

**FISHERIES AND OYSTER FARMS (AMENDMENT)  
ACT.**

**Act No. 52, 1957.**

An Act to make further provisions with respect to the taking of fish in inland waters; to amend the Fisheries and Oyster Farms Act, 1935-1949, in certain respects; and for purposes connected therewith. [Assented to, 4th December, 1957.]

Elizabeth II,  
No. 52, 1957.

**B**E it 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.** (1) This Act may be cited as the "Fisheries and Oyster Farms (Amendment) Act, 1957".

Short title,  
citation and  
commence-  
ment.

(2) The Fisheries and Oyster Farms Act, 1935, as amended by subsequent Acts and by regulations made under subsection three of section one hundred and twenty of the said Act, as so amended, and by this Act, may be cited as the Fisheries and Oyster Farms Act, 1935-1957.

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

**2.** The Fisheries and Oyster Farms Act, 1935-1949, is amended—

Amendment  
of Act No.  
58, 1935.

(a) by inserting in section three next after the matter relating to Division 3 of Part III the following new matter:—

Sec. 3.  
(Division  
into Parts.)

DIVISION 3A.—*Licensing of persons to angle in inland waters—ss. 25A-25C.*

(b)

**Fisheries and Oyster Farms (Amendment) Act.**

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New  
Division 3A,  
Part III.

- (b) by inserting next after section twenty-five the following new Division:—

DIVISION 3A.—*Licensing of persons to angle in inland waters.*

Application  
of Division.

25A. This Division shall apply to all persons other than—

- (a) holders of permits, authorities or licenses issued under sections fifteen, seventeen, and twenty-five of this Act;
- (b) aborigines as defined in the Aborigines Protection Act, 1909-1943;
- (c) persons, or persons belonging to a class of persons, exempted by the regulations from the operation of this Division.

Persons  
fishing in  
inland  
waters to be  
licensed.

25B. (1) Every person to whom this Division applies who takes, catches, captures or kills, or attempts to take, catch, capture or kill, from any inland waters any species of fish by means of a line (whether such line is attached to a rod or not), shall hold an inland angling license under this section.

(2) Inland angling licenses shall be issued upon the prescribed application by such person and in such manner as may be prescribed, and shall be in or to the effect of the prescribed form.

(3) Inland angling licenses shall not be transferable.

(4) The annual fee for every such license and the manner of its payment shall be as prescribed by the regulations.

In the regulations provision may be made for a reduction of the fee in any case in which the person licensed is under the age of sixteen years.

(5)

(5) An inland angling license shall, unless sooner suspended or cancelled, be in force for a period of twelve months from the date of its issue but shall have no force or effect until signed by the person to whom it is issued. No. 52, 1957.

(6) An application for an inland angling license may be granted or refused and an inland angling license may be suspended or cancelled by the Minister in the circumstances prescribed.

(7) Any person to whom this Division applies who takes, catches, captures or kills, or attempts to take, catch, capture or kill, from any inland waters any species of fish by means of a line (whether such line is attached to a rod or not) without first having obtained an inland angling license shall be liable to a penalty of not more than twenty pounds for a first offence and to a penalty of not more than fifty pounds for a second or subsequent offence.

25c. (1) An account shall be kept in the Special Deposits Account in the Treasury, to be called the "Inland Fisheries Fund" hereinafter referred to as the "Fund". Establishment of Inland Fisheries Fund.

(2) There shall be paid to the credit of the Fund all fees received for inland angling licenses.

(3) The Fund shall be used to defray the costs of administration of this Division and investigation, survey, management, development and protection of the inland fisheries, including in connection therewith—

- (a) the salaries, wages, allowances and travelling expenses of inspectors and other persons employed for purposes connected with such administration, investigation, survey, management, development and protection;
- (b) the cost and maintenance of motor vehicles and other plant and equipment used by such inspectors and other persons;
- (c)

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- (c) the expenses of the establishment, construction, extension, alteration and repair and operation of research laboratories, experimental stations or similar projects, hatcheries, buildings, dwellings, staff quarters and similar premises and the purchase of any necessary plant and equipment;
- (d) the expenses of any works or operations for the improvement of any stream or lake fishery including the purchase, maintenance and operation of any plant and equipment;
- (e) the cost of stores, chemicals, fertilizers and any other articles or commodities required for the foregoing purposes; and
- (f) the payment of subsidies to trout acclimatisation societies registered under section forty-four of this Act to meet costs incurred in carrying out their objects.

Sec. 51.  
(Licenses to  
fish for  
salmon or  
trout.)

(c) by omitting section fifty-one;

Sec 57.  
(Regula-  
tions.)

- (d) (i) by omitting paragraph (a) of section fifty-seven;
- (ii) by omitting paragraph (f) of the same section;

Sec. 120.  
(Regula-  
tions.)

- (e) by inserting at the end of subsection two of section one hundred and twenty the following new paragraph:—
  - (eee) regulating the number of any species of fish any holder of an inland angling license may take, catch, capture or kill in any one day and the number of any species of fish any such holder may have in his possession in any one day.

LANDLORD