

Imposing Conditions and Restrictions on the Taking of Quinnat Salmon (Onchorynchus tshawytscha) for Purposes of Sale.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 4th day of October, 1926.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by Order in Council dated the twenty-sixth day of February, one thousand nine hundred and twenty-six, and published in the *New Zealand Gazette* of the fourth day of the following month, regulations were made imposing conditions and restrictions upon the taking of quinnat salmon (*Onchorynchus tshawytscha*) for purposes of sale :

And whereas it is desirable to revoke the said regulations and to make other regulations in lieu thereof :

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the power and authority conferred upon him by sections eighty-three and ninety-four of the Fisheries Act, 1908, and of all other powers and authorities enabling him in that behalf, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby revoke the said regulations of the twenty-sixth day of February, one thousand nine hundred and twenty-six, and doth hereby make the following regulations in lieu thereof; and doth hereby order and declare that these regulations shall have force and effect throughout New Zealand.

REGULATIONS.

1. In these regulations the term "Minister" means the Minister of Marine, and includes any person acting by or under the authority or direction of such Minister.

2. It shall be unlawful for any person to take salmon for sale, unless such person is the holder of a license issued in pursuance of these regulations.

3. Subject to these regulations, it shall be lawful for any person duly licensed in that behalf to take salmon for purposes of sale from the 1st day of January to the 15th day of May in each year.

4. Licenses shall be issued in the discretion of the Minister and under the hand of the Secretary of Marine in the form prescribed in the First Schedule hereto, and the fees payable in respect of such licenses shall be those respectively prescribed in the Second Schedule hereto :

Provided that in the consideration of applications for licenses to net salmon precedence shall be given to *bona fide* whole-time professional fishermen.

5. No applications for netting licenses will be received after 15th November in any year.

6. The areas of waters within which salmon may be taken by means of nets or traps pursuant to these regulations shall be those more specifically defined in the Third Schedule hereto : Provided that the issue of licenses to take salmon in that part of the Waimakariri River defined in the said Third Schedule shall be subject to the following restrictions :—

(a.) The taking of salmon by the process known as "drag-netting" shall be prohibited during the period from midnight of Friday in any one week until midnight of the Sunday following, except within that area below a straight line drawn from a sign-post (marked "Salmon-netting limits"), on the left bank of the river, to a similar sign-post on the opposite bank.

(b.) No set-net shall be placed in the waters of the river above a straight line drawn between the sign-posts hereinbefore mentioned.

7. Any person using a net for taking indigenous fish and taking salmon therein shall immediately return the same to the waters whence they were taken.

8. Any person duly licensed in that behalf may take salmon by means of a set-net, seine-net, hauling-net, pound-net, or trap constructed of wire-netting or twine or by rod and line.

9. The Minister may, in his discretion, limit the number of nets or traps which may be used in any of the said areas of waters, and may at any time order the holder of a license to remove any net or trap if in the opinion of the Minister it is necessary or advisable to do so; and upon any such order being given the said holder shall forthwith comply with the same.

10. No net or trap shall be placed or used in any of the said areas of waters within a distance of 20 chains from any established net or trap belonging to a holder of a license under these regulations.

11. The size of mesh of any net used for taking salmon shall be not less than 4 in., except in the case of set-nets, which shall be not less than 6 in., in each case between knot and knot of opposite corners

12. The length of any net used in taking salmon pursuant to these regulations shall not exceed in length one hundred feet.

13. Sea fishermen duly licensed under the provisions of Part I of the said Act may, upon payment of a license fee of £1, receive a license to take salmon for sale from the sea outside a radius of five hundred yards from the mouth or entrance of any river.

14. The holder of a license to take salmon for sale shall, on the expiry of such license, or of his ceasing to fish, whichever first happens, forthwith remove any net, trap, or stakes used by him for taking salmon.

15. Any trout accidentally taken by the holder of a license under these regulations shall be forthwith put back into the waters whence it came.

16. The licensee shall forward to the Minister, in such form and at such times as may be prescribed, returns of all salmon taken by him pursuant to these regulations.

17. Any person committing a breach of these regulations shall be liable to a fine of £20 and to the immediate cancellation of his license.

FIRST SCHEDULE.

LICENSE TO TAKE SALMON FOR PURPOSES OF SALE.

The holder of this license [*Name in full*], of [*Address and occupation or calling*], having this day paid the sum of pounds (£), is hereby authorized to take quinnat salmon for purposes of sale from the day of 19 , until the 15th day of May, 19 , by means of set-net, seine-net, hauling-net, pound-net, trap, or rod and line, subject to all regulations in force for the time being relating to the taking of quinnat salmon for the purposes of sale.

Dated at , this day of , 19 .
....., Secretary of Marine.

SECOND SCHEDULE.

SCALE OF FEES FOR LICENSES TO TAKE SALMON FOR SALE.

For a license to take salmon with nets or traps ..	£
For a license to take salmon with rod and line ..	5
For a license for licensed fishermen to take salmon at sea ..	2
For a license to take salmon with rod and line by the holder of a license to take trout ..	1

THIRD SCHEDULE.

AREAS OF WATERS WITHIN WHICH QUINNAT SALMON MAY BE TAKEN BY MEANS OF NETS OR TRAPS FOR PURPOSES OF SALE.

The Clutha River.—On the Koau Branch from the mouth to a straight line drawn from the river end of the boundary-line between Sections 6 and 7, Block II, Inch-Clutha, to the opposite bank.

On the Matau Branch from its junction with the Koau Branch to a straight line from the river end of the boundary-line between Sections 4 and 5, Block III, Inch-Clutha, to the opposite bank.

The Waitaki River.—Between a straight line drawn from the south bank of the river at Uxbridge Railway-station to the Redcliffs on the north bank, and the Kurow-Hakataramea Bridge :

Provided that after the 30th day of April in any year it shall be unlawful to take salmon by any means whatsoever in that portion of the said river above a straight line drawn from Strachan Railway-station to the post marked "Salmon-fishing limit" placed on the opposite side of the river. Any person who while fishing for trout after the date aforesaid takes a salmon from this last-mentioned portion of the river shall immediately return the same to the waters whence it was taken.

The Rangitata River.—From the railway-bridge to the traffic-bridge.

The Rakaiia River.—From a right line drawn across the head of Great Island at Trig. Station Y to the Gorge Bridge.

The Waimakariri River.—The mouth or entrance east of a straight line drawn at right angles to the course of the said river and across the said river from the eastern corner of Rural Section 1393, in the Mandeville Survey District, the said corner of Rural Section 1393 being two miles or thereabouts in an easterly direction from the main bridge over the Waimakariri River to the Town of Kaiapoi.

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