

BILL No. 12 of 1956.

A BILL
Intituled
AN ORDINANCE TO REGULATE FISHING IN THE WATERS OF
THE COLONY.

Enacted by the Legislature of British Guiana:—

1. This Ordinance may be cited as the Fisheries Ordinance, 1956. Short title.
2. In this Ordinance unless the context otherwise requires— Interpretation.
 - “commercial purposes” means selling, exposing for sale, exchanging, bartering, or consigning fish, whether fresh or preserved in any manner;
 - “Director” means the Director of Agriculture;
 - “fish” includes all or any of the varieties of marine, estuarine or fresh water fishes, crustacea, whales, porpoises, manatees, mollusca or other marine or fresh water animal life;
 - “fishing” means catching or attempting to catch any fish in any manner whatsoever and includes killing, gathering or destroying any such fish;
 - “fishing boat” means any boat which is used for the purpose of capturing fish for gain;
 - “owner” in relation to a fishing boat includes the person having for the time being the principal charge and care of such fishing boat;
 - “prescribed” means prescribed by Regulations made under this Ordinance;
 - “waters” includes the sea and any harbour, bay, creek, lake, lagoon, pond, river, stream, trench or canal.
3. (1) Every existing fishing boat and every new fishing boat, and such particulars thereof as may be prescribed, shall be registered under this Ordinance with the Director. Register of fishing boats and particulars thereof.
 (2) The Director shall keep a register of all fishing boats registered under this Ordinance, and shall cause to be entered therein the particulars from time to time registered in respect of such fishing boats.
 (3) The contents of such register shall be *prima facie* evidence of all the facts contained therein in all proceedings under this Ordinance.
4. (1) Every person who is the owner of a fishing boat shall,— Application for a registration of fishing boat and particulars thereof.
 - (a) within thirty days after the commencement of this Ordinance, in the case of an existing fishing boat; and
 - (b) within thirty days after the fishing boat commences to operate as such, in the case of a new fishing boat,—

make application to the Director in the prescribed form for the registration of such fishing boat as an existing fishing boat or a new fishing boat, as the case may be.

(2) Upon receipt of an application for the registration of a fishing boat, the Director shall cause a fishery officer to inspect the fishing boat to which the application refers and if on such inspection the fishing boat is found to be fit for the purposes of fishing the Director, subject to the provisions of subsection (4) of this section, shall assign to such fishing boat a number (hereinafter referred to as the registration number) and shall issue to the owner of such fishing boat a certificate of registration thereof in the prescribed form.

(3) The Director may refuse to issue a certificate of registration for a fishing boat if he is satisfied that the issue thereof would not be in the public interest.

(4) The owner of any fishing boat may, within twenty-one days after such refusal appeal in writing to the Governor in Council against such refusal and the decision of the Governor in Council on such appeal shall be final.

Change of possession of fishing boat to be notified to the Director.

5. (1) On the change of possession of a fishing boat otherwise than by death—

- (a) the fishing boat shall not be used for more than thirty days after such change of possession unless the new owner is registered as the owner thereof;
- (b) the registered owner and the new owner shall within thirty days after such change of possession, make application in writing signed by both of them to the Director giving the name and address of the new owner and the date of change of possession and such application shall be accompanied by the certificate of registration. The Director shall thereupon enter in the register and the certificate of registration the name and address of the new owner and the date on which the entry is made and from such date the new owner shall for the purposes of this Ordinance be deemed to be the registered owner of the fishing boat.

- (2) (i) On the death of the registered owner of a fishing boat the person into whose custody the vessel shall lawfully come shall within thirty days of its coming into his custody give notice of the fact to the Director, who shall give such instructions in writing as he may think fit as to the use of the vessel pending the registration of the new owner. Any person to whom permission to use the vessel pending such registration is given shall, for the purposes of this Ordinance, be deemed to be the registered owner of the vessel during the period for which such permission is given.
- (ii) On the registration of the new owner the Director shall amend the certificate of registration in the manner prescribed by paragraph (b) of subsection (1) of this section.

(3) In lieu of amending any certificate of registration as provided in this section the Director may issue a new certificate of registration.

Cancellation of registration of fishing boats.

6. (1) The registration of a fishing boat shall remain valid so long as the fishing boat is kept for use as such and is fit for the purposes of fishing and shall only be cancelled if the Director is satisfied that it is in the public interest so to do or that the fishing boat is not being used as such or is not fit for purposes of fishing or has been destroyed, lost or rendered permanently unserviceable or permanently removed from the Colony.

(2) The owner of any fishing boat which is not being used as such or has been destroyed, lost or rendered permanently unserviceable or has been permanently removed from the Colony shall notify the Director of the fact within thirty days of the happening of the event.

(3) The owner of any fishing boat the certificate of registration of which has been cancelled by the Director under the provisions of subsection (1) of this section may within twenty-one days after such cancellation appeal in writing to the Governor in Council against such cancellation, and the decision of the Governor in Council thereon shall be final.

Using unregistered fishing boat an offence

7. (1) No person shall use, or being the owner, shall permit any other person to use a fishing boat for the purpose of fishing unless the vessel has been inspected and is registered under this Ordinance and there is in force such certificate of seaworthiness as may be required therefor by any law or Ordinance in force in the Colony.

(2) Any person who contravenes the provisions of this section shall be guilty of an offence against this Ordinance and shall, on summary conviction thereof, be liable to a fine not exceeding two hundred and fifty dollars or to imprisonment for a term not exceeding three months.

8. (1) The Director may take such steps as he may consider necessary to ascertain whether —

Correction of register of fishing boats.

- (a) any fishing boat registered under this Ordinance is —
 - (i) being operated as a fishing boat; or
 - (ii) fit for purposes of fishing;
- (b) any change has taken place in the particulars registered under section 4 of this Ordinance in respect of any fishing boat.

(2) Where the Director ascertains that any fishing boat registered as aforesaid is not being operated as a fishing boat, or that a change has taken place in the particulars registered as aforesaid in respect of any fishing boat, he shall remove the entries relating to that fishing boat from the register or shall make such amendment to the register as the circumstances may require, and shall notify the owner of such removal or amendment.

9. (1) The owner of every fishing boat registered under this Ordinance shall cause to be painted on the port and the starboard sides of the bow in figures each of which shall be not less than six inches in height and four inches in width a number corresponding with the registration number of such fishing boat.

Registration number to be painted on to fishing boat.

(2) No person shall —

- (a) paint or cause to be painted on the port and the starboard sides of the bow of any fishing boat any number other than the registration number of such fishing boat; or
- (b) use the registration number assigned to any fishing boat in respect of any other fishing boat.

(3) Any person who contravenes any of the provisions of subsection (2) of this section shall be guilty of an offence against this Ordinance and shall, on summary conviction thereof, be liable to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months.

10. (1) The owner of a fishing boat shall, once in every year, and as often as is required, at such a time and place named by a fishery officer, submit his fishing boat for inspection.

Inspection of fishing boat.

(2) If on any such inspection the fishery officer shall be satisfied that the fishing boat is unfit for purposes of fishing, or if any person who is required under subsection (1) of this section to submit his fishing boat for inspection, fails, without reasonable excuse therefor, to do so, the fishery officer shall report the same to the Director who may cancel the certificate of registration of such fishing boat and such fishing boat shall thereupon be deemed to be not registered.

(3) The owner of any fishing boat the certificate of registration of which has been cancelled under the provisions of subsection (2) of this section may within twenty-one days after such cancellation appeal in writing to the Governor in Council against such cancellation, and the decision of the Governor in Council thereon shall be final.

11. The Director may on application made to him in the prescribed form issue licences to fish for commercial purposes.

Director to issue commercial licences for fishing.

12. (1) No person shall fish for commercial purposes in waters to which this Ordinance applies, unless he is the holder of a valid licence issued under section 11 of this Ordinance, and such licence shall be carried by the licensee whenever he is engaged in fishing.

Commercial licence.

(2) No person shall erect, maintain, use, remove or have in his possession any kind of fish trap, fish pen, net, line with more than three hooks or other instrument or appliance for fishing except under and in accordance with the terms of a licence to fish for commercial purposes.

(3) Any person who contravenes the provisions of subsection (1) or (2) of this section shall be guilty of an offence against this Ordinance and shall, on summary conviction thereof, be liable to a fine not exceeding fifty dollars.

Licence to
export fish.

13. (1) No person shall export from the Colony any fish without first obtaining a licence in that respect from the Director and such licence may either be a general licence or a licence for the export of a particular shipment only.

(2) The Director may refuse to grant any such licence if he is not satisfied that the fish to be exported has been acquired in accordance with the provisions of this Ordinance.

(3) Any person who contravenes any of the provisions of subsection (1) of this section shall be guilty of an offence against this Ordinance and shall, on summary conviction thereof, be liable to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months.

Registers of
licences to be
kept by
Director.

14. (1) The Director shall keep a register of all licences issued under this Ordinance or any regulations made thereunder and shall cause to be entered therein such particulars as may be prescribed.

(2) The contents of such registers shall be *prima facie* evidence of all the prescribed particulars contained therein in all proceedings under this Ordinance.

Licences to be
shown on
demand.

15. (1) All licences issued under this Ordinance must be shown on demand to any fishery officer, justice of the peace or member of the police force.

(2) Any person who fails to comply with the provisions of subsection (1) of this section shall be guilty of an offence against this Ordinance and shall, on summary conviction thereof, be liable to a fine not exceeding fifty dollars.

Duration of
licences to fish
and to export
fish.

16. (1) Subject to the provisions of subsection (1) of section 13, a licence issued under this Ordinance or any regulations made thereunder shall remain in force, unless previously cancelled, for such period being not more than twelve months, as may be stated in such licence.

(2) The Director may refuse to issue a licence under this Ordinance or any regulations made thereunder if he is satisfied that the issue thereof would not be in the public interest.

(3) Any person aggrieved by the refusal of the Director to issue a licence under this Ordinance or any regulations made thereunder may, within twenty-one days of the date of such refusal, appeal in writing to the Governor in Council whose decision thereon shall be final.

Cancellation of
licences to fish
and to export
fish.

17. (1) The Director may at any time by notice in the Gazette cancel any licence issued under this Ordinance or any regulations made thereunder and the said licence shall cease and determine on and from the date of publication of such notice in the Gazette.

(2) Any person aggrieved by the cancellation of a licence under the provisions of subsection (1) of this section may, within twenty-one days of the date of such cancellation, appeal in writing to the Governor in Council whose decision thereon shall be final.

Fee for licences.

18. The fees for licences issued under this Ordinance shall be those prescribed by Regulations made under this Ordinance.

Power to
restrict number
of licences.

19. The Director, with the approval of the Governor in Council may, by notice published in the Gazette, limit the number of all or of any of the licences which may be issued under this Ordinance or any regulations made thereunder, either generally or in respect of any particular waters or area of the Colony.

Unlawful use of
licences.

20. (1) No person licensed under this Ordinance or any regulations made thereunder shall knowingly permit his licence to be used by any other person.

(2) Every licensee who contravenes the provisions of subsection (1) of this section, and every person who uses the licence in contravention of the said subsection shall be guilty of an offence against this Ordinance, and shall, on summary conviction thereof, be liable to a fine not exceeding five hundred dollars, or to imprisonment for a term not exceeding six months.

21. If any licence issued under this Ordinance or any regulations made thereunder is accidentally destroyed, defaced or lost the Director may, if satisfied as to the destruction, defacement or loss of such licence, and on payment of the prescribed fee issue to the licensee a certificate setting out the purport and effect of the licence, and reciting the destruction, defacement or loss, and such certificate shall have the same force and effect as the original licence.

Procedure on
loss of licence.

22. (1) Any person who —

- (a) forges or counterfeits any licence required by, under or for the purposes of this Ordinance or of any regulations made thereunder;
- (b) gives or signs any such licence knowing it to be false in any material particular;
- (c) knowingly utters or makes use of any such licence so forged, counterfeited or false as aforesaid;
- (d) knowingly utters or makes use of as applying to any person any such licence which does not so apply;
- (e) personates any person named in any such licence;
- (f) falsely pretends to be fishery officer;
- (g) wilfully connives at any such forging, counterfeiting, giving, signing, uttering, making use, personating or pretending as aforesaid;
- (h) wilfully makes a false entry in any register, licence or document required by, under or for the purposes of, this Ordinance or of any regulations made thereunder to be kept, issued or submitted;
- (i) wilfully makes or signs a false declaration required by, under, or for the purposes of, this Ordinance or of any regulations made thereunder; or
- (j) knowingly makes use of any such false entry or declaration as aforesaid,

Offence to forge
certificate of
registration or
licence.

shall be guilty of an offence against this Ordinance and shall, on summary conviction thereof, be liable to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months.

(2) In this section the term "forgery" has the same meaning as that assigned to it by section 240 of the Criminal Law (Offences) Ordinance.

Cap. 10.

23. (1) The Governor in Council may, from time to time, appoint fishery officers for the purpose of carrying out the provisions of this Ordinance.

Appointment of
fishery officers.

(2) Fishery officers shall receive such remuneration as is approved by the Governor in Council.

24. (1) Any fishery officer appointed under this Ordinance and any member of the police force not below the rank of sergeant or in charge of a Police Station may without warrant —

Powers of
fishery officers.

- (a) stop and search any vessel which he has reason to suspect of being used in fishing contrary to the provisions of this Ordinance or of any regulations made thereunder;
- (b) inspect and search any baggage, package, premises or property belonging to any person whom he suspects of having committed an offence against this Ordinance or any regulations made thereunder or to any person in his employment;
- (c) stop and search every vehicle, boat or other conveyance which he has reason to suspect of being used in carrying fish contrary to the provisions of this Ordinance or of any regulations made thereunder;

- (d) search and examine any fishing stake, net, line, instrument or appliance used in catching fish;
- (e) seize and detain subject to the orders of a court any vessel, net, line, stake, instrument or appliance found in possession of any person in such circumstances as to lead to a reasonable suspicion that it had been used or that there is an intention to use it for the purpose of the capture of any fish in any manner contrary to the provisions of this Ordinance or of any regulations made thereunder, and the court may order any such vessel, net, line, stake, instrument or appliance —

- (i) to be disposed of in such manner as the court may think fit in the event of the court convicting any person of any offence in relation to which such vessel, net, line, stake, instrument or appliance was seized:

Provided that where the person convicted is not the owner of the vessel in relation to which the offence was committed no order shall be made in respect of such vessel unless the owner has been given an opportunity of being heard;

- (ii) to be returned to the owner in the event of no person being prosecuted within a reasonable time or where the person prosecuted is discharged by the court;
- (iii) to be forfeited to the Crown where the owner thereof is unknown and no claim is made thereto within one month of its being detained;
- (f) arrest any person found committing or attempting to commit or abetting the commission of an offence under this Ordinance or any regulations made thereunder.

(2) If there is found as a consequence of any search referred to in paragraph (a), (b) or (c) of subsection (1) of this section any fish or part thereof appearing to have been obtained or to have been possessed in contravention of this Ordinance or of any regulations made thereunder the same may be seized and detained and shall be sold in such manner as the Director may think fit and the proceeds of such sale shall be paid into the court of competent jurisdiction and shall —

- (i) be forfeited to the Crown in the event of any person being convicted of any offence under this Ordinance or any regulations made thereunder or in the event of such persons being unknown and no claim being made thereto within one month of the payment into the court;
- (ii) be handed to the person who captures such fish where the person who captured such fish is known and either no person is prosecuted or the person prosecuted is discharged:

Provided that no person shall be subject to any liability on account of his neglect or failure to exercise the powers conferred by this paragraph.

Power to enter lands.

25. (1) Any fishery officer may for the purpose of —

(a) stocking water with fish; or

(b) inspecting any water containing fish, at

all reasonable times of the day enter, remain upon and traverse any lands.

(2) Any fishery officer or member of the police force may, where he has reason to suspect that an offence against this Ordinance or against any regulations made there-

under is being committed or is about to be committed, at any time of the day or night enter, remain upon and traverse any lands.

26. Any person who wilfully obstructs, hinders, resists or assaults any person in the exercise of his powers under this Ordinance or under any regulations made thereunder shall be guilty of an offence against this Ordinance and shall, on summary conviction thereof, be liable to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months.

Obstructing,
resisting or
assaulting
fishery officer.

27. Every person who knowingly buys, sells or has in his possession fish taken, killed or injured in contravention of the provisions of this Ordinance or of any regulations made thereunder shall be guilty of an offence against this Ordinance and shall, on summary conviction thereof, be liable to a fine not exceeding ten dollars for each fish in respect of which the offence is committed.

Dealings with
fish taken,
killed or in-
jured contrary
to this Ordin-
ance.

28. Where the holder of a licence under this Ordinance has reason to suspect that an offence against the provisions of this Ordinance or any regulations made thereunder has been committed or is about to be committed by any other person, he may require that other person to give his name, description and place of abode, and in case that other person does not give his true name, description and place of abode, or refuses so to do, he shall, in addition to any penalty to which he may be liable under this Ordinance, be liable to a fine not exceeding twenty-four dollars.

Failure to give
true name etc.
on being found
offending.

29. Every person who—

(a) assaults, obstructs, hinders or resists;
or

(b) aids, abets or incites any other person to assault, obstruct, hinder or resist, any fishery officer or member of the police force in the execution of his duty under this Ordinance or any regulations made thereunder shall be guilty of an offence against this Ordinance and shall, on summary conviction thereof, be liable to a fine not exceeding two hundred and fifty dollars or to imprisonment for a term not exceeding six months.

Penalty for
assaulting
fishery officer
or member of
the police
force.

30. Any fishery officer, justice of the peace or member of the police force or other person authorised by this Ordinance or by any regulations made thereunder may call on any person to assist him if, while acting in the execution of his duty, he is resisted or assaulted, or is in danger of being resisted or assaulted, or is otherwise in need of assistance, and any person so called on who, without reasonable excuse, refuses or neglects to render assistance shall be guilty of an offence against this Ordinance and shall, on summary conviction thereof, be liable to a fine not exceeding one hundred dollars.

Duty to assist
fishery officer,
justice of the
peace or mem-
ber of the
police force.

31. (1) Any fish or any part thereof in respect of which there is a conviction for an offence against this Ordinance or any regulations made thereunder shall be forfeited.

Forfeiture of
thing seized.

(2) Any weapon, instrument or trap used in the commission of any offence under this Ordinance or any regulations made thereunder in respect of which there is a conviction may, in the discretion of the court, be forfeited.

32. Any offence against this Ordinance committed at sea within the territorial limits of the Colony shall be deemed to have been committed in any place adjoining such sea and may be tried and punished accordingly.

Offences at sea.

33. (1) Any expenses incurred in connection with the provisions of this Ordinance or of any regulations made thereunder shall be defrayed out of moneys provided by the Legislative Council.

Expenses of Or-
dinance.

(2) All fees received under this Ordinance or of any regulations made thereunder shall be paid by the Director to the Treasurer.

34. (1) The Governor in Council may make regulations for carrying out the provisions of this Ordinance and without prejudice to the generality of the foregoing such regulations may—

- (a) prescribe the form of application for registration of fishing boats and for any licence or authorisation to be issued under this Ordinance or any regulations made thereunder;
- (b) prescribe the form and make provision for the issue of certificates of registration of fishing boats and of licences and authorisations and the fees therefor;
- (c) make provision for facilitating the identification of holders of licences and certificates issued under this Ordinance or any regulations made thereunder;
- (d) prescribe the particulars to be recorded in respect of fishing boats;
- (e) control either generally or for any specified period or periods the taking of any fish or of any specified species of fish either throughout the Colony or in any specified water or area;
- (f) make provision for the stocking of any water with fish and for the establishment and control of fish hatcheries;
- (g) control either generally or in respect of any specified water or area the methods and traps which may be employed in taking any fish;
- (h) limit the number of fish which may be taken by any one person in any one day or in any other period;
- (i) require persons to render returns containing such information as may in the opinion of the Governor in Council be necessary for the compilation of fishery statistics;
- (j) make provision for the safety and welfare of men working in fishing boats or otherwise engaged in the fishing industry whether on their own behalf or as servants or employees of another person;
- (k) make provision for promoting and fostering the interest and welfare of the fishing industry in general;
- (l) regulate or prohibit the erection, maintenance, working, repair or lighting of fishing pen sites;
- (m) regulate or prohibit any method of fishing or the use of any fish traps or fishing nets, lines or other instruments or appliances for fishing;
- (n) provide for the regulation and control of the marketing, purchase, sale, processing, canning or freezing of fish either generally or in respect of any particular area or areas;
- (o) prescribe the kinds or the minimum weights and sizes of any species of fish which may be caught for the purposes of sale or consignment;
- (p) prescribe areas and periods of time within which fish or any particular species or size of fish may not be caught, or within which any particular method of fishing is prohibited;
- (q) prohibit or regulate the deposit or discharge in waters of any solid or liquid substance detrimental to fish;
- (r) prescribe anything which is to be prescribed under this Ordinance.

(2) There may be annexed to the breach of any regulation made under this Ordinance such penalty not exceeding five hundred dollars as may be prescribed and such penalty may be sued and recovered under the Summary Jurisdiction Ordinances.

(3) All regulations made under this Ordinance shall as soon as possible after they are made be submitted for the approval of the Legislative Council and if not approved shall cease to be regulations from the date of their disapproval, but the non-approval shall not affect anything done or suffered under the regulations between their coming into force and their rejection by the Legislative Council.

35. Any person acting in the execution of his office or duty under the provisions of this Ordinance or of any regulations made thereunder shall be entitled to the protection afforded by the Justices Protection Ordinance.

Protection of persons acting under this Ordinance, Cap. 18.

36. (1) No prosecution under this Ordinance shall be instituted except by or with the previous sanction of the Director.

Special rules as to making of complaints for offences.

(2) A fishery officer if so authorised in writing by the Director, may, although he is not a barrister or a solicitor, prosecute, conduct or defend before any court having jurisdiction, any information, complaint or other proceeding arising under this Ordinance or in the discharge of his duty as a fishery officer.

37. (1) The provisions of this Ordinance shall extend to all waters within the territorial limits of the Colony.

Application of Ordinance.

(2) The provisions of this Ordinance shall not apply to—

- (a) any vessel belonging to or being used by or on behalf of the Government of the Colony so long as such vessel is on fisheries duty under the provisions of this Ordinance and is being used in the course of that duty;
- (b) any person operating for or on behalf of the Government of the Colony.

38. This Ordinance shall come into operation on such date as the Governor may by Proclamation published in the Gazette appoint.

Commencement of Ordinance.

OBJECTS AND REASONS.

As a result of the rapidly increasing population of the Colony, a greater number of persons have turned to the fishing industry both in an endeavour to provide food, and as a means of earning a livelihood. It is considered desirable, therefore, to enact legislation with a view to protecting the fishing industry. This Bill reflects the result of a comprehensive examination into the needs of the fishing industry, and has been endorsed by Dr. Hickling, Fisheries Adviser to the Secretary of State for the Colonies.

2. Clause 3 of the Bill seeks to provide that all boats engaged in the fishing industry should be registered with the Director of Agriculture who shall issue a certificate of registration, while clause 4 seeks to provide that within 30 days after the commencement of the Ordinance, or within 30 days after a boat commences operation, the owner of that boat shall apply for registration. This clause also sets out the procedure to be followed upon such application, and in the case of a refusal to register, the owner may appeal to the Governor in Council.

3. Clause 5 seeks to provide for the transfer of registration upon a change of possession of a boat other than in the case of death, while clause 6 seeks to provide for the cancellation of registration if the Director of Agriculture is satisfied that it is in the public interest so to do.

4. Clause 7 seeks to prevent the use of an unregistered boat, and to make such use an offence punishable on summary conviction.

5. Clause 8 seeks to provide for the correction of the

register, or of the deletion of an entry in the said register, by the Director of Agriculture, after he has caused certain enquiries to be made in connection with boats that have been registered.

6. Clause 9 seeks to provide for the painting of the registration number on a boat that has been registered, and clause 10 seeks to make provisions for the inspection of a fishing boat (as defined in clause 2) by the fishery officer with a view to ascertaining whether such boat is suitable for fishing. The Director of Agriculture may cancel a registration certificate upon the report of the fishery officer, and such cancellation is the subject of an appeal to the Governor in Council.

7. Clause 11 seeks to give the Director of Agriculture authority to issue licences to fish for commercial purposes. Clause 12 seeks to provide that no person shall engage in fishing for commercial purposes in water to which the Ordinance will apply, except he is the holder of a licence issued under clause 11.

8. Clause 13 seeks to prohibit any person from exporting fish without a licence issued by the Director of Agriculture, and clause 14 seeks to provide that the Director of Agriculture shall keep a register of all licences issued under the Ordinance, or under any regulations made under the Ordinance.

9. Clause 15 seeks to provide for the inspection of all licences, while clause 16 seeks to make provisions for the duration of all licences.

10. Clause 17 seeks to make provision for the cancellation of all licences, but gives the licensee a right of appeal against such cancellation to the Governor in Council.

11. Clause 18 seeks to provide that the fee payable for a licence shall be fixed by regulations.

12. Clause 19 seeks to give the Director of Agriculture the authority to restrict the number of licences with the approval of the Governor in Council.

13. Clause 20 seeks to prohibit the using of a licence of another person. Clause 21 seeks to lay down the procedure to be followed when a licence is accidentally destroyed, defaced or lost.

14. Clause 22 seeks to create certain offences against the Ordinance.

15. Clause 23 seeks to empower the Governor in Council to appoint fishery officers for the purpose of the Ordinance, and to fix their remuneration, while clauses 24 and 25 seek to set out the powers of fishery officers or a member of the police force acting under the Ordinance.

16. Clause 26 seeks to make it an offence to obstruct, resist or assault a fishery officer.

17. Clause 27 seeks to make it an offence to deal with any fish taken, killed or injured in contravention of the provisions of the Ordinance, or any regulations made thereunder. Clause 28 seeks to make it an offence for any person, found offending against the provision of the Ordinance or any regulation made thereunder, failing to give his true name and address.

18. Clause 29 seeks to fix the penalty for assaulting a fishery officer or member of the police force acting in the execution of his duty under the Ordinance, and clause 30 seeks to make it an offence where any person refuses to go to the assistance of a fishery officer, a justice of the peace or a member of the police force acting in the execution of his duty under the Ordinance, when requested so to do.

19. Clause 31 seeks to provide for the forfeiture of any fish or thing seized as the result of a contravention of the provisions of the Ordinance.

20. Clauses 32 and 33 are self-explanatory.

21. Clause 34 seeks to empower the Governor in Council to make regulations for carrying out the provisions of the Ordinance, provided that such regulations are approved by the Legislative Council.

22. Clause 35 seeks to afford the protection of the Justices Protection Ordinance (Chapter 18) to any person acting under the provisions of this Ordinance.

23. Clause 36 seeks to provide that no prosecution for a contravention of the provisions of the Ordinance shall be instituted without the sanction of the Director of Agriculture, and also that a fishery officer, if authorised by the Director of Agriculture in writing, may appear in court and has a right of audience in such court.

24. Clause 37 seeks to make provisions for the application of the Ordinance.

25. Clause 38 is self-explanatory.

E. F. McDAVID.
Member for Agriculture,
Forests, Lands & Mines.

(Agr. 201/17 II).
(Leg. Bill No. 12/1956).