

# PEARL, PEARL-SHELL AND BECHE-DE-MER ORDINANCE, 1911-1934.<sup>(1)</sup>

## An Ordinance to consolidate and amend the Law relating to Pearls, Pearl-Shell and Beche-de-mer.

**B**E it enacted by the Lieutenant-Governor of the Territory of Papua with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the *Pearl, Pearl-Shell and Bêche-de-mer Ordinance, 1911-1934.*<sup>(1)</sup>

Short title.  
Amended by  
No. 2 of 1930,  
s. 2.

It shall come into operation on a day to be fixed by the Lieutenant-Governor by Proclamation published in the *Gazette.*<sup>(1)</sup>

(1) The *Pearl, Pearl-Shell and Beche-de-mer Ordinance, 1911-1934*, comprises the *Pearl, Pearl-Shell and Beche-de-mer Ordinance, 1911*, as amended by the other Ordinances referred to in the following Table:—

### ORDINANCES OF THE LEGISLATIVE COUNCIL FOR THE TERRITORY OF PAPUA.

Short title, number and year.	Date of assent by Lieut.-Gov.	Date of reservation by Lieut.-Gov.	Date on which assent of Gov.-Gen. in Council published in Papua Govt. Gaz.	Date on which came into operation.
<i>Pearl, Pearl-Shell and Bêche-de-mer Ordinance, 1911</i> (No. 19 of 1911)	—	23.11.1911	7.2.1912	23.12.1912 (Papua Govt. Gaz. of 23.12.1912)
<i>Ordinances Revision Ordinance, 1913</i> (No. 3 of 1914)	—	14.8.1913	4.2.1914	4.2.1914 (Papua Govt. Gaz. of 4.2.1914)
<i>Pearl, Pearl-Shell and Bêche-de-mer Ordinance, 1914</i> (No. 14 of 1914)	19.8.1914 <sup>(a)</sup>	—	—	19.8.1914 ( <i>Statute Law of Papua, 1888 to 1916, Vol. III, p. 764</i> )
<i>Pearl, Pearl-Shell and Bêche-de-mer Ordinance, 1915</i> (No. 10 of 1915)	20.12.1915 <sup>(b)</sup>	—	—	20.12.1915 ( <i>Statute Law of Papua, 1888 to 1916, Vol. III, p. 764</i> )
<i>Pearl, Pearl-Shell and Bêche-de-mer Ordinance, 1918</i> (No. 14 of 1918)	11.9.1918 <sup>(c)</sup>	—	—	11.9.1918 ( <i>Ordinances etc. of Papua, 1918, p. 57</i> )
<i>Pearl, Pearl-Shell and Bêche-de-mer Ordinance, 1923</i> (No. 7 of 1923)	24.7.1923 <sup>(d)</sup>	—	—	24.7.1923 ( <i>Ordinances etc. of Papua, 1923, p. 15</i> )
<i>Pearl, Pearl-Shell and Bêche-de-mer Ordinance, 1934</i> (No. 12 of 1934)	—	9.7.1934	7.11.1934	7.11.1934 (Papua Govt. Gaz. of 7.11.1934)

(a) Notified in Papua Govt. Gaz. of 7.4.1915 as not disallowed by Gov.-Gen. in Council.

(b) Notified in Papua Govt. Gaz. of 3.5.1916 as not disallowed by Gov.-Gen. in Council.

(c) Notified in Papua Govt. Gaz. of 14.1.1919 as not disallowed by Gov.-Gen. in Council.

(d) Notified in Papua Govt. Gaz. of 5.12.1923 as not disallowed by Gov.-Gen. in Council.

## FISHERIES—

Repeal.

2. The following Ordinances are hereby repealed:—

*The Pearl-Shell and Bêche-de-mer Fishery Ordinance of 1891 (No. 3 of 1891);*

*The Pearl-Shell and Bêche-de-mer Fishery Ordinance of 1894 (No. 4 of 1894);*

*The Pearl-Shell and Bêche-de-mer Fishery Ordinance of 1897 (No. 4 of 1897);*

*The Pearl-Shell and Bêche-de-mer Fishery Ordinance Amendment Ordinance of 1904 (No. 2 of 1904);*

*The Pearl Buyers' Licensing Ordinance of 1906 (No. 2 of 1906);*

*The Pearl and Bêche-de-mer Ordinance of 1908 (No. 14 of 1908).*

Saving.

3.—(1.) The repeal of the said Ordinances shall not except where it is in this Ordinance in any respect otherwise provided—

(a) affect anything duly done or suffered thereunder;

(b) affect any right claim privilege remedy obligation penalty or liability acquired accrued or incurred under any of the repealed Ordinances.

(2.) All licences and authorities granted under the said repealed Ordinances shall continue for the term for which they are granted to be subject to the provisions thereof but any renewal thereof shall be effected under this Ordinance.

(3.) Any officer appointed or office established under any of the repealed Ordinances shall continue and be deemed to have been appointed or established under this Ordinance.

(4.) Any Proclamation<sup>(2)</sup> published or regulation<sup>(3)</sup> or order made or issued under any of the repealed Ordinances shall continue in force until repealed or cancelled as if it or they had been published or made under this Ordinance.

Interpretation clause.

Pap. No. 3 of 1891, s. 1.

Ship.

4. In the interpretation of this Ordinance the following terms shall unless the context otherwise indicate have the meanings set against them respectively that is to say:—

“Ship”—every description of vessel used in navigation or in the fishery hereinafter referred to and not being a boat as defined by this Ordinance;

Boat.

“Boat”—any vessel not exceeding two tons burden which is usually hoisted to a ship's davits or carried on board

(2) Particulars of proclamations continued in force by Section 3(4) are included in the relevant footnotes and Table to this Ordinance.

(3) All regulations continued in force by Section 3(4) were repealed by Regulation 2 of the *Pearl Fishery Regulations, 1923*, printed on p. 1974.

*Pearl, Pearl-Shell and Beche-de-mer Ordinance, 1911-1934.*

of a ship or attached to a ship and includes a boat or punt used at a fishing station and not attached to or used in connection with a ship and also a canoe used or employed by a person that is not a native;

“Master or Employer”—any person other than a pilot who is for the time being in command or in charge of any ship or boat or who is in charge of any fishery as hereinafter defined;

Master or employer.

“Pearl-Shell and Bêche-de-mer Fishery” or “Fishery”—the business of diving for collecting preparing curing storing or carrying from any place within the Territory to any other place within the Territory pearl oysters or pearl oyster shells trochus shell or the sea-slug commonly called “bêche-de-mer” or any other fish or shell or marine product which the Lieutenant-Governor in Council<sup>(4)</sup> may hereafter by Proclamation<sup>(5)</sup> in the *Gazette* include within the scope of this Ordinance;

Pearl-shell and bêche-de-mer fishery and fishery.

Amended by No. 14 of 1918, s. 2.

“Fishing Station” means any land occupied for the purposes of the fishery;

“Territory”—the Territory of Papua;

“Inspector”—an inspector appointed under this Ordinance;

“Magistrate”—a resident magistrate acting resident magistrate or assistant resident magistrate;

“Resident Magistrate”—a resident magistrate or acting resident magistrate;

“Collector”—the Treasurer and any principal officer of Customs doing duty at the time and place and any officer of Customs doing duty in the matter in relation to which the expression is used;

“Naval Officer”—any Commissioned Officer of the Naval Forces of the Commonwealth on full pay.

Added by No. 7 of 1923, s. 2.

5. Every ship or boat shall be deemed to be engaged in the pearl-shell and bêche-de-mer fishery if she is used as a depôt or place of lodging or refuge for persons employed in such fishery or if she is used for persons to dive from collect or store pearl oysters pearl oyster-shells or trochus shell or bêche-de-mer or any other fish or shell or product that may hereafter be included by Proclamation<sup>(5)</sup> as aforesaid or for carrying or conveying otherwise than as a sea-

When ship or boat to be deemed engaged in fishery.

Pap. No. 3 of 1891, s. 2.

Amended by No. 14 of 1918, s. 3.

(4) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

(5) By Proclamation dated 23.8.1916 and published in *Papua Govt. Gaz.* of 6.9.1916, the Lieutenant-Governor in Council proclaimed and declared “that ‘Trochus Shell’ shall be brought within the scope of” the Ordinance. At this date, the words “trochus shell” did not appear in the definition of “Pearl-Shell, and Beche-de-mer Fishery” or “Fishery”. Subsequently the *Pearl, Pearl-Shell and Beche-de-mer Ordinance, 1918* made certain amendments to the *Pearl, Pearl-Shell and Beche-de-mer Ordinance, 1911-1915*, including the insertion of the words “trochus shell” in this definition.

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going vessel under a transire pearl oysters pearl oyster shells or trochus shell or bêche-de-mer or any other fish or shell or product which may hereafter be included by Proclamation<sup>(5)</sup> as aforesaid from any one place within the Territory to any other place within the said Territory.

Ship or boat engaged in fishery to be licensed.  
Pap. No. 3 of 1891, s. 3.

6. From and after the commencement of this Ordinance it shall not be lawful to use or employ any ship or boat in the pearl-shell and bêche-de-mer fishery within the Territory or within one league to seaward from any part thereof excepting such waters as are comprised within the jurisdiction of the State of Queensland unless such ship or boat is duly licensed as hereinafter provided.

Qualification of owners licensees lessees etc.  
Pap. No. 2 of 1904, s. 2.

7.—(1.) No ship or boat shall be licensed to be employed in the pearl-shell and bêche-de-mer fishery unless owned wholly by persons of the following description (in this Ordinance referred to as “qualified persons”) namely:—

- (a) Natural-born British subjects;
- (b) persons naturalized by or in pursuance of an act of Parliament of the United Kingdom or by or in pursuance of an act or Ordinance of the proper legislative authority in a British possession;
- (c) persons made denizens of the Territory or of the Commonwealth of Australia by letters of denization;
- (d) bodies corporate established under and subject to the laws of some part of His Majesty’s dominions.

(2.) No licence shall be issued for any ship or boat to engage in the fishery unless or until the applicant for such licence shall have satisfied the licensing authority or other authority appointed by the Lieutenant-Governor in Council<sup>(4)</sup> in that behalf that the owner of such ship or boat is a qualified person nor until the owner shall have made a declaration to such effect and shall have signed the same which declaration shall be in such form and attested by such witnesses as may be prescribed by regulation under this Ordinance.

(3.) If any unqualified person acquires any interest either legal or beneficial in any ship or boat engaged in the fishery by sale charge lease hire transfer or otherwise howsoever then and in every such case the licence issued to such ship or boat to engage in the fishery shall forthwith become null and void:

Exception.  
Pap. Ib. s. 4, altered.

Provided that nothing in this section shall prevent the renewal of a licence to any person who has from any time during the

(4) See Section 19(2) of the *Ordinance Interpretation Ordinance*, 1911-1940.

(5) See footnote (5) printed on p. 1955.

year One thousand nine hundred and four till the time this Ordinance comes into force continuously held a licence or renewals thereof in respect of any ship or boat engaged in the fishery.

8. If any person in the case of a declaration made as required under this Ordinance or the regulations or in any document or other evidence produced to the licensing authority or otherwise as may be prescribed—

False  
declaration.  
Pap. No. 2 of  
1904, s. 3.

- (1) wilfully makes or assists in making or procures to be made any false statement concerning the nationality naturalization denization or alienage of any person or concerning any other matter or thing regarding which the affording of evidence shall have been prescribed;  
or
- (2) utters produces or makes use of any declaration or document containing any such false statement knowing the same to be false;

he shall in respect of each offence be guilty of a misdemeanour and shall be liable upon conviction to imprisonment with hard labour for a period not exceeding three years but may instead of being prosecuted as for a misdemeanour be prosecuted summarily before a magistrate or two justices of the peace and shall be liable to imprisonment with hard labour for a period not exceeding six months and to a fine not exceeding One hundred pounds.

9. The Lieutenant-Governor in Council<sup>(4)</sup> may make provision for the registration of owners licensees lessees and others claiming any interest in any ship or boat engaged in the fishery and for the registration of agreements relating to leasing or hiring of such ships or boats and for the issue of certificates of such registration.

Registration.  
Pap. *Id.* s. 5.

10. A collector at any port within the Territory or any resident magistrate or any other person duly authorized in that behalf may grant a licence to be known as a pearl-shell and bêche-de-mer licence according to the form in Schedule A to this Ordinance to any ship or boat to be employed in the pearl-shell and bêche-de-mer fishery and there shall be payable for every such licence or renewal of such licence a fee in accordance with the following scale that is to say:—

Licences for  
ships or boats.  
Pap. No. 3 of  
1891, s. 4.  
Schedule A.

- For every ship of not more than ten tons burden the sum of One pound;
- for every ship exceeding ten tons burden the sum of Two pounds;
- for every boat the sum of Ten shillings:

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(4) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

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Provided that in respect of all such licences issued subsequently to the first day of July in any one year one-half of the licence fee only shall be payable.

The tonnage of every ship or boat shall if she is registered be deemed to be the tonnage specified in her register and if she is not registered the tonnage shall be ascertained by a collector according to the rules prescribed by law for ascertaining the tonnage of ships.

Duration of licence.  
Pap. No. 3 of 1891, s. 6.

11. All pearl-shell and bêche-de-mer licences issued under the last preceding section of this Ordinance shall be in force from their date to the thirty-first day of December in the year in which they are issued.

New licence to replace lost licence may be issued.  
Pap. *ib.* s. 28.

12. Any person who is empowered to issue any licence under this Ordinance may issue a new licence in the place of a licence that is proved to his satisfaction to have been lost or destroyed and for every such new licence there shall be paid the sum of Five shillings.

Letter of licensing port.  
Pap. *ib.* s. 7.

13. The Treasurer shall assign to every port at which pearl-shell and bêche-de-mer licences may be granted a letter<sup>(6)</sup> which letter shall be the letter of such port for the purposes of this Ordinance.

Licence to be lettered and numbered.  
Pap. *ib.* s. 8.

14. Every pearl-shell and bêche-de-mer licence shall have the letter of the port at which it was granted written in the licence and shall be numbered in the order of its sequence according to the number of licences that have been issued at such port.

First letter and No. to be retained in continuous licence.  
Pap. *ib.* s. 9.

15. The port letter and number of the first licence that is granted to a ship or boat shall be maintained as the letter and number of the licence of such ship or boat in every licence granted subsequently by way of renewal of the first licence to such ship or boat during the period succeeding the date of the first licence in which such ship or boat shall remain continuously licensed. Licences by way of renewal of a first or renewed licence may without regard to the port at which the first licence or any subsequent licence was granted be granted by any person who can grant a pearl-shell and bêche-de-mer licence.

(6) Pursuant to Section 13, the Treasurer, by notice dated 4.2.1921 and published in *Papua Govt. Gaz.* of 2.3.1921, cancelled a former notice (dated 20.1.1915 and published in *Papua Govt. Gaz.* of 3.2.1915) assigning letters to Ports and assigned "the letters given below ..... to the following Ports, viz.:-

Port of Port Moresby	—	A.
Port of Samarai	—	B.
Port of Daru	—	C.
Port of Bwagaioa	—	D.
Port of Losuia	—	E."

By further notice dated 23.11.1923 and published in *Papua Govt. Gaz.* of 5.12.1923, the Treasurer assigned "the letter given below ..... to the following Port, viz.:-  
Port of Kulumadau — F."

*Pearl, Pearl-Shell and Beche-de-mer Ordinance, 1911-1934.*

16. Every boat or ship licensed under this Ordinance shall have her name painted in letters of not less than three inches in length in the case of boats and of not less than six inches in length in the case of ships in white upon a black ground or black upon a white ground on each side of her bow or of her stern above her water-line and such name shall be kept so painted during the whole time the licence remains in force.

Licensed ship or boat to have her name painted on her hull.  
Pap. No. 3 of 1891, s. 10.

17. Every ship or boat licensed under this Ordinance shall have the letter of the port at which such ship or boat was licensed the letters "No." the number of the licence of the said ship or boat and the letters "T.P." in the order enumerated painted in letters and figures of not less than three inches in length in the case of boats and of not less than six inches in length in the case of ships in white upon a black ground or black upon a white ground on each side of her stern above the water-line and such letters and numbers shall be kept so painted during the whole time that the licence remains in force.

Licensed ship or boat to have letter number and "T.P." painted on her hull.  
Pap. *Ib.* s. 11.

18. If any ship or boat is employed in the pearl-shell and bêche-de-mer fishery without a valid and subsisting pearl-shell and bêche-de-mer licence under this Ordinance obtained or renewed as required by this Ordinance the owner or master of any such ship or boat shall be liable to a penalty not exceeding Fifty pounds. In default of immediate payment of such penalty the ship or boat and all things found on board thereof may be seized and kept at the risk and cost of the owner of the ship or boat for a period of sixty days unless such ship or boat is before the expiration of such period released by payment of penalty costs and expenses; if at the expiration of such sixty days the penalty costs and the cost of keeping the ship or boat or any of them or any part thereof is still unpaid then the ship or boat together with all tackle thereof apparel furniture cargo and the effects on board of such ship or boat shall be liable to be forfeited to the use of His Majesty. If any dispute shall arise as to the amount that may be justly claimed by the Government for the keeping of a vessel or boat so seized the matter shall be referred to a resident magistrate who is hereby authorized to determine the matter.

Penalty for using unlicensed ship or boat in fishery.  
Pap. *Ib.* s. 12.

19.—(1.) It shall be lawful for any collector magistrate European member of the police force or constabulary or other authorized person to seize and take any ship or boat that is found employed in the pearl-shell and bêche-de-mer fishery without being licensed under this Ordinance and to detain such ship or boat until a prosecution for breach of this Ordinance is heard and determined.

Unlicensed ship or boat may be seized.  
Pap. *Ib.* s. 13.

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Sub-section (2)  
added by  
No. 7 of 1923,  
s. 3.

(2.) If the master or person in charge of any ship or boat engaged in the fishery refuses or fails to produce the licence for the ship or boat to be employed in the fishery to any person empowered by this Ordinance to require the production thereof such ship or boat shall for the purposes of this and the last preceding Section be deemed unlicensed until the contrary is proved.

Sub-section (3)  
added by  
No. 7 of 1923,  
s. 3.

(3.) A Naval Officer shall be deemed to be an authorized person within the meaning of this Section.

Penalty for not  
having hull of  
ship or boat duly  
marked.

Pap. No. 3 of  
1891, s. 14.

20. If any licensed ship or boat is found engaged in the pearl-shell or bêche-de-mer fishery within the waters of the Territory without the name the port letter the letters "No." and the number of the licence of such ship or boat and the letters "T.P." painted thereon as prescribed by this Ordinance the master or owner thereof shall be liable to a penalty not exceeding Five pounds and in default of payment to imprisonment for any period not exceeding one month.

Penalty for  
refusing to  
produce licence.  
Pap. *Ib.* s. 15.

21. If the master of any licensed ship or boat refuses to produce the licence of such ship or boat when required so to do by any collector or by any magistrate or by any European member of the police force or constabulary he shall for every such offence be liable to a penalty not exceeding Five pounds and in default of payment to imprisonment for any period not exceeding one month.

Crown land not  
to be occupied  
without licence.  
Pap. *Ib.* s. 16.

22. Before any person engaged in the pearl-shell and bêche-de-mer fishery occupies any Crown lands for the purpose of such fishery or for any purpose in connection therewith he shall unless such occupation be for purely temporary purposes obtain from the Commissioner for Lands a licence so to do. Any person occupying Crown lands for the purposes aforesaid other than temporary purposes without having obtained a licence so to do shall be deemed to be a trespasser upon Crown lands and will be dealt with accordingly.

Licences to  
occupy Crown  
lands.  
Pap. *Ib.* s. 17.  
Amended by  
No. 3 of 1914,  
s. 3 and Second  
Schedule.

23. Licences under the last preceding section shall be annual and may be issued at any time and shall be in force for one year from the date of the issue thereof. They shall contain a description of the land that the licensee is entitled to occupy under his licence. The fee for every licence shall be One pound payable in advance. Any such licence shall be issued subject to such reservations as the public interest may require in regard to shelter for vessels and travellers the procuring of wood and water by vessels and any other right or convenience which the Lieutenant-Governor in Council<sup>(4)</sup> may deem it necessary to preserve.

(4) See Section 19(2) of the Ordinance Interpretation Ordinance, 1911-1940.

24. Any person who cuts down or injures any coconut tree or other tree bearing edible fruit or any tree of the kind known as *Calophyllum inophyllum* or any other tree to which the Lieutenant-Governor in Council<sup>(4)</sup> may hereafter by Proclamation<sup>(7)</sup> in the *Gazette* declare this section to be applicable growing on any land included in such last-mentioned licence shall be liable to a penalty not exceeding Ten pounds and in default of payment to imprisonment for any period not exceeding two months.

Licensee of Crown lands not to destroy certain trees.

Pap. No. 3 of 1891, s. 18.

25. Every person in charge of a ship engaged in the pearl-shell and bêche-de-mer fishery and every person employed in the said fishery as a diver and using a diving apparatus must hold a licence permitting him to be so employed. Every person who is found in charge of a ship so engaged and every person who is found employed as a diver and using a diving apparatus without being licensed shall be liable to a penalty not exceeding Ten pounds and in default of payment to imprisonment for any period not exceeding two months. A licence may authorize the person named in it to be employed in both the said capacities.

Person in charge of ship engaged in fishery and person using diving apparatus to be licensed.

Pap. *Ib.* s. 19.

26. A collector or any resident magistrate may grant licences for the purposes of the last preceding section of this Ordinance. Every such licence shall be in the form of Schedule B to this Ordinance and for every such licence there shall be paid the sum of One pound.

Licenses to take charge of ship or to use diving apparatus.

Pap. *Ib.* s. 20, altered.

Schedule B.

27. Every person in charge of a ship engaged in the fishery and licensed as aforesaid and every person employed as a diver and licensed as aforesaid who fails to show his licence when called upon to do so by any collector or by any magistrate or by any European member of the police force or constabulary or other authorized person shall be liable to a penalty not exceeding Five pounds and in default of payment to imprisonment for any period not exceeding one month.

Penalty for refusing to produce licence.

Pap. *Ib.* s. 21.

Amended by No. 7 of 1923, s. 4.

A Naval Officer shall be deemed to be an authorized person within the meaning of this Section.

28. If the holder of a licence as last aforesaid is convicted of an offence against this Ordinance the magistrate before whom he is convicted may cause the conviction to be endorsed on the licence and may suspend or cancel the licence as he may think fit. Any person holding such a licence who upon demand of the magistrate refuses or neglects without sufficient cause to deliver up the same to him for the purposes of this section shall be liable to a penalty

Licence may be cancelled or suspended.

Pap. *Ib.* s. 22.

(4) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

(7) No proclamation has been published in *Papua Govt. Gaz.*

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not exceeding Twenty pounds and in default of payment to imprisonment for any period not exceeding three months.

Notice of cancellation or suspension to be posted up etc. Pap. No. 3 of 1891, s. 23.

29. Notice of the suspension or cancellation of every licence suspended or cancelled under this Ordinance shall be posted in a conspicuous place in the Customs House at every port at which such licences can be issued under this Ordinance.

Penalty for permitting unlicensed person to take charge of ship or use diving apparatus. Pap. Ib. s. 24.

30. Every person who being the owner of a ship employed in the pearl-shell and bêche-de-mer fishery or the agent or manager of or for the owner of such ship employs or authorizes or permits the employment in the said fishery in connection with such ship of an unlicensed person as a diver using diving apparatus or employs authorizes or permits a person who is not licensed under this Ordinance to take charge of such ship such person being a person who under this Ordinance is required to be licensed to qualify him to take charge of such ship shall be liable to a penalty not exceeding Twenty pounds and in default of payment to imprisonment for any period not exceeding three months.

Section 31 repealed by No. 12 of 1934, s. 2.

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Minimum size of pearl-shell that may be taken. Pap. No. 4 of 1897, s. 3.

32. Any person who takes or removes sells or exposes for sale or attempts to export from the Territory and any dealer in pearl oyster shell who purchases any pearl oyster shell of the kind scientifically known as *Meleagrina margaritifera* and of either of the varieties commonly known as "golden-edge" or "silver-lip" of which the nacre or mother-of-pearl measures less than five inches from the butt or hinge to the opposite edge or lip or which measures less than six and a-half inches exteriorly from the butt or hinge to the opposite edge shall be liable to a penalty not exceeding Five pounds for every such pearl oyster shell found in his possession and every bag or other receptacle containing shell in which any such shell is found and every heap or other collection of shells in which any such shell is found shall be forfeited. Any person in whose possession any such shell is found shall be bound to disclose to an inspector or other authorized person on demand the name and address of the person from whom he acquired the same:

Penalty.

Compulsory disclosure.

Dimensions may be altered by Proclamation.

Provided that if it is proved to the satisfaction of the Lieutenant-Governor in Council<sup>(4)</sup> that the ordinary size of any such pearl oyster shell when full-grown is when found within any specified waters of the Territory of less size than that hereby prescribed the Lieutenant-Governor in Council<sup>(4)</sup> may by Proclamation<sup>(8)</sup> direct that with respect to any such pearl-shell found within those waters

(4) See Section 19(2) of the Ordinance Interpretation Ordinance, 1911-1940.  
(8) No proclamation has been published in Papua Govt. Gaz.

other dimensions shall be substituted for those hereby prescribed. And with respect to the pearl-shell so found the dimensions so directed to be substituted shall be deemed to be so substituted in the enactment in this section contained:

And provided further that in the case of any such pearl oyster shell of the variety commonly called "dwarf shell" an inspector may on application at his discretion authorize its removal or sale or exposition for sale notwithstanding that it is of less size than that hereby prescribed. And the provisions of this section shall not apply in the case of any shell with respect to which such authority has been given.

Inspector may authorize taking of "dwarf shell."

An inspector may examine any pearl oyster shells taken collected carried away or exposed for sale and may seize any shells contained in a bag or other receptacle in which is any shell of less size than that hereby prescribed or any heap or other collection of shells in which is any such shell.

Inspector may examine and seize shell.

**33.** The Lieutenant-Governor in Council<sup>(4)</sup> may subject to the provisions of the last preceding section from time to time make regulations<sup>(9)</sup> fixing the minimum dimensions of bêche-de-mer or live pearl-shell that may be fished or removed for sale and such regulations shall when published in the *Gazette* have the force of law. Any person whether licensed or unlicensed who is found in possession of bêche-de-mer or pearl-shell which is of smaller dimensions than those prescribed by the regulation shall be liable to a penalty not exceeding Ten pounds and in default of payment to imprisonment for a period not exceeding two months and such bêche-de-mer or pearl-shell together with all other bêche-de-mer or pearl-shell found in the same heap or receptacle and any ship or boat in which it is found shall be liable to be forfeited.

Regulations as to size of shell or bêche-de-mer may be made. Pap. No. 3 of 1891, s. 29, altered.

**33A.—(1.)** Any person who takes or removes sells or exposes for sale or attempts to export from the Territory and any dealer in shells who knowingly purchases any trochus shell which exteriorly across the base has a less measurement than that for the time being fixed by the Lieutenant-Governor in Council<sup>(4)</sup> by a Proclamation<sup>(10)</sup> published in the *Gazette* shall be liable to a penalty not exceeding Five pounds for every such trochus shell found in his possession and every bag and other receptacle containing shells in which any such shell is found and every heap or other collection of shells in which any such shell is found shall be forfeited to His Majesty.

Minimum size of trochus shell that may be taken.

Section 33A inserted by No. 14 of 1918, s. 4.

Penalty.

(4) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

(9) No regulations have been made.

(10) By Proclamation dated 26.2.1919 and published in *Papua Govt. Gaz.* of 5.3.1919, the Administrator, with the advice of the Executive Council, declared that "the minimum measurement of Trochus Shell that may be taken, removed, sold or exposed for sale or exported, or which any dealer in shell may purchase, shall be and is hereby fixed at two and one-half inches exteriorly across the base of such shell."

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Compulsory disclosure.

(2.) Any person in whose possession any such shell is found shall be bound to disclose to an inspector or other authorized person on demand the name and address of the person from whom he acquired the same.

Examination.  
Seizure.

(3.) An inspector may examine any trochus shell taken collected carried away or exposed for sale and may seize any shells contained in a bag or other receptacle in which is any such shell of less measurement than that prescribed in such Proclamation or any heap or other collection of shells in which is any such shell.

Fishing banks etc. may be closed.

Pap. No. 3 of 1891, s. 30.

Pap. No. 4 of 1894, s. 11, altered.

Amended by No. 14 of 1918, s. 5.

34. The Lieutenant-Governor in Council<sup>(4)</sup> may by Proclamation<sup>(11)</sup> prohibit for a time specified in the Proclamation the fishing for collecting or obtaining of pearl oyster shell of any variety or of trochus shell or of bêche-de-mer from any port bank channel reef or cluster of reefs or any portion of a port bank channel reef or cluster of reefs or from or in any waters of the Territory.

Any person who fishes for obtains or collects pearl oyster shell of any variety or any trochus shell or any bêche-de-mer from any place from which the collecting or obtaining of pearl-shell of that variety or of trochus shell or of bêche-de-mer is prohibited shall be liable to a penalty not exceeding Fifty pounds and in default of payment shall be liable to be imprisoned with or without hard labour for a period not exceeding three months; and all pearl oyster shells trochus shells or bêche-de-mer in his possession may be seized by an inspector and shall be liable to be forfeited.

Permit to fish for bêche-de-mer in prohibited waters.

Pap. No. 14 of 1908, s. 4.

35. It shall be lawful for the Lieutenant-Governor<sup>(4)</sup> to empower any person or persons to issue special permits to fish for bêche-de-mer in any waters in which such fishing has been prohibited by Proclamation.<sup>(11)</sup>

Issue of permit.  
Pap. *Ib.* s. 5.

36. A permit shall only be issued to the holder of a pearl-buyer's licence under this Ordinance or any Ordinance hereby repealed and shall be subject to such conditions as to the period for which it is to be in force and other matters as the person issuing it may think necessary but the permit shall not be in force for more than twelve months from the date of issue and shall not exceed the currency of the licence.

A fee of Five pounds shall be payable on the issue of a permit.

Form of permit.  
Pap. *Ib.* s. 6.  
Schedule C.

37. The permit shall be to the effect of the form in Schedule C hereto.

(4) See Section 19(2) of the *Ordinance Interpretation Ordinance*, 1911-1940.

(11) No proclamations have been published in *Papua Govt. Gaz.* pursuant to Section 34 of the present Ordinance. A Table containing particulars of proclamations prohibiting fishing for pearl oyster shell or beche-de-mer, (made under Ordinances repealed by the present Ordinance, and continued in force by Section 3 (4) thereof) is printed on p. 1979, and the proclamations are printed immediately after the Table

38. The Lieutenant-Governor in Council<sup>(4)</sup> may appoint inspectors to carry into execution the provisions of this Ordinance.

Inspectors.  
Pap. No. 4 of  
1894, s. 2.

39. An inspector or a naval officer may within the limits of the jurisdiction of the Territory exercise any of the following powers:—

Powers of  
inspectors.  
Pap. *Ib.* s. 3.  
Amended by  
No. 7 of 1923,  
s. 5.

He may go on board any ship or boat employed in the fishery or enter upon any fishing station or any buildings thereon;

he may require the master or employer or any person in charge of a fishing station to produce any certificates of registry licence official log-book official papers articles of agreement contract of service muster roll or other document relating to the ship or boat or to any person who is employed on board the ship or boat or who is at the station and which are in their respective possession or control and may take copies thereof or of any part thereof;

he may muster the persons employed on board the ship or boat or at the station;

he may require the master or employer or the person in charge of the station to give any explanation concerning the ship boat or station or any person who is employed on board the ship or boat or at the station or concerning any such certificate or registry licence official log-book official papers articles of agreement muster roll or other documents;

he may examine the sails lights boats anchors grapnels and fishing implements belonging to the ship boat or fishing station;

he may examine the diving dress air-pumps air-tubes and gear and all other gear and tackle used in the ship or boat or at the station;

he may by order in writing under his hand forbid the further use of any gear and tackle which is in his opinion unsafe or insufficient;

he may make any inquiries or searches that he thinks necessary to ascertain whether any contravention of the provisions of this Ordinance has been committed.

40. If any person appears to an inspector or naval officer to have committed a contravention of any of the provisions of this Ordinance the inspector or naval officer may without summons warrant or other process take the offender and if necessary the

Summary  
proceedings for  
trial of offences.  
Pap. *Ib.* s. 4.  
Amended by  
No. 7 of 1923,  
s. 6.

(4) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

## FISHERIES—

ship or boat to which he belongs and the crew thereof before a magistrate either at a place that is appointed or a place that is not appointed for holding courts of petty sessions and the magistrate shall then and there hear and determine the matter in a summary manner. The inspector or naval officer may detain the ship or boat until the alleged contravention has been adjudicated upon.

Penalty for obstructing inspector etc.  
Pap. No. 4 of 1894, s. 5.  
Section 41 amended by No. 7 of 1923, s. 7.

### 41. Any person—

- (1) who resists or obstructs an inspector or naval officer in the performance of any of his duties or powers under this Ordinance; or
- (2) who being lawfully required to produce to an inspector or naval officer anything which the inspector or naval officer is by this Ordinance authorized to require to be produced to him refuses to do so; or
- (3) who refuses to give to an inspector or naval officer any information which the inspector or naval officer is authorized to require from him; or
- (4) who gives false information in answer to any lawful inquiry made by an inspector or naval officer

shall be liable to a penalty not exceeding Fifty pounds and in default of payment shall be liable to be imprisoned with or without hard labour for a period not exceeding three months.

Appeals from order of inspector forbidding use of diving gear.  
Pap. 1b. s. 6.  
Amended by No. 7 of 1923, s. 8.

42. If the master or employer or the person in charge of a fishing station objects to an order of the inspector or naval officer forbidding the further use of any gear or tackle he may by notice in writing require the gear or tackle to be tested and if he so objects the gear or tackle shall be taken before a magistrate and shall at the cost of the person so objecting be tested in such manner as the magistrate may direct and the magistrate may confirm the order of the inspector or naval officer or reverse it or may make an order allowing the gear or tackle to be used after making such alterations or repairs as he may prescribe.

Periodical inspection of diving gear.  
Pap. 1b. s. 7.

43. Every diving dress and air-pump and all air-tubes and gear used in the fishery in connection with diving must be submitted to a magistrate or inspector for examination once at least in every period of six months. Any master or employer who uses or permits to be used in the fishery in connection with diving any diving dress or air-pump or any air-tubes or gear which has not or have not been submitted to a magistrate or inspector for examination within the preceding six months shall be liable to a penalty not exceeding One hundred pounds and in default of payment shall be liable to be imprisoned with or without hard labour for a period not exceeding six months.

*Pearl, Pearl-Shell and Beche-de-mer Ordinance, 1911-1934.*

44. Any person who uses any gear or tackle after an inspector has forbidden the further use of it and while the order forbidding the further use of it is in force shall be liable to a penalty not exceeding Fifty pounds and in default of payment shall be liable to be imprisoned with or without hard labour for a period not exceeding three months.

Penalty for using condemned gear or tackle.  
Pap. No. 4 of 1894, s. 8.

45. All pearl oyster shell or trochus shell shall be shipped for exportation at Port Moresby Samarai Bonagai Daru or some other port appointed<sup>(12)</sup> by the Lieutenant-Governor in Council<sup>(4)</sup> for that purpose and no such shell shall be shipped for exportation until the expiration of forty-eight hours after notice of the intention to ship has been given to a collector at the port at which the shell is to be shipped.

Shell to be shipped at specified port after notice.  
Pap. *Ib.* s. 10.  
Amended by No. 14 of 1918, s. 6.

A magistrate or collector or an inspector may require any package containing pearl oyster shell or trochus shell packed for exportation to be opened and its contents exposed to view in his presence. Any person who refuses to comply with any such requisition of a Government officer aforesaid or who ships or attempts to ship any pearl oyster shell or trochus shell for exportation contrary to the provisions of this section shall be liable to a penalty not exceeding Twenty pounds and in default of payment shall be liable to be imprisoned with or without hard labour for a period not exceeding two months.

46. A ship employed in the fishery shall not have on board any intoxicating liquor or liquors in any greater quantity than two gallons.

Ship not to carry liquor beyond two gallons.  
Pap. *Ib.* s. 12, altered.

If any such ship is found having a larger quantity of intoxicating liquor on board the liquor shall be forfeited and the master or employer shall be liable to a penalty not exceeding Fifty pounds and not less than Twenty pounds and in default of payment shall be liable to be imprisoned with or without hard labour for a period not exceeding six months.

47. The Lieutenant-Governor in Council<sup>(4)</sup> may grant a lease of the whole or any part of an outlying reef or bank or of any shore reef or of the foreshore of an island or of any Crown lands lying below high-water mark in any lagoon river inlet estuary or creek or of any lands lying beneath tidal waters within the limits of the jurisdiction of the Territory for the collection storage cultivation or propagation of pearl-shell oysters or pearl oysters or of bêche-de-mer or of sponges or of other products of the sea.

Leases of pearl-shell or bêche-de-mer ground.  
Pap. *Ib.* s. 13.

(4) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

(12) No other port has been appointed by any instrument published in *Papua Govt. Gaz.*

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The term of every lease granted under this section shall be as may be determined by the Lieutenant-Governor in Council.<sup>(4)</sup>

Buyers of pearls from natives to be licensed.  
Pap. No. 2 of 1906, s. 1.

48.—(1.) It shall not be lawful for any person to buy pearls except from the holder of a pearl-buyer's licence without having first obtained a pearl-buyer's licence.

(2.) The Lieutenant-Governor<sup>(4)</sup> may by Proclamation<sup>(13)</sup> published in the *Gazette* exempt any portion of the Territory from the operation of this section.

Licence by whom granted.  
Pap. *ib.* s. 2.  
Schedule D.  
Amended by No. 3 of 1914, s. 3 and Second Schedule.

49. The collector at any port or any magistrate or other person duly authorized by the Lieutenant-Governor<sup>(4)</sup> may grant a pearl-buyer's licence to the effect of one of the forms in the Schedule D hereto to any person who wishes to buy pearls.

Term of and fee for licence.

Pap. *ib.* s. 3, altered.

50.—(1.) A pearl-buyer's licence may be granted for a term of one year or provided the beginning and end of the period fall within the same year for a period of six months.

(2.) A licence for one year may be renewed annually.

(3.) The fee payable on the grant or renewal of a pearl-buyer's licence for one year shall be Fifty pounds and for the grant of a pearl-buyer's licence for six months Twenty-five pounds.

Licence to be transferable.  
Pap. No. 14 of 1908, s. 2.

51. A pearl-buyer's licence may be transferred with the consent of a magistrate. (A fee of One pound shall be paid on the transfer.)

Form of transfer.  
Pap. *ib.* s. 3, altered.  
Schedule E.

52. The transfer and consent shall be endorsed on the licence and shall be to the effect of the form in Schedule E hereto.

Certain persons prohibited from holding pearl buyers' licences.  
Cf. Q. 4 Geo. V. No. 12, s. 7.

Section 52A inserted by No. 14 of 1914, s. 2; substituted by No. 10 of 1915, s. 2.

52A.—(1.) It shall be unlawful for any person who has not first obtained in the prescribed manner a certificate of having passed the dictation test to hold a pearl-buyer's licence.

(2.) The Lieutenant-Governor in Council<sup>(4)</sup> may from time to time make regulations<sup>(14)</sup> for the examination and granting to persons certificates of having passed the dictation test for the exemption from the operation of this section of any person or classes of persons whom for any reason it is not considered necessary to examine for the relief from the operation of this section wholly or in part of persons who are holders of pearl-buyers' licences at the commencement of the *Pearl, Pearl-Shell and Bêche-de-mer Ordinance, 1915*,<sup>(15)</sup> and for facilitating and authenticating the

(4) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940*.

(13) No proclamation has been published in *Papua Govt. Gaz.*

(14) See the *Pearl Fishery Regulations, 1923*, printed on p. 1974.

(15) The *Pearl, Pearl-Shell and Bêche-de-mer Ordinance, 1915*, commenced on 20.12.1915.

observance of the provisions of the *Pearl, Pearl-Shell and Bêche-de-mer Ordinance, 1911-1915.*<sup>(16)</sup> All such regulations shall upon publication in the *Gazette* have the same effect as if they were enacted in this Ordinance and shall not be questioned in any proceeding whatsoever.

(3.) In this section the expression "Certificate of having passed the dictation test" means a certificate under the hand of a Government officer of the Territory authorized for that purpose by the Treasurer that when the said officer has dictated to the person concerned not less than fifty words in such language as the Treasurer may direct such person has correctly written them out in that language in the presence of the said officer.

52AA. It shall be unlawful for any native to hold a pearl-buyer's licence.

Natives not to hold pearl-buyers' licences. Inserted by No. 10 of 1915, s. 2.

52B. The powers and privileges granted by a pearl-buyer's licence shall be exercisable only by the licensee personally and not by his servants or agents.

Privileges under licence exercisable by licensee only. Inserted by No. 14 of 1914, s. 2.

53. Any person not the holder of a pearl-buyer's licence who buys pearls except from a holder of a pearl-buyer's licence shall on summary conviction be liable to a penalty of not more than One hundred pounds or to imprisonment for a period not exceeding six months.

Penalty for buying without licence. Pap. No. 2 of 1906, s. 4, altered.

54. All complaints of offences against the provisions of this Ordinance or any regulations made thereunder and all claims of forfeiture for breach of any such provisions may be determined by any magistrate who for that purpose shall any Act Ordinance or law to the contrary notwithstanding have power to hear and determine the matter at any place within the said Territory where the offenders may be or where the ship or boat connected with any offence under this Ordinance may be found or at any place in the said Territory appointed for holding courts of petty sessions and to make such orders for the safe-keeping detention seizure forfeiture or sale of such ship or boat and all things found therein as such magistrate may think fit.

By whom and where offences to be tried. Pap. No. 3 of 1891, s. 31.

55. If any person thinks himself aggrieved by any determination or adjudication of any magistrate with respect to any penalty

Appeal to Central Court. Pap. *ib.* s. 32.

(4) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

(16) Now the *Pearl, Pearl-Shell and Beche-de-mer Ordinance, 1911-1934.*

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or forfeiture or otherwise under the provisions of this Ordinance or of any regulation made thereunder he may appeal to the Central Court<sup>(4)</sup> but no such appeal shall be entertained unless notice in writing of such appeal stating the nature and grounds thereof is given to the party against whom the appeal is brought within four weeks next after the date of such determination or adjudication nor unless the appellant forthwith after such notice enters into recognizances with two sufficient sureties in the sum of Twenty pounds duly to prosecute such appeal and to abide the order of the court thereon. Every such recognizance shall be entered into before a magistrate or before a registrar of the Central Court<sup>(4)</sup> and shall be retained by the person before whom it is executed who shall deliver it to the Central Court.<sup>(4)</sup> Provided always that in lieu of entering into recognizances as aforesaid the appellant may deposit the sum of Twenty pounds with any such officer as aforesaid which sum shall be paid into the Central Court<sup>(4)</sup> and shall be dealt with and disposed of as the said court may order.

Proceedings on appeal.  
Pap. No. 3 of 1891, s. 33.

56. The Central Court<sup>(4)</sup> shall hear and determine such appeal at the first convenient opportunity. The court shall have power to use the evidence taken in the court below and to call for fresh evidence and to admit evidence *vivâ voce* or on affidavit or commission as it shall see fit. The court upon the hearing of any appeal may if it thinks fit mitigate any penalty or forfeiture or may confirm or quash the adjudication and order any money paid by the appellant or levied by distress upon his goods to be returned to him and may also order such further satisfaction to be made to the party injured as it considers reasonable and may make such order concerning the costs both of the adjudication and the appeal as it thinks fit.

Averment that person a native sufficient.  
Pap. *Ib.* s. 34.

57. The averment in any information under this Ordinance that any person named therein is a native of the Territory shall be sufficient proof thereof until the contrary be shown.

This Ordinance not to affect certain Ordinances.  
Pap. *Ib.* s. 36, altered.

58. Nothing in this Ordinance contained shall be deemed by implication to repeal suspend alter or vary the provisions of any other Ordinance or of any part of any other Ordinance that refer to or concern land or any interest in land in the Territory or that refer to or concern natives of the Territory of Papua or that relate to native labour.

Service of proceedings.  
Pap. No. 4 of 1894, s. 17.

59. Service of a summons or other process in any proceeding for a breach of the provisions of this Ordinance may be made upon the person to be served by leaving a copy of it for him at his

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(4) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

usual or last-known place of abode or business or on board of any ship or boat in or in connection with which he is usually employed with the person being or appearing to be in command or in charge of such place of abode or business or ship or boat.

60. When an offence against the provisions of this Ordinance or the regulations thereunder has been committed by a person employed in or in connection with a ship or boat the master or person for the time being in charge of such ship or boat shall also be guilty of the offence unless he proves that he issued proper orders for the observance and used all reasonable means to enforce the observance of this Ordinance and the regulations and that the offence in question was actually committed by some other person without his connivance.

Master of ship  
*prima facie*  
liable for offences  
committed by  
persons employed  
on ship.  
Pap. No. 4 of  
1894, s. 18.

61. The Lieutenant-Governor<sup>(4)</sup> may make regulations<sup>(14)</sup> not inconsistent with this Ordinance prescribing all matters which by this Ordinance are required or permitted to be prescribed or as may be necessary or convenient to be prescribed for giving effect to this Ordinance.

Regulations.

61A. Regulations may impose for any breach thereof a fine not exceeding One hundred pounds and in default of payment imprisonment with or without hard labour for any period not exceeding six months.

Penalty for  
breach of  
regulations.  
(inserted by  
No. 10 of 1915,  
s. 3.

62. All regulations so made shall—

Publication of  
regulations.

- (1) be published in the *Gazette*;
- (2) take effect from the date of publication or from a later date to be specified in such regulations;
- (3) be laid before the Legislative Council within seven days after the publication if the Legislative Council is in session and if not in session then within seven days after the commencement of the next session.

But if the Legislative Council passes a resolution at any time within fifteen days after such regulations have been laid before it disallowing any regulation such regulation shall therefore cease to have effect.

Disallowance of  
regulations.

## SCHEDULE A.

Section 10.

### LICENCE.

(*Pearl, Pearl-Shell and Bêche-de-mer Ordinance, 1911*).

Letter of Licensing Port:

Number of licence:

(4) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940*.

(14) See the *Pearl Fishery Regulations, 1923*, printed on p. 1974.

## FISHERIES—

This is to certify that \_\_\_\_\_ master of the ship [or boat] hereunder described having applied to me for a licence to employ the said ship [or boat] in the pearl-shell and bêche-de-mer fishery and having paid the sum of £ \_\_\_\_\_ as the amount of the licence fee payable under the provisions of the *Pearl, Pearl-Shell and Bêche-de-mer Ordinance, 1911*, in respect of this licence the said ship [or boat] is hereby licensed to be employed in such fishery from the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, to the thirty-first day of December, 19 \_\_\_\_\_.

*Description of Ship or Boat.*

Name:  
Rig:  
Tonnage:  
How painted:  
Name of master:

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Principal Officer of Customs  
at the port of \_\_\_\_\_  
[or resident magistrate].

Section 26.

### SCHEDULE B.

*(Pearl, Pearl-Shell and Bêche-de-mer Ordinance, 1911.)*

This is to certify that \_\_\_\_\_ is hereby licensed under the *Pearl, Pearl-Shell and Bêche-de-mer Ordinance, 1911*, to take charge of the ship \_\_\_\_\_ engaged in [or use a diving apparatus in] the pearl-shell and bêche-de-mer fishery and that he has paid the sum of One pound for his licence.

Nationality:  
Apparent age: \_\_\_\_\_ years.  
Colour:  
Colour and description of hair:  
Colour and description of whiskers:  
Colour and description of beard:  
Colour and description of moustache:  
Height:  
Special marks:  
Any other peculiarity:

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Principal Officer of Customs  
at the port of \_\_\_\_\_  
[or resident magistrate].

Section 37.

### SCHEDULE C.

A.B. being the holder of a pearl-buyer's licence under this Ordinance is permitted to fish for bêche-de-mer in the waters of \_\_\_\_\_ notwithstanding the Proclamation of [date of Proclamation by which fishing is prohibited].

This permit will remain in force until  
£5.

[Signature and date and place.]

Section 49.

Amended by  
No. 3 of 1914,  
s. 3 and Second  
Schedule.

### SCHEDULE D.

PEARL-BUYER'S LICENCE.  
(For a term of one year.)

of \_\_\_\_\_ having paid the sum of Fifty pounds

*Pearl, Pearl-Shell and Beche-de-mer Ordinance, 1911-1934.*

is licensed to buy pearls for one year from the \_\_\_\_\_ day of \_\_\_\_\_, 19 .

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 .  
£50.

Collector [*or*  
resident magistrate *or*  
assistant resident magistrate].

PEARL-BUYER'S LICENCE.  
(For a period of six months.)

of \_\_\_\_\_ having paid the sum of Twenty-five pounds is licensed to buy pearls for six months from the \_\_\_\_\_ day of \_\_\_\_\_, 19 .

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 .  
£25.

Collector [*or*  
resident magistrate *or*  
assistant resident magistrate].

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SCHEDULE E.

Section 52.

TRANSFER OF PEARL-BUYER'S LICENCE.  
(To be endorsed on licence.)

I \_\_\_\_\_ the holder of the within licence hereby transfer the  
same to \_\_\_\_\_ and I \_\_\_\_\_ the said transferee hereby  
accept such transfer.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 .

Transferor.  
Transferee.

I consent to the above transfer.

Collector [*or*  
resident magistrate *or*  
assistant resident magistrate].