

## FISHERIES.

15° and 16° Geo. VI., No. LV.

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No. 55 of 1951.

AN ACT to amend the Fisheries Act, 1905-1949.

[Assented to 2nd January, 1952.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the 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* Short title *Amendment Act, 1951*, and shall be read as one with the Fisheries Act, 1905-1949 (Act No. 18 of 1905, as reprinted pursuant to the *Amendments Incorporation Act, 1938*, with amendments up to and including Act No. 48 of 1949 in Volume 3 of the Reprinted Acts of the Parliament of Western Australia), hereinafter referred to as the principal Act.

Citation of  
principal Act  
as amended.

2. The principal Act, as amended by this Act, may be cited as the Fisheries Act, 1905-1951.

Long title  
amended.

3. The long title of the principal Act is amended by adding thereto after the word, "Fisheries" the words, "and relating to fish".

S. 5C  
amended.

4. Section five C of the principal Act is amended by substituting for the words, "three years" in line two the words, "not less than eighteen months nor more than three years, as the Minister shall determine".

S. 6  
amended.

5. Section six of the principal Act is amended by inserting after paragraph (m) paragraphs as follow:—

- (ma) prohibiting or regulating the bringing of fish or portions of fish into Western Australian waters or on to land;
- (mb) prohibiting or regulating the storage, cutting up, treatment, handling, preserving, dealing with and disposal of fish or portions of fish;
- (mc) the protection of fish spawn and undersize fish;
- (md) delegating powers and discretions under any regulation to the Minister;
- (me) regulating the movements and use of boats in relation to the taking, storage, cutting up, handling, treatment, preserving, dealing with or disposal of fish;
- (mf) facilitating proof of any matter in a prosecution for an offence under a regulation.

S. 17  
amended.

6. Section seventeen of the principal Act is amended by—

- (a) deleting the word, "and" at the end of paragraph (d) of subsection (3);

- (b) inserting after paragraph (d) of subsection (3) a new paragraph as follows:—

(da) the times, places and manner of taking fish, the species and quantity of fish to be taken, the possession, storage, cutting up, handling, preservation, protection, treatment and disposal of fish and portions of fish, and otherwise any dealing with fish or portions of fish; and

- (c) inserting after subsection (3) a subsection as follows:—

(3a) The Minister may in his discretion at any time, by notice in writing given to the licensee, cancel any license issued under this Act;

- (d) inserting after the word, "removal" in line two of subsection (4) the word, "cancellation";
- (e) inserting after the word, "removed" in line six of subsection (4) the word, "restored";
- (f) inserting after the word, "transferred" in line six of subsection (4) the words, "or to remain cancelled";
- (g) inserting after the word, "person" in line one of subsection (5) the words, "who commits a breach of or fails to observe a condition of his license or";
- (h) deleting the words, "for catching fish for sale" in line two of subsection (5);
- (i) substituting for the word, "fifty" in line six of subsection (5) the words, "two hundred".

7. Section twenty-four of the principal Act is <sup>S. 24</sup> amended by—

- (a) substituting for the words, "or consign for sale" in line three of subsection (1) the words, "give or consign";
- (b) deleting the words, "for purposes of sale" in line three of subsection (3).