

WESTERN AUSTRALIA.



ANNO PRIMO

GEORGI QUINTI REGIS,

XXXV.

No. 24 of 1911.

AN ACT to amend the Fisheries Act, 1905.

[Assented to 16th February, 1911.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Fisheries Act Amendment Act*, Short title. 1911, and shall be read as one with the Fisheries Act, 1905, hereinafter referred to as the principal Act.

2. Section thirty of the principal Act is repealed, and a section, as follows, is inserted in place thereof:— Amendment of 1905, No. 18, s. 30.

30. (1.) The Governor may grant to any person, on such terms and conditions as to the Governor may seem fit, a license to the exclusion of all other persons to take, collect, and gather, for any term not exceeding fourteen years, from any portion of the coastal waters of the State and the foreshore or adjacent land above high water mark, being Crown lands within the meaning of the Land Act, 1898, any marine animal life or product of the sea not being any of the fish mentioned in the second schedule, or any amendment thereof. Exclusive licenses

(2.) Save as hereinafter provided, it shall be unlawful during the currency of any license granted under this section for any person, except the licensee, his servants or agents, or other persons acting with his authority, to take, collect, or gather any marine animal life or product of the sea, for which such license shall have been granted, within the portion of the coastal waters, foreshore, or adjacent land above high water mark, to which such license extends.

Provided, nevertheless, that nothing herein shall prevent any person from taking, collecting, or gathering therein any such animal life or product for his personal use and consumption but not for barter or sale.

Provided, also, that nothing contained in this Act shall authorise the issue of any exclusive license to take, collect, or gather hawks'-bill turtle, trepang (otherwise called *bêche-de-mer*), or dugong.

Provided, also, that no license shall be granted under this section, in respect of any length of foreshore exceeding seventy-five miles, until the expiration of fourteen days after the draft of such license has been laid upon the Table of each House of Parliament.

(3.) The Governor may make regulations under and subject to which any license granted under this section shall be held and may be transferred, or for the suspending for any period the operation of any license on any portion of any foreshore or adjacent land in respect of turtle which the licensee has an exclusive right to take there, and prohibiting for that period the licensee and all other persons from there taking, killing, or molesting such turtle.

Protection of
certain fish.

3. (1.) If any person shall at any time sell or cause to be sold, or shall offer or expose for sale, or shall take, catch, or have in his possession or control for the purposes of sale any fish of any kind or species mentioned in the schedule hereto, he shall be guilty of an offence, and shall be liable on conviction to a penalty not exceeding five pounds.

(2.) The Governor may from time to time by proclamation amend the said schedule by adding thereto or omitting therefrom the name of any kind or species of fish. On any such amendment the amended schedule shall be published in the *Government Gazette*, and after such publication this Act shall have effect as if the schedule as for the time being amended were the schedule referred to in the preceding subsection.

THE SCHEDULE.

Crucian Carp.
English Perch.
