



THE SEA-FISHERIES REGULATIONS 1939, AMENDMENT NO. 16

C. L. N. NEWALL, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 28th day of
February, 1945

Present :

THE HON. W. NASH PRESIDING IN COUNCIL

PURSUANT to the Fisheries Act, 1908, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the Sea-fisheries Regulations 1939, Amendment No. 16.

2. These regulations shall be read together with and form part of the Sea-fisheries Regulations 1939* (hereinafter referred to as the principal regulations).

3. These regulations shall come into force on the seventh day after notification in the *Gazette* of the making hereof.

4. Regulation 1 of Part I of the principal regulations is amended by inserting, next following the entry "Part XIX.—Trawling", the following entry: "Part XIXA.—Porpoise."

5. Item 12 (Hauraki Gulf) of Regulation 9 of Part IX of the principal regulations is amended by adding the following proviso thereto:—

"Provided, fourthly, that in the waters of Hauraki Gulf lying south of a straight line drawn from the summit of the hill on Waiheke Island known as Maunganui (being the hill marked as 764 ft. high on the 1941 edition of Admiralty Chart Number 1896, and the hill marked 770 on the 1931 edition of the said Chart) to Castle Hill on

* Statutory Regulations 1939, Serial number 1939/225, page 899.

Amendment No. 1: Statutory Regulations 1939, Serial number 1939/282, page 1072.
Amendment No. 2: Statutory Regulations 1940, Serial number 1940/49, page 127.
Amendment No. 3: Statutory Regulations 1940, Serial number 1940/75, page 235.
Amendment No. 4: Statutory Regulations 1940, Serial number 1940/130, page 461.
Amendment No. 5: Statutory Regulations 1940, Serial number 1940/149, page 517.
Amendment No. 6: Statutory Regulations 1940, Serial number 1940/180, page 586.
Amendment No. 7: Statutory Regulations 1940, Serial number 1940/267, page 937.
Amendment No. 8: Statutory Regulations 1940, Serial number 1940/314, page 1082.
Amendment No. 9: Statutory Regulations 1941, Serial number 1941/14, page 25.
Amendment No. 10: Statutory Regulations 1941, Serial number 1941/50, page 214.
Amendment No. 11: Statutory Regulations 1941, Serial number 1941/96, page 332.
Amendment No. 12: Statutory Regulations 1941, Serial number 1941/124, page 398.
Amendment No. 13: Statutory Regulations 1942, Serial number 1942/211, page 500.
Amendment No. 14: Statutory Regulations 1942, Serial number 1942/234, page 585.
Amendment No. 15: Statutory Regulations 1944, Serial number 1944/154, page 426.

Coromandel Peninsula, and passing through Rotoroa Island, sometimes known as Rotaro, and through or near "the Cow" (Tuhuia Islet), as the said marks are shown on Admiralty Chart Number 1896, no person shall use a Danish seine net for taking fish from or on any vessel if the propelling engines of the vessel, being an oil-engined vessel, exceed 44 brake horse-power according to the manufacturer's rating when the engines are working under normal full load, or, being a steamship, exceed 55 indicated horse-power."

6. The principal regulations are amended by inserting therein, next following Regulation 5 of Part XI thereof, the following additional regulation :—

"5A. No person shall in any waters use a seine-net or drag-net having a length exceeding 90 yards or use in taking fish otherwise than for purposes of sale a seine-net or drag-net having a length exceeding 44 yards."

7. Part XII of the principal regulations is amended—

(a) By revoking the numeral "1" prefixed to the regulation relating to Wanganui River, and substituting the numeral and letter "1A":

(b) By inserting, next preceding the heading of Regulation 1A thereof, the following heading and regulation :—

"Tauranga Harbour

"1. No person shall use a net of any description for taking fish in those waters of Tauranga Harbour which lie south of the bridge carrying the railway-line from Tauranga towards Taneatua."

8. Item (xvi) of clause (2) of Regulation 3 of Part XIX of the principal regulations and the heading to that item are revoked.

9. Part XIX of the principal regulations is amended by adding thereto the following heading and regulation :—

"Pelorus and Queen Charlotte Sounds

"5. (1) No person shall, otherwise than as provided in clause (2) of this regulation, haul or use, or attempt to haul or use, a trawl-net for the purpose of taking fish within the tidal waters described in clause (4) of this regulation.

"(2) Nevertheless, it shall be lawful at any time between the 1st day of April and the 31st day of October (both days inclusive) in any year to haul or use, or attempt to haul or use, a trawl-net for the purpose of taking fish within the tidal waters described in clause (5) of this regulation (being part of the waters described in clause (3) of this regulation), subject to the following conditions :—

"(a) The head-lines on each trawl shall not exceed 30 ft. between each otter-board ;

"(b) The mesh of the cod-end of the trawl-net shall be not less than $4\frac{1}{2}$ in. ; and

"(c) The period of time for each drag between the shooting and hauling of the trawl-net shall not exceed one hour.

"(3) Any person who at any time between the 1st day of April and the 31st day of October (both days inclusive) in any year hauls or uses, or attempts to haul or use, a trawl-net for the purpose of taking fish within the waters described in clause (5) of the regulation without complying with all the conditions set out in clause (2) of this regulation commits an offence against these regulations.

“(4) The waters referred to in clause (1) of this regulation are the following :—

“That area of tidal waters lying inside of straight lines drawn respectively—

“(a) From the easternmost point of West Head to the easternmost point of East Head at the eastern entrance to Tory Channel :

“(b) From the northernmost point of Cape Koamaru to the northernmost point of Cape Jackson :

“(c) From the northernmost point of Cape Jackson to the easternmost point of Harding Point.

“(5) The waters referred to in clauses (2) and (3) of this regulation are the following :—

“(a) That area of tidal waters lying inside of the straight lines described in paragraphs (a) and (b) of clause (4) of this regulation :

“(b) That area of tidal waters in the inner reaches of Pelorus Sound lying within a straight line drawn from Tawero Point to Whakamawahi Point.”

10. The principal regulations are amended by inserting, next following Part XIX thereof, the following heading, Part, and regulation :—

“PART XIXA.—PORPOISE

“1. During a period of three years from the 31st day of January, 1945, no person shall take or attempt to take any porpoise of the species commonly known as white porpoise (*Cephalorhynchus hectori*) in the waters of Cook Strait, including the bays, sounds, and estuaries adjacent thereto.”

C. A. JEFFERY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette* : 1st day of March, 1945.
These regulations are administered in the Marine Department.