

[CONFIDENTIAL]

(Rough Draft for Consideration Only.)

No. , 1931.

A BILL

To amend the Net-fishing (Port Hacking) Act, 1901, in certain respects.

BE it enacted by the King'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 "Net-fishing Short title. (Port Hacking) Amendment Act, 1931."

Net-fishing (Port Hacking) Amendment.

(2) The Net-fishing (Port Hacking) Act, 1901, as amended by this Act, may be cited as the Net-fishing (Port Hacking) Act, 1901-1931.

2. (1) The Net-fishing (Port Hacking) Act, 1901, is amended— Amendment of Act No. 18, 1901.

(a) (i) by omitting from section three the words Sec. 3. (Prohibition of net-fishing.) "cast or set any net" and by inserting in lieu thereof the words "cast, set, or haul any net";

(ii) by omitting from the same section the words "casts or sets any net" and by inserting in lieu thereof the words "casts, sets, or hauls any net";

(iii) by inserting in the same section after the word "therewith" the words "and any fish that may be in such net or in the boat from which such net was cast or set or into which such net was hauled";

(b) (i) by omitting from section four the words Sec. 4. (Governor may declare portion of Port Hacking open to net-fishing.) "upon the recommendation of the trustees of the National Park";

(ii) by omitting from the same section the words "the part commonly termed the 'Spit'" and by inserting in lieu thereof the words "a line drawn from Ship Rock at Little Turriell Point to the point at which the eastern side of the Government road in portion ten of thirty-six acres, Parish of Wattamolla, County of Cumberland meets the waters of Port Hacking";

(c) by omitting from section five the word Sec. 5. (Penalty for taking net into prohibited waters.) "'Spit'" and by inserting in lieu thereof the word "line";

(d) (i) by omitting from section six the words Sec. 6. (Regulations.) "upon the recommendation of the trustees of the National Park";

(ii) by omitting from the same section the words "and such regulations, upon being published in the Gazette, shall have the force of law";

(iii)

Net-fishing (Port Hacking) Amendment.

(iii) by inserting at the end of the same section the following new subsection :—

(2) Such regulations shall—

- (a) be published in the Gazette ;
- (b) takes effect from the date of publication or from a later date specified in the regulation ;
- (c) be laid before both Houses of Parliament within fourteen sitting days if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part thereof shall thereupon cease to have effect.

(e) by omitting from section seven the words Sec. 7. "officer of the Commissioners of Fisheries, or of the trustees of the National Park, or of any servant of the said trustees by them authorised in writing in that behalf, or of any constable, or of any person specially appointed by the Governor to enforce the observance of this Act and regulations" and by inserting in lieu thereof the words "inspector or assistant inspector appointed under the provisions of the Fisheries Act, 1902, or any person authorised in that behalf by the Minister." (Recovery of penalties.)

(2) Any regulation made under the Net-fishing (Port Hacking) Act, 1901, prior to the commencement of this Act and in force at such commencement shall continue in force until repealed by a regulation made after such commencement.