

Serial Number 1938/90.



**THE INDUSTRY LICENSING (BOAT-FISHING) AMENDMENT  
NOTICE 1938.**

PURSUANT to section 14 of the Industrial Efficiency Act, 1936, I, Daniel Giles Sullivan, Minister of Industries and Commerce, do hereby give notice as follows:—

1. This notice may be cited as the Industry Licensing (Boat-fishing) Amendment Notice 1938.

2. The industry to which this notice relates is the following:—  
The taking of fish for purposes of sale.

3. In this notice—

“Fish” does not include salmon, trout, whitebait, or oysters, but, save as aforesaid, includes every description of fish and shell-fish found in New Zealand waters:

“Fishing-boat” includes only a Danish-seine boat, trawler, and any other boat operating power-drawn nets of whatsoever description:

“Taking” means taking or attempting to take by the use of a fishing-boat:

Accordingly, “the taking of fish” means taking or attempting to take fish (as herein defined) by the use of a Danish-seine boat, trawler, or any other boat operating power-drawn nets of whatsoever description.

4. The notice given by me and published under the said Act in the *Gazette* on the 15th day of April, 1937,\* relating to the said industry is hereby revoked.

5. On and after such one of the respective dates specified herein as is applicable to the case, the said industry shall be carried on only pursuant to a license issued under Part III of the Industrial Efficiency Act, 1936, and in conformity with the terms and conditions of such license.

6. The dates hereinbefore referred to shall be the following, namely:—

(a) In the case of any person who, on the date of notification hereof in the *Gazette*†—

(i) Is lawfully engaged as a principal in the industry to which this notice relates; and

\* Also published in Statutory Regulations 1936-7, Serial number 226/1937, page 827.

† See end note.

(ii) Thereafter carries on business with only the same fishing boat or boats (not altered in size, dimensions, or motive power) and equipment and in substantially the same manner as on the date of notification hereof in the *Gazette*—the said date shall (subject to paragraph (c) of this clause) be the 1st day of January, 1940, or such earlier or later date (if any) as may hereafter be specified by a further notice under the said section 14 given before the said 1st day of January, 1940 :

(b) In the case of any person who on the date of notification hereof in the *Gazette* is lawfully engaged as a principal in the industry to which this notice relates and has received the written consent of the Bureau of Industry to—

(i) Any increase in the number of his fishing-boats ; or

(ii) Any replacement of an existing fishing-boat or re-employment of any fishing-boat withdrawn for any reason whatsoever from the industry ; or

(iii) Any alteration in the size, dimensions, or motive power of a fishing-boat, including motive power for propulsion and motive power for manipulation of nets ; or

(iv) The use of any additional Danish-seine or trawl net or power-drawn net of any description (otherwise than in replacement of a net of the same description in use on the date of notification hereof in the *Gazette*)—

the said date shall (subject to paragraph (c) of this clause) be the said 1st day of January, 1940, or such earlier or later date (if any) as may hereafter be specified by a further notice under the said section 14 given before the said 1st day of January, 1940 :

(c) In the case of a person being an incorporated company limited by shares, which on the date of notification hereof in the *Gazette* is lawfully engaged in carrying on the business to which this notice relates, the said date shall be whichever of the following dates shall first happen—namely, the 1st day of January, 1940, or the fourteenth day after the date upon which notice is given to the company by the Bureau of Industry setting out that in the opinion of the Bureau there has, since the date of notification hereof in the *Gazette*, been a substantial change in the beneficial ownership of the shares of the company, and that the Bureau has determined accordingly that the company shall not carry on without a license :

(d) In all other cases the said date shall be the date of notification hereof in the *Gazette*.

Given under my hand at Wellington, this 20th day of July, 1938.

D. G. SULLIVAN,  
Minister of Industries and Commerce.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 22nd day of July, 1938.

These regulations are administered by the Bureau of Industry in the Department of Industries and Commerce, Tourist and Publicity.