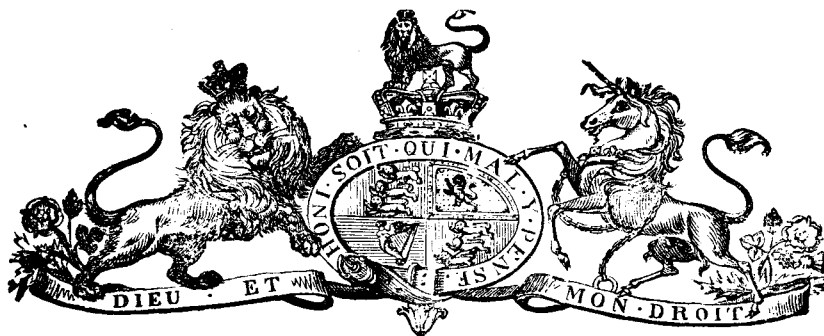


T A S M A N I A

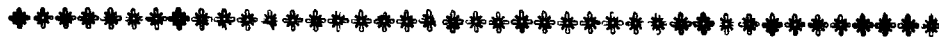


1902.

ANNO SECUNDO

EDWARDI VII. REGIS,

No. 36.



AN ACT to amend "The Fisheries Act, A.D. 1902.
1889." [20 December, 1902.]

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 This Act may be cited as "The Fisheries Amendment Act, 1902." Short title.

2 In this Act "the said Act" shall mean "The Fisheries Act, Interpretation.
1889." 53 Vict. No. 11.

3 Section Twenty-two of the said Act is hereby repealed, and in lieu thereof the following shall be, and be deemed to be, and may be cited as Section Twenty-two of the said Act, that is to say:— Repeal and re-enactment of Sect. 22 of 53 Vict. No. 11.

"22 (1.)—Every dam, weir, dyke, or other erection placed in or across any river or any inlet or outlet of any lake frequented by Salmon or Trout, or in or on the shores of any such lake, for sustaining the water of such river or lake for water power, navigation, irrigation, or other purposes which may in the opinion of the Commissioners form an obstruction to the free passage of Salmon or Trout, shall be so built, Dams, &c., not to obstruct free passage of Salmon.
4d.]

*Fisheries Amendment.*A.D. 1902.
—

constructed, or altered as to permit in one or more parts of the same the free run or migration of the Salmon, Trout, or other fish at all periods of the year.

(2.) Such provision shall be made at the expense of the person forming such dam, weir, dyke, or other erection, or of the overseer or occupier of such dam, weir, dyke, or other erection in such manner as the Commissioners shall approve.

(3.) Any person failing to comply with this Section after service of notice on him by the Commissioners, and which service may be made by registered letter to his last known place of abode or residence, shall forfeit and pay a penalty of Five Pounds a day for every day after Six months shall have elapsed from the date of the service of such notice that such dam, weir, dyke, or other erection is kept up without such provision for the free run of fish; and the Commissioners shall have full power if they think fit to cause such passage for the free run of fish to be made at the expense of the person owning or occupying the said erection, the same to be recovered in a summary manner before a Justice of the Peace.

(4.) The wash-gates, sluices, or overfalls of all mills, factories or other works operated by water power shall at all seasons of the year when and during the time such premises shall not be working be kept open if no passage for fish be provided; and when such passage shall be provided the said wash-gates, sluices, or overfalls shall be kept down or shut so as to force the water through such passage and if the owner or occupier of any such premises fail to comply with this provision he shall forfeit and pay a penalty of Five Pounds for every such offence."

Acts to be read together.

4 This Act and the said Act, save as altered or amended by this Act, shall be read and construed together as one and the same Act.