

Serial Number 1938/33.



**THE SALT-WATER FISHERIES AMENDMENT  
REGULATIONS 1938.**

GALWAY, Governor-General.  
ORDER IN COUNCIL.

At the Government House at Wellington, this 23rd day of  
February, 1938.

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, doth hereby make the following regulations.

REGULATIONS.

1. These regulations may be cited as the Salt-water Fisheries Amendment Regulations 1938.
2. These regulations shall be read together with and form part of the regulations made on the 29th day of June, 1932,\* with respect to fish, shell-fish, and other matters (hereinafter called the principal regulations) and the amendments thereof.
3. These regulations shall come into force on the day following notification thereof in the *Gazette*.†
4. Regulation 3 of the Salt-water Fisheries Amendment Regulations 1937, No. 4‡, is amended by revoking the number "55B" (being the number assigned to the additional regulation thereby enacted) and substituting the number "55C".
5. Regulation 55 of the principal regulations is amended by revoking paragraph (f) thereof with the heading "Tauranga Harbour" prefixed thereto and substituting the following :—

*" Bay of Plenty : Tauranga.*

- " (f) Within that area of the Bay of Plenty bounded as follows :  
Commencing at a point at high-water mark of ordinary spring tides at Town Point; proceeding thence by a straight line to the southern extremity of Motiti Island; thence by high-water mark of ordinary spring tides along the western shore of the said island to the north-western

\* *Gazette*, 7th July, 1932, Vol. II, page 1598.

† See end note.

‡ Statutory Regulations 1936-7, Serial number 287/1937, page 1013.

extremity of the said island; thence by a straight line to the north-western extremity of Karewha Island; thence by a straight line to the north head of the entrance to Katikati Harbour; thence by high-water mark of ordinary spring tides, including the harbour of Tauranga, to the commencing-point; as the said area is delineated on the plan marked M.D. 5258, deposited in the office of the Marine Department at Wellington, and thereon edged in pink."

6. The regulations prohibiting trawling and Danish seining in Whangamata Harbour, made on the 27th day of April, 1934,\* are revoked.

7. Regulation 55 of the principal regulations is further amended by adding thereto the following additional paragraphs and headings:—

*“ Cape Runaway.*

“(q) In those waters of the sea inshore of a right line drawn from Cape Runaway to Orete Point, on the eastern side of the Bay of Plenty.

*“ Ohiwa Harbour.*

“(r) In those waters of the sea within a distance of two nautical miles from low-water mark of the shore that extends from a point on the coast at the mouth of the Waiau River, approximately five miles eastward of Opotiki, to a point on the coast three miles westward of Matata, which latter point is shown on the plan marked M.D. 7106, and deposited in the office of the Marine Department at Wellington.

*“ Whangamata Harbour.*

“(s) In those waters of the sea within a distance of two nautical miles from low-water mark of the shore that extends from a point three miles north to a point three miles south of the northern entrance point of the Whangamata River, and including the waters of the said river.”

8. (1) The restrictions on hauling or using a Danish seine net or a purse-seine net in certain waters imposed by Regulation 55 of the principal regulations (as hereinbefore amended) shall not apply to the hauling or use of a Danish seine net or a purse-seine net in the waters described in clause (2) of this regulation by means of a vessel which has an overall length of less than 40 feet and which was built or licensed as a fishing-vessel at any time prior to the date of coming into force of these regulations.

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

*Bay of Plenty: Tauranga.*

(a) The waters described in paragraph (f) of Regulation 55 of the principal regulations (as amended), excluding, however, the waters of Tauranga Harbour within a straight line drawn from Te Ho Point on the north side of the Katikati entrance to Mount Maunganui, as the said area is delineated on the plan marked M.D. 6518, deposited in the office of the Marine Department at Wellington, and thereon coloured blue.

\*Gazette, 3rd May, 1934, Vol. II, page 1228.

*Whangamata Harbour.*

- (b) The waters described in paragraph (s) of Regulation 55 of the principal regulations (as amended), excluding, however, all that area of tidal waters in Whangamata Harbour inside a straight line drawn in a south-south-easterly direction from Tarakihi Point (Motu Karamurumu) to the Fourth, Sugar Loaf (or Quartz) Island, and thence in a straight line approximately 218° in a south-south-westerly direction to Neapito Rock, on the southern side of the entrance to the said harbour.

9. Regulation 135 (relating to trawling) of the principal regulations is amended by revoking subparagraph (c) of paragraph 2 thereof (as enacted by the amending regulations made on the 14th day of November, 1932),\* and substituting the following subparagraphs and headings:—

*“ Ohiwa Harbour.*

- “(c) In those waters of the sea within a distance of two nautical miles from low-water mark of the shore that extends from a point on the coast at the mouth of the Waiau River, approximately five miles eastward of Opotiki, to a point on the coast three miles westward of Matata, which latter point is shown on the plan marked M.D. 7106, and deposited in the office of the Marine Department at Wellington.

*“ Whangamata Harbour.*

- “(d) In those waters of the sea within a distance of two nautical miles from low-water mark of the shore that extends from a point three miles north to a point three miles south of the northern entrance point of the Whangamata River, and including the waters of the said river.”

10. Regulation 135 (relating to trawling) of the principal regulations is further amended by adding the following paragraph and heading thereto:—

*“ Bay of Islands.*

“(15) Within that area of the Bay of Islands inshore of the following lines—viz., a straight line drawn from Cape Wiwiki to the northern extremity of Red Head, on Red or Okahu Island, and thence in a straight line drawn in a northerly direction to the northern extremity of Cape Brett.”

11. The form set out in the Fifth Schedule to the principal regulations (as prescribed by the Salt-water Fisheries Regulations 1936)† is amended by inserting therein immediately before the words “ Total number of landings ” the following words:—

“ Actual time spent in fishing during the month (expressed as number of days) : . . . . . ”

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

\* *Gazette*, 17th November, 1932, Vol. III, page 2288.

† Statutory Regulations 1936-7, Serial number 85/1936, page 317.