

Reprint  
as at 1 July 2013



**State Forest Parks and Forest Recreation Regulations  
1979**  
(SR 1979/214)

Keith Holyoake, Governor-General

**Order in Council**

At the Government Buildings at Wellington this 15th day of October 1979

Present:

The Right Hon B E Talboys presiding in Council

Pursuant to section 63F (as inserted by section 19 of the Forests Amendment Act 1976) and section 72 (as amended by section 3(1) of the Forests Amendment Act 1972) of the Forests Act 1949, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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**Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

**These regulations are administered by the Department of Conservation.**

## Part 1 Advisory committees

*[Revoked]*

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## Regulations

### 1 Title and commencement

- (1) These regulations may be cited as the State Forest Parks and Forest Recreation Regulations 1979.
- (2) These regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

## 2 Interpretation

In these regulations, unless the context otherwise requires,—

**Act** means the Forests Act 1949

**advisory committee** or **committee** means any State forest park advisory committee constituted under these regulations

**chairman**, in relation to an advisory committee, includes any person acting as the chairman of that committee

**Conservator**, in relation to a park, means the Conservator of Forests for the conservancy in which the park is situated; or (if the park is situated in more than 1 conservancy) a Conservator of Forests for a conservancy in which a part of the park is situated, which Conservator shall be designated by the Director-General

**park** means—

- (a) any recreation area set apart by the Minister under section 63A of the Act:
- (b) any State forest park proclaimed by the Governor-General under section 63B of the Act:
- (c) any area of open indigenous State forest land set apart by the Minister under section 63D of the Act

**permit or other lawful authority** means a written permit or lawful authority issued by a Conservator or other forest officer authorised by him for the purpose; and includes any notice or sign that bears the symbol of the New Zealand Forest Service or otherwise indicates that it has been given by a Conservator.

Other expressions defined in the Act have the meaning so defined.

## Part 1 Advisory committees

*[Revoked]*

Part 1: revoked, on 19 July 1990, by section 42(1)(d) of the Conservation Law Reform Act 1990 (1990 No 31).

## 3 State forest park advisory committees

*[Revoked]*

Regulation 3: revoked, on 19 July 1990, by section 42(1)(d) of the Conservation Law Reform Act 1990 (1990 No 31).

## 4 Publication of vacancies

*[Revoked]*

Regulation 4: revoked, on 19 July 1990, by section 42(1)(d) of the Conservation Law Reform Act 1990 (1990 No 31).

**5 Chairman of committee**

*[Revoked]*

Regulation 5: revoked, on 19 July 1990, by section 42(1)(d) of the Conservation Law Reform Act 1990 (1990 No 31).

**6 Term of office of appointed members**

*[Revoked]*

Regulation 6: revoked, on 19 July 1990, by section 42(1)(d) of the Conservation Law Reform Act 1990 (1990 No 31).

**7 Substitute for member**

*[Revoked]*

Regulation 7: revoked, on 19 July 1990, by section 42(1)(d) of the Conservation Law Reform Act 1990 (1990 No 31).

**8 Meetings of committee**

*[Revoked]*

Regulation 8: revoked, on 19 July 1990, by section 42(1)(d) of the Conservation Law Reform Act 1990 (1990 No 31).

**9 Minutes of meetings**

*[Revoked]*

Regulation 9: revoked, on 19 July 1990, by section 42(1)(d) of the Conservation Law Reform Act 1990 (1990 No 31).

**10 Secretary of committee**

*[Revoked]*

Regulation 10: revoked, on 19 July 1990, by section 42(1)(d) of the Conservation Law Reform Act 1990 (1990 No 31).

**11 Functions of advisory committees**

*[Revoked]*

Regulation 11: revoked, on 19 July 1990, by section 42(1)(d) of the Conservation Law Reform Act 1990 (1990 No 31).

**12 Committees may appoint subcommittees**

*[Revoked]*

Regulation 12: revoked, on 19 July 1990, by section 42(1)(d) of the Conservation Law Reform Act 1990 (1990 No 31).

## **Part 2**

### **Control of public entry and use of parks**

#### **13 Parks open to public**

- (1) Subject to these regulations, the public shall have freedom of entry and access to any park for the purpose of recreation and the enjoyment of the park.
- (2) Nothing in these regulations shall permit any person to enter any park when his or her entry to the park is prohibited pursuant to the Forest and Rural Fires Act 1977 or any regulations, prohibition, or notice made or issued under that Act.

#### **14 Closure of parks**

- (1) The Conservator may, by notice published in accordance with subclause (2), close or restrict access to any park or any specified part thereof, if he or she reasonably believes or anticipates that—
  - (a) danger may arise to members of the public through any forestry or wild-life management or other operations, the state or condition of the land, or any other cause; or
  - (b) danger or damage may arise to any access way, water, soil, forest product, or wildlife, or any recreational, educational, historical, cultural, scenic, aesthetic, or scientific amenity or feature of the park, in the absence of such closure or restriction.
- (2) Every such notice shall—
  - (a) describe the area concerned, the period or periods during which the closure or restrictions shall apply, and the reason for the closure or restrictions:
  - (b) be published at least twice in some newspaper circulating in the area in which the park is situated and in each of 4 daily newspapers, one of which shall be published in Auckland, one in Wellington, one in Christchurch, and one in Dunedin, not less than 7 days and not more than 28 days before the closure or restriction is to take effect.

#### **15 Emergency closure of parks**

- (1) Notwithstanding anything in regulation 14, where, in the opinion of the Conservator, conditions will arise or have arisen that present an extreme hazard to life or property (including the park itself or its amenities), he or she may issue or cause to be issued, in such manner as he or she thinks necessary, a notice closing or restricting access to the park or any part thereof forthwith upon the giving of the notice or at any later time specified in the notice.
- (2) Where any notice is given under subclause (1) the Conservator shall cause it to be given to the local news media and at least twice in each of 4 daily newspapers, one of which shall be published in Auckland, one in Wellington, one in

Christchurch, and one in Dunedin, unless the notice is revoked before such publication can be effected.

**16 Signs on park roads and tracks**

Upon closing or restricting access to any area pursuant to regulation 14 or regulation 15, the Conservator shall erect signs on all established roads and tracks at or near the point where they enter the area notifying members of the public that the area is closed or access is restricted, and specifying the length of time during which the closure or restrictions apply, and the reasons therefor.

**17 Variation or revocation of notices**

Any notice given under this Part may at any time be extended, modified, renewed, or revoked in the same manner as the original notice was or could have been given.

**18 Notices to be notified to Director-General and published in *Gazette***

Upon a Conservator giving a notice pursuant to regulation 14 or regulation 15 or regulation 17, he or she shall forthwith notify the Director-General of the notice, and the Director-General shall, as soon as practicable, cause a copy of the notice to be published in the *Gazette* in any case where in his or her opinion the notice is likely to continue in force for a period of not less than 28 days from the date of its receipt by the Director-General.

**19 Vehicles**

Except pursuant to a permit or other lawful authority, no person shall enter, travel in, or leave any park in or with any vehicle other than by roads or tracks or routes designated as access routes by the Conservator and notified in such manner as he or she thinks fit, or stand any vehicle in any part of a park other than at parking places designated and notified as such by the Conservator.

**20 Vessels**

Except pursuant to a permit or other lawful authority, no person shall enter any park with or in any vessel, or use any vessel in any park.

**21 Aircraft**

Except pursuant to a permit or other lawful authority, no person shall hover any helicopter above any park, or land any aircraft on any land or water within any park.

**22 Use of park amenities**

The Conservator may, by notice clearly displayed on all established roads and tracks leading into the park, or clearly displayed in the vicinity of any park amenity, impose conditions upon the use of any road, track, bridge, building, camp site, picnic area, or other amenity in any park.

**23 Prohibited items**

Except pursuant to a permit or other lawful authority, no person shall enter any park with any trap, snare, or poison for the hunting of wildlife, or any trap, snare, or chainsaw, or have in his or her possession in any park any such poison or any trap, snare, or chainsaw.

**24 Notices prohibited**

No person shall post any placard, bill, poster, notice, or sign within any park without the prior written permission of the Conservator.

**25 Litter**

No person shall leave any park without ensuring that all litter for which he or she is responsible has been deposited in a litter receptacle or removed from the park; or, where such disposal or removal of such litter is not reasonably practicable, that it has been properly buried.

**26 Permits subject to Forest and Rural Fires Act 1977**

Every permit or other lawful authority issued under these regulations shall be deemed to be subject to the Forest and Rural Fires Act 1977 and any regulations, prohibition, or notice made or issued under that Act.

**27 Exemptions for forest officers and others employed in parks**

The prohibitions contained in these regulations shall not apply to any forest officer while performing the duties of his or her employment or to any other person acting under the direction of a forest officer.

**28 Display of notices**

Where any notice is required to be displayed on all established roads and tracks leading into a park or part of a park pursuant to regulation 16 or regulation 22, it shall not be necessary, in any proceedings for an offence against these regulations, to prove that such notice was displayed on every such road or track if it is proved that the notice was displayed on the road or track by which the defendant entered the park.

**29 Offences and penalty**

Every person commits an offence who acts in contravention of, or fails to comply with, any provision of this Part or any notice given under regulation 16, and is liable on conviction to a fine not exceeding \$300.

Regulation 29: amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

**30 Revocations and saving**

- (1) The State Forest Park Regulations 1969 (SR 1969/42) and the State Forest Parks and Recreation Areas Notice 1975 (SR 1975/43) are hereby revoked.

- (2) Notwithstanding the revocation of the State Forest Park Regulations 1969 (SR 1969/42) by subclause (1), Part 1 of those regulations shall continue to apply, as if they had not been revoked, in respect of any park until the Minister sets up an advisory committee for that park pursuant to regulation 3.

P G Millen,  
Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 18 October 1979.



## **Reprints notes**

### **1    *General***

This is a reprint of the State Forest Parks and Forest Recreation Regulations 1979 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

### **2    *Legal status***

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, will have the status of an official version once issued by the Chief Parliamentary Counsel under section 17(1) of that Act.

### **3    *Editorial and format changes***

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

### **4    *Amendments incorporated in this reprint***

Criminal Procedure Act 2011 (2011 No 81): section 413

Conservation Law Reform Act 1990 (1990 No 31): section 42(1)(d)