

# The Whale Fishery Ordinance, (Cap. 76)

## REGULATIONS

(under Section 11 of the Ordinance)

E. P. ARROWSMITH,

*Governor.*

No. 3 of 1958.

His Excellency the Governor in exercise of the powers vested in him by section 11 of the Whale Fishery Ordinance, is pleased, by and with the advice of the Executive Council, to make the following Regulations :—

Cap 76

1. These Regulations may be cited as the Whaling (Amendment) Regulations, 1958, and shall be read as one with the Whaling Regulations, 1936, hereinafter referred to as the principal Regulations.

Short title.

2. Regulation 14 of the principal Regulations is hereby revoked and replaced as follows :—

Replacement of Regulation 14 of the principal Regulations.

14. (a) For the purpose of section 9, sub-section 2, of the Whale Fishery Ordinance, the master or manager of a ship or factory licensed to take and treat whales shall render to the Colonial Secretary or such other officer as the Governor may appoint for the purpose, on or before the 10th day of June in each year the following particulars :—

- (i) The date and time when and the position where the whale was taken.
- (ii) The species and sex of the whale.
- (iii) Its marking in accordance with paragraph (b) of this regulation.
- (iv) The time of hauling up for treatment and processing.
- (v) The length measured in accordance with regulation 17 (b).
- (vi) If female, whether milk-filled or lactating.
- (vii) Length and sex of foetus if present.
- (viii) A full explanation of each infraction.
- (ix) For each day —
  - the number of whales of each species delivered for processing;
  - the number of whales processed;
  - the yield of oil of each grade produced;
- (x) For each week —
  - the quantity produced, if any, of meal, guano and other products specified separately.

(b) Whales taken by all whale catchers shall be clearly marked so as to identify the catchers and to indicate the order of catching.

(c) All information obtained and collated by the master or manager of a ship or factory licensed to take, treat and process whales in accordance with this regulation, shall be entered in a permanent record immediately it becomes available and such record shall be available at all times to the Whaling Officers.

Replacement of  
Regulation 17 of the  
principal Regulations.

3. Regulation 17 of the principal Regulations is hereby revoked and replaced as follows:—

17. (a) For the purpose of section 3 of the Whale Fishery (Consolidation) Ordinance, whales of the undermentioned species shall be deemed to be immature if they are less than the lengths set out below in relation to each species:—

- (i) Blue Whale, 70 feet (21.3 metres);
- (ii) Fin Whale, 57 feet (17.4 metres);
- (iii) Sperm Whale, 38 feet (11.6 metres) in the case of any sperm whale taken for delivery to a factory ship or 35 feet (10.7 metres) in the case of any sperm whale taken for delivery to a land station;
- (iv) Sei Whale, 40 feet (12.2 metres);

except that blue whales of not less than 65 feet (19.8 metres) and fin whales of not less than 55 feet (16.8 metres) and sei whales of not less than 35 feet (10.7 metres) in length may be taken for delivery to a land station provided that the meat of such whales is to be used for local consumption as human or animal food.

(b) For the purposes of this Regulation whales must be measured when at rest on deck or platform, as accurately as possible by means of a steel tape measure fitted at the zero end with a spiked handle which can be stuck into the deck planking abreast of one end of the whale. The tape measure shall be stretched in a straight line parallel with the whale's body and read abreast the other end of the whale. The ends of the whale, for measurement purposes, shall be the point of the other upper jaw and the notch between the tail flukes. Measurements, after being accurately read on the tape measure, shall be logged to the nearest foot, that is to say, any whale between 75 feet 6 inches and 76 feet 6 inches shall be logged as 76 feet, and any whale between 76 feet 6 inches and 77 feet 6 inches shall be logged as 77 feet. The measurement of any whale which falls on an exact half foot shall be logged at the next half foot, e.g., 76 feet 6 inches precisely shall be logged as 77 feet.

(c) In this regulation —

the expression "Blue Whale" means a whale known by any of the names set out in Part II of the first Schedule to the Whale Fishery (Consolidation) Ordinance;

the expression "Fin Whale" means a whale known by any of the names set out in Part III of the first Schedule to the Whale Fishery (Consolidation) Ordinance;

the expression "Sperm Whale" means any whale known by any of the names, sperm whale, spermacet whale, cachalot or pot whale;

the expression "Sei Whale" means any whale known by the name of sei whale, Rudolphi's rorqual, pollack whale, or coalfish whale and shall be taken to include Bryde's whale.

Made by the Governor in Council on the 18th day of September, 1958.

J. BOUND,  
*Clerk of the Executive Council.*