

They recommended that pairs of nets be constructed, one of each pair as nearly as possible representative of existing types of net, the other of oval segment monofilament, identical except for the material, and that these pairs of nets be fished one against the other according to a predetermined plan. The group further recommended against tests being conducted by one fishing net which contained alternative or randomized panels of the two materials under test. They said that overseas tests using this method were believed to have produced false results as the more visible panels diverted the fish to the less visible panels resulting in most of the fish being caught in the latter. They said that, at this stage, it was impossible to state the minimum number of pairs which would be required to give, under each combination of conditions, a sufficiently accurate measure of their relative fishing powers.

They estimated that the cost of a pair of nets would vary from £600 to £750, not including the cost of labour. They pointed out that other costs would have to be met before the comparative tests could be completed including transport, net-boats and staff, and that these would not be inconsiderable. In conclusion, they resolved that until a decision was reached on who would meet the costs, and if or when the money would be available, further reports were not warranted.

#### HUMPBACK WHALING TO CEASE COMPLETELY

The last meeting of the International Whaling Commission, at which Australia was represented, adopted a recommendation from its Technical Committee that complete protection should be afforded all humpback whales in the southern hemisphere. In plenary session, Australia moved to restrict the prohibition to waters south of the 40th parallel of south latitude, but this was lost and complete protection for the species in the southern hemisphere was adopted.

Bearing in mind the right Australia had to lodge a formal objection within 90 days to prevent her from being bound by the resolution, it was decided to consult with the parties concerned before determining whether or not the State should recommend to the Commonwealth Government that it lodge an objection to the Commission's restricting recommendation which would write "finis" to humpback whaling by the two existing Western Australian companies. After consultation with the representatives of the companies, who had also attended the International Whaling Commission, it was agreed that there was no immediate future in humpback whaling, and that there would be little point in asking the



Commonwealth Government to lodge a formal objection. This opinion was forwarded to the Director of the Fisheries Division of the Department of Primary Industry, Mr. C.G. Setter, who it was expected would recommend to his Minister that Australia accept the prohibition.

#### THE CARAPACE IS A CRAYFISH

It will be remembered that, at the last Staff Conference, Senior Inspector J.E. Munro asked for a legal opinion to be obtained whether possession of undersize heads (= carapaces) of crayfish was sufficient evidence that a person was in possession of undersize fish, for the purposes of section 24 (1) of the Fisheries Act.

The Acting Crown Solicitor, (Mr. C. le B. Langouant) in a memorandum dated September 13, expressed the opinion that a carapace or head section of a crayfish was a "substantial" part of the crayfish and, therefore, there was warrant for asserting that such a part constituted a "fish" for the purposes of the section quoted. Mr. Langouant referred to the decision of the Full Court in the case of James Eric Munro versus Vinci Lombardo, where it became necessary to decide whether a crayfish "tail" was a crayfish. The opinion then expressed by the Full Court was that a substantial part of a crayfish was a "crayfish", and that the "tails" in question were such substantial parts and, therefore "crayfish".

Concluding his opinion, Mr. Langouant wrote :-  
"Furthermore, it should be borne in mind by your Inspectors that, in an appropriate case, possession of an undersize head or carapace will be good evidence that the possessor has recently been in possession of an entire crayfish which was undersize".

#### WESTERN FISHERIES RESEARCH COMMITTEE

The annual meeting of this committee, of which the Director is chairman, will be held in Perth from October 23 to 25 inclusive. The main business to be transacted will be a review of progress made and future work to be undertaken in respect of the crayfish, prawn, salmon, tuna and whale research programmes. Some discussion, it is believed, will also take place in relation to the crayfish economic survey, to which reference has been made elsewhere in this issue.