**FISHERIES ACT AMENDMENT BILL 1893**

**House of Assembly, 27 July 1893, pages 615-6**

Second reading.

**Mr. ASH** in moving the second reading of this Bill, said the Fisheries Act was passed in 1878, at which time there were very few fisheries, and those few of little importance, in the inland waters of the colony. That Act prohibited the use of any net, whether an inch across or 37 yards long as used on the lakes. Fortunately that law went the way that fortunately many others went, that was it was totally forgotten, and that was the only good thing about it. The Government of that day took great trouble to pass the Bill, telling the House it was a matter of life and death, and it became an Act of Parliament, but it came as a great surprise to the Chief Secretary two years ago to know that such an Act was in existence, although he had to administer the department which should carry out the provisions of the Act. At the time the Act was passed prohibiting the use of nets it did not matter very much, but now on the Murray for 200 miles up it had become very important, especially since the construction of the overland railway line, 150 men now obtaining their living from fishing. About two years ago the then Chief Secretary (Sir J. C. Bray) found out through his instrumentality that the Act was in force, and he issued instructions to enforce it; and the result of that would have been that all the men would have had to cease operations, and the fishing industry, from which Adelaide got a large supply of fish, would have been injured. Various members went on deputations to that Minister and other Ministers and induced them to abstain from prosecuting the fishermen until Parliament could have an opportunity of considering the matter and of altering the law. Since then in some cases fishermen had their nets seized by the inspectors, and it had taken trouble to get them restored and proceedings stopped. At the beginning of last year he announced that he would bring in a Bill to make fishing with nets legal subject to certain limitations. At the beginning of last session, his intention being well known, the Government then in power communicated with him on the matter and put it to him that he, as a private member, could have very few opportunities of pressing on such an important matter, and suggested that if he were willing they would take it over and pass it. On that promise he gave over a draft of his Bill to the Ministry a few days before Parliament met with the expectation that it would be passed in about a month. Instead of that the Bill was not even introduced during last Parliament, and so having seen it was foolish to rely on the Government he thought this year he would do the best he could himself. The Government in 1892 took the Bill over from him because he could not do it so well or so quickly, and the result was that it was not passed at all. He hoped for the passive if not the active assistance of the Government. It was a little surprising that although on the first day of the present session he gave notice of a motion for leave to introduce the Bill, the Government afterwards introduced a measure with a similar title in another place. The only object of his Bill was to alter the present law as far as it related to nets. According to the Act 102 of 1878 a man was liable to a fine if he used a net even if it was 6 in. wide. This Bill repealed section 2 and the sections depending on it. Section 2 of his Bill provided against the improper use of nets by giving the Governor power by proclamation to prohibit the use of any net in any special localities and for anytime he liked to prescribe. The fishing in the Murray was quite different from what it was in the creeks of the southeast, and also from the fishing in the lakes, and the best way was to have regulations issued to meet the local requirements. Up to the present no effort had been made to regulate any of them. It was a very simple thing, although it had been clouded over by several Ministers, and he asked the House to pass the Bill in order that an industry which has been going on for many years may be continued legally. At present 150 men were breaking the law every day under a promise from four past Ministries that no action would be taken against them, but still they were at the mercy of the local inspectors, who had on several occasions seized nets, and the law might be put in force by a new Ministry at any time. On an average only one fish was caught in each net per day, and some of the fishermen near the lakes had 50 to 100 of these small nets set at once. This fishing had been going on for eight years, and each year it had increased. It spite of the large quantities sent away to Adelaide, Ballarat, and Melbourne he was sure every one with experience of the trade would say that there are as many cod now in the Murray as ever; in fact, although it might seem a paradox it was true that the more fishing goes on the more fish there will be. A large cod weighing 50 to 100 lb. devoured a great number of small cod, and when he was caught it saved the lives of a great many small codfish. Then the professional fisherman did all he could to kill the shags, birds which eat dozens, possibly hundreds of small cod in a day. He submitted the Bill to the House as being reasonable, and as providing in clause 2 every prevention against improper fishing.

Mr. LANDSEER said the Bill was introduced with the best of motives, and it was unquestionable that something should be done. He only feared that the Bill would not accomplish its end. Several of the fishermen objected to the system of “small nets,” or rather traps, which frequently bruised the caught fish to such an extent as to make them valueless. There was no doubt that these traps occasioned great waste. He agreed that the fishermen had done good work in shooting shags, which destroy the small fish in myriads, and he thought this, rather than the fishing itself, was having a good effect in maintaining the numbers of the fish. The Government maintained that in a few days they would have a Fisheries Bill before the House, and he hoped that being the case the hon. member would withdraw the motion.

On the motion of the MINISTER of EDUCATION the debate was adjourned till next Wednesday.