

**Agreement on Fisheries**  
**between**  
**the Government of New Zealand**  
**and**  
**the Government of Solomon Islands**

The Government of New Zealand and the Government of Solomon Islands,

Considering their common concern for the effective management, conservation and optimum utilisation of fisheries resources,

Recognising that the Government of Solomon Islands has extended its jurisdiction over the fisheries resources within its Exclusive Economic Zone in accordance with the Proclamation by the Governor of Solomon Islands dated 1 January 1978,

Recognising that the Government of Solomon Islands desires to develop fisheries within its Exclusive Economic Zone for the benefit of the people of Solomon Islands,

Recognising the desire of the Government of New Zealand to ensure that fishing vessels of New Zealand are able to continue fishing within the Exclusive Economic Zone of Solomon Islands,

Taking into account their rights and obligations under the United Nations Convention on the Law of the Sea 1982 and the United Nations Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks 1995,

Desiring to establish a framework under which their fisheries relations shall be conducted, and

Affirming their desire to promote cooperation in the field of fisheries and in this way to contribute to the friendly relations between New Zealand and Solomon Islands,

Have agreed as follows:

## **Article 1**

1. The Government of Solomon Islands shall permit fishing vessels, registered under the New Zealand Ship Registration Act 1992 (hereinafter referred to as "fishing vessels of New Zealand"), to engage in fishing within its Exclusive Economic Zone (hereinafter referred to as "the Fishery Limits"), subject to the provisions of this Agreement.
2. In order to engage in fishing within the Fishery Limits, fishing vessels of New Zealand shall obtain permits in accordance with this Agreement and the Solomon Islands Fisheries Act 1998.
3. The detailed procedures for the conduct of fishing operations by fishing vessels of New Zealand within the Fishery Limits and for the issue of permits by the Government of Solomon Islands shall be in accordance with the law of Solomon Islands.

## **Article 2**

1. The Government of Solomon Islands shall determine each year, on the basis of the best available scientific evidence and taking into account all other relevant factors, including the views of operators of fishing vessels of New Zealand:
  - a the total number of licenses and/or fishing effort to be allocated to fishing vessels of New Zealand;
  - b the regulatory measures with respect to the conduct of fishing by fishing vessels of New Zealand within the Fishery Limits.
2. The Government of Solomon Islands shall notify the Government of New Zealand and any New Zealand company that holds or has applied for a permit to fish within the Fishery Limits on a timely basis of the determination referred to in Article 2(1).

### **Article 3**

1. To the extent of its powers under the New Zealand Fisheries Act 1996, the Government of New Zealand shall prohibit fishing vessels of New Zealand from fishing within the Fishery Limits unless in accordance with the Solomon Islands Fisheries Act 1998.
2. New Zealand shall cooperate with Solomon Islands authorities with regard to any alleged violation of Solomon Islands fisheries law by fishing vessels of New Zealand and shall, to the extent of its powers under the New Zealand Fisheries Act 1996, make available to prosecuting authorities in Solomon Islands evidence relating to violation of such law.
3. Nothing in this Agreement shall be interpreted and applied in a manner that shall deter either Party from taking all necessary measures available under its domestic law to ensure effective and full compliance by New Zealand fishing vessels with the terms of this Agreement and the laws governing fishing within the Fishery Limits.

### **Article 4**

The Government of Solomon Islands shall:

- a ensure that in cases of detention of fishing vessels of New Zealand or arrest of their crews by the competent authorities of Solomon Islands, prompt notification shall be given to the Government of New Zealand;
- b ensure that in cases of detention or arrest, fishing vessels of New Zealand and their crews shall be promptly released upon the posting of reasonable bond or other security;
- c inform the Government of New Zealand of the outcome of any subsequent legal proceedings relating to detained fishing vessels of New Zealand or arrested crews;
- d in accordance with the relevant laws, regulations and administrative requirements of Solomon Islands, allow fishing vessels of New Zealand to enter ports of Solomon Islands for the purpose of obtaining bunkering services and supplies, repairing their vessels and fishing gear, storing or transshipping fishing products, shipping or discharging their crews, and for other reasonable purposes;
- e accord to nationals and fishing vessels of New Zealand treatment no less favourable than that accorded to any third country.

#### **Article 5**

The Government of New Zealand shall cooperate with the Government of Solomon Islands for the effective conservation and optimum utilisation of the fisheries resources within the Fishery Limits.

#### **Article 6**

1. The Government of New Zealand and the Government of Solomon Islands shall hold periodic consultations regarding the implementation of this Agreement, and shall examine the possibility of developing further cooperation in the field of fisheries.

2. Either Party may request that a general review of this Agreement is undertaken by the Parties. Such general reviews shall normally coincide with the periodic consultations.

#### **Article 7**

This Agreement may be amended by agreement in writing between the Parties and such amendments shall enter into force on such date or dates as may be agreed between them.

#### **Article 8**

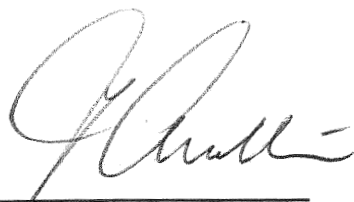
Nothing in this Agreement affects the rights and obligations of New Zealand or Solomon Islands under international agreements to which either is a party.

**Article 9**

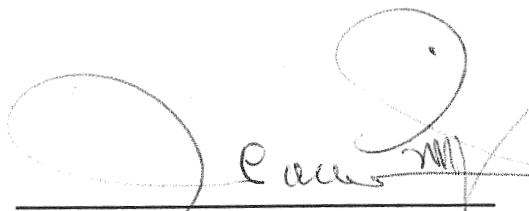
1. This Agreement shall come into effect on the date of signature.
2. Either Party may terminate this Agreement by giving written notice to the other of its intention to end this Agreement. The notice shall have effect twelve months from the date of its receipt by the other Party.

IN WITNESS WHEREOF, the undersigned, duly authorized by their respective Governments for this purpose, have signed this Agreement.

Done at Wellington on this 29<sup>th</sup> day of MAY 2007 in duplicate in the English language.



**For the Government of New Zealand**



**For the Government of Solomon Islands**