**WHALING ACT REPEAL BILL 1999**

**House of Assembly, 19 October 1999, pages 135-6**

Second reading

**The Hon. D.C. KOTZ (Minister for Environment and Heritage)** obtained leave and introduced a bill for an act to repeal the Whaling Act 1937. Read a first time. The

Hon. D.C. KOTZ: I move: That this bill be now read a second time. I seek leave to have the second reading explanation inserted in Hansard without my reading it. Leave granted.

History

After two unsuccessful attempts to regulate whaling by the League of Nations in 1924 and 1927, 21 countries, including Australia, signed the Convention for the Regulation of Whaling in 1931. This was ratified in 1935 and the South Australian Whaling Act 1937 was drafted to apply the provisions of that Convention. However, the Convention was quickly considered to be ineffective and was abandoned in 1937 in favour of the International Agreement for the Regulation of Whaling, which gave greater protection to some species and set minimum size limits for a range of other species.

In the international spirit of cooperation that followed the Second World War, the International Convention for the Regulation of Whaling was ratified and entered into force in 1946, with Australia an original signatory. The Convention established the International Whaling Commission to formulate and be responsible for the application of regulatory measures for safeguarding whale stocks while allowing the orderly development of the whaling industry. Since 1986 the International Whaling Commission has placed a moratorium on whaling under the Schedule to the Convention, although some nations have continued to whale under the Convention.

Since 1979, it has been Australian government policy to oppose whaling both domestically and internationally through the International Whaling Commission. Indeed, the National Task Force on Whaling, which reported in May 1997, was charged with the responsibility of advising the Federal Minister for the Environment on the most practical ways to achieve Australia’s stated policy of bringing about a permanent ban on commercial whaling worldwide. Australia’s policy on whaling and whale protection in both Australian and international waters has a legislative basis in the Whale Protection Act 1980.

General Considerations

The Whaling Act (no. 2361 of 1937) was assented to on 1 December 1937 but was never proclaimed and therefore never committed to any Minister. It is assumed that it was not proclaimed because the 1931 Convention, to which the Act was intended to apply, was abandoned in 1937 in favour of the International Agreement for the Regulation of Whaling.

Protection for marine mammals in South Australian waters is now principally covered by the National Parks and Wildlife Act 1972. This Bill has been drafted to repeal the Whaling Act 1937 and the passage of this Bill will formally close an era of South Australia’s history, that of whaling. It was a remarkable time, creating some of the enduring images of early South Australia. However, new images have replaced the old; the tourist’s camera has replaced the whaler’s harpoon.

I commend this Bill to honourable members.

Explanation of Clauses

Clause 1: Short title This clause is formal.

Clause 2: Repeal This clause repeals the Whaling Act 1937.

Mr HILL secured the adjournment of the debate.