

LEGAL CORNER

Fisheries Regulation 13

Some confusion still exists in connection with the interpretation of this regulation that establishes the priority of fishermen desiring to shoot their nets in the same area.

Priority exists only among those fishermen who are currently licensed and who have a bona fide crew of licensed fishermen and a licensed and properly marked boat. Among these men it is simply a case of "first come first served".

Each may take his turn, but he can only shoot and haul his net once and then must allow the fisherman who next arrived to take his turn. If, within 24 hours, he has not shot and hauled his net he forfeits his turn.

Each fisherman is protected against interference either on the grounds where he and his crew remain or from "blocking" or obstructing his haul in any manner during the whole of his turn.

It also provides that any fisherman who feels aggrieved by the act of any other fisherman during the period of his occupancy of the ground may, with the approval of the Minister, take civil action at the fisherman's expense.

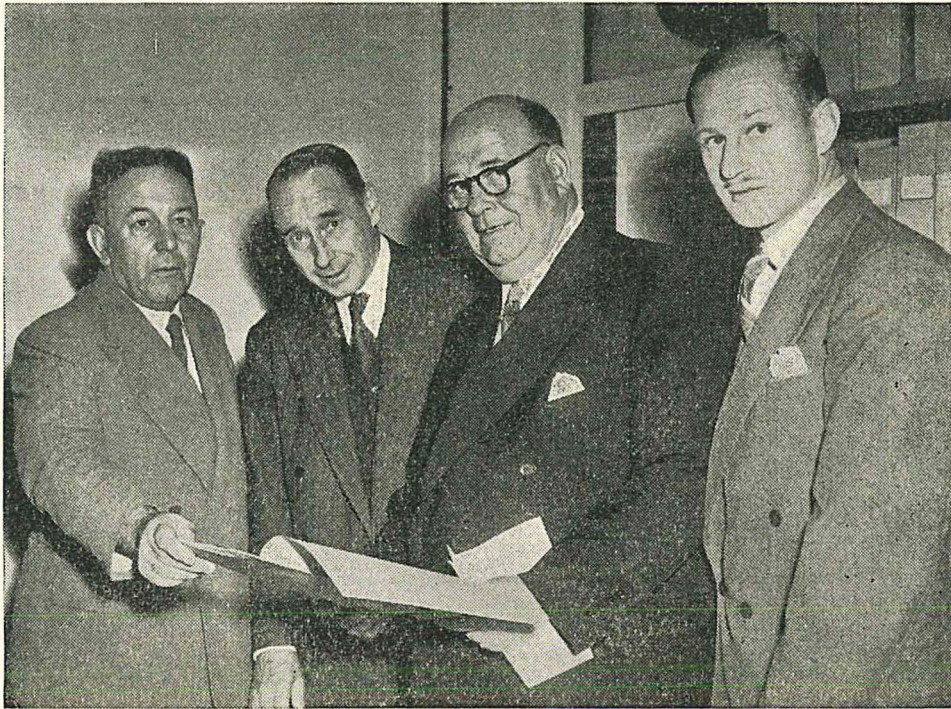
This regulation has been tested in court and found valid.

Fauna Protection Act

Doubts have arisen concerning the authority of the Fauna Protection Act in certain circumstances. Briefly the two points which occasioned most concern were (a) the protection afforded fauna on property owned by the Commonwealth and (b) the application of our Act on reserves and parks, etc., set up under the authority of some other Act.

# Personalities at Interstate Fauna Conference, Melbourne, February 8-12, 1954

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Left to right: Mr. A. J. Fraser, Chief Warden of Fauna, W.A.; Mr. L. E. Chapman, Under Secretary, Chief Secretary's Department, Victoria; Hon. L. W. Galvin, M.L.A., Chief Secretary of Victoria, who opened the Conference; Mr. A. Dunbavin Butcher, Director of Fisheries and Game, Victoria, who presided.

(Photo courtesy "The Age")



The Solicitor General advised that in his opinion the Fauna Protection Act applied to Commonwealth-owned land such as Garden Island until the Commonwealth Government introduced contrary legislation. He also considered that our Act takes precedence in the protection of fauna over any board of control or local authority by-laws.

HONORARY WARDENS OF FAUNA

Hereunder is a further list of names and addresses of persons appointed and the road districts in which they are situated.

Road District	Name	Address
Bridgetown	Jones, W.G.A.	Box 89, Bridgetown.
Capel	Brockman, F.E.	"Minninup", Capel
"	Payne, N.R.	Boyanup.
"	Roberts, F.G.	P.O. Box 1, Capel
"	Roberts, W.F.	Properjohn Rd., Capel
"	Scott, E.E.A.	"Maryville", Elgin.
Coolgardie	Lister, G.F.	Widgemooltha
"	Moran, P.A.	Coolgardie
Dundas	Charsley, P.A.	Norseman.
Esperance	Kent, M.N.	Box 45, Esperance
Halls Creek	Bleischwitz, A.	"Balgo", Via Derby
Kalgoorlie	Stewart, R.S.	Cundeelee Mission, Zanthus
Manjimup	Bashford, J.	Northcliffe
Metropolitan	Brice, W.M.	North Fremantle
"	Buller, K.G.	Perth Museum
"	Douglas, A.M.	West Midland
"	Ford, J.R.	East Fremantle
"	Ford, W.C.	East Fremantle
Morawa	White, S.R.	Morawa
Nannup	McClellan, L.J.	Glen Karri, Nannup
Pingelly	Graham, F.J.	West Pingelly
"	Pennington, A.S.	do.
"	Sewell, C.A.	do.
"	Turton, W.T.	do.
"	Watts, L.S.	do.
Wickepin	King, N.E.	Yealering
"	Sibley, A.J.	Yealering
Wyndham	Noseda, B.	Kalu buru Mission, Wyndham