

1955/205



**THE FISHERIES (GENERAL) REGULATIONS 1950,
AMENDMENT NO. 4**

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 7th day of December 1955

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL 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, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Fisheries (General) Regulations 1950, Amendment No. 4, and shall be read together with and deemed part of the Fisheries (General) Regulations 1950* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the seventh day after the date of their notification in the *Gazette*.

2. The principal regulations are hereby amended by revoking regulation 13, and substituting the following regulation:

“DRAG NETTING NORTH OF LATITUDE 39 ° S.

“13. (1) In those waters of the North Island north of latitude 39 degrees south in which both trawling and Danish seining are for the time being prohibited no person shall, except as provided in subclause (2) of this regulation, use any drag net which has a pocket, bag, or cod-end.

“(2) The provisions of subclause (1) of this regulation shall not apply to—

“(a) The waters of the coast lying between Marsden Point and MacKenzie Cove:

*S.R. 1950/147.

Amendment No. 1: S.R. 1952/210.

Amendment No. 2: S.R. 1954/75.

Amendment No. 3: S.R. 1954/177.

- “(b) The waters of the Bay of Plenty outside of a straight line from trig 272 on Te Ho Head due south to Matakana Island; thence following the high-water mark on the seaward side of Matakana Island to a point due west of the Stony Beacon on the south side of Mount Maunganui; thence by a straight line to the Stony Beacon on the south side of Mount Maunganui:
- “(c) The waters of the Bay of Plenty on the eastern side of a line from the southern extremity of Motu Otau Island due south to the mainland.”

3. The principal regulations are hereby amended by revoking regulation 22, and substituting the following regulation:

“USE OF POLES FOR NET FISHING

“22. No person shall, in any tidal waters or on any tidal lands or in the waters of the sea or of any harbour or of any inlet or in any lake or river, erect any pole or stake for using in conjunction with a fishing net or use in conjunction with a fishing net any erected pole or stake.”

4. The principal regulations are hereby amended by revoking regulation 26, and substituting the following regulation:

“DRAG NETS IN HAURAKI GULF AND TAIRUA, KATIKATI, AND TAURANGA HARBOURS

“26. (1) No person shall, in the waters specified in subclause (2) of this regulation,—

- “(a) Set a drag net from any boat that is propelled by any means other than solely by oars; or
- “(b) In the setting or hauling of a drag net or of the ropes or warps attached thereto, use any boat that is propelled by any means other than solely by oars.

“(2) The waters to which subclause (1) of this regulation applies are—

- “(a) The waters of Hauraki Gulf in which trawling or Danish seining is for the time being prohibited;
- “(b) The waters of Tairua Harbour inside of a straight line from the southernmost point of the North Head to the northernmost point of the South Head;
- “(c) The waters of Katikati Harbour and Tauranga Harbour inside of a straight line from trig 272 on Te Ho Head due south to Matakana Island; thence following the high-water mark on the landward side of Matakana Island to a point due west of the Stony Beacon on the south side of Mount Maunganui; thence by a straight line to the Stony Beacon on the south side of Mount Maunganui.

5. Regulation 111 of the principal regulations is hereby amended—

- (a) By inserting, after the words “unlawfully taken”, the words “or unlawfully processed after having been taken”:
- (b) By inserting, after the words “such officer”, the words “have been used or”.

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

[*This note is not part of the regulations, but is intended to indicate their general effect.*]

Regulation 2 makes amendments to the provisions of the principal regulations permitting the use of drag nets, and limits the prohibition of this method of fishing to certain portions of the North Island.

Regulation 3 modifies the existing provisions relating to the use of stakes or poles in the netting of fish in various waters.

Regulation 4 extends to Tairua Harbour, Katikati Harbour, and Tauranga Harbour the prohibition against the use of power operated boats in setting and hauling drag nets.

Regulation 5 extends the authority for the seizure of fish unlawfully taken to fish unlawfully processed, and the authority for seizure of gear suspected to be intended for unlawful use to gear which is suspected to have been used unlawfully.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 8 December 1955.

These regulations are administered in the Marine Department.