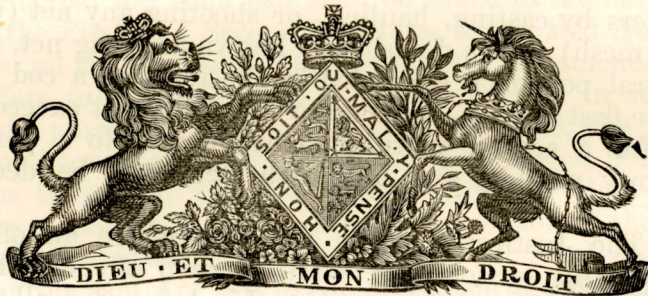


New South Wales.



ANNO QUINQUAGESIMO PRIMO

VICTORIÆ REGINÆ.

No. XXVI.

An Act for the better preservation of Fish in Inland Waters. [Assented to, 28th December, 1887.]

WHEREAS it is expedient to prevent as far as possible the destruction of Fish in the Inland Waters of this Colony, although such fish may not be included in the definition of fish contained in the Act forty-fourth Victoria, number twenty-six ("The Fisheries Act, 1881"), hereinafter termed the Principal Act, and it is also expedient to make further provision for the protection of the fresh-water fishes specified in the First Schedule to the said Act. Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (I) This Act may be cited as the "Inland Waters Fisheries Act of 1887," and shall be read with the Principal Act and with any Act amending the same, so far as any such Act applies to the inland waters of this Colony.

(II) In this Act the expression "inland waters" includes all rivers and creeks for that portion of their watercourse which is beyond the influence of the tides, also all fresh-water lakes, lagoons, and ponds. "Prescribed"

Inland Waters Fisheries.

“Prescribed” means prescribed by regulations. “Regulations” means the regulations now or hereafter to be made under the Principal Act. “Fish” includes fish as defined by the said Act, and also fish not indigenous to this Colony which may be introduced or be in any inland waters.

What nets unlawful when used in inland waters.

2. (I) Every net when used for the purpose of catching or enclosing fish in inland waters shall be deemed to be an unlawful net, if the mesh of such net shall measure diagonally when prepared for use, wetted, and stretched, in accordance with the regulations, less than four inches in any part thereof, or if such net (whatever the size of the mesh) be staked, fixed, set, or hauled from bank to bank of any inland waters, and any person using any such unlawful net shall be liable to a penalty not exceeding five pounds.

As to bag nets, &c.

(II) If any person shall catch or attempt to catch fish in any inland waters by casting, hauling, or shooting any net (whatever the size of the mesh) of the description known as a bag net, or net of which the central portion is elongated in the form of a cod or purse he shall, for the first offence, be liable to a penalty not exceeding five pounds, and for a second or subsequent offence, to a penalty not exceeding twenty pounds, and any such net shall be deemed an unlawful net.

Forfeiture.

(III) The Justices may, in any case where an offender is convicted under this section, and shall, if such offender has been previously convicted of any offence under this Act, order all unlawful nets used by or found in the possession of such offender to be forfeited to Her Majesty.

Saving.

(IV) Nothing in this section contained shall apply to the owner of the soil or bed of any inland waters using or setting a net within such waters to capture fish for breeding purposes, or for stocking a fishery, or for his own consumption only.

Governor may close inland waters against net-fishing.

3. The Governor may from time to time if so advised by the Commissioners declare, by proclamation in the *Gazette* and in some newspaper circulating in the Police District within which the waters proclaimed are situated, that the whole or any defined portion of any inland waters shall be closed against the use of all fishing-nets for such term as the Governor shall think fit; but any such proclamation may be extended by the Governor, if advised as aforesaid, or may in like manner be rescinded at any time.

Penalty on net-fishing in closed waters.

4. (I) If any person, after the expiration of sixty days from the date of any such proclamation or extended proclamation, and during the currency thereof, shall cast, haul, stake, fix, or place any net of any kind whatever for the purpose of taking or capturing fish within the limits of the waters or area defined in such proclamation, such person shall be liable for the first offence to a penalty not exceeding ten pounds, and for the second or any subsequent offence, to a penalty not exceeding twenty pounds.

Forfeiture of fish, nets, &c.

(II) All fish taken in violation of the provisions of this section, together with all fishing-nets used for the purpose of taking the same, shall be forfeited to Her Majesty, and shall be disposed of in the prescribed manner.

Arrest of offenders.

(III) Any inspector, constable, or officer of Police may, with or without warrant, apprehend and take before one or more Justices any person found offending against the provisions of this section, to be dealt with according to law; and may in like manner seize every net unlawfully used by such person as well as all fish found in his possession.

Proclamation of close months in inland waters.

5. The Governor, on the recommendation of the Commissioners, may, by proclamation in the *Gazette*, declare that any inland waters therein specified, shall be exempted from net-fishing from the first day of October

Inland Waters Fisheries.

October to the thirty-first day of January in every year. The months during which such waters are so exempt from net-fishing, shall be designated "Close months." And if any person shall, during any close-month, place, shoot, cast, or haul any fishing-net whatever, or stake, fix, or set any such net for the purpose of catching, taking, or enclosing any fish in any such waters, or in such manner that fish in such waters might be caught or taken thereby, such person shall be liable to a penalty not exceeding fifty pounds. And every person aiding or assisting in the shooting or casting of any such net, or being in any boat from which any such net shall be shot or cast, in contravention of the provisions of this section, shall incur a like penalty. Provided always that it shall be lawful for the Governor, on the like recommendation, and in like manner, to rescind or vary any such proclamation.

6. In order that carp and tench may be within the protection of the Principal Act such fish shall be added to the list of fresh-water fishes in the First and Second Schedules to the said Act, and shall be subject to all the provisions of the said Act, as amended by this Act, which relate to the fresh-water fishes enumerated in such Schedules; and for the purposes of the said Second Schedule, the lawful weights for carp and tench respectively shall be four ounces, but subject to the provisions of section nine sub-section three of the said Act. The provisions contained in the twenty-second section of the Principal Act shall be applicable and extend to the protection not only of "fish" as defined by the said Act but to the protection of any fish not indigenous to this Colony, which may be introduced or may be in any inland waters.

Protection to carp and tench.

Section 22 of Principal Act extended.

7. Any person affixing a net in any inland waters, at a less distance than sixty-six feet from the next nearest net, shall be liable to a penalty not exceeding ten pounds.

Nets to be at least sixty-six feet apart.

8. The sections of the Principal Act hereinafter enumerated, shall be applied in carrying out and enforcing the purposes and provisions of this Act with as full effect as if they had been herein specifically enacted, namely:—

Application of certain provisions of Principal Act.

- (a) Sections fifty-eight to sixty-four, both inclusive.
- (b) Section sixty-seven.

Inland Waters Fisheries

October to the thirty-first day of January in every year. The months during which such waters are so exempt from net-fishing shall be designated "Close months." And if any person shall during any close month, place, shoot, cast, or haul any fishing net, whatever, or stake, or set any such net for the purpose of catching, taking, or enclosing any fish in any such waters, or in such manner that fish in such waters might be caught or taken thereby, such person shall be liable to a penalty not exceeding fifty pounds. And every person riding or assisting in the shooting or casting of any such net, or being in any boat from which any such net shall be shot or cast, in contravention of the provisions of this section, shall incur a like penalty. Provided always that it shall be lawful for the Governor, on the recommendation, and in like manner, to rescind or vary any such proclamation.

6. In order that carp and tench may be within the protection of the Principal Act such fish shall be added to the list of fresh-water fishes in the First and Second Schedules to the said Act, and shall be subject to all the provisions of the said Act, as amended by this Act, which relate to the fresh-water fishes enumerated in such Schedules; and for the purpose of the said Second Schedule, the lawful weights for carp and tench respectively shall be four ounces, but subject to the provisions contained in the twenty-second section of the Principal Act, shall be applicable and extend to the protection not only of "fish," as defined by the said Act, but to the protection of any fish not indigenous to this Colony, which may be introduced or may be in any inland waters.

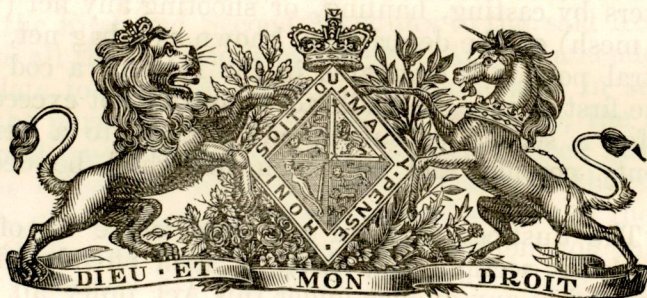
7. Any person affixing a net in any inland water, at a less distance than sixty-six feet from the next nearest net, shall be liable to a penalty not exceeding ten pounds.

8. The sections of the Principal Act hereinafter enumerated, shall be applied in carrying out and enforcing the purposes and provisions of this Act with as full effect as if they had been therein specifically enacted, namely:—
(a) Sections fifty-eight to sixty-four, both inclusive.
(b) Section sixty-seven.

9. The sections of the Principal Act hereinafter enumerated, shall be applied in carrying out and enforcing the purposes and provisions of this Act with as full effect as if they had been therein specifically enacted, namely:—
(a) Sections fifty-eight to sixty-four, both inclusive.
(b) Section sixty-seven.

10. The sections of the Principal Act hereinafter enumerated, shall be applied in carrying out and enforcing the purposes and provisions of this Act with as full effect as if they had been therein specifically enacted, namely:—
(a) Sections fifty-eight to sixty-four, both inclusive.
(b) Section sixty-seven.

New South Wales.



ANNO QUINQUAGESIMO PRIMO

VICTORIÆ REGINÆ.

No. XXVI.

An Act for the better preservation of Fish in Inland Waters. [Assented to, 28th December, 1887.]

WHEREAS it is expedient to prevent as far as possible the destruction of Fish in the Inland Waters of this Colony, although such fish may not be included in the definition of fish contained in the Act forty-fourth Victoria, number twenty-six ("The Fisheries Act, 1881"), hereinafter termed the Principal Act, and it is also expedient to make further provision for the protection of the fresh-water fishes specified in the First Schedule to the said Act. Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (I) This Act may be cited as the "Inland Waters Fisheries Act of 1887," and shall be read with the Principal Act and with any Act amending the same, so far as any such Act applies to the inland waters of this Colony.

(II) In this Act the expression "inland waters" includes all rivers and creeks for that portion of their watercourse which is beyond the influence of the tides, also all fresh-water lakes, lagoons, and ponds. "Prescribed"

Inland Waters Fisheries.

“Prescribed” means prescribed by regulations. “Regulations” means the regulations now or hereafter to be made under the Principal Act. “Fish” includes fish as defined by the said Act, and also fish not indigenous to this Colony which may be introduced or be in any inland waters.

What nets unlawful when used in inland waters.

2. (I) Every net when used for the purpose of catching or enclosing fish in inland waters shall be deemed to be an unlawful net, if the mesh of such net shall measure diagonally when prepared for use, wetted, and stretched, in accordance with the regulations, less than four inches in any part thereof, or if such net (whatever the size of the mesh) be staked, fixed, set, or hauled from bank to bank of any inland waters, and any person using any such unlawful net shall be liable to a penalty not exceeding five pounds.

As to bag nets, &c.

(II) If any person shall catch or attempt to catch fish in any inland waters by casting, hauling, or shooting any net (whatever the size of the mesh) of the description known as a bag net, or net of which the central portion is elongated in the form of a cod or purse he shall, for the first offence, be liable to a penalty not exceeding five pounds, and for a second or subsequent offence, to a penalty not exceeding twenty pounds, and any such net shall be deemed an unlawful net.

Forfeiture.

(III) The Justices may, in any case where an offender is convicted under this section, and shall, if such offender has been previously convicted of any offence under this Act, order all unlawful nets used by or found in the possession of such offender to be forfeited to Her Majesty.

Saving.

(IV) Nothing in this section contained shall apply to the owner of the soil or bed of any inland waters using or setting a net within such waters to capture fish for breeding purposes, or for stocking a fishery, or for his own consumption only.

Governor may close inland waters against net-fishing.

3. The Governor may from time to time if so advised by the Commissioners declare, by proclamation in the *Gazette* and in some newspaper circulating in the Police District within which the waters proclaimed are situated, that the whole or any defined portion of any inland waters shall be closed against the use of all fishing-nets for such term as the Governor shall think fit; but any such proclamation may be extended by the Governor, if advised as aforesaid, or may in like manner be rescinded at any time.

Penalty on net-fishing in closed waters.

4. (I) If any person, after the expiration of sixty days from the date of any such proclamation or extended proclamation, and during the currency thereof, shall cast, haul, stake, fix, or place any net of any kind whatever for the purpose of taking or capturing fish within the limits of the waters or area defined in such proclamation, such person shall be liable for the first offence to a penalty not exceeding ten pounds, and for the second or any subsequent offence, to a penalty not exceeding twenty pounds.

Forfeiture of fish, nets, &c.

(II) All fish taken in violation of the provisions of this section, together with all fishing-nets used for the purpose of taking the same, shall be forfeited to Her Majesty, and shall be disposed of in the prescribed manner.

Arrest of offenders.

(III) Any inspector, constable, or officer of Police may, with or without warrant, apprehend and take before one or more Justices any person found offending against the provisions of this section, to be dealt with according to law; and may in like manner seize every net unlawfully used by such person as well as all fish found in his possession.

Proclamation of close months in inland waters.

5. The Governor, on the recommendation of the Commissioners, may, by proclamation in the *Gazette*, declare that any inland waters therein specified, shall be exempted from net-fishing from the first day of

October

Inland Waters Fisheries.

October to the thirty-first day of January in every year. The months during which such waters are so exempt from net-fishing, shall be designated "Close months." And if any person shall, during any close-month, place, shoot, cast, or haul any fishing-net whatever, or stake, fix, or set any such net for the purpose of catching, taking, or enclosing any fish in any such waters, or in such manner that fish in such waters might be caught or taken thereby, such person shall be liable to a penalty not exceeding fifty pounds. And every person aiding or assisting in the shooting or casting of any such net, or being in any boat from which any such net shall be shot or cast, in contravention of the provisions of this section, shall incur a like penalty. Provided always that it shall be lawful for the Governor, on the like recommendation, and in like manner, to rescind or vary any such proclamation.

6. In order that carp and tench may be within the protection of the Principal Act such fish shall be added to the list of fresh-water fishes in the First and Second Schedules to the said Act, and shall be subject to all the provisions of the said Act, as amended by this Act, which relate to the fresh-water fishes enumerated in such Schedules; and for the purposes of the said Second Schedule, the lawful weights for carp and tench respectively shall be four ounces, but subject to the provisions of section nine sub-section three of the said Act. The provisions contained in the twenty-second section of the Principal Act shall be applicable and extend to the protection not only of "fish" as defined by the said Act but to the protection of any fish not indigenous to this Colony, which may be introduced or may be in any inland waters.

Protection to carp and tench.

Section 22 of Principal Act extended.

7. Any person affixing a net in any inland waters, at a less distance than sixty-six feet from the next nearest net, shall be liable to a penalty not exceeding ten pounds.

Nets to be at least sixty-six feet apart.

8. The sections of the Principal Act hereinafter enumerated, shall be applied in carrying out and enforcing the purposes and provisions of this Act with as full effect as if they had been herein specifically enacted, namely:—

Application of certain provisions of Principal Act.

- (a) Sections fifty-eight to sixty-four, both inclusive.
- (b) Section sixty-seven.

Inland Waters Fisheries

October to the thirty-first day of January in every year. The months during which such waters are so exempt from net-fishing shall be designated "Close months." And if any person shall during any close month, place shoot, cast, or haul any fishing-net whatever, or take, or set any such net for the purpose of catching, taking, or enclosing any fish in any such waters, or in such manner that fish in such waters might be caught or taken thereby, such person shall be liable to a penalty not exceeding fifty pounds. And every person aiding or assisting in the shooting or casting of any such net, or being in any boat from which any such net shall be shot or cast, in contravention of the provisions of this section, shall incur a like penalty. Provided always that it shall be lawful for the Governor, on the like recommendation, and in like manner, to rescind or vary any such proclamation.

6. In order that carp and perch may be within the protection of the Principal Act such fish shall be added to the list of fresh-water fishes in the First and Second Schedules to the said Act, and shall be subject to all the provisions of the said Act, as amended by this Act, which relate to the fresh-water fishes enumerated in such Schedules; and for the purpose of the said Second Schedule, the lawful weights for carp and perch respectively shall be four ounces, but subject to the provisions of section nine sub-section three of the said Act. The provisions contained in the twenty-second section of the Principal Act shall be applicable and extend to the protection not only of "fish" as defined by the said Act but to the protection of any fish not indigenous to this Colony which may be introduced or may be in any inland waters.

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(a) Section fifty-eight to sixty-four, both inclusive.
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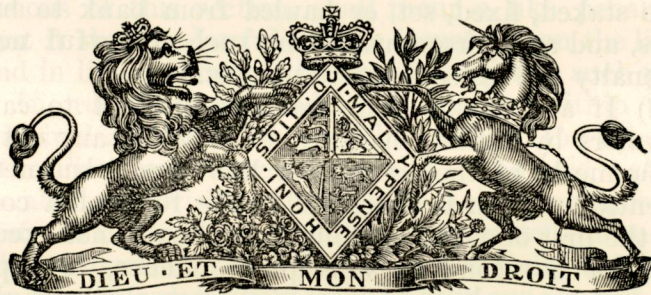
In Authority: GEORGE FORSTER, Government Printer, Sydney, 1882.

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Legislative Assembly Chamber,
Sydney, 22 December, 1887.* }

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.



ANNO QUINQUAGESIMO PRIMO

VICTORIÆ REGINÆ.

No. XXVI.

An Act for the better preservation of Fish in Inland Waters.
[Assented to, 28th December, 1887.]

WHEREAS it is expedient to prevent as far as possible the destruction of Fish in the Inland Waters of this Colony, although such fish may not be included in the definition of fish contained in the Act forty-fourth Victoria, number twenty-six ("The Fisheries Act, 1881"), hereinafter termed the Principal Act, and it is also expedient to make further provision for the protection of the fresh-water fishes specified in the First Schedule to the said Act. Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (I) This Act may be cited as the "Inland Waters Fisheries Act of 1887," and shall be read with the Principal Act and with any Act amending the same, so far as any such Act applies to the inland waters of this Colony. Preamble.

(II) In this Act the expression "inland waters" includes all rivers and creeks for that portion of their watercourse which is beyond the influence of the tides, also all fresh-water lakes, lagoons, and ponds. Short title, &c.

"Prescribed" Interpretation.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

ANGUS CAMERON,
Chairman of Committees of the Legislative Assembly.

Inland Waters Fisheries.

“Prescribed” means prescribed by regulations. “Regulations” means the regulations now or hereafter to be made under the Principal Act. “Fish” includes fish as defined by the said Act, and also fish not indigenous to this Colony which may be introduced or be in any inland waters.

What nets unlawful when used in inland waters.

2. (I) Every net when used for the purpose of catching or enclosing fish in inland waters shall be deemed to be an unlawful net, if the mesh of such net shall measure diagonally when prepared for use, wetted, and stretched, in accordance with the regulations, less than four inches in any part thereof, or if such net (whatever the size of the mesh) be staked, fixed, set, or hauled from bank to bank of any inland waters, and any person using any such unlawful net shall be liable to a penalty not exceeding five pounds.

As to bag nets, &c.

(II) If any person shall catch or attempt to catch fish in any inland waters by casting, hauling, or shooting any net (whatever the size of the mesh) of the description known as a bag net, or net of which the central portion is elongated in the form of a cod or purse he shall, for the first offence, be liable to a penalty not exceeding five pounds, and for a second or subsequent offence, to a penalty not exceeding twenty pounds, and any such net shall be deemed an unlawful net.

Forfeiture.

(III) The Justices may, in any case where an offender is convicted under this section, and shall, if such offender has been previously convicted of any offence under this Act, order all unlawful nets used by or found in the possession of such offender to be forfeited to Her Majesty.

Saving.

(IV) Nothing in this section contained shall apply to the owner of the soil or bed of any inland waters using or setting a net within such waters to capture fish for breeding purposes, or for stocking a fishery, or for his own consumption only.

Governor may close inland waters against net-fishing.

3. The Governor may from time to time if so advised by the Commissioners declare, by proclamation in the *Gazette* and in some newspaper circulating in the Police District within which the waters proclaimed are situated, that the whole or any defined portion of any inland waters shall be closed against the use of all fishing-nets for such term as the Governor shall think fit; but any such proclamation may be extended by the Governor, if advised as aforesaid, or may in like manner be rescinded at any time.

Penalty on net-fishing in closed waters.

4. (I) If any person, after the expiration of sixty days from the date of any such proclamation or extended proclamation, and during the currency thereof, shall cast, haul, stake, fix, or place any net of any kind whatever for the purpose of taking or capturing fish within the limits of the waters or area defined in such proclamation, such person shall be liable for the first offence to a penalty not exceeding ten pounds, and for the second or any subsequent offence, to a penalty not exceeding twenty pounds.

Forfeiture of fish, nets, &c.

(II) All fish taken in violation of the provisions of this section, together with all fishing-nets used for the purpose of taking the same, shall be forfeited to Her Majesty, and shall be disposed of in the prescribed manner.

Arrest of offenders.

(III) Any inspector, constable, or officer of Police may, with or without warrant, apprehend and take before one or more Justices any person found offending against the provisions of this section, to be dealt with according to law; and may in like manner seize every net unlawfully used by such person as well as all fish found in his possession.

Proclamation of close months in inland waters.

5. The Governor, on the recommendation of the Commissioners, may, by proclamation in the *Gazette*, declare that any inland waters therein specified, shall be exempted from net-fishing from the first day of

October

Inland Waters Fisheries.

October to the thirty-first day of January in every year. The months during which such waters are so exempt from net-fishing, shall be designated "Close months." And if any person shall, during any close-month, place, shoot, cast, or haul any fishing-net whatever, or stake, fix, or set any such net for the purpose of catching, taking, or enclosing any fish in any such waters, or in such manner that fish in such waters might be caught or taken thereby, such person shall be liable to a penalty not exceeding fifty pounds. And every person aiding or assisting in the shooting or casting of any such net, or being in any boat from which any such net shall be shot or cast, in contravention of the provisions of this section, shall incur a like penalty. Provided always that it shall be lawful for the Governor, on the like recommendation, and in like manner, to rescind or vary any such proclamation.

6. In order that carp and tench may be within the protection of the Principal Act such fish shall be added to the list of fresh-water fishes in the First and Second Schedules to the said Act, and shall be subject to all the provisions of the said Act, as amended by this Act, which relate to the fresh-water fishes enumerated in such Schedules; and for the purposes of the said Second Schedule, the lawful weights for carp and tench respectively shall be four ounces, but subject to the provisions of section nine sub-section three of the said Act. The provisions contained in the twenty-second section of the Principal Act shall be applicable and extend to the protection not only of "fish" as defined by the said Act but to the protection of any fish not indigenous to this Colony, which may be introduced or may be in any inland waters.

Protection to carp and tench.

Section 22 of Principal Act extended.

7. Any person affixing a net in any inland waters, at a less distance than sixty-six feet from the next nearest net, shall be liable to a penalty not exceeding ten pounds.

Nets to be at least sixty-six feet apart.

8. The sections of the Principal Act hereinafter enumerated, shall be applied in carrying out and enforcing the purposes and provisions of this Act with as full effect as if they had been herein specifically enacted, namely:—

Application of certain provisions of Principal Act.

- (a) Sections fifty-eight to sixty-four, both inclusive.
- (b) Section sixty-seven.

In the name and on the behalf of Her Majesty I assent to this Act.

CARRINGTON.

*Government House,
28th December, 1887.*

Inland Waters Fisheries

October to the thirty-first day of January in every year. The months during which such waters are so exempt from fishing shall be designated "close months." And if any person shall during any close month, place, shoot, cast, or haul any fishing net, or stake, or set any such net for the purpose of catching, taking, or enclosing any fish in any such waters, or in such manner that fish in such waters might be caught or taken thereby, such person shall be liable to a penalty not exceeding fifty pounds. And every person aiding or assisting in the shooting or casting of any such net, or being in any boat from which any such net shall be shot or cast, in contravention of the provisions of this section, shall incur a like penalty. Provided always that it shall be lawful for the Governor, on the like recommendation, and in like manner, to rescind or vary any such proclamation.

6. In order that carp and perch may be within the protection of the Principal Act such fish shall be added to the list of fresh-water fishes in the First and Second Schedules to the said Act, and shall be subject to all the provisions of the said Act, as amended by this Act, which relate to the fresh-water fishes enumerated in such Schedules; and for the purpose of the said Second Schedule, the lawful weights for carp and perch respectively shall be four ounces, but subject to the provisions of section nine sub-section three of the Principal Act. The provisions contained in the twenty-second section of the Principal Act shall be applicable and extend to the protection not only of fish as defined by the said Act, but to the protection of any fish not indigenous to this Colony, which may be introduced or may be in any inland waters.

7. Any person affixing a net in any inland waters, at a less distance than sixty-six feet from the next nearest net, shall be liable to a penalty not exceeding ten pounds.

8. The sections of the Principal Act hereinafter enumerated shall be applied in carrying out and enforcing the purposes and provisions of this Act with as full effect as if they had been therein specifically enacted, namely:—

- (a) Sections fifty-eight to sixty-four, both inclusive.
(b) Section sixty-seven.

9. The sections of the Principal Act hereinafter enumerated shall be applied in carrying out and enforcing the purposes and provisions of this Act with as full effect as if they had been therein specifically enacted, namely:—

- (a) Sections fifty-eight to sixty-four, both inclusive.
(b) Section sixty-seven.

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- (a) Sections fifty-eight to sixty-four, both inclusive.
(b) Section sixty-seven.

11. The sections of the Principal Act hereinafter enumerated shall be applied in carrying out and enforcing the purposes and provisions of this Act with as full effect as if they had been therein specifically enacted, namely:—

- (a) Sections fifty-eight to sixty-four, both inclusive.
(b) Section sixty-seven.

12. The sections of the Principal Act hereinafter enumerated shall be applied in carrying out and enforcing the purposes and provisions of this Act with as full effect as if they had been therein specifically enacted, namely:—

- (a) Sections fifty-eight to sixty-four, both inclusive.
(b) Section sixty-seven.

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- (a) Sections fifty-eight to sixty-four, both inclusive.
(b) Section sixty-seven.

14. The sections of the Principal Act hereinafter enumerated shall be applied in carrying out and enforcing the purposes and provisions of this Act with as full effect as if they had been therein specifically enacted, namely:—

- (a) Sections fifty-eight to sixty-four, both inclusive.
(b) Section sixty-seven.

Section 25 of Principal Act

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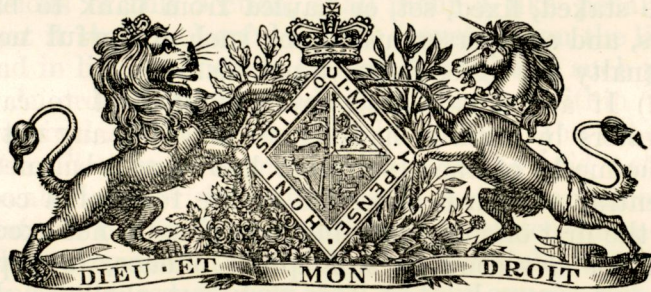
Section 25 of Principal Act

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Legislative Assembly Chamber,
Sydney, 22 December, 1887.* }

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.



ANNO QUINQUAGESIMO PRIMO

VICTORIÆ REGINÆ.

No. XXVI.

An Act for the better preservation of Fish in Inland Waters.
[Assented to, 28th December, 1887.]

WHEREAS it is expedient to prevent as far as possible the destruction of Fish in the Inland Waters of this Colony, although such fish may not be included in the definition of fish contained in the Act forty-fourth Victoria, number twenty-six ("The Fisheries Act, 1881"), hereinafter termed the Principal Act, and it is also expedient to make further provision for the protection of the fresh-water fishes specified in the First Schedule to the said Act. Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (I) This Act may be cited as the "Inland Waters Fisheries Act of 1887," and shall be read with the Principal Act and with any Act amending the same, so far as any such Act applies to the inland waters of this Colony. Preamble.

(II) In this Act the expression "inland waters" includes all rivers and creeks for that portion of their watercourse which is beyond the influence of the tides, also all fresh-water lakes, lagoons, and ponds. Short title, &c.

"Prescribed" Interpretation.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

ANGUS CAMERON,
Chairman of Committees of the Legislative Assembly.

Inland Waters Fisheries.

“Prescribed” means prescribed by regulations. “Regulations” means the regulations now or hereafter to be made under the Principal Act. “Fish” includes fish as defined by the said Act, and also fish not indigenous to this Colony which may be introduced or be in any inland waters.

What nets unlawful when used in inland waters.

2. (I) Every net when used for the purpose of catching or enclosing fish in inland waters shall be deemed to be an unlawful net, if the mesh of such net shall measure diagonally when prepared for use, wetted, and stretched, in accordance with the regulations, less than four inches in any part thereof, or if such net (whatever the size of the mesh) be staked, fixed, set, or hauled from bank to bank of any inland waters, and any person using any such unlawful net shall be liable to a penalty not exceeding five pounds.

As to bag nets, &c.

(II) If any person shall catch or attempt to catch fish in any inland waters by casting, hauling, or shooting any net (whatever the size of the mesh) of the description known as a bag net, or net of which the central portion is elongated in the form of a cod or purse he shall, for the first offence, be liable to a penalty not exceeding five pounds, and for a second or subsequent offence, to a penalty not exceeding twenty pounds, and any such net shall be deemed an unlawful net.

Forfeiture.

(III) The Justices may, in any case where an offender is convicted under this section, and shall, if such offender has been previously convicted of any offence under this Act, order all unlawful nets used by or found in the possession of such offender to be forfeited to Her Majesty.

Saving.

(IV) Nothing in this section contained shall apply to the owner of the soil or bed of any inland waters using or setting a net within such waters to capture fish for breeding purposes, or for stocking a fishery, or for his own consumption only.

Governor may close inland waters against net-fishing.

3. The Governor may from time to time if so advised by the Commissioners declare, by proclamation in the *Gazette* and in some newspaper circulating in the Police District within which the waters proclaimed are situated, that the whole or any defined portion of any inland waters shall be closed against the use of all fishing-nets for such term as the Governor shall think fit; but any such proclamation may be extended by the Governor, if advised as aforesaid, or may in like manner be rescinded at any time.

Penalty on net-fishing in closed waters.

4. (I) If any person, after the expiration of sixty days from the date of any such proclamation or extended proclamation, and during the currency thereof, shall cast, haul, stake, fix, or place any net of any kind whatever for the purpose of taking or capturing fish within the limits of the waters or area defined in such proclamation, such person shall be liable for the first offence to a penalty not exceeding ten pounds, and for the second or any subsequent offence, to a penalty not exceeding twenty pounds.

Forfeiture of fish, nets, &c.

(II) All fish taken in violation of the provisions of this section, together with all fishing-nets used for the purpose of taking the same, shall be forfeited to Her Majesty, and shall be disposed of in the prescribed manner.

Arrest of offenders.

(III) Any inspector, constable, or officer of Police may, with or without warrant, apprehend and take before one or more Justices any person found offending against the provisions of this section, to be dealt with according to law; and may in like manner seize every net unlawfully used by such person as well as all fish found in his possession.

Proclamation of close months in inland waters.

5. The Governor, on the recommendation of the Commissioners, may, by proclamation in the *Gazette*, declare that any inland waters therein specified, shall be exempted from net-fishing from the first day of

October

Inland Waters Fisheries.

October to the thirty-first day of January in every year. The months during which such waters are so exempt from net-fishing, shall be designated "Close months." And if any person shall, during any close-month, place, shoot, cast, or haul any fishing-net whatever, or stake, fix, or set any such net for the purpose of catching, taking, or enclosing any fish in any such waters, or in such manner that fish in such waters might be caught or taken thereby, such person shall be liable to a penalty not exceeding fifty pounds. And every person aiding or assisting in the shooting or casting of any such net, or being in any boat from which any such net shall be shot or cast, in contravention of the provisions of this section, shall incur a like penalty. Provided always that it shall be lawful for the Governor, on the like recommendation, and in like manner, to rescind or vary any such proclamation.

6. In order that carp and tench may be within the protection of the Principal Act such fish shall be added to the list of fresh-water fishes in the First and Second Schedules to the said Act, and shall be subject to all the provisions of the said Act, as amended by this Act, which relate to the fresh-water fishes enumerated in such Schedules; and for the purposes of the said Second Schedule, the lawful weights for carp and tench respectively shall be four ounces, but subject to the provisions of section nine sub-section three of the said Act. The provisions contained in the twenty-second section of the Principal Act shall be applicable and extend to the protection not only of "fish" as defined by the said Act but to the protection of any fish not indigenous to this Colony, which may be introduced or may be in any inland waters.

Protection to carp and tench.

Section 22 of Principal Act extended.

7. Any person affixing a net in any inland waters, at a less distance than sixty-six feet from the next nearest net, shall be liable to a penalty not exceeding ten pounds.

Nets to be at least sixty-six feet apart.

8. The sections of the Principal Act hereinafter enumerated, shall be applied in carrying out and enforcing the purposes and provisions of this Act with as full effect as if they had been herein specifically enacted, namely:—

Application of certain provisions of Principal Act.

- (a) Sections fifty-eight to sixty-four, both inclusive.
- (b) Section sixty-seven.

In the name and on the behalf of Her Majesty I assent to this Act.

CARRINGTON.

*Government House,
28th December, 1887.*

Inland Waters Fisheries

October to the thirty-first day of January in every year. The months during which such waters are so exempt from fishing shall be designated "Close months." And if any person shall during any close-month, place, shoot, cast, or haul any fishing net, or stake, or set any such net for the purpose of catching, taking, or enclosing any fish in any such waters, or in such manner that fish in such waters might be caught or taken thereby, such person shall be liable to a penalty not exceeding fifty pounds. And every person aiding or assisting in the shooting or casting of any such net, or being in any boat from which any such net shall be shot or cast, in contravention of the provisions of this section, shall incur a like penalty. Provided always that it shall be lawful for the Governor, on the like recommendation, and in like manner, to rescind or vary any such proclamation.

6. In order that carp and perch may be within the protection of the Principal Act such fish shall be added to the list of fresh-water fishes in the First and Second Schedules to the said Act, and shall be subject to all the provisions of the said Act, as amended by this Act, which relate to the fresh-water fishes enumerated in such Schedules; and for the purposes of the said Second Schedule, the lawful weights for carp and perch respectively shall be four ounces, but subject to the provisions of section nine sub-section three of the said Act. The provisions contained in the twenty-second section of the Principal Act shall be applicable and extend to the protection not only of fish, as defined by the said Act, but to the protection of any fish not indigenous to this Colony, which may be introduced or may be in any inland waters.

7. Any person affixing a net in any inland waters, at a less distance than sixty-six feet from the next nearest net, shall be liable to a penalty not exceeding ten pounds.

8. The sections of the Principal Act hereinafter enumerated shall be applied in carrying out and enforcing the purposes and provisions of this Act with as full effect as if they had been specially enacted, namely:—

- (a) Sections fifty-eight to sixty-four, both inclusive.
(b) Section sixty-seven.

In the name and on the behalf of Her Majesty I assent to this Act.

Government House, 28th December, 1887.

CARRINGTON.

Government House, 28th December, 1887.

In the name and on the behalf of Her Majesty I assent to this Act.

Government House, 28th December, 1887.

CARRINGTON.

Government House, 28th December, 1887.

Section 23 of Principal Act amended.

Section 23 of Principal Act amended.

Section 23 of Principal Act amended.

Section 23 of Principal Act amended.

Section 23 of Principal Act amended.

Section 23 of Principal Act amended.

Section 23 of Principal Act amended.

Section 23 of Principal Act amended.

Section 23 of Principal Act amended.

Section 23 of Principal Act amended.

INLAND WATERS FISHERIES BILL.

SCHEDULE of Amendments referred to in Message of 22nd December, 1887.

- Page 1, Preamble, line 5. *After* “ ‘ 1881’ ” *insert* “ hereinafter termed the **Principal Act** ”
- Page 1, clause 1, lines 13 and 14. *Omit* “ ‘ Fisheries Act, 1881,’ (forty-fourth Victoria, number twenty-six) ”
insert “ **Principal Act** ”
- Page 1, clause 1, line 19. *After* “ lakes ” *insert* “ **lagoons and ponds** ”
- Page 2, clause 1, lines 1 and 2. *Omit* “ to be made under the ‘ Fisheries Act, 1881,’ ”
- Page 2, clause 1, line 3. *Omit* “ said last mentioned ” *insert* “ **Principal** ”
- Page 2, clause 1, line 4. *Add* “ **s** ” to “ include ”
- Page 2, clause 2, line 13. *Omit* “ river or creek ” *insert* “ **inland waters and any person using any such**
“ **unlawful net shall be liable to a penalty not exceeding five pounds** ”
- Page 2, clause 2, line 20. *Omit* “ and not less than two pounds ”
- Page 2, clause 2, line 21. *Omit* “ and not less than five ”
- Page 2, clause 2, line 22. *After* “ pounds ” *insert* “ **and any such net shall be deemed an unlawful net** ”
- Page 2, clause 2, lines 23 to 25. *Omit* “ Any person using an unlawful net shall be liable to a penalty not
“ exceeding five pounds nor less than ten shillings for every such offence and ”
- Page 2, clause 3, line 35. *Before* “ declare ” *insert* “ **if so advised by the Commissioners** ”
- Page 2, clause 3, line 36. *Omit* “ nearest ”
- Page 2, clause 3, line 36. *After* “ District ” *insert* “ **within which the waters proclaimed are situated** ”
- Page 2, clause 3, line 38. *Omit* “ river, creek, or lake ” *insert* “ **inland waters** ”
- Page 2, clause 3, line 40. *Omit* “ so ”
- Page 2, clause 3, line 41. *Omit* “ by the Commissioners ” *insert* “ **as aforesaid** ”
- Page 2, clause 4. *Omit* subsection “ (II) ”
- Page 3, clause 4. At end of clause *add* “ **as well as all fish found in his possession** ”.
- Page 3, clause 6, line 21. *Omit* “ Fisheries Act, 1881,” *insert* “ **Principal Act** ”
- Page 3, clause 6, line 29. *Omit* “ Fisheries Act, 1881,” *insert* “ **Principal Act** ”
- Page 3, clause 6, line 32. *Omit* “ in New South Wales ”
- Page 3, clause 7, line 33. *Omit* “ a distance of at least sixty-six feet shall separate all nets ”
- Page 3, clause 7, line 34. *After* “ affixing ” *insert* “ **a** ”
- Page 3, clause 7, line 34. *Omit* “ s ” from “ nets ”
- Page 3, clause 7, line 34. *Omit* “ river, creek, or other watercourse ” *insert* “ **inland waters** ”
- Page 3, clause 7, line 35. *After* “ feet ” *insert* “ **from the next nearest net** ”
- Page 3, clause 7, line 36. *After* “ to ” *omit* remainder of clause, *insert* “ **a penalty not exceeding ten**
pounds ”
- Page 3, clause 8, line 38. *Omit* “ Fisheries Act, 1881, hereafter ” *insert* “ **Principal Act hereinafter** ”

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This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 30 November, 1887. }*

STEPHEN W. JONES,
Clerk of Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

*Legislative Council Chamber,
Sydney, 22nd December, 1887. }*

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO QUINQUAGESIMO PRIMO

VICTORIÆ REGINÆ.

No. .

An Act for the better preservation of Fish in Inland Waters.

WHEREAS it is expedient to prevent as far as possible the destruction of Fish in the Inland Waters of this Colony, although such fish may not be included in the definition of fish contained in the Act forty-fourth Victoria, number twenty-six ("The Fisheries Act, 5 1881"), hereinafter termed the **Principal Act**, and it is also expedient to make further provision for the protection of the fresh-water fishes specified in the First Schedule to the said Act. Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New 10 South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (I) This Act may be cited as the "Inland Waters Fisheries Act of 1887," and shall be read with the "~~Fisheries Act, 1881,~~" (forty-fourth Victoria, ~~number twenty-six~~) **Principal Act** and with any 15 Act amending the same, so far as any such Act applies to the inland waters of this Colony.

(II) In this Act the expression "inland waters" includes all rivers and creeks for that portion of their watercourse which is beyond the influence of the tides, also all fresh-water lakes, lagoons and ponds.

157—

"Prescribed"

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Inland Waters Fisheries.

“Prescribed” means prescribed by regulations ~~to be made under the~~
~~“Fisheries Act, 1881.”~~ “Regulations” means the regulations now or
 hereafter to be made under the said ~~last-mentioned~~ **Principal Act.**
 “Fish” includes fish as defined by the said Act, and also fish not
 5 indigenous to this Colony which may be introduced or be in any inland
 waters.

2. (i) Every net when used for the purpose of catching or enclosing fish in inland waters shall be deemed to be an unlawful net, if the mesh of such net shall measure diagonally when prepared for use, wetted, and stretched, in accordance with the regulations, less than
 10 four inches in any part thereof, or if such net (whatever the size of the mesh) be staked, fixed, set, or hauled from bank to bank of any ~~river or creek~~ inland waters, and any person using any such unlawful net shall be liable to a penalty not exceeding five pounds.

What nets unlawful when used in inland waters.

15 (ii) If any person shall catch or attempt to catch fish in any inland waters by casting, hauling, or shooting any net (whatever the size of the mesh) of the description known as a bag net, or net of which the central portion is elongated in the form of a cod or purse he shall, for the first offence, be liable to a penalty not exceeding five
 20 pounds, ~~and not less than two pounds,~~ and for a second or subsequent offence, to a penalty not exceeding twenty, ~~and not less than five pounds and any such net shall be deemed an unlawful net.~~

As to bags, nets, &c.

(iii) ~~Any person using an unlawful net shall be liable to a penalty not exceeding five pounds nor less than ten shillings for every such offence, and~~ The Justices may, in any case where an offender is
 25 convicted under this section, and shall, if such offender has been previously convicted of any offence under this Act, order all unlawful nets used by or found in the possession of such offender to be forfeited to Her Majesty.

Forfeiture.

30 (iv) Nothing in this section contained shall apply to the owner of the soil or bed of any inland waters using or setting a net within such waters to capture fish for breeding purposes, or for stocking a fishery, or for his own consumption only.

Saving.

3. The Governor may from time to time if so advised by the
 35 Commissioners declare, by proclamation in the *Gazette* and in some newspaper circulating in the nearest Police District within which the waters proclaimed are situated, that the whole or any defined portion of any ~~river, creek, or lake,~~ inland waters shall be closed against the use of all fishing-nets for such term, as the Governor shall think fit;
 40 but any such proclamation may be extended by the Governor, if so advised by ~~the Commissioners,~~ as aforesaid, or may in like manner be rescinded at any time.

Governor may close inland waters against net-fishing.

4. (i) If any person, after the expiration of sixty days from the date of any such proclamation or extended proclamation, and
 45 during the currency thereof, shall cast, haul, stake, fix, or place any net of any kind whatever for the purpose of taking or capturing fish within the limits of the waters or area defined in such proclamation, such person shall be liable for the first offence to a penalty not exceeding ten pounds, and for the second or any subsequent offence, to a
 50 penalty not exceeding twenty pounds.

Penalty on net-fishing in closed waters.

(ii) Every person convicted under this section shall, if holding a license under this Act, be deemed by conviction to have
 55 forfeited his license.

Forfeiture of License.

(iii ii) All fish taken in violation of the provisions of this section, together with all fishing-nets used for the purpose of taking
 the same, shall be forfeited to Her Majesty, and shall be disposed of in the prescribed manner.

Forfeiture of fish, nets, &c.

(iv iii) Any inspector, constable or officer of Police may, with or without warrant, apprehend and take before one or more Justices
 any

Arrest of offender.

Inland Waters Fisheries.

any person found offending against the provisions of this section, to be dealt with according to law ; and may in like manner seize every net unlawfully used by such person as well as all fish found in his possession.

- 5 The Governor, on the recommendation of the Commissioners, may, by proclamation in the *Gazette*, declare that any inland waters therein specified, shall be exempted from net-fishing from the first day of October to the thirty-first day of January in every year. The months during which such waters are so exempt from net-fishing, shall be designated "Close months." And if any person shall, during any close month, place, shoot, cast, or haul any fishing-net whatever, or stake, fix, or set any such net for the purpose of catching, taking, or enclosing any fish in any such waters, or in such manner that fish in such waters might be caught or taken thereby, such person shall be liable to a penalty not exceeding fifty pounds. And every person aiding or assisting in the shooting or casting of any such net, or being in any boat from which any such net shall be shot or cast, in contravention of the provisions of this section, shall incur a like penalty. Provided always that it shall be lawful for the Governor, on the like recommendation, and in like manner, to rescind or vary any such proclamation.
- 20 6. In order that carp and tench may be within the protection of the "~~Fisheries Act, 1881,~~" **Principal Act** such fish shall be added to the list of fresh-water fishes in the First and Second Schedules to the said Act, and shall be subject to all the provisions of the said Act, as amended by this Act, which relate to the fresh-water fishes enumerated in such Schedules ; and for the purposes of the said Second Schedule, the lawful weights for carp and tench respectively shall be four ounces, but subject to the provisions of section nine sub-section three of the said Act. The provisions contained in the twenty-second section of the "~~Fisheries Act, 1881,~~" **Principal Act** shall be applicable and extend to the protection not only of "fish" as defined by the said Act but to the protection of any fish not indigenous to this Colony, which may be introduced or may be in any inland waters in New South Wales.
- 35 7. ~~A distance of at least sixty-six feet shall separate all nets ; Any person affixing a nets in any river, creek, or other watereourse, inland waters, at a less distance than sixty-six feet, from the next nearest net, shall be liable to all the pains and penalties of this Act. a penalty not exceeding ten pounds.~~ Nets to be at least sixty-six feet apart.
- 40 8. The sections of the "~~Fisheries Act, 1881,~~" hereafter **Principal Act hereinafter** enumerated, shall be applied in carrying out and enforcing the purposes and provisions of this Act with as full effect as if they had been herein specifically enacted, namely :—
- (a) Sections fifty-eight to sixty-four, both inclusive.
- (b) Section sixty-seven.

Proclamation of close months in inland waters.

Protection to carp and tench.

Section 22 of "~~Fisheries Act of 1881,~~" **Principal Act** extended

Nets to be at least sixty-six feet apart.

Application of certain provisions of "~~Fisheries Act of 1881,~~" **Principal Act.**

THE PROVISIONS OF THE ACT RELATIVE TO THE REGISTRATION OF DEEDS

(a) sections 112-113 to 117-118, both inclusive.

It shall not be necessary to comply with the provisions of sections 112-113 to 117-118, both inclusive, in the case of any deed which is not a mortgage, and which is not a deed in relation to which the provisions of sections 112-113 to 117-118, both inclusive, are applicable.

20 The provisions of sections 112-113 to 117-118, both inclusive, shall not apply to any deed which is not a mortgage, and which is not a deed in relation to which the provisions of sections 112-113 to 117-118, both inclusive, are applicable.

30 The provisions of sections 112-113 to 117-118, both inclusive, shall not apply to any deed which is not a mortgage, and which is not a deed in relation to which the provisions of sections 112-113 to 117-118, both inclusive, are applicable.

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THE PROVISIONS OF THE ACT RELATIVE TO THE REGISTRATION OF DEEDS

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber,
Sydney, 30 November, 1887. }

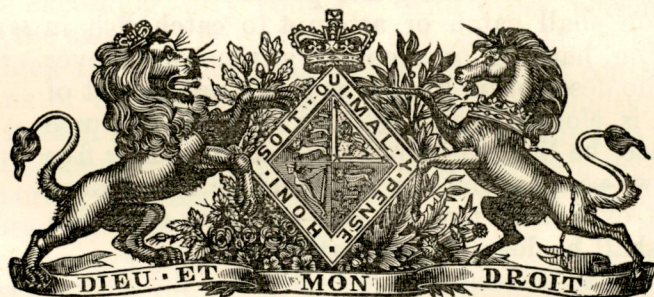
STEPHEN W. JONES,
Clerk of Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Legislative Council Chamber,
Sydney, 22nd December, 1887. }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO QUINQUAGESIMO PRIMO

VICTORIÆ REGINÆ.

No. .

An Act for the better preservation of Fish in Inland Waters.

WHEREAS it is expedient to prevent as far as possible the destruction of Fish in the Inland Waters of this Colony, although such fish may not be included in the definition of fish contained in the Act forty-fourth Victoria, number twenty-six ("The Fisheries Act, 5 1881"), hereinafter termed the **Principal Act**, and it is also expedient to make further provision for the protection of the fresh-water fishes specified in the First Schedule to the said Act. Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New 10 South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (I) This Act may be cited as the "Inland Waters Fisheries Act of 1887," and shall be read with the "~~Fisheries Act, 1881,~~" (forty-fourth Victoria, -number-twenty-six) **Principal Act** and with any 15 Act amending the same, so far as any such Act applies to the inland waters of this Colony.

(II) In this Act the expression "inland waters" includes all rivers and creeks for that portion of their watercourse which is beyond the influence of the tides, also all fresh-water lakes, lagoons and ponds.

157—

"Prescribed"

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Inland Waters Fisheries.

“Prescribed” means prescribed by regulations ~~to be made under the Fisheries Act, 1881.~~ “Regulations” means the regulations now or hereafter to be made under the said last-mentioned Principal Act. “Fish” includes fish as defined by the said Act, and also fish not
5 indigenous to this Colony which may be introduced or be in any inland waters.

2. (I) Every net when used for the purpose of catching or enclosing fish in inland waters shall be deemed to be an unlawful net, if the mesh of such net shall measure diagonally when prepared for
10 use, wetted, and stretched, in accordance with the regulations, less than four inches in any part thereof, or if such net (whatever the size of the mesh) be staked, fixed, set, or hauled from bank to bank of any
~~river or creek~~ inland waters, and any person using any such unlawful net shall be liable to a penalty not exceeding five pounds.

What nets unlawful when used in inland waters.

15 (II) If any person shall catch or attempt to catch fish in any inland waters by casting, hauling, or shooting any net (whatever the size of the mesh) of the description known as a bag net, or net of which the central portion is elongated in the form of a cod or purse he shall, for the first offence, be liable to a penalty not exceeding five
20 pounds, ~~and not less than two pounds,~~ and for a second or subsequent offence, to a penalty not exceeding twenty, ~~and not less than five pounds~~ and any such net shall be deemed an unlawful net.

As to bags, nets, &c.

(III) ~~Any person using an unlawful net shall be liable to a penalty not exceeding five pounds nor less than ten shillings for every such offence, and~~ The Justices may, in any case where an offender is
25 convicted under this section, and shall, if such offender has been previously convicted of any offence under this Act, order all unlawful nets used by or found in the possession of such offender to be forfeited to Her Majesty.

Forfeiture.

30 (IV) Nothing in this section contained shall apply to the owner of the soil or bed of any inland waters using or setting a net within such waters to capture fish for breeding purposes, or for stocking a fishery, or for his own consumption only.

Saving.

3. The Governor may from time to time if so advised by the
35 Commissioners declare, by proclamation in the *Gazette* and in some newspaper circulating in the nearest Police District within which the waters proclaimed are situated, that the whole or any defined portion of any ~~river, creek, or lake,~~ inland waters shall be closed against the use of all fishing-nets for such term, as the Governor shall think fit;
40 but any such proclamation may be extended by the Governor, if so advised by the Commissioners, as aforesaid, or may in like manner be rescinded at any time.

Governor may close inland waters against net-fishing.

4. (I) If any person, after the expiration of sixty days from the date of any such proclamation or extended proclamation, and
45 during the currency thereof, shall cast, haul, stake, fix, or place any net of any kind whatever for the purpose of taking or capturing fish within the limits of the waters or area defined in such proclamation, such person shall be liable for the first offence to a penalty not exceeding ten pounds, and for the second or any subsequent offence, to a
50 penalty not exceeding twenty pounds.

Penalty on net-fishing in closed waters.

(II) Every person convicted under this section shall, if holding a license under this Act, be deemed by conviction to have
forfeited his license.

Forfeiture of License.

(iii ii) All fish taken in violation of the provisions of this
55 section, together with all fishing-nets used for the purpose of taking the same, shall be forfeited to Her Majesty, and shall be disposed of in the prescribed manner.

Forfeiture of fish, nets, &c.

(iv iii) Any inspector, constable or officer of Police may, with
or without warrant, apprehend and take before one or more Justices
any

Arrest of offender.

Inland Waters Fisheries.

any person found offending against the provisions of this section, to be dealt with according to law; and may in like manner seize every net unlawfully used by such person **as well as all fish found in his possession.**

5 The Governor, on the recommendation of the Commissioners, may, by proclamation in the *Gazette*, declare that any inland waters therein specified, shall be exempted from net-fishing from the first day of October to the thirty-first day of January in every year. The months during which such waters are so exempt from net-fishing, shall be designated "Close months." And if any person shall, during any close-
10 month, place, shoot, cast, or haul any fishing-net whatever, or stake, fix, or set any such net for the purpose of catching, taking, or enclosing any fish in any such waters, or in such manner that fish in such waters might be caught or taken thereby, such person shall be liable to a penalty not exceeding fifty pounds. And every person aiding or
15 assisting in the shooting or casting of any such net, or being in any boat from which any such net shall be shot or cast, in contravention of the provisions of this section, shall incur a like penalty. Provided always that it shall be lawful for the Governor, on the like recommendation, and in like manner, to rescind or vary any such proclamation.

20 6. In order that carp and tench may be within the protection of the "~~Fisheries Act, 1881,~~" **Principal Act** such fish shall be added to the list of fresh-water fishes in the First and Second Schedules to the said Act, and shall be subject to all the provisions of the said Act, as amended by this Act, which relate to the fresh-water fishes enumerated
25 in such Schedules; and for the purposes of the said Second Schedule, the lawful weights for carp and tench respectively shall be four ounces, but subject to the provisions of section nine sub-section three of the said Act. The provisions contained in the twenty-second section of the "~~Fisheries Act, 1881,~~" **Principal Act** shall be applicable and extend
30 to the protection not only of "fish" as defined by the said Act but to the protection of any fish not indigenous to this Colony, which may be introduced or may be in any inland waters in ~~New South Wales.~~

7. ~~A distance of at least sixty-six feet shall separate all nets; Any person affixing a nets in any river, creek, or other watercourse, inland~~
35 **waters, at a less distance than sixty-six feet, from the next nearest net, shall be liable to all the pains and penalties of this Act. a penalty not exceeding ten pounds.**

8. The sections of the "~~Fisheries Act, 1881,~~" hereafter **Principal Act hereinafter** enumerated, shall be applied in carrying out and
40 enforcing the purposes and provisions of this Act with as full effect as if they had been herein specifically enacted, namely:—

- (a) Sections fifty-eight to sixty-four, both inclusive.
- (b) Section sixty-seven.

Proclamation of close months in inland waters.

Protection to carp and tench.

Section 22 of "~~Fisheries Act of 1881,~~" **Principal Act** extended

Nets to be at least sixty-six feet apart.

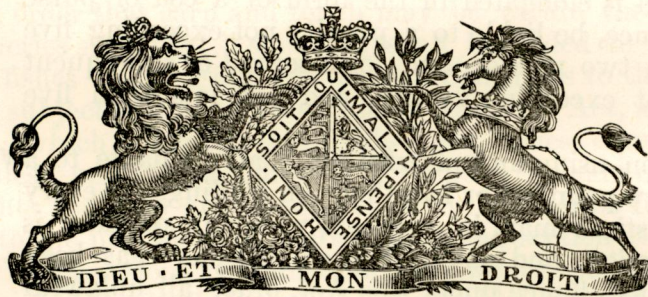
Application of certain provisions of "~~Fisheries Act of 1881,~~" **Principal Act.**

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 30 November, 1887. }*

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.



ANNO QUINQUAGESIMO PRIMO

VICTORIÆ REGINÆ.

No. .

An Act for the better preservation of Fish in Inland Waters.

WHEREAS it is expedient to prevent as far as possible the destruction of Fish in the Inland Waters of this Colony, although such fish may not be included in the definition of fish contained in the Act forty-fourth Victoria, number twenty-six ("The Fisheries Act, 1881"), and it is also expedient to make further provision for the protection of the fresh-water fishes specified in the First Schedule to the said Act. Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (I) This Act may be cited as the "Inland Waters Fisheries Act of 1887," and shall be read with the "Fisheries Act, 1881," (forty-fourth Victoria, number twenty-six) and with any Act amending the same, so far as any such Act applies to the inland waters of this Colony.

(II) In this Act the expression "inland waters" includes all rivers and creeks for that portion of their watercourse which is beyond the influence of the tides, also all fresh-water lakes. "Prescribed"

Inland Waters Fisheries.

means prescribed by regulations to be made under the "Fisheries Act, 1881." "Regulations" means the regulations now or hereafter to be made under the said last-mentioned Act. "Fish" include fish as defined by the said Act, and also fish not indigenous to this Colony which may be introduced or be in any inland waters.

2. (i) Every net when used for the purpose of catching or enclosing fish in inland waters shall be deemed to be an unlawful net, if the mesh of such net shall measure diagonally when prepared for use, wetted, and stretched, in accordance with the regulations, less than four inches in any part thereof, or if such net (whatever the size of the mesh) be staked, fixed, set, or hauled from bank to bank of any river or creek.

What nets unlawful when used in inland waters.

(ii) If any person shall catch or attempt to catch fish in any inland waters by casting, hauling, or shooting any net (whatever the size of the mesh) of the description known as a bag net, or net of which the central portion is elongated in the form of a cod or purse he shall, for the first offence, be liable to a penalty not exceeding five pounds, and not less than two pounds, and for a second or subsequent offence, to a penalty not exceeding twenty, and not less than five pounds.

As to bag nets, &c.

(iii) Any person using an unlawful net shall be liable to a penalty not exceeding five pounds nor less than ten shillings for every such offence, and the Justices may, in any case where an offender is convicted under this section, and shall, if such offender has been previously convicted of any offence under this Act, order all unlawful nets used by or found in the possession of such offender to be forfeited to Her Majesty.

Forfeiture.

(iv) Nothing in this section contained shall apply to the owner of the soil or bed of any inland waters using or setting a net within such waters to capture fish for breeding purposes, or for stocking a fishery, or for his own consumption only.

Saving.

3. The Governor may from time to time declare, by proclamation in the *Gazette* and in some newspaper circulating in the nearest Police District, that the whole or any defined portion of any river, creek, or lake, shall be closed against the use of all fishing-nets for such term, as the Governor shall think fit; but any such proclamation may be extended by the Governor, if so advised by the Commissioners, or may in like manner be rescinded at any time.

Governor may close inland waters against net-fishing.

4. (i) If any person, after the expiration of sixty days from the date of any such proclamation or extended proclamation, and during the currency thereof, shall cast, haul, stake, fix, or place any net of any kind whatever for the purpose of taking or capturing fish within the limits of the waters or area defined in such proclamation, such person shall be liable for the first offence to a penalty not exceeding ten pounds, and for the second or any subsequent offence, to a penalty not exceeding twenty pounds.

Penalty on net-fishing in closed waters.

(ii) Every person convicted under this section shall, if holding a license under this Act, be deemed by conviction to have forfeited his license.

Forfeiture of License.

(iii) All fish taken in violation of the provisions of this section, together with all fishing-nets used for the purpose of taking the same, shall be forfeited to Her Majesty, and shall be disposed of in the prescribed manner.

Forfeiture of fish, nets, &c.

(iv) Any inspector, constable or officer of Police may, with or without warrant, apprehend and take before one or more Justices any person found offending against the provisions of this section, to be dealt with according to law; and may in like manner seize every net unlawfully used by such person.

Arrest of offenders.

Inland Waters Fisheries.

5. The Governor, on the recommendation of the Commissioners, may, by proclamation in the *Gazette*, declare that any inland waters therein specified, shall be exempted from net-fishing from the first day of October to the thirty-first day of January in every year. The months during which such waters are so exempt from net-fishing, shall be designated "Close months." And if any person shall, during any close-month, place, shoot, cast, or haul any fishing-net whatever, or stake, fix, or set any such net for the purpose of catching, taking, or enclosing any fish in any such waters, or in such manner that fish in such waters might be caught or taken thereby, such person shall be liable to a penalty not exceeding fifty pounds. And every person aiding or assisting in the shooting or casting of any such net, or being in any boat from which any such net shall be shot or cast, in contravention of the provisions of this section, shall incur a like penalty. Provided always that it shall be lawful for the Governor, on the like recommendation, and in like manner, to rescind or vary any such proclamation. Proclamation of close months in inland waters.
6. In order that carp and tench may be within the protection of the "Fisheries Act, 1881," such fish shall be added to the list of fresh-water fishes in the First and Second Schedules to the said Act, and shall be subject to all the provisions of the said Act, as amended by this Act, which relate to the fresh-water fishes enumerated in such Schedules; and for the purposes of the said Second Schedule, the lawful weights for carp and tench respectively shall be four ounces, but subject to the provisions of section nine sub-section three of the said Act. The provisions contained in the twenty-second section of the "Fisheries Act, 1881," shall be applicable and extend to the protection not only of "fish" as defined by the said Act but to the protection of any fish not indigenous to this Colony, which may be introduced or may be in any inland waters in New South Wales. Protection to carp and tench.
7. A distance of at least sixty-six feet shall separate all nets; any person affixing nets in any river, creek, or other watercourse, at a less distance than sixty-six feet, shall be liable to all the pains and penalties of this Act. Nets to be at least sixty-six feet apart.
8. The sections of the "Fisheries Act, 1881," hereafter enumerated, shall be applied in carrying out and enforcing the purposes and provisions of this Act with as full effect as if they had been herein specifically enacted, namely:— Application of certain provisions of "Fisheries Act, 1881."
- (a) Sections fifty-eight to sixty-four, both inclusive.
- (b) Section sixty-seven.

Inland Waters Fisheries

5. The Governor on the recommendation of the Commissioners may, by proclamation in the Gazette declare that any inland waters therein specified shall be exempted from net-fishing from the first day of October to the thirty-first day of January in every year. The months October to the thirty-first day of January in every year shall be designated "closed months." And if any person shall during any closed month place, shoot, cast, or haul any fishing net, whatever or state, or set any such net for the purpose of catching, taking, or enclosing any fish in any such waters or in such manner that fish is kept, water might be caught or taken thereby and person shall be liable to a penalty not exceeding fifty pounds. And every person aiding or assisting in the shooting or casting of any such net, or being in any boat from which any such net shall be shot or cast, in contravention of the provisions of this section shall incur a like penalty. Provided always that it shall be lawful for the Governor on the recommendation of the Commissioners to rescind or vary any such proclamation.

6. In order that carp and perch may be within the protection of the "Fisheries Act, 1881," such fish shall be added to the list of fresh-water fishes in the First and Second Schedules to the said Act, and shall be subject to all the provisions of the said Act, as amended by this Act, which relate to the fresh-water fishes enumerated in such schedules; and for the purposes of the said Second Schedule, the lawful weights for carp and perch respectively shall be four pounds but subject to the provisions of section nine subsection three of the said Act. The provisions contained in the twenty-second section of the "Fisheries Act, 1881," shall be applicable and extend to the protection not only of "fish" as defined by the said Act but to the protection of any fish not indigenous to the Colony which may be introduced or may be in any inland waters in New South Wales.

7. A distance of at least sixty-six feet shall separate all nets; any person allowing nets in any river, creek, or other watercourse at a less distance than sixty-six feet shall be liable to all the pains and penalties of this Act.

8. The sections of the "Fisheries Act, 1881," heretofore enumerated, shall apply to carrying out and enforcing the purposes and provisions of this Act with full effect as if they had been enacted in substantially enacted manner:—

(a) Section fifty-eight to sixty-four, both inclusive, and section sixty-seven.

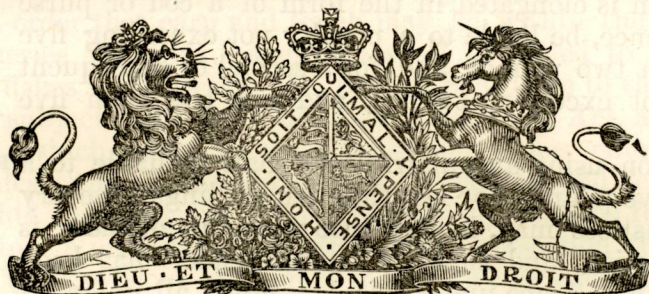
(b) Section sixty-seven.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 30 November, 1887.* }

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.



ANNO QUINQUAGESIMO PRIMO

VICTORIÆ REGINÆ.

No. .

An Act for the better preservation of Fish in Inland Waters.

WHEREAS it is expedient to prevent as far as possible the destruction of Fish in the Inland Waters of this Colony, although such fish may not be included in the definition of fish contained in the Act forty-fourth Victoria, number twenty-six ("The Fisheries Act, 1881"), and it is also expedient to make further provision for the protection of the fresh-water fishes specified in the First Schedule to the said Act. Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (I) This Act may be cited as the "Inland Waters Fisheries Act of 1887," and shall be read with the "Fisheries Act, 1881," (forty-fourth Victoria, number twenty-six) and with any Act amending the same, so far as any such Act applies to the inland waters of this Colony.

(II) In this Act the expression "inland waters" includes all rivers and creeks for that portion of their watercourse which is beyond the influence of the tides, also all fresh-water lakes. "Prescribed"

Inland Waters Fisheries.

means prescribed by regulations to be made under the "Fisheries Act, 1881." "Regulations" means the regulations now or hereafter to be made under the said last-mentioned Act. "Fish" include fish as defined by the said Act, and also fish not indigenous to this Colony which may be introduced or be in any inland waters.

2. (I) Every net when used for the purpose of catching or enclosing fish in inland waters shall be deemed to be an unlawful net, if the mesh of such net shall measure diagonally when prepared for use, wetted, and stretched, in accordance with the regulations, less than four inches in any part thereof, or if such net (whatever the size of the mesh) be staked, fixed, set, or hauled from bank to bank of any river or creek.

What nets unlawful when used in inland waters.

(II) If any person shall catch or attempt to catch fish in any inland waters by casting, hauling, or shooting any net (whatever the size of the mesh) of the description known as a bag net, or net of which the central portion is elongated in the form of a cod or purse he shall, for the first offence, be liable to a penalty not exceeding five pounds, and not less than two pounds, and for a second or subsequent offence, to a penalty not exceeding twenty, and not less than five pounds.

As to bag nets, &c.

(III) Any person using an unlawful net shall be liable to a penalty not exceeding five pounds nor less than ten shillings for every such offence, and the Justices may, in any case where an offender is convicted under this section, and shall, if such offender has been previously convicted of any offence under this Act, order all unlawful nets used by or found in the possession of such offender to be forfeited to Her Majesty.

Forfeiture.

(IV) Nothing in this section contained shall apply to the owner of the soil or bed of any inland waters using or setting a net within such waters to capture fish for breeding purposes, or for stocking a fishery, or for his own consumption only.

Saving.

3. The Governor may from time to time declare, by proclamation in the *Gazette* and in some newspaper circulating in the nearest Police District, that the whole or any defined portion of any river, creek, or lake, shall be closed against the use of all fishing-nets for such term, as the Governor shall think fit; but any such proclamation may be extended by the Governor, if so advised by the Commissioners, or may in like manner be rescinded at any time.

Governor may close inland waters against net-fishing.

4. (I) If any person, after the expiration of sixty days from the date of any such proclamation or extended proclamation, and during the currency thereof, shall cast, haul, stake, fix, or place any net of any kind whatever for the purpose of taking or capturing fish within the limits of the waters or area defined in such proclamation, such person shall be liable for the first offence to a penalty not exceeding ten pounds, and for the second or any subsequent offence, to a penalty not exceeding twenty pounds.

Penalty on net-fishing in closed waters.

(II) Every person convicted under this section shall, if holding a license under this Act, be deemed by conviction to have forfeited his license.

Forfeiture of License.

(III) All fish taken in violation of the provisions of this section, together with all fishing-nets used for the purpose of taking the same, shall be forfeited to Her Majesty, and shall be disposed of in the prescribed manner.

Forfeiture of fish, nets, &c.

(IV) Any inspector, constable or officer of Police may, with or without warrant, apprehend and take before one or more Justices any person found offending against the provisions of this section, to be dealt with according to law; and may in like manner seize every net unlawfully used by such person.

Arrest of offenders.

Inland Waters Fisheries.

5. The Governor, on the recommendation of the Commissioners, may, by proclamation in the *Gazette*, declare that any inland waters therein specified, shall be exempted from net-fishing from the first day of October to the thirty-first day of January in every year. The months **5** during which such waters are so exempt from net-fishing, shall be designated "Close months." And if any person shall, during any close-month, place, shoot, cast, or haul any fishing-net whatever, or stake, fix, or set any such net for the purpose of catching, taking, or enclosing any fish in any such waters, or in such manner that fish in such waters **10** might be caught or taken thereby, such person shall be liable to a penalty not exceeding fifty pounds. And every person aiding or assisting in the shooting or casting of any such net, or being in any boat from which any such net shall be shot or cast, in contravention of the provisions of this section, shall incur a like penalty. Provided **15** always that it shall be lawful for the Governor, on the like recommendation, and in like manner, to rescind or vary any such proclamation. Proclamation of close months in inland waters.
6. In order that carp and tench may be within the protection of the "Fisheries Act, 1881," such fish shall be added to the list of fresh-water fishes in the First and Second Schedules to the said Act, **20** and shall be subject to all the provisions of the said Act, as amended by this Act, which relate to the fresh-water fishes enumerated in such Schedules; and for the purposes of the said Second Schedule, the lawful weights for carp and tench respectively shall be four ounces, but subject to the provisions of section nine sub-section three of the **25** said Act. The provisions contained in the twenty-second section of the "Fisheries Act, 1881," shall be applicable and extend to the protection not only of "fish" as defined by the said Act but to the protection of any fish not indigenous to this Colony, which may be introduced or may be in any inland waters in New South Wales. Protection to carp and tench.
- 30** 7. A distance of at least sixty-six feet shall separate all nets; any person affixing nets in any river, creek, or other watercourse, at a less distance than sixty-six feet, shall be liable to all the pains and penalties of this Act. Nets to be at least sixty-six feet apart.
- 35** 8. The sections of the "Fisheries Act, 1881," hereafter enumerated, shall be applied in carrying out and enforcing the purposes and provisions of this Act with as full effect as if they had been herein specifically enacted, namely:— Application of certain provisions of "Fisheries Act, 1881."
- (a) Sections fifty-eight to sixty-four, both inclusive.
- (b) Section sixty-seven.

Inland Waters Fisheries Act, 1881

5. The Governor on the recommendation of the Commission may by proclamation in the Gazette declare that any inland waters therein specified shall be exempted from net-fishing from the first day of October to the thirty-first day of January in every year. The months during which such waters are so exempted from net-fishing shall be designated "Close months." And if any person shall during any close month place shoot, cast, or haul any fishing net, whatever or stake, fix or set any such net for the purpose of catching, taking, or ending any fish in any such waters, or in such manner that fish in such waters might be caught or taken thereby, such person shall be liable to a penalty not exceeding fifty pounds. And every person aiding or assisting in the shooting or casting of any such net, or being in any boat from which any such net shall be shot or cast, in contravention of the provisions of this section, shall incur a like penalty. Provided always that it shall be lawful for the Governor, on the recommendation, and in like manner, to rescind or vary any such proclamation.

6. In order that carp and tench may be within the protection of the "Fisheries Act, 1881," such fish shall be added to the list of fresh-water fishes in the first and second Schedules to the said Act, and shall be subject to all the provisions of the said Act as amended by this Act, which relate to the fresh-water fishes enumerated in such Schedules; and for the purpose of the said second Schedule, the lawful weights for carp and tench respectively shall be four ounces, but subject to the provisions of section nine subsection three of the said Act. The provisions contained in the twenty-second section of the "Fisheries Act, 1881," shall be applicable and extend to the protection of any fish not indigenous to this Colony which may be introduced or may be in any inland waters in New South Wales.

7. A distance of at least sixty-six feet shall separate all nets; any person utilizing nets in any river, creek, or other watercourse, at a less distance than sixty-six feet, shall be liable to all the pains and penalties of this Act.

8. The sections of the "Fisheries Act, 1881," inserted in Schedule A, shall be applied in carrying out and enforcing the purposes and provisions of this Act with as full effect as if they had been therein specifically enacted, namely:—

(a) Sections fifty-eight to sixty-four, both inclusive.

(b) Section sixty-seven.