



ANNO SECUNDO

GEORGI VI REGIS.

A.D. 1938.

No. 2419.

An Act to amend the Fisheries Act, 1917-1938.

[Assented to 15th December, 1938.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the " Fisheries Act Amendment Act (No. 2), 1938 ". Short titles.

(2) The Fisheries Act, 1917-1938 (which is in the succeeding sections of this Act referred to as " the principal Act "), as amended by and together with this Act, may be cited as the " Fisheries Act, 1917-1938 ".

2. The principal Act is amended by inserting therein after section 48 thereof the following section :— Amendment of principal Act—

48a. (1) The Minister, upon such conditions and for such term as he thinks fit, may issue licences for— Licences for canning of tunny.

- (a) the canning of tuna and tunny-like fish :
- (b) the manufacture of fish-meal and fish-oil from tuna and tunny-like fish :
- (c) sharp freezing or otherwise preserving tuna and tunny-like fish.

(2) The Minister may, in respect of any part of the State, issue to any person an exclusive licence under this section for all or any of the purposes mentioned in subsection (1), and whilst any such licence is current no other licence for any of the purposes included in the exclusive licence shall be issued under this section in respect of the said part of the State.

Fisheries Act Amendment Act (No. 2), 1938.

Every such exclusive licence shall—

- (a) define the part of the State to which it applies :
- (b) require that the person to whom it is issued shall expend the amount or amounts fixed by the licence in the establishment and development of the industry and shall contain a condition that, failing such expenditure, the licence may be revoked by the Minister :
- (c) be for a period of not more than ten years :
- (d) be issued upon such other conditions as are fixed by the Minister.

(3) If any exclusive licence is granted as aforesaid and the holder thereof satisfies the Minister that markets would not be available for the holders of any additional licences which may be issued under this section in respect of the part of the State to which the exclusive licence applies, the Minister may, upon the expiry of the exclusive licence, issue a further exclusive licence for a period of not more than ten years to the holder of the expired exclusive licence.

(4) If any person not licensed under this section carries on the business of—

- (a) canning tuna or tunny-like fish ; or
- (b) manufacturing fish-meal or fish-oil from tuna or tunny-like fish ; or
- (c) sharp freezing or otherwise preserving tuna or tunny-like fish,

he shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds, and to a further penalty not exceeding five pounds for every day during which he carries on business as aforesaid.

Amendment of
principal Act,
s. 59—

3. Section 59 of the principal Act is amended by inserting therein after paragraph (c5) thereof the following paragraph :—

Regulations.

- (c6) regulating the granting of licences under section 48a and prescribing the terms and conditions of such licences :

In the name and on behalf of His Majesty, I hereby assent to this Bill.

W. DUGAN, Governor.