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FOREWORD

The "Rules and Regulations" of the Underwater Spear-Fishing Association of W.A., which have been reprinted at length herein, make very interesting reading. It will be observed that the keynote of the whole setup is courtesy.

Recently I have received one or two complaints that Inspectors when taking offenders to task for breaches of the Act do not always use that courtesy and tact the general public has a right to expect. We know that in a strictly legal sense nobody may plead ignorance of the law in extenuation of any offence, but we also know that it is a sheer impossibility for everybody to be completely au fait with every aspect of every law on the statute book. While it is part of an Inspector's duty to ensure that the Fisheries laws are complied with, he must always remember that it is an equally important part of his duty to educate the public in relation to the requirements of those laws.

It would be well, therefore, and very much easier also, if an Inspector were to approach offenders - particularly first offenders - not as criminals but rather as men and women anxious to do the right thing and only acting in ignorance.

The courtesy and tact which the Underwater Spear-Fishing Association enjoins on all its members should be adopted by officers of this Department. One thing we should all remember - we are public servants, and it is our duty not to harass but to give service to the fishing public.

  
(A. J. Fraser)  
SUPERINTENDENT



### STAFF MOVEMENTS

Mr. E. J. Brownfield has now returned to work after annual leave. Mr. L. G. Smith has also finished leave, and Mr. H. C. W. Piesse has resumed duty after three months' long service leave.

Inspector A. J. Bateman left for Lancelin Island in the "Kooruldhoo" on January 27. He was accompanied by Cadet Inspector M. J. Simpson. It is expected that the "Garbo", with Inspector Crawford (skipper) and Assistant Inspector Coombes aboard, will sail towards the end of the first week in February.

Messrs. Otto Hello and Laurence C. Oliver started work as temporary Assistant Inspectors on January 29. These two appointments bring the field establishment to full strength.

### COMMONWEALTH MISSION TO BROOME

The Commonwealth Government recently set up a small mission, comprising Mr. E. de B. Norman, of the Commonwealth Fisheries Office (Leader), and Messrs. E. A. Mentry of the Commonwealth Immigration Department, and A. J. Fraser, Superintendent of Fisheries, as members. The mission, which was charged with the duty of investigating the volume and nature of labour required in the pearling industry at Broome, left Perth by air on January 20 and returned on January 25, after having spent four days at Broome.

At present all the luggers are "laid up" and undergoing overhaul and refit. During the time the mission was in Broome Messrs. McKimmie and Rank, of the Harbour and Lights Department, were carrying out their annual survey, and the Superintendent was informed that with the exception of three or four of the luggers the fleet was generally well-found and wholesome, all repairs required by them having been put in hand. This year it seems as if 19 boats, including the new vessel just built by Mr. A. C. Morgan, will engage in pearling. The take of shell for 1951 was slightly less than that in 1950, but increased prices obtained for the shell in the United States have to a large extent offset any additional costs incurred by the master pearlers.



Inspector J. E. Munro, who is at present relieving in Broome, is very greatly impressed with the quantity and variety of fish to be found in and around Roebuck Bay. In company with the Superintendent he made an inspection of the waters of Roebuck Bay just inside Entrance Point, where large numbers of schools of mullet were observed. It was not possible, in the absence of a suitable net, to take any of these fish, but it is hoped that a net will be available at an early date to enable us to determine with exactitude what is the species of mullet that inhabits these waters.

#### UNDERWATER SPEAR-FISHING

It may perhaps be of interest to inspectors to learn that there has recently been formed a body known as the Underwater Spear-Fishing Association of Western Australia. The Hon. Secretary of the Association is Mr. F. A. Rogers, of 51 Second Avenue, Claremont. Undoubtedly most officers have seen recent references in the press to the taking of large and small fish by the underwater spear gun around Rottnest, and perhaps some have wondered whether spear-fishermen are bound by any rules. The following rules and regulations have been adopted by the Association, which expects all its members to abide strictly by what has been laid down. The rules and regulations are as follows -

A. A spear-fisherman must not -

1. spear fish in closed waters defined by the Fisheries Act and Regulations thereunder;
2. spear fish in shark-proof swimming areas unless they ascertain that objections will not be raised by swimmers or the management;
3. spear fish on ocean beaches in areas defined for surfers unless free of other swimmers;
4. spear fish within 60 yards' radius of swimmers or line fishermen;
5. spear fish under legal size (they will make themselves familiar with the legal lengths of the different species);

6. point a loaded gun at anyone at any time, nor load a gun before entering the water nor fail to unload it before leaving the water.
7. promote public disfavour by -
  - (a) killing fish not required for food or leaving carcasses to rot in public places;
  - (b) leaving fish cleanings or refuse in public places;
  - (c) inconveniencing others by carrying bulky equipment in crowded public transport facilities;
  - (d) any public display of apparent cruelty to any marine creature.
8. use spear guns, bows and arrows, throwing spears or other similar device from above the surface of the water to take fish. Such methods are illegal under the Fisheries laws and contrary to the basic principles of the Association, which requires members to pursue their sport under water.
9. seek quarrels with line-fishermen or other spear-fishermen regarding priority rights of fishing at any place. They will report details of any incidents to the Secretary at the earliest opportunity.

B. Spear-fishermen should -

1. always treat any ranger, inspector or official with courtesy and in such a manner as to bring no discredit to the Association;
2. refrain from making general statements about the sport for the press or radio without prior approval from the Secretary;
3. always be eager to volunteer to assist the public generally in the recovery of objects lost in the water, and in any other way in which their underwater skill may be of use;
4. give public warning of sharks sighted near swimmers, and any other acts of good citizenship dictated by commonsense;



5. endeavour to police the rules and so preserve the good opinion of the public regarding the sport by pointing out breaches of the rules, whether by members or non-members, and tactfully reason with the offender;
6. carry guns in protective cover when not in use and keep spear point covered until spearman enters the water.

#### TRANSPORT OF TROUT FRY

Officers will remember that at the last inspectors' conference, Inspector J. S. Simpson of Pemberton said that he was on the point of experimenting with a large tank for the conveyance of trout fry, fingerlings, etc., from place of hatching to point of liberation. He mentioned that he had a 1,000 gallon tank, the water content of which was to be aerated from a small air pump driven by a petrol motor. Mr. Simpson has now found that his experiments were completely unsuccessful, and has reported as follows:-

"3,000 fingerlings were placed in the tank and the pump started about 8.30 a.m. By 10 a.m. the water temperature had risen from 62° to 68° although the tank was standing in running water in one of the trout ponds, and by 1 p.m. the temperature had risen to 74°. By this time the fish were very distressed, and it was decided to return them forthwith to the ponds where all but a few quickly recovered."

The Pemberton-Warren Trout Acclimatisation Society has now decided to experiment with a different form of tank, of approximately 500 gallon capacity, similar to that used with considerable success by various hatchery operatives in the U.S.A. Transport of fry, fingerlings and yearlings has always been a major problem, because in the milk cans normally used for this purpose it is not possible to carry sufficient fry in each can to make transport an economical proposition, and unnecessarily large sums have had to be expended in the past to enable satisfactory liberations to be made. It is felt by the executive officers of the Society, and their opinion is shared by departmental officers, that unless very much larger quantities of fish can be carried in the same truckload the whole scheme must fall down because of the cost. This is the



reason why Mr. Simpson has been carrying out his experimental work, and it is rather unfortunate that his experiment did not meet with the success which was expected. However, as already indicated, a larger tank still is being procured, and it is hoped that this will help to solve the problem.

#### ALBANY WHALE FISHING

The following report by Inspector Jeffery on the progress made by the Cheyne Beach Whaling Co. Ltd., whose land station is being built at Frenchman's Bay, Albany, is forwarded for the information of the staff generally:-

"A visit was paid to the site on January 17, and I found that considerable progress has been made in the erection of the plant. Both digestors from Collie, and one of the old digestors, are now all in place and all foundations completed. Both boilers have been installed. The upper flensing deck is complete up to the digestors, although that portion of the deck which will cover the digestors has only just been started, the four main uprights having been placed in position. The slipway and lower deck have only just been commenced, and although a considerable portion of the large holding tank is at present on the site, I am told it will take three more loads to complete transport from Collie. The smoke stack is very nearly completed, but not yet erected, which is also the case with the main mast from which the digester-loading derrick will operate. The principals of the Company seem quite happy about the progress made to date, and I myself cannot at the moment visualise any serious hold-up in the future, unless the Cheyne Beach salmon fishermen, some of whom are principals of the concern, leave for the Beach about the middle of February in accordance with their usual custom."

It is of interest to know that Mr. C. Westerberg, Junior, one of the principals of the Company, who it will be remembered worked with the Nor'West Whaling Company at Point Cloates for one season, is at present on a visit to Norway on business connected with the firm.



### OUTSIZE PRAWNS

Mr. Mick Contaratos, fisherman of Bunbury, who at the moment is working along the coast between Bunbury and Mandurah, recently informed Inspector Gallop that he had caught 6 prawns on the Mandurah side of Bunbury of a total weight of 1 lb. These were undoubtedly King Prawns, and those who have had any experience of the prawn fishery in Sydney Harbour will remember that this class of prawn is quite common in the Sydney Harbour fishery. At the same time prawns of this size are very rare indeed in Western Australia, and it was really with a view to locating schools that the recent trawling experiments were undertaken by this Department in conjunction with C.S.I.R.O. Fisheries Division. Although prawns were taken by that expedition, including prawns of good size, they were very scattered and merely acted as indicators of the occurrence of this class of prawn in the Warnbro Sound-Murray Bight area. However the experimental work will be repeated at a later date, and it is hoped that occurrences which may form the basis of a worthwhile fishery will be located in reasonably close proximity to Fremantle.

### TERRITORIAL WATERS

It will perhaps be of interest to the staff to know that recently a dispute between England and Norway which has been raging for the last 30 years was placed before the World Court at The Hague for determination. England put forward the case that territorial waters in effect extended to three miles from the coast, excepting in cases where the mouths of bays, inlets, etc., did not exceed 6 miles across, when the bay, inlet, etc., concerned was regarded as being wholly within territorial waters. Norway, however, took the view that regardless of whether the mouths of bays, inlets, etc., exceeded 6 miles or not a straight line could be drawn across the mouths, or between promontories, and all waters enclosed within that imaginary line and the shore were territorial waters. On many occasions British ships operating within such waters (being regarded under British laws as being the high sea) have been arrested and their owners heavily fined in the Norwegian courts. Judgment has now been given by the World Court with a majority of 10 to 2 that Norway is right and England wrong. It will now be necessary to re-orient



the views held by all fisheries administrations in this country concerning the extent of their territorial jurisdiction.

LANCELIN ISLAND - CERVANTES ISLAND CRAYFISHERY

Up to the end of December the catch of crayfish at Cervantes Island, as compared with the catch for 1950, was down by about 1,000 cases of tails (i.e., about 75,000 lb. of whole fish), and the operators of the freezer-boat "Villaret" were very seriously considering applying to the Government for permission to shift grounds north of Cervantes. However it appears that during the last two or three weeks the crayfish have commenced to run very much more freely than during the early part of the season, and much of the leeway has been made good. The freezer-boats operating at Green Island have had an exceptionally good season, whereas the take at Lancelin Island has not been perhaps as good as it was in 1950-51. The Supervising Inspector has recently made two trips to the freezing plants at Lancelin, where Assistant Inspector Coombes and Cadet Inspector Simpson have been holding the fort for the Department for the past few weeks, and found that although generally speaking the fishermen were observing the letter of the law concerning "brushed" and undersize crayfish and regulation bags, nevertheless some fishermen were still of the opinion that they could get away with it if they tried. One or two prosecutions, it is felt, will undoubtedly have a deterrent effect, and action towards this end is at present under consideration.

FISHERIES ACT AMENDMENT, 1951

One copy of the Amendment Act which was assented to early in January has been forwarded to each inspector. The following is a brief summary of the alterations made to the existing law:-

1. Whereas previously the Act dealt only with "the regulation of fisheries", regulations may now also be made "relating to fish".
2. Previously the term of office for each member of the Fishermen's Advisory Committee was three years; the term is now defined as being "not less than eighteen months nor more than three years, as the Minister shall determine".



3. Additional regulation-making power has been provided for. The matters which can now, but could not previously, be dealt with by regulation are set out in Section 5 of the Act.
4. The conditions which may be attached to licenses have been widened very considerably, largely for the purpose of enabling the Department to control the operations of crayfishermen working in waters outside the three-mile limit but bringing their catch into Western Australian waters. There is also provision that the Minister may now at any time cancel any license issued to any person, and the maximum penalty for a breach of any condition has been increased from £50 to £200.
5. The difficulty previously experienced by the Department of sheeting home charges of consigning undersize fish for sale, or possessing berried crayfish for purposes of sale, have now been very greatly simplified by the omission from subsection (1) of Section 24 of the words "consign for sale" and inserting in lieu thereof the words "give or consign", and by deleting from subsection (3) of that Section the words "for purposes of sale". Now it is not necessary for the Department to prove consignment for sale or possession for purposes of sale.

If there is any doubt in relation to the interpretation of any section of the new Act, officers should write immediately to the Department for clarification of any point.

#### GEOGRAPHE BAY AREA

The Relieving Inspector (Mr. A. K. Melsom) has just returned after two or three weeks in the Busselton-Cape Naturaliste region. Mr. Melsom's presence there was the result of representations from the South-West Professional Fishermen's Association concerning the activities of amateur net-fishermen in the vicinity. It is quite evident that all allegations by the Association that large numbers of holiday-makers were using nets without holding the requisite licenses were totally unfounded.



WONNERUP INLET

Wonnerup Inlet and Vasse Estuary, which are totally closed against the use of fishing-nets, every summer become very low and hot, with the result that large numbers of fish would die if netting were not allowed. To avoid this undesirable waste of good fish, it has been the practice in past years to open these waters for a week or two to enable fishermen to get in with their nets. This year we have done the same thing, with the result that some excellent hauls of very good mullet have been made.

REQUISITIONS FOR STORES ETC.

Officers are reminded that all requirements must be requisitioned for on the proper form.

The procedure now being followed at Head Office is -

- (a) Okaying of requisitions for sizes, quality, availability etc. by Supervising Inspector.
- (b) Authorising by Superintendent or Clerk-in-Charge.
- (c) Ordering and follow-up of deliveries by Senior Clerk.