

EXPLANATORY NOTES.

Clause 1: Paragraph (f) of section 2 at present reads as follows:

“(f) “fishing vessel” includes any ship or boat, or any other description of vessel used in fishing.”

The new paragraph (f) would extend the definition to include vessels used for processing or transporting fish.

Clause 2: Subsection (2) of section 5 at present reads as follows:

“(2) Every fishery officer is for all the purposes of this Act and the regulations a justice of the peace during his term of office as a fishery officer.”

The purpose of this amendment is to remove the power of a fishery officer to act as a justice of the peace and to empower the Governor in Council to authorize a fishery officer to administer oaths in connection with the administration and enforcement of fishery laws.

Clause 3: The section being repealed reads as follows:

“19. (1) Every Customs officer, police officer or constable, clerk of a market or other person in charge of any market-place in any village, town or city, may seize and, upon view, confiscate any fish caught or killed during prohibited seasons, or that appears to have been killed by unlawful means.

(2) Every such seizure and confiscation, with the date, place and circumstance thereof, shall together with the name, residence and calling of the person in whose possession such fish was found, be duly reported to the nearest fishery officer.”

The repeal of this section is consequential upon the enactment of the new section 64 effected by Clause 10 of this Bill.

Clause 4: Section 33 at present reads as follows:

“33. (1) No one shall throw overboard ballast, coal ashes, stones, or other prejudicial or deleterious substances in any river, harbour or roadstead, or in any water where fishing is carried on, or leave or deposit or cause to be thrown, left or deposited, upon the shore, beach or bank of any water or upon the beach between high and low water mark, remains or offal of fish, or of marine animals, or leave decayed or decaying fish in any net or other fishing apparatus; such remains or offal may be buried ashore, above high water mark.

(2) No person shall cause or knowingly permit to pass into, or put or knowingly permit to be put, lime, chemical substances or drugs, poisonous matter, dead or decaying fish, or remnants thereof, mill rubbish or sawdust or any other deleterious substance or thing, whether the same is of a like character to the substances named in this section or not, in any water frequented by fish, or that flows into such water, nor on ice over either such waters.

(3) No person engaging in logging, lumbering, land clearing or other operations, shall put or knowingly permit to be put, any slash, stumps or other debris into any water frequented by fish or that flows into such water, or on the ice over either such water, or at a place from which it is likely to be carried into either such water.”