



Western Australia

PARKS AND RESERVES ACT 1895

Houtman Abrolhos Islands By-laws 1958

Lapsed: No longer in force because of the enactment of s. 31A of the *Fisheries Act 1905* or the *Fisheries (Abrolhos Islands) By-laws 1995*

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Houtman Abrolhos Islands By-laws 1958

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Department of Lands and Surveys,
Perth, 26th August, 1958.

HIS Excellency the Lieutenant-Governor and Administrator in Executive Council, acting pursuant to the provisions of the *Parks and Reserves Act 1895*, has been pleased to approve of the by-laws made by the Trustees of Houtman Abrolhos Islands and set out in the Schedule hereunder.

F. C. SMITH,
Under Secretary for Lands.

1. Citation

These by-laws may be cited as the *Houtman Abrolhos Islands By-laws 1958*.

2. Revocation

The following by-laws are revoked: —

- (a) The by-laws relating to the control and management of the Houtman Abrolhos Islands, made pursuant to section 34 of the *Land Act 1933*, and published in the *Government Gazette* on the 21st September, 1951; and
- (b) the by-laws relating to the common seal of the Trustees of Houtman Abrolhos Islands, made pursuant to the provisions of the *Parks and Reserves Act 1895*, and

published in the *Government Gazette* on the 15th July, 1958.

Common Seal of the Trustees

3. Common seal

The common seal of the Trustees of Houtman Abrolhos Islands shall bear the words "Trustees of Houtman Abrolhos Islands."

4. Affixing of common seal

The common seal may be affixed by virtue of a resolution at a meeting of the Trustees of Houtman Abrolhos Islands and in the presence of two members of the Board.

5. Custody of common seal

The common seal shall be kept in the custody of the secretary to the Trustees or such other person authorised by them.

Injuring or Destroying Trees, Etc.

6. Injuring or Destroying Trees, Etc.

No person shall injure, cut, break, deface, pull up, remove or destroy any tree, shrub, plant, or flower growing on the said Islands, or cut or remove any dead wood or timber therefrom.

Injuring the Soil or Surface, Etc.

7. Injuring the Soil or Surface, Etc.

No person shall break or interfere with the soil or surface of any part of the said Islands, or with any improvements or works thereon, and, subject as hereinafter provided, no person shall interfere with or destroy any birds or animals thereon.

Persons Misconducting Themselves

8. Persons Misconducting Themselves

No person shall commit any riotous or indecent act, or make use of any indecent or improper language, or commit any nuisance on the said Islands.

Posting Bills

9. Posting Bills

No person shall write or affix, or be concerned in writing or affixing on the Islands, or to anything thereon, anything written or printed or any picture, placard or advertisement, unless the consent in writing of the Trustees of Houtman Abrolhos Islands, or of an officer of the Trustees authorised in that behalf shall have been previously obtained.

Shooting, Etc., on the Islands

10. Shooting, Etc., on the Islands

No person shall have in his possession any firearm on any portion of the Islands, unless the consent in writing of the Trustees of Houtman Abrolhos Islands or of an officer of the Trustees, authorised in that behalf, shall have been previously obtained.

Selling Goods on the Islands

11. Selling Goods on the Islands

No person or persons shall sell or expose for sale anything on any portion of the said Islands, unless the consent in writing of the Trustees of Houtman Abrolhos Islands, or an officer of the Trustees authorised in that behalf, shall have been previously obtained.

Waste Litter to be Removed

12. Waste Litter to be Removed

Every person who shall at any time be on the said Islands, shall collect or remove, or cause to be collected and removed, all waste matter, broken glass, or rubbish of any kind which was brought on the ground by him, or in the bringing of which, on the ground, he was in any way concerned.

Dogs or Other Animals not to be Allowed on Islands

13. Dogs or Other Animals not to be Allowed on Islands

No person shall cause or suffer dogs or other animals to be upon the Islands without special approval in writing of the Trustees of Houtman Abrolhos Islands, or an officer of the Trustees authorised in that behalf.

Permits to Land

14. Permits to Land

No person (not being a person exempted under By-law 18 hereof) shall land and/or remain on the said Islands, without having first obtained a permit hereunder. A permit shall authorise the person to whom it is granted to land and/or remain on the said Islands, for a period not exceeding the period stated therein from the date of the granting of the permit.

Remaining on the said Islands

15. Remaining on the said Islands

No person shall remain on the said Islands for a longer period than his permit authorises.

From Whom Permits Obtainable

16. From Whom Permits Obtainable

Permits may be granted by any captain of any boat authorised in writing by the Trustees to carry passengers, and holding the special license of the Board to do so, or by any member or officer of the Trustees authorised in that behalf, on the payment of the prescribed fee of 15 shillings to the secretary of the Trustees.

Form of Permit

17. Form of Permit

Every permit shall state the name of the person to whom it is issued, the date of issue, and the time when the permit expires, and no permit shall be transferable.

Exemptions — Landing Permit

18. Exemptions — Landing Permit

The following persons are exempted from the provisions of By-law 14: Children under 14 years of age, officials and workmen of the Trustees, members of the Trustees, officers of a Government department, lessees from/ or persons exempted by the Trustees, and any person who is the holder of a fisherman's license where the holder of such license does not camp, or reside, or store goods, gear, or effects of any kind from the Islands or any of them.

Landing Fees

19. Landing Fees

The prescribed fees per person for a permit will be: Tourist Landing Permit, 15 shillings. Permit to be for each continuous period of 21 days or part thereof. No landing fees shall be chargeable against any of the classes of persons who come within By-law 18.

Trespassers

20. Trespassers

Any person not being a person exempted under By-law 18 hereof landing at the said Islands without first having obtained a permit, or who having obtained a permit remains on the said Islands after the period for which his permit is issued, shall be deemed a trespasser, and shall be guilty of a breach of these by-laws.

Plying for Hire

21. Plying for Hire

No boat, aircraft, vehicle or other craft shall ply for hire within the Trustee's jurisdiction whatsoever, unless licensed by the Trustees in writing and under such terms and conditions as may be imposed.

Removal Without Permission

22. Removal Without Permission

No person or persons shall remove anything whatsoever from the said land or water under the Trustee's jurisdiction, without special permission in writing and under such terms and conditions as the Trustees prescribe: Provided that nothing herein contained shall prohibit any licensed fisherman under the *Fisheries Act 1905*, from lawfully obtaining fish (including crayfish) also taking game, pursuant to the terms of their respective license of any person holding a license to remove fertiliser deposits from the reserve issued under the provisions of the *Land Act 1933*.

Erection of Buildings, Jetties, Etc

23. Erection of Buildings, Jetties, Etc

No person shall erect, or cause to be erected, any building jetty or other structure on the Islands, unless by special permission in

writing and under such terms and conditions as the Trustees may prescribe.

Permits, Orders, Licenses, Etc.

24. Permits, Orders, Licenses, Etc.

All orders, licenses, permits, etc., shall bear the signature of the chairman and secretary of the Trustees, or their deputies for the time being.

Fishermen's Occupational Charges

25. Fishermen's Occupational Charges

A charge of £2 per annum is payable to the Trustees by occupiers of the tents erected on the Islands, within the control of the Trustees. This charge is payable in respect of each tent or hut, but does not authorise the Trustees to levy a charge against more than one person in occupation in any one year. The charge is payable on the 1st day of April in each year from which date the year for the purpose of calculation of charge shall commence, "Occupier" includes a person having the charge, management or control of the hut or tent during any part of the year.

Penalty

26. Penalty

Any person who is guilty of any contravention (by act or omission) of any of the foregoing by-laws shall be liable on summary conviction to a penalty not exceeding £20. And upon such conviction the Trustees may cancel his permit to land and thereafter refuse to issue a further permit to him.

Notes

- ^{1.} This is a compilation of the *Houtman Abrolhos Island By-laws 1958* and includes the amendments referred to in the following Table.

Compilation table

Citation	Gazettal	Commencement
<i>Houtman Abrolhos Island By-laws 1958</i>	5 Sep 1958 pp.2361-3	5 Sep 1958
Lapsed: No longer in force because of the enactment of s. 31A of the <i>Fisheries Act 1905</i> or the <i>Fisheries (Abrolhos Islands) By-laws 1995</i>		