



Fisheries (Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi) Amendment Regulations 2023

Cindy Kiro, Governor-General

Order in Council

At Wellington this 4th day of September 2023

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 186 of the Fisheries Act 1996 and section 58 of the Ngāti Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 on the advice and with the consent of the Executive Council.

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Regulations

1 Title

These regulations are the Fisheries (Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi) Amendment Regulations 2023.

2 Commencement

These regulations come into force on 6 October 2023.

3 Principal regulations

These regulations amend the Fisheries (Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi) Regulations 2017.

4 Regulation 16 amended (Trusts may prepare proposed bylaws)

(1) Replace regulation 16(1) with:

- (1) A Trust may prepare proposed bylaws in respect of fisheries resources managed under the Fisheries Act 1996 to restrict or prohibit—
- (a) the taking of fisheries resources from the Upper Waikato fisheries area; or
 - (b) the possession of fisheries resources in the Upper Waikato fisheries area; or
 - (c) the possession of fisheries resources taken from the Upper Waikato fisheries area.

(2) In regulation 16(5)(a), (b), (c), and (e), after “taken”, insert “or possessed”.

5 Regulation 18 amended (Procedure for making bylaws for sub-catchment)

Replace regulation 18(1) with:

- (1) In the case of the sub-catchment, the Raukawa Settlement Trust and the Maniapoto Maori Trust Board (the **contributing parties**) may co-operate to prepare proposed joint bylaws in respect of fisheries resources managed under the Fisheries Act 1996 to restrict or prohibit—
- (a) the taking of fisheries resources from the sub-catchment; or
 - (b) the possession of fisheries resources in the sub-catchment; or
 - (c) the possession of fisheries resources taken from the sub-catchment.

6 Regulation 22 amended (Defences)

After regulation 22(2)(c), insert:

- (d) the defence that the defendant proves that the fisheries resources to which the charge relates were lawfully taken from outside the area specified in the bylaws.

Rachel Hayward,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 6 October 2023, amend the Fisheries (Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi) Regulations 2017. The amendments provide for bylaws to be made restricting or prohibiting the possession of fisheries resources in the Upper Waikato fisheries area, and provide a defence if the defendant proves that the fisheries resources to which the charge relates were lawfully taken from outside the area specified in the bylaws.

Regulatory impact statement

A regulatory impact statement is not required for these regulations.

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*: 7 September 2023.

These regulations are administered by the Ministry for Primary Industries.