

# STATUTORY RULES.

1936. No. .

## REGULATIONS UNDER THE WHALING ACT 1935.\*

I, THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Whaling Act* 1935.

Dated this *Twenty-fourth*  
day of *August*, 1936.

*John G. G. G.*  
Governor-General.

By His Excellency's Command,

*W. G. Brennan*

*W. G. Brennan*  
Minister of State for Commerce.

### WHALING REGULATIONS.

1. These Regulations may be cited as the Whaling Regulations. Short title.
2. These Regulations shall come into operation on the *twenty-fourth* day of *August*, 1936. Commencement
3. In these Regulations, unless the contrary intention appears— Definition.  
“the Act” means the *Whaling Act* 1935.
4. The following lengths of whales are prescribed in pursuance of sub-section (3.) of section 6 of the Act:— Prescribed length of whales.  
Blue whales—60 feet. *70*  
Fin whales—50 feet. *60*
5. The Secretary, Department of Commerce, and the Director of Navigation shall be prescribed authorities for the purposes of section 10 of the Act. Prescribed authorities under section ten.
- 6.—(1.) An application for a licence under the Act shall be made in writing, and shall be forwarded, with the appropriate licence fee as prescribed in section 10 of the Act, to the Secretary, Department of Commerce. Applications for licences.  
(2.) Where the application relates to a ship, it shall be signed by the owner or charterer of the ship, who shall specify in the application the name of the ship and the port of registry of the ship, the names of the registered owner and master respectively, and the number of catchers or chasers attached to the ship.  
(3.) Where the application relates to a factory, it shall be signed by the occupier of the factory, who shall furnish in the application full particulars with regard to the location and capacity of the factory.

\* Notified in the *Commonwealth Gazette* on \_\_\_\_\_, 1936.  
2511.—12/24.6.1936.—PRICE 5D.

7.—(1.) A licence issued to the owner or charterer of a ship to engage in taking or killing whales shall be in accordance with Form W.-1 in the Schedule to these Regulations. Issue of licences.

(2.) A licence issued to the owner or charterer of a ship or to the occupier of a factory to engage in treating whales shall be in accordance with Form W.-2 in the Schedule to these Regulations.

8. A licence to engage either in taking or killing whales or in treating whales shall be granted upon and subject to the following conditions, which shall be in addition to those specified in section 11 of the Act:— Conditions as to grant of licences.

- (a) That neither the licensee, nor any person employed by him, shall take, kill, snare, or wound in any way, any birds, fish, or seals, or take any eggs, except for the purpose of providing food for the persons on board the licensed vessel or on the whale catchers or chasers attached thereto, or the persons employed at the licensed factory;
- (b) That, in the case of a ship or factory licensed for the purpose of treating whales, there shall not be delivered to the ship or factory a greater number of whales than can be treated by the plant therein, efficiently and in accordance with the conditions contained in paragraphs (a), (b) and (c) of sub-section (1.) of section 11 of the Act, within a period of forty-eight hours after such delivery;
- (c) That the plant used in the ship or factory for the extraction of oil from the blubber, flesh and bones of whales shall be maintained in good order and operated efficiently, and shall be capable of converting any whale into commercial produce within forty-eight hours of its delivery to the ship or factory; and
- (d) That the ship in respect of which the licence is granted shall, on each occasion on which the ship is despatched from Australia for the purpose of whaling, call at the port of Hobart in the State of Tasmania or such other port in the Commonwealth as has been previously approved by the Minister, and the master shall report to the Deputy Director of Navigation and Lighthouses at that port, and produce to him the licence or licences in respect of the ship.

9.—(1.) The return which shall be furnished each year by the owner or master of a ship licensed to engage in taking or killing whales, in pursuance of paragraph (e) of sub-section (1.) of section 11 of the Act, shall be in accordance with Form W.-3 in the Schedule to these Regulations. Returns.

(2.) The return which shall be furnished in each year by the owner or master of any ship or the occupier of any factory licensed to engage in treating whales, in pursuance of section 13 of the Act, shall be in accordance with Form W.-4 in the Schedule to these Regulations.

(3.) The returns referred to in this regulation shall be forwarded by the owner or master of the ship, or by the occupier of the factory, as the case may be, to the Minister at the earliest possible opportunity after the conclusion of the whaling operations of each season.

10. The sum to be paid, pursuant to sub-section (2.) of section 17 of the Act, to the owner or master of a ship in respect of each day on which an officer remains on board and is provided with subsistence and accommodation, shall be six shillings. Accommodation and subsistence fees for officers.

**THE SCHEDULE.**

FORM W.-1.

Commonwealth of Australia.

DEPARTMENT OF COMMERCE.

*Whaling Act 1935.*

**LICENCE TO ENGAGE IN TAKING OR KILLING WHALES.**

Name of Ship and Port of Registry.	Name of Master.	Name and Address of Owner or Charterer.

Pursuant to the provisions of the *Whaling Act 1935*,  
 Owner of the SS.....registered at.....  
 Charterer of the SS.....  
 is hereby licensed in respect of such ship and of the whale catchers or chasers attached thereto to the number of.....to engage in taking or killing whales for the period of.....commencing on the..... day of..... and ending on the..... day of....., subject to compliance with the provisions of the said Act and of the Regulations thereunder.

Dated at.....this.....day of.....19....  
 (Official Stamp) .....

FORM W.-2.

Commonwealth of Australia.

DEPARTMENT OF COMMERCE.

*Whaling Act 1935.*

**LICENCE TO ENGAGE IN TREATING WHALES.**

Pursuant to the provisions of the *Whaling Act 1935*  
 ..... { Owner  
 Charterer of the Ship referred to hereunder, is hereby licensed in  
 Occupier of the Factory  
 respect of the said ship for a period of.....commencing on the  
 factory ..... day of..... and ending on the ..... day of  
 ..... to engage in treating whales, subject to compliance with the  
 provisions of the said Act and of the Regulations thereunder.

Dated at.....this.....day of.....19....  
 (Official Stamp) .....

*Whaling Act 1935.*RETURN OF PARTICULARS REQUIRED BY THE *WHALING ACT* 1935 TO BE FURNISHED BY THE OWNER OR MASTER OF  
A SHIP LICENSED TO ENGAGE IN TAKING OR KILLING WHALES.

Name and tonnage of ship.	Name and tonnage of each whale catcher or chaser attached to the ship.	List of the Land Stations which were in operation in connexion with the ship during the period in which the ship was engaged in taking or killing whales.	Particulars of each whale taken or treated shown as far as possible in chronological order.						Amounts of oil of each grade and quantities of meal, guano and other products derived from whales taken by the ship.
			Date of taking.	Place of taking.	Species.	Sex.	Length (from tip of the snout to the notch between the flukes of the tail), measured when taken out of water; estimated if cut up in water.	When foetus is present, length and sex, if ascertainable.	

I declare the above to be a full and correct Return of the particulars required by section 11 of the *Whaling Act 1935*.

To the Minister for Commerce,  
Department of Commerce,

.....  
Date / /19

.....  
Owner.  
Master.

Commonwealth of Australia.

Form W.-4

DEPARTMENT OF COMMERCE.

*Whaling Act 1935.*

RETURN OF PARTICULARS REQUIRED BY THE *WHALING ACT* 1935  
TO BE FURNISHED EACH YEAR BY THE OWNER OR MASTER OF  
A SHIP AND THE OCCUPIER OF ANY FACTORY LICENSED TO  
ENGAGE IN TREATING WHALES.

Name of Ship or Name and Location of Factory.	Number of each species of whale treated in the ship or at the Factory.	Amount of Oil of each grade and quantities of Meal, Guano and other products derived therefrom.

I declare the above to be a full and correct return of the particulars required  
by section 13 of the *Whaling Act* 1935.

To the Minister for Commerce,  
Department of Commerce,

.....  
Date / /19

.....  
*Owner or Master of Ship.*  
*Occupier of Factory.*

By Authority: L. F. JOHNSTON, Commonwealth Government Printer, Canberra.