

- (b) After the 31st August in each year positions shall be allocated in order of application to the local Inspector of Fisheries.
- (c) The position of each groyne or trench shall, before construction, be approved and registered by the local Inspector of Fisheries, and shall not be altered or constructed in another position without such approval.
- (d) A registration fee of 2s. 6d. shall be paid to the local Inspector of Fisheries by any person who is allotted a second position in the same season on abandonment of the position previously registered.
- (e) Each person having a registered position shall use his groyne or trench for whitebait-fishing on at least four days each week during the whitebait season unless prevented by illness, floods, or other reason which the Inspector of Fisheries considers sufficient; failing which his right to the position shall be forfeited, and in such event may be allocated to the next applicant.
- (f) A trench may be registered by a married couple as a single registrant, and may in such case be fished by either or both.

12. (a) No person who has registered a groyne or trench shall fish at any other groyne or trench without having first notified the local Inspector of Fisheries of his abandonment of his registered position, and without having been duly registered as the holder of the new position: Provided that where two persons have registered as fishing in partnership and are the holders of adjoining trenches, with no other person's trench intervening, it shall be lawful for one of them to fish at the other's trench, provided that nets have been withdrawn from his own trench, and provided that both partners are present.

(b) No person holding a registered trench shall fish with a set-net or hand-net between any two trenches or within two chains of the trench situated farthest upstream and farthest downstream respectively.

13. In the tidal portions of the rivers and streams of Westland, including the Teremakau River, the groynes or trenches shall be constructed at right angles to the direction of the stream, and in case of doubt or dispute the location shall be as directed by the local Inspector of Fisheries. Such groynes or trenches shall be built up from the natural bed of the river, except in places where the depth of water necessitates the provision of some foundation for the groyne or trench proper, in which case such foundation may be made, provided that the approval of the local Inspector of Fisheries is first obtained.

14. A groyne or trench for whitebait-fishing shall not be held by any pupil attending a day school.

15. Nothing in these regulations shall entitle a person to construct a groyne or trench in the Hokitika River or in other waters under the control of the Hokitika Harbour Board, or any other Harbour Board, which is deemed by the said Board to be detrimental to navigation or the proper maintenance of berths for vessels in the harbour.

16. A wing or deflector may be used for the purpose of turning whitebait into a set-net, in the tidal waters only, in the rivers of the Provincial District of Hawke's Bay and in Mahinapua Creek in the County of Westland. Such wing or deflector shall be made of scrim or other similar material, and shall be attached to stakes so as to show above water, and shall be placed and set from a bank of the river and at right angles to the current. Such wing or deflector shall not exceed 12 ft. in length in the Provincial District of Hawke's Bay and shall not extend below low-water mark of ordinary spring tides in the Mahinapua Creek. In the Provincial District of Hawke's Bay the scrim or other similar material shall be attached so as to hang loose at the bottom.

#### USE OF BOATS FOR TAKING WHITEBAIT.

17. No person shall use a boat, either stationary or in motion, for fishing for whitebait in a river or stream in which groynes, trenches, or similar contrivances for whitebait-fishing are in use.

#### DISTANCES BETWEEN NETS.

18. No person shall use a set-net or a hand-net within two chains measured along the direction of the stream from a set-net already in use by another person.

19. No person shall use a hand-net within a distance of ten yards from the net of another person already engaged in fishing with a hand-net except on the Grey River, where no person shall use a hand-net within twelve yards of another person already fishing for whitebait.

#### USE OF SPECIAL FISHING-SITES ON RIVER-BANKS.

20. The following rules shall be observed in whitebait-fishing on the Grey River or any other river where the practice is for a fisherman to remain at one place while fishing:—

The first fisherman to take up a position on any day shall have the right to keep that position for the remainder of the day so long as he stays there. He shall mark the spot by fixing his peg or other mark provided or prescribed for the purpose by the local Inspector of Fisheries. If he leaves the river-bank temporarily he shall not be considered to have vacated the position, provided that his net is left on the spot, and provided also that he does not absent himself for the duration of more than one hour. On the position becoming vacant the first fisherman to arrive shall have the right to occupy it.

21. It is an offence against these regulations for any person to act in contravention of the foregoing rules or to prevent any one fishing for whitebait from following these rules.

#### USE OF CERTAIN TYPES OF NETS PROHIBITED.

22. Fishing for whitebait by what is known as a box-net or by any form of net that is used by being towed or drawn by a rope or line along the bottom or through the water of a river, stream, estuary, or lagoon is hereby prohibited.

23. No net shall be used for whitebait-fishing which is made with an inner opening smaller than the front of the net-mouth or is provided with inside flaps or other device by means of which fish may be trapped and retained in the net for an indefinite time.

#### WATERS IN WHICH WHITEBAIT-FISHING IS PROHIBITED.

24. No person shall take or fish for whitebait with any kind of net or trap whatsoever in the waters named hereunder:—

- (1) The drain or stream known as Amon's Drain, which flows into the Rangitikei River on the north side about two miles from its mouth, and the Rangitikei River within one chain on either side of its confluence with the said drain.
- (2) The drain or stream known as Whakapuni Drain, which flows into the Manawatu River on the north side near its mouth, and the Manawatu River within one chain on either side of its confluence with the said drain.

#### PENALTY FOR BREACH OF REGULATIONS.

25. Any person committing a breach of these regulations shall be liable to a fine of £20.

#### FIRST SCHEDULE.

RIVERS IN WHICH THE USE OF SET-NETS IS PERMITTED FOR TAKING WHITEBAIT.

- (1) IN the Provincial District of Hawke's Bay: All the rivers and their tributaries.
- (2) IN the Provincial District of Taranaki: The rivers and their tributaries in the Counties of Egmont, Clifton, and Taranaki.
- (3) IN the Provincial District of Wellington: The Manawatu and its tributaries, but excluding any artificial drains flowing thereinto.
- (4) IN the Provincial District of Nelson: The Motueka and Moutere Rivers and their tributaries.
- (5) All the rivers and streams in the County of Westland and the Teremakau River.
- (6) IN the Provincial District of Canterbury: (a) The Ashley River, and the Taranaki and Waikuku Creeks; (b) the rivers and streams and their tributaries in the Counties of Ashburton, Geraldine, Levels, and Waimate.
- (7) IN the Provincial District of Southland: The Mataura River and its tributaries.

#### SECOND SCHEDULE.

AREAS AND DIMENSIONS OF SET-NETS ALLOWED TO BE USED FOR TAKING WHITEBAIT.

- (1) IN the Provincial District of Hawke's Bay the area of the mouth of the net shall not exceed 5 sq. ft., or the circumference thereof 8 ft.
- (2) IN the Wellington Provincial District (Manawatu River) the area of the mouth or opening of the net shall not exceed 9 sq. ft., and there shall be not less than 1 lin. ft. clear space of water between the outer edge of the net and the opposite bank of the river or tributary. If the mouth of the net is oblong in shape, the height in feet multiplied by the width in feet must not exceed 9; if oval in shape, the height in feet multiplied by width in feet must not exceed 11; if circular in shape, the diameter must not exceed 3 ft. 4 in. or the circumference 10 ft. 7 in.