

1964/176

**THE GREY-FACED PETREL (NORTHERN MUTTONBIRD)
NOTICE 1964**

—

PURSUANT to the Wildlife Act 1953, the Minister of Internal Affairs hereby gives the following notice.

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N O T I C E

1. (1) This notice may be cited as the Grey-Faced Petrel (Northern Muttonbird) Notice 1964.

(2) This notice shall come into force on the day after the date of its notification in the *Gazette*.

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

“Committee” means any organisation specified in the First Schedule to this notice:

“Muttonbird” means a member of the species *Pterodroma macroptera*, known as the grey-faced petrel or northern muttonbird or oi or kuia or titi:

“Permit” means a permit to hunt or kill muttonbirds issued under this notice:

Expressions defined in the Wildlife Act 1953 have the meanings so defined.

3. Every Committee may exercise any powers conferred on it by this notice only in respect of the island or islands specified against the name of the Committee in the First Schedule to this notice.

4. (1) A permit shall authorise only the hunting or killing of young muttonbirds before they can fly.

(2) No permit shall be deemed to authorise the hunting or killing of any muttonbird that is able to fly or any other species of petrel (whether a young bird or not) or the taking of the eggs of any muttonbird or of any other species of petrel.

5. A permit may be issued only in respect of the offshore islands lying off the east coast of the North Island between North Cape and East Cape:

Provided that nothing in any permit shall be deemed to authorise the hunting or killing of muttonbirds on—

(a) Kārewa Island; or

(b) Any other island the whole of which is land of the Crown, unless special authority to issue permits in relation thereto has been given to the appropriate Committee by the Minister charged with the administration of that island; or

(c) The mainland of the North Island.

6. No person shall hunt or kill any muttonbird on any island unless he is the holder of a permit for the time being in force authorising him to hunt or kill muttonbirds on that island.

7. A permit shall be in the form prescribed in the Second Schedule to this notice, and shall be signed by a person empowered by a Committee to sign on its behalf.

8. A Committee may in its discretion issue a permit to any person who is a bona fide member of the tribe (or hapu) over which that Committee exercises jurisdiction and who permanently resides in the district of that Committee:

Provided that—

- (a) The Whakatohea Tribal Executive and the Horouta Tribal Executive may issue a permit to any person who is qualified to receive a permit from the Ranginui Tribal Executive or the Ngatiawa Tribal Executive:
- (b) The Rawhiti Maori Executive may issue a permit in respect of the Aldermen Islands to any person who is one of the Maori owners of those Islands whether he resides permanently in the district of that Executive or not.

9. The production by any person of a permit issued to him and for the time being in force shall be sufficient evidence of his authority to hunt or kill muttonbirds on the island or islands referred to in the permit.

10. Nothing in any permit shall entitle the holder to enter upon any land (not being unoccupied land of the Crown) without the consent of the occupier.

11. Every holder of a permit shall keep an accurate tally of the number of muttonbirds taken under the authority of that permit and shall, as soon as practicable after the completion of a birding expedition, inform the honorary ranger (if any) appointed for the island, or where no honorary ranger is appointed or if the honorary ranger is absent the leader of the expedition, of the number of muttonbirds taken on that expedition by the holder of the permit.

12. No person shall hunt or kill muttonbirds except during the period commencing on the second Saturday in November in any year and ending with the seventh day of December immediately following (both days inclusive).

13. No person shall remove any muttonbird from a burrow otherwise than by hand or by the Maori traditional stick method.

14. No person in hunting or killing muttonbirds shall—

- (a) In any way excavate or dig along any burrow; or
- (b) Use a dog; or
- (c) Use the method known as torching.

15. (1) The honorary ranger appointed for any island shall, at the end of each birding season, furnish the Committee with a general report on operations on that island during the season, including a tally of the number of muttonbirds killed.

(2) Where there is no honorary ranger for any island, the leader of each birding expedition on that island during the season shall, as soon as practicable after the completion of that expedition, notify the Committee of the number of muttonbirds taken on that expedition.

(3) Where the honorary ranger for any island is absent during any birding expedition, the leader of the expedition shall, as soon as practicable after the completion of the expedition, notify either the Committee or the honorary ranger of the number of muttonbirds taken on that expedition.

16. Every Committee shall forward to the Secretary for Internal Affairs not later than the 28th day of December in each year a statement showing the total number of muttonbirds taken during that year from each island under its control and the period over which they were taken.

17. No person shall dispose of any refuse or offal from muttonbirds otherwise than by depositing it at sea, or allow any such refuse or offal to accumulate so as to become a nuisance or a menace to health.

18. No person shall buy or sell any muttonbird.

19. The Grey-Faced Petrel (Northern Muttonbird) Notice 1959* is hereby revoked.

SCHEDULES

FIRST SCHEDULE

Name of Organisation	Island or Islands
Matangirau Tribal Committee	Mahinepua or Stephenson.
Matauri Bay Tribal Committee	Cavalli.
Great Barrier Tribal Committee	{ Mokohinau. Fanal. Aiguilles.
Rawhiti Maori Executive	{ Aldermen; Slipper Group (including Slipper, Rabbit, and Penguin); Clark Group (including Hauturu, Whenuakura, and Whenuakite); Ngapito.
Ranginui Tribal Executive	{ Motuotau or Rabbit. Motiti.
Pukehina Tribal Committee	Motunau or Plate.
Ngatiawa Tribal Executive	Whale.
Whakatohea Tribal Executive } Horouta Tribal Executive }	White.

SECOND SCHEDULE

FORM OF PERMIT

Northern Muttonbird Season 19.....

PERMIT TO BE CARRIED ON PERSON

[Name] Island

PERMIT to hunt or kill young of the grey-faced petrel (or northern muttonbird or oi or kuia or titi) under the Wildlife Act 1953 and the Grey-Faced Petrel (Northern Muttonbird) Notice 1964.

The holder of this permit,, of,
[Surname] [Christian names] [No.] [Street]
....., is hereby authorised to hunt or kill
[Town] [Calling or Occupation]

on [Name] Island between the second Saturday of November 19..... and the 7th day of December 19..... (both days inclusive) young of the grey-faced petrel before they are able to fly, subject to the above Act and regulations thereunder and the provisions of the Grey-Faced Petrel (Northern Muttonbird) Notice 1964.

Dated at this day of 19.....

for [Name] Tribal Executive (or
Committee)

being a Committee as defined by
the above notice.

Dated at Wellington this 29th day of October 1964.

DAVID C. SEATH, Minister of Internal Affairs.

EXPLANATORY NOTE

This note is not part of the notice, but is intended to indicate its general effect.

This notice provides that no person may hunt or kill any grey-faced petrel (or northern muttonbird) except pursuant to a permit, and appoints issuing authorities and prescribes restrictions on the times and methods by which muttonbirds may be taken. It re-enacts the Grey-Faced Petrel (Northern Muttonbird) Notice 1959, the only changes of substance being that the Rawhiti Maori Executive takes over the functions which the Tawatawa Tribal Committee and the Whiritoa Tribal Committee had under the previous order and is also authorised to issue permits in respect of the Aldermen Islands to any person who is one of the Maori owners of those islands whether he resides permanently in the district of that Executive or not.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 5 November 1964.

These regulations are administered in the Department of Internal Affairs.