

ORDER IN COUNCIL

At the Executive Buildings, Brisbane, the fifteenth day of
November, 1962

Present:

His Excellency the Governor in Council

WHEREAS by "*The Fisheries Acts, 1957 to 1959*," it is amongst other things enacted that the Governor in Council may from time to time by Order in Council—

- (i.) Prohibit absolutely or regulate and control as he deems necessary or expedient the taking of all or any fish in such Queensland waters as may be specified in the Order in Council;
- (ii.) Prohibit the taking by the use of or according as prescribed except by the use of the apparatus specified of all or any fish;
- (iii.) Prohibit either absolutely or save upon and subject to prescribed conditions any vessel from having on board any net or other apparatus at any time when that vessel is in such Queensland waters as may be specified in the Order in Council in which the taking of fish by means of such net or other apparatus is prohibited;
- (iv.) Provide for the seizure of any net or other apparatus found on board any vessel contrary to the prohibition imposed by such Order in Council:

And whereas by Order in Council dated the fifteenth day of March, 1962, the taking by the use of any net of all fish in the waters described in the Schedule thereto was prohibited except the taking by the use of a cast (or "umbrella") net of herrings, hardiheads or prawns: And whereas the having on board any vessel within the waters described in the Schedule thereto any net was prohibited: And whereas it is deemed expedient to rescind the said Order in Council and to make other provision.

Now, therefore, His Excellency the Governor, acting by and with the advice of the Executive Council, and in pursuance of the powers and authorities vested in him by "*The Fisheries Acts, 1957 to 1959*," and any other powers or authorities him thereunto enabling, doth hereby rescind the said Order in Council dated the fifteenth day of March, 1962, and doth hereby absolutely prohibit from and after the date of publication hereof in the *Gazette* the taking by the use of any net of all fish in the waters described in the Schedule hereto and doth further hereby prohibit the having on board any vessel within the waters described in the First Part and the Second Part of the Schedule hereto any net: Provided that these prohibitions shall not apply to the taking of herrings, hardiheads or prawns by means of a cast (or umbrella) net as prescribed by Orders in Council under the said Acts for the capture of such fish. Any Inspector may seize any net found on board any vessel contrary to the prohibition imposed by this Order in Council.

And the Honourable the Treasurer and Minister for Housing is to give the necessary directions herein accordingly.

R. B. McALLISTER, Clerk of the Council.

THE SCHEDULE

First Part

The waters of the Haughton River and all tidal waters connected therewith above a direct line between a board marked F↑B located on the north bank on the down-stream side of the mouth of Burrumbush Creek and a board marked F↑B located on the south bank of the down-stream side of the mouth of the channel known as The Short Cut.

Second Part

The waters of Barramundi Creek and all tidal waters connected therewith above a direct line between two boards marked F↑B one being located on each bank of the aforesaid creek approximately one and a-half miles upstream from its mouth.

Third Part

The waters of Barratta Creek and all tidal waters connected therewith upstream of May's Creek above a direct line between two boards marked F↑B one being located on each bank of Barratta Creek.