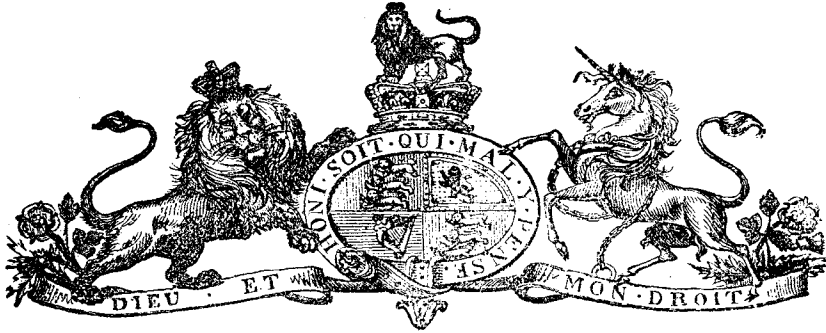


T A S M A N I A.



1885.

ANNO QUADRAGESIMO-NONO

VICTORIÆ REGINÆ,

No. 27.



AN ACT for the Protection of Crayfish. A.D. 1885.
[5 December, 1885.]

WHEREAS great destruction and waste of the Shellfish called the Crayfish (*Palinurus Edwardsi*) is occasioned by reason of such fish being caught and taken and sold and disposed of before they are of sufficient growth or age, and, in the case of female fish, while laden with eggs or spawn, to the danger of the extirpation of such fish : PREAMBLE.

Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 If any person or persons shall at any time or times after the commencement of this Act either buy or sell, or cause to be bought or sold, or shall offer or expose for sale, or shall have in his or their possession or control any fish or fishes known as or called the Crayfish of a size less than Ten inches in length measuring from the extremity of the head or beak to the extremity of the tail or telson, or any female of such fish of whatsoever size having eggs or spawn attached beneath its body, or which has been captured with eggs or spawn so attached, every person so offending shall upon conviction forfeit and pay for every such offence a penalty or sum not exceeding Five Pounds. Prevents the buying or selling Crayfish under a certain size, or female fish with spawn.

2 It shall be lawful for any Constable, without warrant, to enter any fishing-boat, or boat containing fish, for the purpose of searching for Crayfish of a less size than is hereinbefore mentioned, or for female fish bearing spawn ; and also, for the like purpose, to enter and search the Constables may search boats, &c.

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shop or place of business of any dealer where fish are publicly exposed, and to search the basket, tray, or other vessel in the possession or control of any itinerant vendor of fish; and any person resisting or obstructing such Constable in the execution of any of the powers hereby conferred on him shall, for each offence, be liable to a penalty not exceeding Five Pounds.

Fish may be seized.

3 Every such fish as aforesaid of a less size than is hereinbefore mentioned, and every such female fish bearing spawn, so bought or sold, or offered or exposed for sale as aforesaid, or found in boats as aforesaid, may be forthwith seized by any Constable; and, being taken by him without delay before any Justice of the Peace, the same fish shall, upon proof of the fact of such illegal purchase, sale, offer, or exposing as aforesaid, or of being in possession or control as aforesaid, or found in boats as aforesaid, be forthwith condemned, and shall thereupon become forfeited to the use of the Constable having so seized the same.

Offences how punished.

4 All offences against this Act, and all penalties and sums of money, costs, charges, and expenses imposed or made payable by this Act, shall be heard, determined, and recovered in a summary way by and before any Justice of the Peace, in the mode prescribed by *The Magistrates Summary Procedure Act*; and any person who thinks himself aggrieved by any penalty imposed under this Act may appeal against the same in the mode prescribed by *The Appeals Regulation Act*.

Distribution of penalties.

5 One moiety of every fine and penalty imposed or made payable by this Act shall when recovered be paid to the Constable taking proceedings against and securing the conviction of the offender, and the other moiety thereof shall be paid to the Treasurer and form part of the Consolidated Revenue Fund, if the offence for which such fine or penalty is imposed is not committed within the area of any Municipality; but if the offence is committed within the area of any Municipality, then such moiety of the fine or penalty shall be paid over to the Treasurer of such Municipality and shall form part of the Municipal Fund.

Act not to apply to certain persons.

6 The provisions of this Act shall not apply to any person who may hold a written authority from the Superintendent and Inspector of Fisheries to capture and supply to his order such under-sized Crayfish or female fish bearing spawn that may be required for artificial culture or for scientific purposes.

Short title.

7 This Act may be cited as "The Crayfish Protection Act, 1885."