**FISHERIES BILL 1904**

**House of Assembly, 29 September 1904, pages 599-601**

Second reading

**The TREASURER**, in moving the second reading of the Bill, said its object was to foster and protect an industry which provided the community with an invaluable article of diet, and the value of which was estimated at £50,000 a year at the present. In October, 1900, Messrs. Stephens and McIntosh, Inspectors of Fisheries, conducted an exhaustive enquiry into the fishing industry in South Australia, and their observations were embodied in a pamphlet published by the Government of New South Wales. Mr. H. C. Daunevig, superintendent of fisheries investigations, made the following statement in the pamphlet:—“The Murray, with its tributaries, the Darling, the Lachlan, and the Murrumbidgee, forms a principal exception hereto. It derives its supplies from the western slopes of the Blue Mountains, and. extends its feeders northward into tropical Queensland. On account of the enormous watershed, local conditions are of less moment, and the river will always derive a supply from one source or another. The existence of such a large river system through the inner part of the continent is of the greatest importance to agriculture, grazing, and mining, while it at the same time provides a convenient means of conveyance of inland products. Much attention has been given to these qualities, the values of which have been rated very highly, and give rise to much argument regarding the rights of the various States interested. But this river system is also possessed of still another source of fisheries. Generally speaking, this industry has been left to itself, or the individual States have formulated regulations out of harmony with one another. In all cases little supervision has been provided, and the consequent result has been lawlessness, abuses, and friction. No industry can thrive under such conditions, and the fisheries are at present in what may be termed a sickly and straggling state. The climatic conditions are said to have influence on these matters, but, if so, this is only another reason why the most should be made of the existing possibilities, which in themselves are great; and in regard to this, as to the fisheries generally, it is for obvious reasons highly desirable and much easier to maintain an abundant supply, rather than allow the latter to dwindle away through neglect, and then start the necessarily slow and difficult task of replenishing against heavy odds.” In 1902 a conference on the River Murray fisheries was held in Melbourne, New South Wales, Victoria, South Australia, and Western Australia being represented, and a series of resolutions were passed. These were practically incorporated in the Bill. The measure had a twofold object—to consolidate the existing law, with such amendations as had been suggested by experience, and to engraft into the South Australian Act the provisions in force in the other States, which were calculated to protect the best interests of those engaged as fishermen, and to foster and stimulate the industry. Since the measure was introduced last year the Government had sent copies of it to all the assistant inspectors at the fishing centres, with instructions to call meetings of those interested, with a view of eliciting any modifications that might be considered necessary from the point of view of the fishermen. The provisions of the Bill were generally approved at these meetings, and what suggestions were made were mostly embodied in the present measure. Some resolutions were passed dealing with details, which would come up for consideration when the Bill became law, such as the kind of nets to be used, these suggestions would receive consideration when regulations were drafted. The Bill did not prescribe the class of net or device to be used, but it sought authority to fix that by proclamation. The close season on the Murray was considered to be too long, and he communicated with the Sydney and Melbourne departments with a view of arriving at a mutual agreement to shorten the period. Sydney agreed, and reduced the season from September 1 to December 20. to September 15 to December 15, and they have done the same. The Bill gave power to vary this. The duties of inspectors, and list of offences under the Bill were described in separate parts for the sake of precision and for more convenient reference. Part I. repealed the existing Acts and defined terms. The crayfish, omitted from the previous Acts, was now included, as in the other States. Part II. dealt with the duties of the inspectors. It provided the machinery for administering the Bill, which was much the same as last year's Bill. The power of the Minister to cancel a license was omitted as it was considered that if an offender paid the prescribed penalty he should not be penalised a second time by having his license cancelled. The powers given under this part exceeded those under the present law in respect to culture of fish and hatcheries, and the wider powers concerning devices to be used for fishing. -All police and constables were to be inspectors. There was power to examine fish offered for sale and to destroy any unfit for food. There was also authority given the inspectors to enter any fishing boat, and generally to more effectually carry out the law than at present. Part III. was the same as in last year’s Bill, but it was not in the previous law. Licenses were issued in the other States, and they had the effect of keeping the industry more under control, and in the hands of persons whose interests it was to prevent the destruction of young fish by improper fishing. The proposal met with general approval among the fishermen, 70 out of 76 on the Murray stating in evidence that they were in favor of licenses. The license fee proposed was £1 per annum, or 10/ for six months. These fees would be paid into a separate account in the Treasury, and will be devoted in payment for shags and turtles destroyed. Part IV. provided for this, and it was the same as in the Bill of last year, omitting pelicans. Pelicans were omitted in deference to the wish of scientific societies and others that so fine a bird should not be consigned to destruction. (Mr. Catt—“Part VI. says that anyone who takes a fish without a license is liable. Under that a boy would not be able to catch a tommy-rough without a license.”) It was not intended to go that far. (Mr. Soward—“You think shags are the biggest enemies of fish. You would have to prove that-.”) They were supposed to destroy a large quantity of fish. (Mr. Soward—“The greatest enemy of the deep-sea fish is the leather-jacket.” Mr. Tucker—“Do you really think that cormorants are the only enemies of fish? The seagulls are equally as bad.”) Probably they were. (Mr. Soward—“Can you give us any information about deep-sea fishermen with regard to licenses?'') It was suggested that licenses should be issued to naturalised subjects only, thus preventing Greek fishermen from plying their trade. (Mr. Dixson—“If men fish outside the three-miles’ limit, why should they want licenses?") Shags or cormorants devoured enormous quantities of fish, and turtles were credited with eating spawn, and they also took bait. It was strongly urged by fishermen that these should be destroyed. In part 5 the alterations from last year’s Bill were:—1.

The Minister might remove any “artificial,” as well as any natural obstruction to the passage of fish. 2. The three weeks’ interval between the date of a proclamation and its coming into force was omitted. 3.The Act was not to apply to persons taking fish solely for bait. A new feature in that part was in clause 22, which required an interval of six months to elapse before any prohibited net or device must be taken out of use. That was to give the owners time to wear out the discarded nets, and provide themselves with new ones. Part 6 dealt with offences and penalties, and they were practically the same as in last year’s Bill. The items not in the present law were:—1. Fishing without a license or refusing to show license. 2. Use of improper devices. 3. Keeping fish unfit for food. 4. Selling undersized crayfish. The maximum penalty for infringement of the law was at present £20, which was the amount in the Bill last year. It was now proposed to reduce the amount to £10, as it had been urged that the previous penalty was excessive. In clause 25, subsection p, it was provided that every person should be guilty of an offence who willfully, attempted to catch any fish when spawning or near spawning beds. (Mr. Soward—“As far as deep-sea fishing is concerned, that is the only period that the fish can be caught.”) He would look into that. Part 7 dealt with procedure, which was about the same as at present. Imprison­ment not exceeding six months in lieu of a pecuniary penalty was now provided in the discretion of the court. In part 8 the regulations had been altered, so as to cor­respond with the procedure in the Crown Lauds Act, giving Parliament the rights of veto. The schedule of weights had been arranged to closely correspond with those of the other States, and in accord with suggestions made at gatherings of fishermen. The limit for Murray cod had been altered from 48 oz. to 40 oz.; schnapper, from IS oz. to 14 oz.; flounder, from 5 oz. to 3 oz.; butterfish, from 10 oz. to 16 oz.; "whiting, from 8 oz. to 5 oz.; mullet, from 4 oz. to 6 oz. in weight; and crayfish from 10 in. to 9 in. in length. ((Mr. Dixson—“Do you expect a fisherman to carry a pair of scales and weigh every fish lie catches?”) If they raised objections like that they would have tens of thousands of small fish killed, thus destroying the industry. The same law was in force in other States, and acted well. It was proposed to exempt declarations of destruction of shags and turtles from the duty stamp, as many of them would represent small amounts, for which payment of 1/ duty stamp would be a consideration. This exemption was not in last year’s Bill. It was proposed after July 1 of next year not to license foreigners, unless naturalised. That was to meet a widespread complaint that itinerating Greeks came at certain seasons, and played havoc with the fishing, and migrated to other parts as it suited them. They desired to keep the industry in the hands of their own people, whose home was here, and who were personally interested in maintaining the industry. That provision was heartily approved by the fishermen, and was in the Bill of last year, but it was not in the Act as it now stood. At some of the meetings fishermen’s residence sites were asked for. There was already provision in the Crown Lands Act for granting these. Any further information de­sired on any of the clauses he would be happy to supply when the measure was in committee. It was believed that the measure, while it codified and simplified the existing law, would provide a means by which the industry, at present worth about £50,000 per annum, contributing over £2,500 annually to the railways, could be fostered and enlarged. There appeared to be no reason why, with their magnificent gulfs and River Murray, forming excellent locations for the breeding and rearing of fish, they should not have a valuable staple fishing industry, as in so many other countries.

On the motion of Mr. TUCKER, the debate was adjourned until Tuesday next.