

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 13th day of May, 1924.

Present :

THE HONOURABLE SIR FRANCIS BELL PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers and authorities conferred upon him by the Animals Protection and Game Act, 1921-22 (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 revoke all previous regulations respecting opossums made under Part III of the said Act, and doth hereby make the following regulations for the purposes of the said Act; and doth hereby declare that the regulations hereby made 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 :

"Official mark" means any mark mentioned in these regulations or in any former regulations respecting opossums made under Part III of the said Act or under the Animals Protection Amendment Act, 1920 :

"Skins" includes tanned skins, but does not include tanned or prepared skins *bona fide* used as a rug, coat, muff, or article of personal or domestic or household use or ornament.

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 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.

(c.) 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.

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

4. (1.) A license to take or kill opossums may be issued to any person on payment of the prescribed fee, in the form No. 1 in the First Schedule hereto, and shall be issued by the officers appointed in the special regulations issued in respect of each district; provided that no such license shall authorize the taking or killing of opossums in any sanctuary or public domain.

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

(2.) Notwithstanding anything hereinbefore contained, any person in *bona fide* occupation of any land, and any one son or daughter of such person, may take or kill opossums on that land without a license (but subject to all other restrictions and conditions imposed by or under the said Act or these regulations) during any open season in which opossums may lawfully be taken or killed under a license in the district within the boundaries of which such land is situated. The skins of all opossums so killed may be disposed of only as provided by regulation 7 hereof.

Provided that before any person takes or kills opossums pursuant to this subclause he shall first send notification of his intention so to do to the Secretary of the acclimatization society in whose district his property is situated. Such notification shall contain full particulars of such property.

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, to obtain the written consent of a Conservator of Forests or of a responsible officer of the State Forest Service having

control thereof; or in any Crown lands, scenic reserve, or any public reserve, to obtain the written consent of the Commissioner of Crown Lands or of any Board having control thereof. In the case of reserves in the Rotorua Acclimatization District under the Tourist and Health Resorts Control Act, 1908, the written consent of the General Manager of the Tourist and Health Resorts Department or his appointee must be obtained. 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 area mentioned in this regulation, and no license shall be issued without the production of such written authority.

6. The holder of any license 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 reserve for the growth and preservation of timber, without the written authority of a Conservator of Forests or of a responsible officer of the State Forest Service having control thereof; or upon any Crown land, scenic reserve, or any public reserve without the written authority of a Commissioner of Crown Lands or of any Board having control thereof; or upon any reserve under the Tourist and Health Resorts Control Act, 1908, without the written authority of the General Manager of the Tourist and Health Resorts Department or his appointee.

7. Any person may dispose of opossum-skins by gift, sale, or otherwise howsoever if such skins bear the official mark: Provided that skins which do not bear the official mark may be disposed of to or by a licensed broker only.

8. A person consigning or delivering skins of opossums to a licensed broker for sale must send therewith a true and correct statement in writing, in the form No. 2 in the First 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 secretary or to the ranger of the acclimatization society in whose district the skins were taken, or to a Postmaster or to the Government Tourist Agent at Rotorua or to a Ranger of that Department or to any authorized stamping officer or to any other person specially authorized for that purpose, in order that such person 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:

This regulation shall also apply to skins which are not sold to or by a licensed broker, except that the original copy of the statement shall be forwarded with the skins to the stamping officer.

9. No person or firm 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 No. 3 in the First Schedule hereto. Such license may be obtained from the Under-Secretary, Department of Internal Affairs, on application in the form No. 4 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 to or by 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 14. Such royalty shall be paid to the authorized officer before the royalty-paid stamp is affixed by him.

11. No skins shall be delivered by a licensed broker unless they have been stamped to show that the royalty has been paid:

Provided that skins in possession of a broker which have not been stamped, and upon which royalty has not been paid, may be delivered to the buyer or returned to the seller where authority to do so has been granted by the Under-Secretary, Department of Internal Affairs; and such authority may be granted on such conditions as the said Under-Secretary thinks fit to impose.

12. For the purpose of complying with these regulations, the licensed broker shall notify the officer appointed to stamp skins and collect royalty from brokers at least three days before any auction sale of skins takes place; and in case of a private sale, such notification must be given immediately the sale is effected.