



THE TOHEROA REGULATIONS 1955, AMENDMENT NO. 7

ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 30th day of July 1969

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. Title and commencement—(1) These regulations may be cited as the Toheroa Regulations 1955, Amendment No. 7, and shall be read together with and deemed part of the Toheroa Regulations 1955* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of August 1969.

2. Close season for the taking of toheroa—(1) Regulation 2 of the principal regulations is hereby amended by adding to the definition of the term "close season" in subclause (1) (which definition was substituted by regulation 2 of the Toheroa Regulations 1955, Amendment No. 2) the words "and in relation to beaches in the North Island, includes the period commencing on the 1st day of August in any year and ending with the 14th day of September in that year".

(2) The said regulation 2 is hereby further amended by adding to the definition of the term "close season" the following proviso:

*S.R. 1955/206

Amendment No. 1: S.R. 1962/131

Amendment No. 2: S.R. 1965/111

Amendment No. 3: S.R. 1967/187 (*Revoked by S.R. 1968/133*)

Amendment No. 4: S.R. 1968/133 (*Revoked by S.R. 1968/151*)

Amendment No. 5: S.R. 1968/151

Amendment No. 6: S.R. 1968/165

“Provided that, in relation to that part of the foreshore of the west coast of the North Island extending from a point 1 mile south of Glinks Gap to a point 5 miles south of Glinks Gap, the term also includes the period commencing with the 15th day of September in any year and ending with the 30th day of that month.”

3. Restrictions on taking toheroa—Regulation 7 of the principal regulations (as substituted by regulation 6 of the Toheroa Regulations 1955, Amendment No. 2) is hereby amended by adding, as subclause (2), the following subclause:

“(2) Notwithstanding the provisions of subclause (1) of this regulation, no person shall on any one day take from any beach in the North Island more than 10 toheroa.”

4. Possession of toheroa—(1) Regulation 7A of the principal regulations (as inserted by regulation 7 of the Toheroa Regulations 1955, Amendment No. 2) is hereby amended by adding to subclause (1) the words “(not being canned toheroa)”.

(2) The said regulation 7A is hereby further amended by inserting, after subclause (1), the following subclause:

“(1A) Notwithstanding the provisions of subclause (1) of this regulation, no person shall on any one day be in possession of more than 10 toheroa (not being canned toheroa) taken from any beach in the North Island.”

5. Restrictions in respect of toheroa on board conveyances, etc.—Regulation 8 of the principal regulations (as substituted by regulation 8 of the Toheroa Regulations 1955, Amendment No. 2), is hereby amended by inserting, after subclause (1), the following subclause:

“(1A) Notwithstanding the provisions of subclause (1) of the regulation, no person shall—

“(a) Convey or cause to be conveyed by any means whatsoever, or have on board any conveyance of any kind or on any animal more than 30 toheroa (not being canned toheroa) taken from any beach in the North Island or, if fewer than three persons are in or on board the conveyance, or on the animal, more than 10 toheroa (not being canned toheroa) so taken for each person; or

“(b) Have on board any conveyance of any kind or on any animal for the time being on any beach in the North Island, more than 30 toheroa (not being canned toheroa) or, if fewer than three persons are in or on board or associated with the conveyance or on or associated with the animal, more than 10 toheroa (not being canned toheroa) for each person.”

6. Revocations—The following regulations are hereby revoked:

- (a) The Toheroa Regulations 1955, Amendment No. 5*:
- (b) The Toheroa Regulations 1955, Amendment No. 6†.

P. J. BROOKS,
Clerk of the Executive Council.

EXPLANATORY NOTE

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

These regulations extend the close season for the taking of toheroa from beaches in the North Island to the period commencing with 1 August in each year and ending with 14 September in that year. The beds on those beaches will be open from and including 15 September until the end of the month. Notwithstanding the foregoing, it will also be unlawful to take toheroa from that part of the North Kaipara Beach extending from a point 1 mile south of Glinks Gap to a point 5 miles south of Glinks Gap during the period commencing with 15 September in each year and ending with the last day of that month. The personal quota limit for the taking of toheroa, and for the possession of toheroa taken, from any beach in the North Island during the open season is being reduced from 20 toheroa to 10, while the vehicle and animal quota limit applicable during the North Island open season is being reduced from 100 toheroa to 30.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 31 July 1969.

These regulations are administered in the Marine Department.