

*General Regulations under Part III of the Animals Protection and Game Act, 1921-22, respecting Opossums.*

JELLICOE, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 8th day of May, 1922.

Present :

THE RIGHT HONOURABLE W. F. MASSEY, P.C., PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers and authorities conferred upon him by the Animals Protection and Game Act, 1921-1922 (hereinafter referred to as "the said Act"), and of all other powers and authorities enabling him in this behalf, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby make the following regulations for the purposes of the said Act, and doth hereby declare that the regulations shall have force and effect throughout New Zealand, subject to the said Act and to any special regulations made thereunder in force in any acclimatization district.

REGULATIONS.

1. In these regulations, if not inconsistent with the context, "authorized officer" means any person appointed by the Under-Secretary, Department of Internal Affairs, to be an authorized officer for any specified purpose under these regulations.

2. (1.) Opossums may be taken or killed only in the following manner—

(a.) By means of a running noose fixed in such manner that the head of the animal will pass through the noose.

(b.) By shooting with a pea-rifle, except in scenic reserves.

(c.) By means of the trap known as the American jump-trap with or without teeth, or by the box trap, or by the ordinary rabbit-trap.

(d.) All such traps for the taking of opossums must be placed on the ground while in use.

(2.) Any ranger of any acclimatization society or any Forest Officer is hereby empowered to seize any traps that are illegal for the taking of opossums, if being used or found in use by any trapper, and may also seize any opossums or skins of opossums which in such ranger's opinion have been illegally taken.

3. All traps or other contrivances used for the purpose of taking opossums must be visited by the licensee at least once daily.

4. A license to take or kill opossums may be issued to any person on payment of the prescribed fee, in the form prescribed in the First Schedule hereto, and shall be issued by the officers appointed in the special regulations issued in respect of each district.

Except as provided in these regulations, or in any special regulations made in respect of any district, no person shall take or kill opossums without previously taking out such a license.

5. It shall be the duty of every person desiring to take or kill opossums in any State forest, provisional State forest, forest reserve, forest plantation reserve, bush reserve, timber reserve, reserve for the growth and preservation of timber, Crown lands, scenic reserve, or any public reserve to obtain the written consent of a Conservator of Forests or of a responsible officer of the State Forest service having control over such State forest or provisional State forest, forest reserve, forest plantation reserve, bush reserve, timber reserve, or reserve for the growth and preservation of timber, or of the Commissioner of Crown Lands, or of any Board having control over such Crown lands or scenic or public reserve, as the case may be. Notification of consent must be endorsed on the license by the issuing officer. This authority must be presented when applying for the issue of a license to take or kill opossums in any State forest, provisional State forest, forest or other reserve above specified, Crown land, scenic reserve, or public reserve, and no license shall be issued without the production of such written authority.

6. No person shall dispose of opossum skins for gain, except as provided in regulation 26, unless such skins are sold by a licensed broker and are marked with a perforated device to indicate royalty has been paid. This royalty-paid stamp shall be affixed by an authorized officer.

This regulation shall not apply to skins which have already been sold through a licensed broker and are stamped to indicate royalty has been paid, and such skins may be disposed of by the purchaser in such manner as he sees fit.

7. A person consigning skins of opossums for sale must send therewith a true and correct statement in writing, in the form prescribed in the Second Schedule hereto, signed by him, specifying the nature and number of skins, and certifying that such skins were obtained from animals taken or killed in a district for which an open season prevailed during the time such animals were taken or killed, and such skins must be produced to the ranger of the acclimatization society in whose district the skins were taken, in order that the ranger may place his certificate at the foot of such statement. No person shall accept delivery of such skins unless accompanied by such statement and certificate. Any person committing a breach of this regulation shall for every such offence be liable to a penalty not exceeding £20.

Such statement shall be made in duplicate, one copy to accompany the skins forwarded for sale, and the other copy to be forwarded direct to the Under-Secretary, Department of Internal Affairs.

8. It shall be an offence for any person to perforate or otherwise stamp or mark an opossum skin in such a way as to suggest that the legal stamp has been affixed by an authorized officer, and the offence shall be punishable by a fine of £50 in addition to forfeiture of the skin or skins concerned, and such skins shall, upon conviction, be forfeited to His Majesty.

9. No person shall act as a broker under these regulations without first taking out an annual license, to be called a broker's license, in the form prescribed in the First Schedule hereto. Such license may be obtained from the Under-Secretary, Department of Internal Affairs, on application in the form prescribed in the First Schedule hereto, upon payment of a fee of 21s., and shall expire on the 30th day of April following the date thereof:

Provided that a separate license must be taken out in respect of every branch of any business.

10. It shall be the duty of every licensed broker to collect from the vendor a royalty of 1s. on every skin sold through him, upon which he shall be allowed a commission of 5 per cent., payable after his returns have been sent in as provided in regulation 12. Such royalty shall be paid to the authorized officer before the royalty-paid stamp is affixed by him.

11. Every licensed broker shall keep a register in the form prescribed in the First Schedule hereto, and shall enter therein the correct name, address, and occupation of each company, firm, or person from whom opossum skins are obtained for sale, indicating the locality where opossums were taken and to whom opossum skins are sold. Such register shall be produced for inspection on demand by any constable, officer of an acclimatization society, ranger, or authorized officer.

12. Every licensed broker shall, immediately after the close of any auction sale of opossum skins, forward to the secretary of the acclimatization society in whose district the opossums were taken a catalogue of such sale, giving the names of the sellers and buyers; and, immediately after the last day of each month, shall forward to the Under-Secretary, Department of Internal Affairs, a certified copy of the register referred to in regulation 11, noting thereon the number of opossum skins then in his possession.

In the case of opossum skins sold by private contract, a statement giving the names of the sellers and buyers shall be forwarded to the secretary of the acclimatization society in whose district the opossums were taken, and a copy of the register referred to in regulation 11 shall be forwarded to the Under-Secretary, Department of Internal Affairs, immediately after the last day of each month.

13. It shall not be lawful for any person other than a licensed broker to have opossum skins taken during the open season in his possession, and upon which royalty has not been paid, for more than fourteen days after the close of the open season, except as provided in regulation 25, and subject to royalty having been paid; or for a licensed broker to have opossum skins upon which royalty has not been paid in his possession for a period of more than one month after the close of the open season: Provided that the Under-Secretary, Department of Internal Affairs, may in any case extend such period subject to such conditions as he thinks fit to impose.

14. All stocks of opossum skins in the possession of any licensed broker or any dealer in opossum skins, trapper, or other person shall, on demand, be produced for inspection by any constable, officer of an acclimatization society, ranger, or authorized officer; and any person illegally in possession of skins shall be liable, on conviction, to a fine of not less than £1 or more than £5 for each skin found in his possession, and such skins shall be forfeited and become the property of the Crown.

15. The holder of a license to take or kill opossums is not entitled by virtue of such license to enter upon any private land without the consent of the owner or occupier thereof, or upon any State forest, provisional State forest, forest reserve, forest plantation reserve, bush reserve, timber reserve, or