**WHALE FISHERIES ACT AMENDMENT ACT 1949**

Full title: *A BILL to amend an Act “for the regulation and protection of the whale fisheries*”.

The key provisions in this act are:

* From the preamble to the Act: ..any person having signed the articles of agreement therein specified binding himself to his duty or service in the Whale Fishery shall during the period thereby prescribed for service the under such articles absent himself from his duty or refuse or neglect any lawful command given to him or shall otherwise misconduct himself or refuse or neglect to enter into the service for which he shall have contracted, or shall during the continuance of his intended term of service hire himself out to any other employment contrary to the true intent and meaning of the said articles it shall be lawful for the person or persons thereby aggrieved (upon complaint against the party so offending made on oath before any Resident Magistrate or two Justices of the Peace) to cause such party to be summoned to appear before such Resident Magistrate Justices or any other two Justices of the Peace who are respectively thereby authorised to enquire and determine touching the matters so complained of in a summary manner and to examine on oath or affirmation the witness or witnesses produced concerning the same and in case any such Resident Magistrate or Justices shall convict the party so complained against of any offence so charged then they shall have power in their discretion to award not only a forfeiture of any wages or lay or lays or any part thereof then or thereafter payable or deliverable under the said articles but also a fine of not less than forty shillings or more than forty pounds for such offence or (if they shall see fit) imprisonment with hard labour for any period not exceeding six calendar months at their discretion.

Note: Prior to 1857 the colony of SA was ruled by a Governor responsible to the British Crown. Legislation was enacted by the Governor following consideration by a five person Council of Government and later expanded to seven and called the Legislative Council. No Hansard was prepared.

Acts passed between 1836 and 1857 are covered on this History of Agriculture site with the full title and summary of the key provisions of the Act.