**FISHERIES ACT AMENDMENT BILL 1909**

**House of Assembly, 26 August 1909, pages 250-3**

Second reading

**The COMMISSIONER of CROWN LANDS,** in moving the second reading of the Bill, said it was prepared to give effect to various improvements in the Acts now in force, which had been from time to time urged by the Deputy Chief Inspector of Fisheries (Mr. McIntosh) as necessary to carry out the objects of those Acts. The principal Act was the Fisheries Act, 1904. An amending Act was passed in 1905, principally to alter the system of licensing, but this was not found to be satisfactory, so the Bill proposed to repeal the amending Act and make other provision. The Bill began with repeals and amendments of sundry provisions of the existing Acts. It repealed the Act of 1905; also the definition of “fisherman” in the principal Act. This definition was not necessary to that Act, and would be inconsistent with the proposed Act. Section 7 of the principal Act, which set out certain duties of the inspectors, was not satisfactorily expressed. Everything was stated to be subject to the approval of the Minister, which, if it meant anything in practice, made it necessary to get Ministerial sanction before taking any step. Obviously this was not the intention as regards the power to apprehend offenders. Again, the power to enter places where fish were “sold or on sale” and examine the same was inadequate for inspectorial work. The inspector should be able to enter any place where fish were, or were suspected to be, on sale, or in course of being packed or prepared for market, and to examine any fish or device used for catching fish. It was believed that the section which clause 4 proposed to substitute would be more adequate. Section 8 of the principal Act gave inspectors certain powers for the detection of offences, but did not enable them to seize illegal devices for catching fish or to seize fish illegally caught. Clause 5 remedied this defect. Section 24 of the principal Act created a number of offences, but several additional ones were necessary. These were provided for in clause 7. One of the principal objects of the Act was the licensing of men who followed fishing as; a trade or calling for profit. But adequate means were not provided to force such men to take out licenses. This clause made it an offence for such an unlicensed fisherman to have fish in his boat or inhbis possession. The present Acts did not require the boats used by such fisherman to be licensed, as they were in New South Wales. The importance of such a provision was that it enabled an inspector to detect the use of illegal devices. A later clause provided, for licensing boats, and this clause made it illegal for men who followed the calling of fishermen to use unlicensed boats in that calling. The other new paragraph provided by clause 7 was for the protection of the fishing industry. The Act did not make it illegal to catch fish without a license but only to follow the calling of a fisherman without a license. Thus, for example, it was not illegal to fish without a license by means of a rod and line, or hand-line, or a landing net. Mr. McIntosh advised that owing to the rapid increase of population on the shores of the inland waters of the State, and the unrestrained exercise of these practices, the fish supply was being depleted, and the calling of bona fide fishermen was being seriously interfered with. It was therefore proposed to make it illegal, except for licensed fishermen, to use in the Murray or the lakes “more than one draw net or mesh net, or more than one cross or side line, or more than twelve springers.” The provisions as to licensing in the Act of 1905 were not satisfactory. In clauses 10 to 14 of the Bill the whole subject was dealt with. At present there was no fixed time for the expiration of licenses. They ran from six or twelve months from the time they were taken out. It was complained that under that system it was impossible to keep fishermen up to the mark, a very large percentage neglecting to take out new licenses until some time after their old licenses had expired. Clause 10 adopted the usual plan of making all licenses expire on either June 30 or December 31. The fees were not altered; but the fee for what was called a “servant's license” was made the same as for an ordinary license. A servant’s license was the license taken out by a fisherman for a man who generally used another boat in his employ. The reason for the alteration was that this privilege was much abused by men who were really partners, and get the privileges for which two fees should be paid by paying only a fee and a .half. The present rule, that one license should be sufficient for the licensee and one member of his family working with the same plant was not interfered with. The Act of 1905 enabled licenses to be transferred, but on the advice of Mir. McIntosh it was proposed not to re-enact this provision, as only a “casual,” and not a bona fide fisherman, was likely to want to avail himself of it. Clause 14 contained the new provision already referred to requiring fishermen to take out licenses for the boats they proposed to use, and to mark them for identification as licensed boats. The fee was small, identification and not revenue being the principal object-—2/6 for six months, and 5/ for a year; and one license was sufficient for two boats or one ship and one boat. The only other clause which needed any comment was clause 15. It was generally very difficult to prove offences against legislation of this kind, and this clause contained salutary provisions as to the onus of proof in certain cases, and presumptions which were to arise from the possession of certain articles connected with fishing. In the report of the Chief Inspector of Fisheries for the period ended June 30, 1909, the following paragraphs occurred:— “A new feature in the Act is the provision for paying out of license fees for destruction of fish enemies, and under this part cormorants and turtles have been destroyed. It is believed that each cormorant devours 5 lb. of fish daily, and the voracity and destructiveness of turtles in regard to fish spawn are well known. By the destruction of these enemies, resulting from this part of the Act, fish life has been preserved to an appreciable extent. Steps were taken directly the Act was passed to have its provisions strictly carried out. Inspectors have been appointed, and in addition, every member of the police force is ex officio an inspector. These officers are empowered to issue fishermen's licenses, to certify to the destruction of cormorants and turtles, to apprehend persons infringing any of the provisions of the Act, to enter any fish shop and destroy fish unfit for food, to enter any fishing boat, examine nets, and enforce the provisions of the Acts. Regulations have been made prescribing certain description of nets for specified waters, providing for measurement of nets and how they are to be used, to prevent taking of underweight fish, and requiring them to be returned to the water. To prevent the use of explosives and wire- netted pounds. Close seasons have been proclaimed, and the use of nets has been prohibited in various waters throughout the State for the protection of fish during spawning season, and, at the request of the Government. of this State, the New South Wales Government has closed Lake Victoria, situated a short distance outside the South Australian border, which is looked upon as one of the principal spawning grounds and nurseries for the Murray cod. An Amending Act, No. 901 of 1905, reduces the license fee, increases the minimum weight at "which whiting and sand whiting may be taken from 3 1/2 oz. to 4 oz-, and prescribes that the mesh of the bunt nets used may not exceed 1 7/8 in. Regulations under the Acts were gazetted on March 1, 1906, and issued in pamphlet form. We have 2,686 miles of coast, with gulfs and inlets sheltered and protected, favorable for feeding and breeding of fish. The temperatures of our coastal waters, nature of the sea bottom, and general conditions justify belief in great possibilities for the industry. It is thought that varieties popular at home can be successfully introduced here. Our present profitable fishing grounds are those around Kangaroo Island, especially along the northern coast. Favorite schnapper grounds exist in Gulf St. Vincent and Backstairs Passage, and large takes of fish come from Port Wakefield, Wallaroo, Moonta, Ports Pirie and Augusta, Encounter Bay, Kingston, and Coorong. With greater facilities for transit, Port Lincoln and many other places on the West Coast would furnish abundant supplies. We have 476 licensed fishermen who annually take about 2,000 tons of fish, the market value of which may be roughly estimated at £74,700. Proper stocking and management would find profitable employment for a much greater number of men. We import about £40,000 worth of preserved fish per annum; this should be grown in our own waters, and preserved on our shores. Much has been done to prevent destruction of fish, and to secure natural replenishment of supplies. During the last four and a half years over 37,418 cormorants and 116,183 turtles have been destroyed, many known spawning grounds have been closed, and every effort is made to prevent wasteful and illegal fishing. What we need is some one to take up the question of increasing our supplies and providing a regular market and delivery of fish. Concurrently with increasing our supplies we must have greater facilities for marketing and delivering to consumers. There is no reason why fish fresh from the sea should not be at the consumer’s door with the milk on the morning after being caught. But who is the consumer? At present we are not a fish-eating com­munity. Fish is seen but rarely on the family table. Why? Partly because of its dearness, and also for the reason that there is no regular delivery to private houses- We need an enterprising person to receive the fish on arrival of the trains from seaports, place it direct into cool chambers and deliver it to customers early next morning. In that way a regular trade would be established, and we should rescue for local use much of our fish that now goes to the Ballarat and Melbourne markets. There were several passages in the report of the Royal Commission that enquired into the charges against produce merchants which lie would like to quote. Among other things the report stated:—“Owing to the general dissatisfaction existing among fishermen, es­pecially those on the Murray and its lakes, and the exceedingly high price to the consumer, your Commissioners acceded to a request to extend the scope of the en­quiry by taking evidence on the supply and marketing of fish. The fishermen complained that the system under which the City Corporation Fish Market is leased tends to create a monopoly in the wholesale fish trade. The auctioneer was granted a further lease of 14 years from August 1 1900. Fishermen also alleged that deductions for shrinkages have been far too great; that at times their only return is a certificate which denotes that a particular parcel of fish has been condemned; and that in many instances prices are not satisfactory. It has been further alleged that the lessee of the Corporation Market is interested in several gulf-fishing cutters and boats. The impression is thereby created that he looks more after the interests of the salt-water fishermen than those of the fresh-water fishermen. Your Commissioners inspected the Adelaide and the Melbourne markets, and took evidence from the authorities connected with the industry and the markets in each State. They have now come to the conclusion that the system in vogue in Melbourne of letting stands in the market to as many auctioneers as care to apply for them is much to be preferred to that followed in Adelaide, where a wholesale monopoly practically exists. The retail trade in Adelaide, however, is on a better footing, from the consumer’s point of view, than that in Melbourne, where the city shops are in the hands of one man, whose only opposition is that created by barrow men. One of the principal reasons for the high price of fish in Adelaide is the fact that much of the local catch is forwarded to Melbourne, where the supply is not equal to the demand, and where better prices are obtainable. Considering that many bays and inlets in our gulf teem with edible fish, your Commissioners are favorable to the suggestion that a small steamer should be fitted up with a refrigerator, trade to the fishing ground, receive the “catches” from the cutters and local fishermen, and bring them to Port Adelaide, where, if need be, they could be stored in the Government depot.” And the following recommendations were made:—‘'That, as an experiment, a small steamer be fitted with a refrigerator for the purpose of periodically visiting the fishing grounds in our gulf waters and bringing the produce to Port Adelaide. That the Adelaide Corporation be respectfully invited to encourage competition in the auctioneering of fish in the city market, and to instruct their inspector that when he condemns fish he should write the name of the consignor on the certificate given. The Government had now under consideration the question of the distribution of fish. If anything could be done to facilitate that he was sure it would be appreciated by the fish- eating community. It was a disgrace to South Australia that the people could not get a better supply of fish, and at cheaper prices as well. To return to the Bill. Section 11 of the Bill was very important in the interests of the industry. At present migratory foreigners exploited the fishing grounds, following them from place to place, and interfering with the spawning grounds. It was desired to restrict fishing to those who were permanently settled in the country, and whose interests it was to preserve the industry. He commended the Bill to honorable members on both sides of the House, because it was a measure which would contribute to the greater prosperity of the industry in the future than had been the ease in the past.

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