

OPINION 1994 (Case 3095)***Mystacina* Gray, 1843, *Chalinolobus* Peters, 1866, *M. tuberculata* Gray, 1843 and *Vespertilio tuberculatus* J.R. Forster, 1844 (currently *C. tuberculatus*) (Mammalia, Chiroptera): usage of the generic and specific names conserved**

Keywords. Nomenclature; taxonomy; Mammalia; Chiroptera; MYSTACINIDAE; VESPERTILIONIDAE; *Chalinolobus*; *Mystacina*; *Chalinolobus tuberculatus*; *Mystacina tuberculata*; *Mystacina velutina*; bats; New Zealand.

Ruling

- (1) Under the plenary power the name *Vespertilio tuberculatus* J.R. Forster, 1844 is hereby ruled to be not invalid (under Article 49 of the Code) as a consequence of the inclusion by Gray (1843) of the taxon within the nominal species *Mystacina tuberculata* Gray, 1843.
- (2) The following names are hereby placed on the Official List of Generic Names in Zoology:
 - (a) *Mystacina* Gray, 1843 (gender: feminine), type species by original designation *Mystacina tuberculata* Gray, 1843;
 - (b) *Chalinolobus* Peters, 1866 (gender: masculine), type species by original designation *Vespertilio tuberculatus* J.R. Forster, 1844.
- (3) The following names are hereby placed on the Official List of Specific Names in Zoology:
 - (a) *tuberculata* Gray, 1843, as published in the binomen *Mystacina tuberculata* (specific name of the type species of *Mystacina* Gray, 1843);
 - (b) *tuberculatus* J.R. Forster, 1844, as published in the binomen *Vespertilio tuberculatus* (specific name of the type species of *Chalinolobus* Peters, 1866).
- (4) The name *Mystacops* Lydekker, 1891 is hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology (a junior objective synonym of *Mystacina* Gray, 1843).
- (5) The name *velutina* Hutton, 1872, as published in the binomen *Mystacina velutina*, is hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology (a junior objective synonym of *Mystacina tuberculata* Gray, 1843).

History of Case 3095

An application for the conservation of the usage of the names *Mystacina* and *M. tuberculata*, both of Gray (1843), and of *Chalinolobus* Peters, 1866 and *Vespertilio tuberculatus* J.R. Forster, 1844, was received from Drs Hamish G. Spencer and Daphne E. Lee (*University of Otago, Dunedin, New Zealand*) on 11 August 1998. After correspondence the case was published in BZN 56: 250–254 (December 1999). Notice of the case was sent to appropriate journals.

Comments in support were published in BZN 57: 117–118 (June 2000). An opposing comment was published in BZN 57: 172–176 (September 2000). A reply

from the authors of the application was published at the same time (BZN 57: 176) and included the proposal that the Commission use its plenary power to rule that the specific name of *Vespertilio tuberculatus* J.R. Forster, 1844 (currently *Chalinolobus tuberculatus*) is not invalid (under Article 49 of the Code) as a consequence of the inclusion by Gray (1843) of the taxon within the nominal species *Mystacina tuberculata* Gray, 1843.

Decision of the Commission

On 1 September 2001 the members of the Commission were invited to vote on the proposals published in BZN 56: 253 and 57: 176. At the close of the voting period on 1 December 2001 the votes were as follows:

Affirmative votes — 18: Bock, Böhme, Bouchet, Brothers, Calder, Eschmeyer, Fortey, Halliday, Lamas, Macpherson, Mahnert, Martins de Souza, Mawatari, Ng, Nielsen, Papp, Patterson, Rosenberg

Negative votes — 5: Evenhuis, Kraus, Minelli, Štys and van Tol.

Cogger abstained.

No votes were received from Alonso-Zarazaga, Dupuis, Kerzhner and Song.

Cogger and Nielsen commented that lectotypes or neotypes should be designated for the taxa involved.

Original references

The following are the original references to the names placed on Official Lists and Official Indexes by the ruling given in the present Opinion:

Chalinolobus Peters, 1866, *Monatsberichte der Königlich Preussischen Akademie der Wissenschaften zu Berlin*, 1866: 680. (Published in the serial in 1867 but issued as a separate in 1866).

Mystacina Gray, 1843, in Dieffenbach, E., *Travels in New Zealand; with contributions to the geography, geology, botany, and natural history of that country*, vol. 2, p. 296.

Mystacops Lydekker, 1891, in Flower, W.H. & Lydekker, R. *An introduction to the study of mammals living and extinct*, p. 671.

tuberculata, *Mystacina*, Gray, 1843, in Dieffenbach, E., *Travels in New Zealand; with contributions to the geography, geology, botany, and natural history of that country*, vol. 2, p. 296.

tuberculatus, *Vespertilio*, J.R. Forster, 1844, *Descriptiones Animalium quae in Itinere ad Maris Australis Terras per Annos 1772, 1773 et 1774 suscepto . . .*, p. 62.

velutina, *Mystacina*, Hutton, 1872, *Transactions and Proceedings of the New Zealand Institute*, 4: 185.