

Now, therefore, His Excellency the Governor of the Dominion of New Zealand, in pursuance and exercise of the power and authority conferred upon him by section five of the said Act, 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 make the following regulations imposing conditions and restrictions on the taking of toheroa from places in the South Island of New Zealand; and doth hereby declare that the said regulations shall come into force on the date of the publication thereof in the *New Zealand Gazette*.

#### REGULATIONS.

1. No person, firm, or company shall take toheroa, for the purpose of canning the same or for marketing fresh, without a lease in writing under the hand of the Minister of Marine (hereinafter referred to as "the Minister"), and subject to the regulations hereinafter specified.

2. Persons wishing to obtain a lease of any toheroa bed shall make application in writing to the Collector at the nearest port, giving a clear description of the locality, and the extent and boundaries of the area for which the application is made.

3. On receipt of an application for a toheroa lease by the Collector, a notification that such an application has been received shall be advertised in a newspaper circulating in the district, and if no other application is received, the Minister may, on the report of the said Collector, grant such lease.

4. Should there be more than one application for the same area, a ballot shall be taken and the lease shall be granted to the successful applicant: Provided that preference shall be given to an applicant who may be deemed to have been the first to discover, or bring under the notice of the Department, the existence of toheroa beds of commercial value in any locality; and the Minister may, if he thinks fit, grant a lease to such applicant without advertising or ballot.

5. No person, firm, or company shall be granted a lease for more than one area.

6. The lessee shall have the exclusive right to take toheroa for canning purposes, or for marketing fresh, from the area included in his lease.

7. If within one year from the date of the lease the lessee has failed to make reasonable use of the toheroa on his lease either by canning or by placing them on the market fresh, the Minister may, on the report of an Inspector of Fisheries, cancel such lease.

8. The Minister may, as considered necessary, set apart areas in any district from which toheroa may be taken by the public for private use, and also areas for the exclusive use of the Maoris for their food.

9. The lease shall remain in force for a period of ten years from the date thereof, unless in the meantime such lease is cancelled as hereinafter provided, and the lessee shall not dispose of, assign, or change his interest in the lease without the written consent of the Minister first obtained.

10. The lessee shall pay in respect of the lease held by him an annual rental of £5 in advance, dating from the date of the lease.

11. The working of the area in respect of which the lease is granted shall be under the control of an Inspector of Fisheries, who shall have power to regulate the quantity of toheroa that may be taken, in order to prevent the beds or area being depleted or injuriously affected.

12. In case the lessee shall—

- (1.) Commit or suffer a breach of these regulations or any of them;
- (2.) Fail to pay the sums specified in clause 10 of these regulations;
- (3.) Take toheroa from any area other than that in respect of which his lease is issued, without the previous consent of the Minister; or
- (4.) Work the beds in such a way that they become depleted or injuriously affected,—

then and in any of the said cases the Minister may cancel the said lease on giving written notice to the lessee; and upon such cancellation the lessee shall forthwith remove all buildings and structures from the area in respect of which the lease was issued.

J. F. ANDREWS,  
Clerk of the Executive Council.

*Probation Officer appointed.*

Department of Justice,  
Wellington, 18th May, 1916.

HIS Excellency the Governor has been pleased to appoint

THOMAS PERCY MILLS

to be a Probation Officer under the First Offenders Probation Act, 1908, for the City of Wellington and the Boroughs of Miramar, Karori, and Onslow, and the Town District of Johnsonville.

ROBERT McNAB,  
Minister of Justice.