

WESTERN AUSTRALIA

ANNO QUINQUAGESIMO PRIMO

VICTORIÆ REGINÆ

No. 18

An Act to further amend 'The Pearl Shell Fishery Regulation Acts, 1873 and 1875.'

[Assented to 20th August, 1887.]

WHEREAS it is expedient further to amend the said Acts: Be it enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:—

Preamble

1. That this Act may be cited as 'The Pearl Shell Fishery Regulation Acts Amendment Act, 1887.'

Short title

2. That notwithstanding the repeal by 'The Pearl Shell Fishery Regulation Act, 1875,' of the third section of 'The Pearl Shell Fishery Regulation Act, 1873,' the following words in the said repealed section, namely:—'From and after the passing of this Act no master of any ship or vessel or any other person shall employ any aboriginal native of the said Colony in the pearl shell fishery except he shall have entered into a separate written agreement with him and had the same endorsed as hereinafter mentioned,' shall be and are hereby revived and re-enacted, and shall be read and construed together with the unrepealed parts of the said Act of 1873, save only that the words, 'after the passing of this Act,' in the said section, shall relate to the passing of this Act.

Partial revival of section three of 'The Pearl Shell Fishery Regulation Act, 1873.'

The Pearl Shell Fishery Regulation Acts Amendment Act, 1887

Officers who may
endorse Agree-
ments

3. That the fifth, sixth, eighth, and ninth sections of the said Act of 1873, and the proviso in the fifth section of the said Act of 1875, shall be read and construed as if, in lieu of the persons therein mentioned, there had been named the Inspector of Pearl Fisheries, a Resident Magistrate, a Protector of Aborigines, and a Justice of the Peace; and the Form of Endorsement given in Schedule B of the said Act of 1873 shall be amended by the substitution of

Inspector of Pearl Fisheries,
Resident Magistrate,
Protector of Aborigines,
Justice of the Peace,

in lieu of

Police Constable,
One of the persons appointed to ensure the carrying out of 'The Pearl Shell Fishery Regulation Act, 1873.'

As to sending
Aboriginal back
to his own
District

4. That the ninth section of the said Act of 1873 shall be amended by the addition thereto of the words following:—

'And any person convicted of such offence may be ordered by the convicting Justices, at his own expense, to convey such native back to the place or district to which such native belongs, by such route as to the said Justices shall seem fit or may be required by the said Justices, in addition to and not in substitution for such fine or penalty, to pay such further sum as to the said Justices shall seem fit for the purpose of paying for such conveyance of such native, and such further sum shall for all purposes be and be deemed to be added to the said fine or penalty, so as to become a part thereof; provided such fine or penalty, together with the said sum, shall not exceed Fifty-five pounds.'

Provided always that the payment of such sum shall not be in substitution for, but may be in addition to, any sentence of imprisonment that may be inflicted by any Justice or Justices under the provisions of the twenty-ninth section of 'The Aborigines Protection Act, 1886.'

Officers who may
board Vessels

5. That the powers given to certain persons by the eleventh and twelfth sections of the said Act of 1873 may be exercised not only by such persons but also by the Inspector of Pearl Fisheries, a Resident Magistrate, or a Protector of Aborigines.

This Act to be
read with Acts
of 1873, 1875,
and 1883

6. That this Act shall be read and construed, as far as is consistent with the tenor thereof, with 'The Pearl Shell Fishery Regulation Acts, 1873, 1875, and 1883'; and shall come into operation on the first day of January next.

F. NAPIER BROOME,
GOVERNOR.