

PENRHYN ISLAND LAGOON RESERVE REGULATIONS.

WHEREAS by Proclamation of His Excellency the Governor of the Colony of New Zealand, dated the fourth day of October, one thousand nine hundred and six, it was proclaimed and declared that all of the inland sea or lagoon enclosed by the reef or islands of the Penrhyn Atoll (more particularly described in the Schedule to the said Proclamation) should be set aside as a reserve for public pearl-shell fishing, and it was declared that the said reserve should be held and administered by the Resident Commissioner, subject to such conditions and regulations as might from time to time be made or prescribed in respect thereof under section four of "The Cook and other Islands Government Act Amendment Act, 1904," or any amendment thereof:

Now, therefore, I, Walter Edward Gudgeon, Resident Commissioner, in pursuance and exercise of the power and authority conferred on me by the said Act, and in exercise of every other power and authority in anywise enabling me in this behalf, do hereby make the following regulations in respect of the said reserve:—

1. Diving-machines shall be used for such period in each year and at such portion or portions of the reserve as may from time to time be respectively appointed by the Penrhyn Island Council, with the approval of the Resident Agent. All licenses for the use of diving-machines shall be subject to the regulations for the time being in force in respect of such machines, and to the regulations as to fishing and diving for pearl-shell within the said reserve. Every diving-machine shall be numbered.

2. The Penrhyn Island Council, with the approval of the Resident Agent, may from time to time fix a close season for the whole or any portion of the reserve, during which it shall not be lawful for any person to fish or dive for pearl-shell over the reserve or any such portion so closed as aforesaid.

3. No person shall fish or dive for pearl-shell unless such person is the holder of a license granted under these regulations.

4. The license for the use of a diving-machine or for fishing or diving for pearl-shell shall be in the form in the Schedule hereto. All licenses shall be in force up to the 31st day of March in each year. All applications for a license shall be made in writing to the Resident Agent, who shall submit same to the Island Council. On approval of the same by the Island Council the Resident Agent shall issue a license in respect of each approved application on payment of the prescribed fee. It may be lawful for the Island Council to refuse any application for a diving-machine license where the owner or one of the owners is not a British subject, or to refuse any application for a diving or fishing license where the applicant is a person other than a Native of the Cook or Northern Islands.

5. The following fees shall be payable on the issue of a license:—

	£	s.	d.
1. Diving-machine license, per annum	10	0	0
2. Diving and fishing license for a person other than a Native of the Cook or Northern Islands, per annum	1	0	0
3. Diving and fishing license for a person a Native of the Cook or Northern Islands other than a Native of Penrhyn, per annum	0	10	0
4. Diving and fishing license for a Native of Penrhyn			Free.

The fee for a diving-machine license may from time to time be altered by the Island Council, with the approval of the Resident Agent. All fees received by the Resident Agent shall be paid to the Island Council for the benefit of the local Administration. The Resident Agent shall from time to time forward to the Treasurer at Rarotonga a full statement of all moneys received and paid by him under these regulations.

6. Any person acting in contravention of these regulations is liable to a fine not exceeding five pounds, recoverable before the Resident Agent's Court: Provided always that any person aggrieved by any decision of the Resident Agent's Court may appeal therefrom to the High Court of the Cook Islands upon giving notice of appeal in writing within fourteen days from the date of such decision, and upon depositing with the Resident Agent the amount of any fine imposed by the Resident Agent's Court.

7. The Island Council, with the approval of the Resident Agent, may cancel the license of any person who shall have been convicted of any breach of the regulations for the time being in force.

8. Anything done by the Island Council in pursuance of these regulations shall be subject to disallowance or otherwise by the Resident Commissioner.

Dated this third day of December, one thousand nine hundred and six.

W. E. GUDGEON,
Resident Commissioner.

SCHEDULE.

License for Diving-machine.—Penrhyn Island Lagoon Reserve.

No. , of , having paid the prescribed fee, is hereby licensed to use diving-machine within the Penrhyn Island Lagoon Reserve up to the day of , 190 , subject to the regulations for the time being in force in respect of the use of diving-machines and in respect of diving and fishing for pearl-shell within the said Penrhyn Island Lagoon Reserve.
Dated this day of , 190 .

, Resident Agent.

Fee, £ .

License for Diving and Fishing for Pearl-shell.—Penrhyn Island Lagoon Reserve.

, a Native of , having paid the prescribed fee, is hereby licensed to fish and dive for pearl-shell within the Penrhyn Island Lagoon Reserve up to the day of ,