

Mr. McIlwride.

SUNDAY FISHING.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title and commencement.</p> <p>2. Interpretation.</p> | <p>3. Application of Act.</p> <p>4. Penalty.</p> <p>5. Procedure in respect of proceedings.</p> |
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A BILL INTITULED

AN ACT to prohibit Sunday Fishing for Trade Purposes.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Sunday Fishing Act, 1924, and shall come into force on the first day of January, nineteen hundred and *twenty-five*.

Short Title and commencement.

2. In this Act, unless the context otherwise requires—

Interpretation.

10 “Trawler” means any vessel of any description, whether registered or not, engaged or used in the fishing industry for trade purposes:

15 “Trawling” means and includes the use of trawling-nets, hauling-nets, set nets, pots, long lines, and single lines for trade purposes:

“Owner” means and includes persons, firms, companies, and corporations, and includes a lessee or other person, firm, company, or corporation deriving title for the time being in any trawler in any manner whatsoever:

20 “Inspector” means an Inspector of Fisheries appointed under the Fisheries Act, or any person for the time being acting in such capacity.

3. On and after the coming into force of this Act it shall not be lawful for the owner of any trawler to use, or permit the use of, any trawler, or otherwise conduct any trawling operations as defined by this Act on any Sunday.

Application of Act.

4. (1.) Every person who commits a breach of this Act shall be liable to a penalty not exceeding *fifty pounds*.

Penalty.

30 (2.) All proceedings under this Act shall be taken in a summary way on the information or complaint of an Inspector, who shall not be called upon to prove that he holds that office, and all such pro-

ceedings may be continued by the same or any other Inspector or any person permitted by a Magistrate to conduct the same, and shall be heard before a Magistrate alone.

Procedure in respect
of proceedings.

5. With respect to proceedings by an Inspector against any person for an offence arising under this Act, which expression includes every regulation made thereunder, the following provisions shall apply:— 5

- (a.) The proceedings shall be commenced within *three* months after the commission of the offence.
- (b.) The proceedings shall be deemed to be commenced when the information is laid by the Inspector. 10
- (c.) It shall be sufficient to allege that a trawler is a trawler.
- (d.) It shall be sufficient to state the name of the ostensible owner of a trawler or the style of title under which the owner is usually known or carries on business, and the information may be from time to time amended at the instance of the Inspector. 15
- (e.) It shall lie on the defendant to bring himself under any exemption, proviso, excuse, or qualification, and it shall not be necessary for the Inspector to negative the same in the information. 20