

1969/25



**THE FISHERIES EXPERIMENTAL WATERS (LAKES
AVIEMORE AND BENMORE) REGULATIONS 1969**

—
ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 3rd day of March
1969

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING IN COUNCIL

PURSUANT to the Fisheries Act 1908, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and on the written application of the South Canterbury and Waitaki Valley Acclimatisation Societies, hereby makes the following regulations.

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REGULATIONS

1. Title, commencement, and expiration—(1) These regulations may be cited as the Fisheries Experimental Waters (Lakes Aviemore and Benmore) Regulations 1969, and shall be read together with and deemed part of the Freshwater Fisheries Regulations 1951*, as modified by the Freshwater Fisheries Regulations (South Canterbury and Waitaki Valley) Modification Notice 1969† (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*, and shall expire at the expiration of 5 years after that date.

2. Interpretation—In these regulations the term “open season extension” means any period for which the open season is extended in Lakes Aviemore and Benmore by modification notice issued by the Minister pursuant to section 93 of the Fisheries Act 1908.

3. Lakes Aviemore and Benmore declared fisheries experimental waters—Lake Aviemore in the Waitaki Valley Acclimatisation District and Lake Benmore, which is partly in that district and partly in the South Canterbury Acclimatisation District, are hereby declared to be fisheries experimental waters.

*S.R. 1951/15 (Reprinted with Amendments Nos. 1 to 8: S.R. 1964/196)

Amendment No. 9: S.R. 1965/170

Amendment No. 10: S.R. 1966/208

†S.R. 1969/26

4. Principal regulations to apply as varied—The principal regulations shall apply in Lakes Aviemore and Benmore except as varied by these regulations.

5. No fishing without permit—No person shall fish for acclimatised fish during the open season extension in Lake Aviemore or Lake Benmore, unless he is the holder of a written permit issued by the Secretary for Marine, or by the Waitaki Valley Acclimatisation Society or the South Canterbury Acclimatisation Society acting on behalf of the Secretary, and subject to such conditions as are specified in the permit.

6. Conditions of permit—(1) The conditions specified in any such permit may—

(a) Vary or modify the bag limit, the size limit, and the restrictions or conditions relating to fishing provided by the principal regulations:

(b) Require the holder of the permit to report to the issuing authority, in such form and within such time as may be specified in the permit, the results of fishing done by the holder of the permit and to return with the report any tags or distinguishing devices attached to any fish when captured.

(2) It shall be a condition of every such permit that the holder shall not fish in any waters within a radius of 200 yards from the mouth of any river or stream flowing into or out of Lake Aviemore or Lake Benmore.

7. Duration of permit—A permit shall be available for such number of days as are therein specified, and may at any time be revoked as to the unexpired portion thereof by the issuing authority.

8. Permit to be issued only to licence holder—No permit shall be issued to any person who is not the holder of a current licence to take acclimatised fish available in the Waitaki Valley Acclimatisation District or the South Canterbury Acclimatisation District or part of either district.

9. No fee for permit—No fee shall be charged for any permit issued under these regulations.

P. J. BROOKS,
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 declare Lakes Aviemore and Benmore to be fisheries experimental waters for a period of 5 years, and are made under section 91A of the Fisheries Act 1908 (as enacted by section 4 of the Fisheries Amendment Act 1953), which provides that, on the application of the acclimatisation society concerned, a water may be set aside as a fisheries experimental water, and thereupon special conditions may apply.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 6 March 1969.

These regulations are administered in the Marine Department.