



SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, MAY 5, 1921.

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WELLINGTON, TUESDAY, MAY 10, 1921.

REGULATIONS

PROVIDING FOR THE

TAKING OR KILLING OF OPOSSUMS.

Regulations providing for the Taking or Killing of Opossums.

JELlicoe, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 10th day of May, 1921.

Present:

THE HONOURABLE SIR F. H. D. BELL, K.C.M.G.,
PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers and authorities conferred upon him by the Animals Protection Amendment Act, 1920, 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 order and declare that opossums of the species *Trichosurus vulpecula* or of the subspecies *Trichosurus fuliginosus* may be taken or killed within the areas referred to in the First Schedule hereto from the first day of June, one thousand nine hundred and twenty-one, to the thirtieth day of June, one thousand nine hundred and twenty-one, inclusive, subject to the conditions prescribed in the regulations in the Third Schedule hereto; and, with the like advice and consent, doth hereby order and declare that opossums of the above species may, in accordance with the provisions of regulation twenty-one hereinafter contained, be taken or killed within the areas defined in the Second Schedule hereto, or in any registered orchard, or on any land adjoining such orchard included in the areas defined as aforesaid, and that it shall be unlawful to liberate or harbour opossums in any area defined in the Second Schedule hereto or in any registered orchard.

FIRST SCHEDULE.

ALL those areas being the acclimatization districts under the control of the following acclimatization societies: Auckland, Grey District, Hawera, Nelson, North Canterbury, Otago, Rotorua, South Canterbury, Southland, Taranaki, Wanganui, Wellington, Westland.

SECOND SCHEDULE.

AREAS WHEREIN OPOSSUMS MAY BE TAKEN OR KILLED
WITHOUT LICENSE.

Waitemata Area.—Comprising ridings of Kumeu, Pukeatua, Takapuna, Birkenhead, Waitakere, Waipareira, Waikumete, and Titirangi.

Rodney Area.—Comprising ridings of Omaha, Matakana, Kourawhera, Albert, and Tauhoa.

Hawke's Bay Area.—Commencing at a point at the mouth of the Maraetotara Stream; thence following the coast-line in a north-westerly direction to a point opposite to where the Napier-Hastings Road turns off in a westerly direction at Awatoto; thence along the same road to Meeanee Bridge; thence along the right bank of the Tutakuri River to the Waiohiki Bridge; thence along the Omaha Road to Fernhill; thence following the public road along the eastern boundary of Te Awa-o-te-Atua Block to its junction with Iron Gate Road; thence along the said road to its junction with the Pakipaki-Stortford Lodge Road; thence along the Hastings-Maraekakaho Road in a south-easterly direction to the Te Aute Road; thence along the said road in an easterly direction to its junction with the Mount Erin Road; thence along the said road to Gilpin Road, following along that road to the south-east corner of Havelock Town District; thence westerly along the boundary of the said town district to the Te Mata Road; thence along the said road to its junction with the Tukituki River; thence across the said river to its eastern bank; thence along the said bank to its junction with the south-eastern boundary of the Clive Suburban Area; thence along the said boundary to its junction with the Maraetotara Stream; thence along the said stream to its mouth.

Kapiti Area.—All that land included in Block III of Kapiti Survey District.

Kaitawa Area.—Comprising Lots 1, 2, 3, 4, and 5, in D.P. 669, being part of Muaupoko Block, in Block XIII, Kaitawa Survey District.

Nelson Area.—All that area in the Nelson Land District commencing at the mouth of the Otuwhero River in Tasman Bay, and thence bounded by the said bay, the estuary of the Waimea River, Tasman Bay, and Nelson Haven to the south-west corner of Section 4, Block V, Wakapuaka Survey District; thence by the Nelson-Blenheim Road to the road

forming the north-west boundary of Section 24 in Block VI of the said survey district; by that road, by Section 77, by Sections 33 and 4 in Block VI before mentioned, by Sections 15 and 18 in Block X, Wakapuaka Survey District, and by Sections 48, 64, 45, 46, 50, 24, 25, and 28, all in Block IX of the said survey district, and the production of the last-named boundary to the Maitai River; by that river to the western boundary of Section 31 in Block I, Maungatapu Survey District; thence bounded by Sections 31, 2, 18, 28, 26, part 4, and 22, all in Block I last mentioned; by Section 14 (waterworks reserve) to the road near Trig. J, by the said river over Trigs. Gb and G, and by the Aniseed Valley Road to the Roding River; thence by the said river, by the Wairoa River to Section 8 in Block XIII of the Waimea Survey District; thence by Sections 8, 67, 63, and 64 in Block XIII of the last-mentioned survey district, and by Section 9 in Block I, Rintoul Survey District; by Sections 3, 1, 6, and 18 in Block IV, Gordon Survey District, and by Sections 3 and 4 in Block VIII of the said survey district; thence by a road, a line across a road, by the south-east boundary of Section 63, a line across a road, by the south-east boundaries of Sections 5 and 60, and by the southern boundaries of Sections 60 and 3, all in Block VII, Gordon Survey District; thence by part of the eastern boundary and by the southern boundary of Section 27 in Block VI of the said survey district, by a road to and by the south-east boundary of Section 43 in Block X, Gordon Survey District, to Gordon's Creek; thence by the said creek and by the Motueka River to and by the north boundary of Section 2 in Block V, Gordon Survey District; thence by Small Grazing-run 6, by a road, by Sections 11 and 10 in Block IX of the said survey district; by Section 22 in Block XII, Tadmor Survey District, by Brewerton Creek, by Sections 17 and 73 in the said Block XII, to the Motupiko River; thence by a line across that river to the north-east corner of Section 2 in the last-mentioned Block XII; by that section and by Sections 12 and 11 in the said Block XII; by Section 13 in Block VII, Tadmor Survey District, by a road, and by a line across the Nelson-Glenhope Railway and across a road to the Tadmor River; thence by the said river to the Motueka River, by that river to the Graham River, and up that river and its tributaries to Trig. Station F (Crusader); thence by the boundary between the counties of Waimea and Takaka to Section 17 in Block I of the Motueka Survey District; thence down the Riwaka River to the east boundary of Section 27 in Block IX, Kaiteriteri Survey District; thence by the said Section 27, and by Sections 45 and 42 in Block VII, Kaiteriteri Survey District, to Kairuru Road; thence by the said road, by Sections 80 and 87 in Block VIII, Kaiteriteri Survey District, and by a line across a road to the Holyoake's Valley Stream; thence by that stream and the Otuwhero River to the point of commencement.

Christchurch Area.—Waimari and Heathcote Counties and Port Victoria Riding in the Mount Herbert County.

Rangiora Area.—All that portion of land contained in Blocks I, II, V, and VI of the Rangiora Survey District.

THIRD SCHEDULE.

REGULATIONS PRESCRIBING CONDITIONS AS TO THE TAKING
OR KILLING OF OPOSSUMS.

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. 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; provided that such traps with teeth, or the ordinary rabbit-trap, may be used only for the season provided in these regulations. In future seasons only the American jump-trap without teeth may be used.

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 sum of £2 10s., in the form prescribed in the Fourth Schedule hereto, and any Postmaster or authorized officer is hereby authorized to sign and issue such license to take or kill opossums; and, except as provided in this Order in Council, 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, Crown lands, scenic reserve, or any public reserve to obtain the written consent of either a responsible officer of the Forestry Department, or the Commissioner of Crown Lands, or any Board having control over such State forest, 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, 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 unless such skins are sold through a licensed broker by public auction, and are marked with a perforated device to indicate royalty has been paid. This royalty-paid stamp shall be affixed by an authorized officer.

7. 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.

8. 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 Fourth Schedule hereto. Such license may be obtained from the Under-Secretary, Department of Internal Affairs, on application in the form prescribed in the Schedule hereto, upon payment of a fee of 2s., and shall expire on the 31st day of December following the date hereof.

9. 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 11. Such royalty shall be paid to the authorized officer before the royalty-paid stamp is affixed by him.

10. Every licensed broker shall keep a register in the form prescribed in the Fourth 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, or 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.

11. Every licensed broker shall immediately after the close of each sale of opossum skins forward to the secretary of the local acclimatization society a catalogue of such sale, giving the names of the sellers and buyers; and, not later than one month after the close of every season, shall forward to the Under-Secretary, Department of Internal Affairs, a certified copy of the register referred to in regulation 10, together with a statement showing the number of opossum skins then in his possession.

12. 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 for more than fourteen days after the close of the open season, 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.

13. 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 for each skin found in his possession, and such skin shall be forfeited and become the property of the Crown.

14. 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 or provisional State forest without the written authority of a responsible officer of the Forestry Department, or upon any Crown land, scenic reserve, or any public reserve without the written authority of a Commissioner of Crown Lands, or any Board having control over any such reserve.

15. There shall be paid to the acclimatization society in whose districts the opossums were taken or killed such proportion of the fees, fines, and royalties as may be decided by the Governor-General in Council.

16. (1.) No person shall export or attempt to export opossum skins without the consent in writing of the Under-Secretary, Department of Internal Affairs.

(2.) No person shall export or attempt to export opossum skins which have not passed through the hands of a licensed broker and on which royalty has been paid.

17. All opossums skins imported into the Dominion must be stamped by an authorized officer with the official stamp as proof of importation; and every person importing skins must, within three days after the receipt of such skins, notify that officer. No royalty shall be payable in respect of any such skins.

18. On or before the 31st May, 1921, all persons having opossum skins in their possession shall declare to the Under-Secretary, Department of Internal Affairs, the number thereof. Such skins shall be produced for stamping or marking by an authorized officer.

19. Before any skins are delivered by a licensed broker they shall be stamped as provided for in regulation 6, signifying that the royalty has been paid to the Department of Internal Affairs.

20. For the purpose of complying with regulation 19 it shall be necessary for the licensed broker to notify the officer appointed to stamp skins and collect royalties from brokers at least three days before any sale of skins takes place.

21. (1.) Notwithstanding anything in these regulations, it shall be lawful at any time and in any acclimatization district for the occupier of any orchard registered under the Orchard and Garden Diseases Act, 1908, or for any *bona fide* employee of such orchardist, to kill by any means not involving unnecessary cruelty any opossums in such orchard, or elsewhere within the areas defined in the Second Schedule hereto, or for the occupier of any land adjoining any such orchard and included in any area defined in the Second Schedule hereto, or for any *bona fide* employee of such occupier, to similarly kill opossums in the area occupied by such occupier, provided that in any such case a notification, in the form prescribed in the Fourth Schedule hereto, of the number of opossums so killed in any week shall, within seven days thereafter, be forwarded to the nearest Postmaster, and provided further that the provisions of regulation 14 shall apply to any such occupier of an orchard or his employee as if he were the holder of a license to take or kill opossums.

(2.) The skins of all opossums so killed may only be sold through a licensed broker as provided by regulation 6 hereof. In any such case two copies of the prescribed notification or notifications relating thereto shall be sent to the broker, and the broker shall forward one copy with his returns under regulation 11. If the skins are required for personal use they shall only be dealt with subject to regulation 23 hereof.

22. Every person, company, or firm receiving opossum skins for the purposes of tanning same shall forward his or its full name and address to the Under-Secretary, Department of Internal Affairs. No such person, company, or firm shall have in their possession any opossum skins which have not been stamped signifying that royalty has been paid, and shall at all times produce on demand all skins in their possession for inspection by any constable, officer of an acclimatization society, ranger, or authorized officer.

23. Any person who retains opossum skins for his own use shall pay a royalty of 1s. per skin as provided in the foregoing regulations, and such skins must have the royalty-paid stamp affixed by the authorized officer before such skins are tanned or prepared for tanning or other method of preservation.

24. (1.) Every person holding a license to take or kill opossums shall, on demand by any authorized person, produce such license, and after such demand if such license is not produced, or if the person gives a false name or place of residence or address, he shall be liable to a fine not exceeding £20.

(2.) For the purposes of this regulation an "authorized person" includes all Justices, constables, rangers, or officers of acclimatization societies, proprietors or occupiers of land upon which any person may be found in pursuit of opossums, and all holders of licenses to take or kill opossums.

25. Except as provided in these regulations, no person shall take or kill opossums or sell opossum skins, or have opossum skins or opossums in possession.

26. Any person authorized to issue licenses hereunder may refuse to issue a license to any person who within two years prior to the date of his application for a license has been convicted of any breach of any of these regulations.

27. Where the holder of a license hereunder has been found guilty of a breach of any of these regulations the Court may, if it thinks fit, revoke his license.

28. Any constable, officer of an acclimatization society, ranger, or authorized officer may seize any opossum skins in respect of which he has reason to believe an offence against these regulations has been committed.

29. Any person who commits a breach of any of the above regulations, if no other penalty is provided therein, is liable on conviction to a fine not exceeding £50 in each case, and to

forfeiture of any opossum skins then in his possession and in respect of which any breach of these regulations has been committed.

FOURTH SCHEDULE.

LICENSE TO TAKE OR KILL OPOSSUMS.

[Name in full], of [Residence and calling], having this day paid the sum of £ , is hereby authorized to take or kill opossums within the area endorsed on the back hereof, from the day of , 192 , to the day of , 192 (both days inclusive), subject to the provisions of the Animals Protection Amendment Act, 1920, and the regulations made thereunder.

Dated at this day of , 192 .
[Signature.]

BROKER'S LICENSE TO SELL OPOSSUM SKINS.

[Name in full], of [Residence and calling], having this day paid the sum of £ , is hereby authorized to sell opossum skins from the day of , 192 , to the day of , 192 (both days inclusive), subject to the provisions of the Animals Protection Amendment Act, 1920, and the regulations made thereunder.

Dated at this day of , 192 .
No. [Signature.]

BROKERS REGISTER.

No. of Entry.	Full Name, Address and Occupation of Person on whose behalf Opossum Skins are received for Sale.	Date received.	Number of Opossum Skins received.	Amount of Royalty paid.	Initials of Authorized Officer certifying Amount of Royalty paid.	Full Name, Address and Occupation of Person to whom Opossum Skins are sold.	Date of Sale.	Number of Opossum Skins sold.
			N.Z.	Im-ported.	£s.d.			

RETURN showing Number of Opossums taken or killed in the Undermentioned Areas, together with a Statement of Disposal of Skins.

Locality.	Registered Orchard or Orchard Area. If Orchard Area, specify which One.	Name of Occupier of Land where Opossums killed.	Name of Person who killed Opossum, stating whether Employee or Occupier.	Number of Opossums taken.	Particulars of how Opossum Skins disposed of.

* As defined in Schedule 2 of the regulations, &c.

I hereby certify that the above is a correct return of all opossums taken and killed by me or my employees in my registered orchard [or in the above-named orchard area] for the week ending .

- (1.) This return is to be sent to the nearest Postmaster for each week in which opossums are killed.
- (2.) Opossum skins may only be sold through a licensed broker, and two copies of this return must accompany any skins sent to a licensed broker for sale.

[Signature.]

New Zealand.

APPLICATION FOR BROKER'S LICENSE UNDER THE ANIMALS PROTECTION AMENDMENT ACT, 1920.

IN pursuance of the provisions of the above-mentioned Act, and the regulations made thereunder, I, [Name in full and address], hereby make application on my own behalf [or on behalf of the firm of , of which I am a member; or on behalf of (Name of registered company), whose written authority authorizing me to apply for and hold a license under the said Act is hereby annexed, marked "A "] for a broker's license.

My place of business is [State full particulars as to place of business].

Dated at this day of , 19 .
[Signature of applicant.]

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