

TERRITORIAL SEA AND FISHING ZONES ACT: CHAPTER T-8

SHORT TITLE

APPLICATION

TERRITORIAL SEA AND INTERNAL WATERS

FISHING ZONES

POWERS OF THE GOVERNOR IN COUNCIL

CHARTS

AMENDMENT NOT IN FORCE

An Act respecting the territorial sea and fishing zones of Canada

SHORT TITLE

1 Short title

1. This Act may be cited as the Territorial Sea and Fishing Zones Act.
R.S., c. T-7, s. 1.

APPLICATION

2 Applies to Acts of Parliament, regulations, etc.

2. Every provision of this Act extends and applies to every Act of Parliament, whether enacted before or after the commencement of this Act, and to every order, rule or regulation thereunder, except in so far as any such provision is inconsistent with the intent or object of any such Act, order, rule or regulation, or would give to any word, expression or clause thereof an interpretation repugnant to the subject-matter or the context, or is, in any such Act, order, rule or regulation, declared not applicable thereto.

R.S., c. T-7, s. 2.

TERRITORIAL SEA AND INTERNAL WATERS

3(1) Territorial sea

3. (1) Subject to any exceptions under section 5, the territorial sea of Canada comprises those areas of the sea having, as their inner limits, the baselines described in that section and, as their outer limits, lines measured seaward and equidistant from those baselines so that each point of the outer limit line of the territorial sea is distant twelve nautical miles from the nearest point of the baseline.

3(2) Internal waters

(2) The internal waters of Canada include any areas of the sea that are on the landward side of the baselines of the territorial sea of Canada.

R.S., c. T-7, s. 3; R.S., c. 45(1st Supp.), s. 1.

FISHING ZONES

4(1) Fishing zones

4. (1) The fishing zones of Canada comprise such areas of the sea adjacent to the coast of Canada as may be prescribed by the Governor in Council pursuant to subsection (2).

4(2) Prescription of fishing zones

(2) Subject to subsection (3), the Governor in Council may, by order, prescribe as fishing zones of Canada such areas of the sea adjacent to the coast of Canada as are specified in the order.

4(3) Publication of proposed orders

(3) A copy of each order that the Governor in Council proposes to make pursuant to subsection (2) shall be published in the Canada Gazette, and no order may be made by the Governor in Council pursuant to that subsection based on any such proposal before the expiration of sixty days following publication of the proposal in the Canada Gazette.

4(4) Fisheries laws apply to fishing zones

(4) Unless otherwise specified therein, the laws of Canada respecting fishing and the exploitation of the living resources of the sea apply to the fishing zones of Canada in the same way and to the same extent as they apply to the territorial sea of Canada.

R.S., c. T-7, s. 4; R.S., c. 45(1st Supp.), ss. 2, 4.

POWERS OF THE GOVERNOR IN COUNCIL

5(1) Determination of baselines

5. (1) The Governor in Council may, by order, issue one or more lists of geographical coordinates of points from which baselines may be determined.

5(2) Baselines where coordinates listed

(2) In respect of any area for which geographical coordinates of points have been listed in a list issued pursuant to subsection (1) and subject to any exceptions in the list for the use of the low water line along the coast between given points and the use of the low water lines of low tide elevations situated wholly or partly at a distance not exceeding the breadth of the territorial sea from the coast, baselines are straight lines joining the consecutive geographical coordinates of points so listed.

5(3) Baselines where historic title

(3) In respect of any area not referred to in subsection (2), baselines are the outer limits of any area, other than the territorial sea of Canada, over which Canada has a historic or other title of sovereignty.

5(3.1) Baselines in other areas

(3.1) In respect of any area not referred to in subsection (2) or (3), baselines are the low water lines along the coast or along any low tide elevation situated wholly or partly at a distance not exceeding the breadth of the territorial sea from the coast.

5(4) Substitution of outer limit lines in certain cases

(4) Where, in his opinion, a portion of the territorial sea of Canada determined in accordance with subsection 3(1) would conflict with the territorial sea or the fishing zones of a country other than Canada or would be unreasonably close to the coast of a country other than Canada, the Governor in Council may, by order, issue a list of geographical coordinates of points from which, in respect of the portion of the territorial sea of Canada designated in the list, an outer limit line may be determined in substitution for the territorial sea outer limit line described in subsection 3(1), and the outer limit line so determined shall thereupon be substituted.

5(5) Low tide elevations

(5) For the purposes of subsection (2), low tide elevations are naturally formed areas of land that are surrounded by and above water at low tide but submerged at high tide.

R.S., 1985, c. T-8, s. 5; 1990, c. 44, s. 19.

CHARTS

6 Issue of charts

6. The Minister of Fisheries and Oceans may cause charts to be issued delineating the territorial sea of Canada and the fishing zones of Canada or any portions thereof as may be delineated consistent with the nature and scale of the charts.

R.S., c. T-7, s. 6; R.S., c. 14(2nd Supp.), s. 31; 1978-79, c. 13, s. 34.

AMENDMENT NOT IN FORCE

— 1996, c. 31, s. 55:

Repeal of R.S., c. T-8

55. The Territorial Sea and Fishing Zones Act is repealed.

