape Lutke (latitude 54°29'00" N., longitude 164°20'00" W.) and south of latitude 54°49'00" N. in Isanotski Strait;

## PACIFIC HALIBUT FISHERY REGULATIONS 1991

- (6) Area 4A includes all waters in the Gulf of Alaska west of Area 3B and in the Bering Sea west of the closed area defined in section 9 that are east of longitude 172°00'00" W. and south of latitude 56°20'00" N.;
- (7) Area 4B includes all waters in the Bering Sea and the Gulf of Alaska west of Area 4A and south of latitude 56°20'00" N.;
- (8) Area 4C includes all waters in the Bering Sea north of Area 4A and north of the closed area defined in section 9 which are east of longitude 171°00'00" W., south of latitude 58°00'00" N., and west of longitude 168°00'00" W.;
- (9) Area 4D includes all waters in the Bering Sea north of Areas 4A and 4B, north and west of Area 4C, and west of longitude 168°00'00" W.;
- (10) Area 4E includes all waters in the Bering Sea north and east of the closed area defined in section 9, east of longitude 168°00'00" W., and south of latitude 65°34'00" N.

### 7. Fishing Periods

- (1) The fishing periods for each regulatory area are set out in the following table and apply where the catch limits specified in section 10 have not been taken.

2A	2B	2C-3A-3B	4A	4B	4D
7/22	4/21-4/26	5/07-5/08	5/07-5/08	6/08	8/19-8/22
8/06	9/16- *	9/03-9/04	8/20-8/21	6/17	9/30- *
8/19*		9/30- *	9/03-9/04	6/22	
			9/30- *	6/29	
				7/06	
				7/13	
				7/20	
				7/27	
				8/03	
				8/10	
				8/19-8/22	
				9/30- *	
4C				4E	
6/17-6/18	7/21-7/22	8/24-8/25	9/27-9/28	6/01-6/03	7/19-7/21
6/19-6/20	7/23-7/24	8/26-8/27	9/29-9/30	6/04-6/06	7/22-7/24
6/21-6/22	7/25-7/26	8/28-8/29	10/01-10/02	6/07-6/09	7/25-7/27
6/23-6/24	7/27-7/28	8/30-8/31	10/03-10/04	6/10-6/12	7/28-7/30
6/25-6/26	7/29-7/30	9/01-9/02	10/05-10/06	6/13-6/15	8/01-8/03
6/27-6/28	7/31-8/01	9/03-9/04	10/07-10/08	6/16-6/18	8/04-8/06
6/29-6/30	8/02-8/03	9/05-9/06	10/09-10/10	6/19-6/21	8/07-8/09
7/01-7/02	8/04-8/05	9/07-9/08	10/11-10/12	6/22-6/24	8/10-8/12
7/03-7/04	8/06-8/07	9/09-9/10	10/13-10/14	6/25-6/27	8/13-8/15
7/05-7/06	8/08-8/09	9/11-9/12	10/15-10/16	6/28-6/30	8/16-8/18
7/07-7/08	8/10-8/11	9/13-9/14	10/17-10/18	7/01-7/03	8/19-8/21
7/09-7/10	8/12-8/13	9/15-9/16	10/19-10/20	7/04-7/06	8/22-8/24
7/11-7/12	8/14-8/15	9/17-9/18	10/21-10/22	7/07-7/09	8/25-8/27
7/13-7/14	8/16-8/17	9/19-9/20	10/23-10/24	7/10-7/12	8/28-8/30
7/15-7/16	8/18-8/19	9/21-9/22	10/25-10/26	7/13-7/15	-----
7/17-7/18	8/20-8/21	9/23-9/24	10/27-10/28	7/16-7/18	9/01-10/31
7/19-7/20	8/22-8/23	9/25-9/26	10/29-10/30		

\*Date to be announced by the Commission.

## PACIFIC HALIBUT FISHERY REGULATIONS 1991

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- (2) Notwithstanding paragraph (1), if the Government of Canada adopts an Individual Vessel Quota (IVQ) System for 1991, the halibut fishing period in Area 2B shall begin on April 1 and terminate on December 31.
- (3) Each fishing period in Area 2A shall begin at 0800 hours and terminate at 1800 hours Pacific Standard or Pacific Daylight Time, as applicable, on the date set out in the table to this section, unless the Commission specifies otherwise.
- (4) Each fishing period in Area 2B shall begin and terminate at 1200 hours Pacific Standard or Pacific Daylight Time, as applicable, on the date set out in the table to this section, unless the Commission specifies otherwise.
- (5) Except as provided in paragraph (6), each fishing period in Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E shall begin and terminate at 1200 hours Alaska Standard or Alaska Daylight Time, as applicable, on the date set out in the table to this section, unless the Commission specifies otherwise.
- (6) The 6/08, 6/17, 6/22, 6/29, 7/06, 7/13, 7/20, 7/27, 8/03, and 8/10 fishing periods in Area 4B shall begin at 0800 hours and terminate at 2000 hours Alaska Standard or Alaska Daylight Time, as applicable, unless the Commission specifies otherwise.
- (7) All commercial fishing for halibut in Area 2A shall cease at 1200 hours Pacific Standard Time on October 31.
- (8) All commercial fishing for halibut in Area 2B shall cease at 1200 hours Pacific Standard Time on October 31 unless the provisions of paragraph (2) have been implemented.
- (9) All commercial fishing for halibut in Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E shall cease at 1200 hours Alaska Standard Time on October 31.

### 8. Closed Periods

- (1) No person shall engage in fishing for halibut in any regulatory area other than during the fishing periods set out in section 7 in respect of that area.
- (2) No person shall land or otherwise retain halibut caught outside a fishing period applicable to the regulatory area where the halibut was taken.
- (3) Subject to paragraphs (7) and (8) of section 16, these Regulations do not prohibit fishing for any species of fish other than halibut during the closed periods.
- (4) Notwithstanding paragraph (3), no person shall have halibut in his possession while fishing for any other species of fish during the closed periods.
- (5) No vessel shall retrieve any halibut fishing gear during a closed period if the vessel has any halibut on board.
- (6) A vessel that has no halibut on board may retrieve any halibut fishing gear during the closed period after the operator notifies a fishery officer or representative of the Commission prior to that retrieval.
- (7) After retrieval of halibut gear in accordance with paragraph (6), the vessel shall submit to a hold inspection at the discretion of the fishery officer or representative of the Commission.
- (8) No person shall retain any halibut caught on gear retrieved under paragraph (6).
- (9) No person shall possess halibut aboard a vessel in a regulatory area during a closed period unless that vessel is in continuous transit to or within a port in which that halibut may be lawfully sold.

# PACIFIC HALIBUT FISHERY REGULATIONS 1991

## 9. Closed Area

All waters in the Bering Sea north of latitude 54°49'00"N. in Isanotski Strait that are enclosed by a line from Cape Sarichef Light (latitude 54°36'00" N., longitude 164°55'42" W.) to a point at latitude 56°20'00" N., longitude 168°30'00" W.; thence to a point at latitude 58°21'25" N., longitude 163°00'00" W.; thence to Strogonof Point (latitude 56°53'18" N., longitude 158°50'37" W.); and then along the northern coasts of the Alaska Peninsula and Unimak Island to the point of origin at Cape Sarichef Light are closed to halibut fishing and no person shall fish for halibut therein or have halibut in his possession while in those waters except in the course of a continuous transit across those waters.

## 10. Catch Limits

- (1) The total allowable catch of halibut to be taken during the halibut fishing periods specified in section 7 shall be limited to the weight expressed in pounds or metric tons shown in the following table:

Regulatory Area	Catch Limits	
	Pounds	Metric Tons
2A	168,750	77
2B	7,400,000	3,357
2C	7,400,000	3,357
3A	26,600,000	12,066
3B	8,800,000	3,991
4A	1,700,000	771
4B	1,700,000	771
4C	600,000	272
4D	600,000	272
4E	100,000	45

- (2) The weights in each catch limit shall be computed on the basis that the heads of the fish are off and their entrails removed.
- (3) The Commission shall determine and announce to the public the date on which the catch limit for each regulatory area will be taken and the specific dates during which fishing will be allowed in each regulatory area.
- (4) If the Commission determines that the catch limit specified in any regulatory area in paragraph (1) would be exceeded in an unrestricted 24-hour, 10-hour, or 12-hour fishing period as specified in paragraphs (3), (4), (5), or (6) of section 7, the catch limit for that area shall be considered to have been taken unless fishing period limits are implemented.
- (5) Notwithstanding paragraph (1), Areas 3A and 3B shall both be closed if the catch limit of 35,400,000 pounds (16,057 metric tons) for the combined areas is taken.
- (6) Notwithstanding paragraph (1), Areas 4A and 4B shall both be closed if the catch limit of 3,400,000 pounds (1,542 metric tons) for the combined areas is taken.
- (7) When under paragraphs (3), (4), (5), or (6) the Commission has announced a date on which the catch limit for a regulatory area will be taken, no person shall fish for halibut in that area after that date for the rest of the year, unless the Commission has announced the reopening of that area for halibut fishing.

# PACIFIC HALIBUT FISHERY REGULATIONS 1991

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## 11. Fishing Period Limits

- (1) It shall be unlawful for any vessel to retain or land more halibut than authorized by that vessel's license in any fishing period for which the Commission has announced a fishing period limit.
- (2) When fishing period limits are in effect, a vessel's maximum allowable catch will be determined by the Commission based on
  - (a) the vessel's overall length in feet and associated length class;
  - (b) the average performance of all vessels within that class; and
  - (c) the remaining catch limit.
- (3) Length classes are shown in the following table:

<u>Overall Length</u>	<u>Vessel Class</u>
1-25	A
26-30	B
31-35	C
36-40	D
41-45	E
46-50	F
51-55	G
56 +	H

- (4) Notwithstanding paragraph (2), all vessels fishing in Area 4C shall be limited to a maximum catch of 10,000 pounds (4.5 metric tons) of halibut per fishing period.
- (5) Notwithstanding paragraph (2), all vessels fishing in Area 4E shall be limited to a maximum catch of 6,000 pounds (2.7 metric tons) of halibut per fishing period.
- (6) Notwithstanding paragraph (5) a vessel will be permitted to make multiple fishing trips in Area 4E during the fishing period between September 1 and October 31, but each trip shall be limited to a maximum catch of 6,000 pounds (2.7 metric tons) of halibut and each trip shall be subject to the vessel clearance requirements in section 13(3).
- (7) A vessel that fishes during a fishing period when fishing period limits are in effect must offload its catch before fishing in any subsequent fishing period.
- (8) A vessel that fishes during a fishing period when fishing period limits are in effect will not be allowed to serve as a tender until its catch has been landed and sold.
- (9) No vessel which fishes for halibut in a regulatory area for which a fishing period limit is in effect shall fish in any other regulatory area during that fishing period.

## 12. Size Limits

- (1) No person shall take or possess any halibut that
  - (a) with the head on, is less than 32 inches (81.3 cm) as measured in a straight line, passing over the pectoral fin from the tip of the lower jaw with the mouth closed, to the extreme end of the middle of the tail, as illustrated in the schedule; or
  - (b) with the head removed, is less than 24 inches (61.0 cm) as measured from the base of the pectoral fin at its most anterior point to the extreme end of the middle of the tail, as illustrated in the schedule.

## PACIFIC HALIBUT FISHERY REGULATIONS 1991

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- (2) No person shall fillet, mutilate, or otherwise disfigure a halibut in any manner that prevents the determination of the minimum size of the halibut for the purpose of paragraph (1).
- (3) No person on board a vessel fishing for, or tendering, halibut caught in Area 2A shall possess any halibut that has had its head removed.

### 13. Vessel Clearance

- (1) No person other than a person who lands his total annual halibut catch at ports within Areas 4A, 4B, 4C, 4D, 4E, or the closed area defined in section 9 shall fish for halibut in Areas 4A, 4B, or 4D from any vessel, unless the operator of that vessel obtains a vessel clearance both before such fishing and before the unloading of any halibut caught in Areas 4A, 4B, or 4D.
- (2) No person other than a person who lands his total annual halibut catch at a port within Area 4C may fish for halibut in Area 4C from any vessel, unless the operator of that vessel obtains a vessel clearance both before such fishing in each fishing period that applies to Area 4C and before the unloading of any halibut caught in that Area.
- (3) No person other than a person who lands his total annual halibut catch at a port within Area 4E, or the closed area defined in section 9 may fish for halibut in Area 4E from any vessel, unless the operator of that vessel obtains a vessel clearance both before such fishing in each fishing period that applies to Area 4E and before the unloading of any halibut caught in that Area.
- (4) The vessel clearances required for halibut fishing under paragraphs (1), (2), and (3) are mutually exclusive.
- (5) The vessel clearances required under paragraphs (1), (2), and (3) may be obtained only at Dutch Harbor or Akutan, Alaska, from a fishery officer of the United States, a representative of the Commission, or a designated fish processor.
- (6) The vessel operator shall specify the specific fishing period and regulatory area(s) in which fishing will take place.
- (7) Vessel clearances required under paragraphs (1), (2), and (3) prior to fishing in Area 4 shall be obtained within the 120-hour period before each of the openings in that Area, between 0800 and 1800 hours, local time.
- (8) No halibut shall be on board at the time of the clearance required by paragraph (7).
- (9) Vessel clearances required under paragraphs (1), (2), and (3) after fishing in Area 4 shall be obtained within the 120-hour period after each of the closings in that Area, between 0800 and 1800 hours, local time.
- (10) The vessel clearances required under paragraphs (2) and (3) are not valid if the vessel has fished for halibut in Areas 4A, 4B, or 4D after obtaining the clearance required for such fishing.

## PACIFIC HALIBUT FISHERY REGULATIONS 1991

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### 14. Logs

- (1) The operator of any vessel five (5) net tons or greater shall keep an accurate log of all halibut fishing operations including the date, locality, amount of gear used, and total weight of halibut taken daily in each locality.
- (2) The log referred to in paragraph (1) shall be
  - (a) separate from other records maintained on board the vessel;
  - (b) updated not later than 24 hours after midnight local time for each day fished and prior to the offloading or sale of halibut taken during that fishing period;
  - (c) retained for a period of two years by the owner or operator of the vessel;
  - (d) open to inspection by a fishery officer or any authorized representative of the Commission upon demand; and
  - (e) kept on board the vessel when engaged in halibut fishing, during transits to port of landing, and for five (5) days following off-loading halibut.
- (3) No person shall make a false entry in a log referred to in paragraph (1).

### 15. Receipt and Possession of Halibut

- (1) No person shall receive halibut from a vessel that does not have the license required by section 3 on board.
- (2) A person who purchases or otherwise receives halibut from the owner or operator of the vessel from which that halibut was caught, either directly from that vessel or through another carrier, shall record each such purchase or receipt on State fish tickets or Federal catch reports, showing the date, locality, name of vessel, Halibut Commission license number, and the name of the person from whom the halibut was purchased or received and the amount in pounds according to trade categories of the halibut.
- (3) No person shall make a false entry on a State fish ticket or Federal catch report referred to in paragraph (2).
- (4) A copy of the fish tickets referred to in paragraph (2) shall be
  - (a) retained by the person making them for a period of two years from the date the fish tickets are made; and
  - (b) open to inspection by a fishery officer or any authorized representative of the Commission.
- (5) No person shall possess any halibut that he knows to have been taken in contravention of these Regulations.
- (6) When halibut are delivered to other than a commercial fish processor or primary fish buyer, the records required by paragraph (2) shall be maintained by the operator of the vessel from which that halibut was caught, in compliance with paragraph (4).
- (7) It shall be unlawful to enter a Halibut Commission license number on a State fish ticket or Federal catch report for any vessel other than the vessel actually used in catching the halibut reported thereon.

## PACIFIC HALIBUT FISHERY REGULATIONS 1991

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### 16. Fishing Gear

- (1) No person shall fish for halibut using any gear other than hook and line gear.
- (2) No person shall possess halibut taken with any gear other than hook and line gear.
- (3) No person shall possess halibut while on board a vessel carrying any trawl nets or fishing pots capable of taking halibut.
- (4) All setline or skate marker buoys carried on board or used by any United States vessel used for halibut fishing shall be marked with one of the following:
  - (a) the vessel's name,
  - (b) the vessel's state license number, or
  - (c) the vessel's registration number.
- (5) The markings specified in paragraph (4) shall be in characters at least four inches in height and one-half inch in width in a contrasting color visible above the water and shall be maintained in legible condition.
- (6) All setline or skate marker buoys carried on board or used by a Canadian vessel used for halibut fishing shall be
  - (a) floating and visible on the surface of the water, and
  - (b) legibly marked with the identification plate number of the vessel engaged in commercial fishing from which that setline is being operated.
- (7) No person on board a vessel from which setline gear was used to fish for any species of fish anywhere in waters described in section 5(1) during the 72-hour period immediately before the opening of a halibut fishing period shall catch or possess halibut anywhere in those waters during that halibut fishing period.
- (8) No vessel from which setline gear was used to fish for any species of fish anywhere in waters described in section 5(1) during the 72-hour period immediately before the opening of a halibut fishing period may be used to catch or possess halibut anywhere in those waters during that halibut fishing period.
- (9) Notwithstanding paragraphs (7) and (8), the 72-hour fishing restriction preceding a halibut fishing period shall not apply to persons and vessels fishing for halibut during fishing periods in Areas 4C and 4E as described in paragraphs (8) and (10) of section 6.
- (10) No person shall fish for halibut from a vessel that is equipped with, or that possesses on board, an automated hook stripper.
- (11) No person shall possess halibut on a vessel that is equipped with, or that possesses on board, an automated hook stripper.

### 17. Retention of Tagged Halibut

Nothing contained in these Regulations prohibits any vessel at any time from retaining and landing a halibut that bears a Commission tag at the time of capture, if the halibut with the tag still attached is reported at the time of landing and made available for examination by a representative of the Commission or by a fishery officer.

