

Serial Number 1946/167



**THE FRESH-WATER FISHERIES (NORTH CANTERBURY)
REGULATIONS 1946**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 18th day of
September, 1946

Present :

THE RIGHT HON. P. FRASER 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, doth hereby make the following regulations.

REGULATIONS

PRELIMINARY

1. These regulations may be cited as the Fresh-water Fisheries (North Canterbury) Regulations 1946.

2. (1) Terms used in these regulations shall, where not inconsistent with the context, have the same meaning as in the Fresh-water Fisheries Regulations 1936* (hereinafter called the general regulations).

(2) These regulations shall come into force on the 1st day of October, 1946.

3. In these regulations "high-country waters" means and includes Lakes Coleridge, Evelyn, Georgina, Grasmere, Hawdon, Henrietta, Ida, Katrine, Letitia, Lillian, Lyndon, Mason, Meremere, Monk, Pearson, Red Hill, Rubicon, Sarah, Selfe, Sheppard, Sumner, and Taylor, and all other lakes and tarns, excepting Lake Marion, situate in the high country of the North Canterbury Acclimatization District (which district is hereinafter called the district).

4. The regulations specified in the table subjoined to this regulation are revoked.

* Statutory Regulations 1936-37, Serial number 36/1936, page 113.

Table of Revoked Regulations

Date of Order in Council.	Short Title.	Published in Statutory Regulations.	
		Serial Number.	Page.
13th October, 1937 ..	The Trout-fishing (North Canterbury) Regulations 1937, No. 2	260/1937	939
7th September, 1938 ..	The Trout-fishing (North Canterbury) Regulations 1937, No. 2, Amendment No. 1	1938/110	498
20th September, 1939 ..	The Trout-fishing (North Canterbury) Regulations 1937, No. 2, Amendment No. 2	1939/184	768
14th August, 1940 ..	The Trout-fishing (North Canterbury) Regulations 1937, No. 2, Amendment No. 3	1940/193	618
1st October, 1941 ..	The Trout-fishing (North Canterbury) Regulations 1937, No. 2, Amendment No. 4	1941/173	533
6th October, 1943 ..	The Trout-fishing (North Canterbury) Regulations 1937, No. 2, Amendment No. 5	1943/169	376
20th September, 1944 ..	The Trout-fishing (North Canterbury) Regulations 1937, No. 2, Amendment No. 6	1944/138	393

OPEN SEASON

5. Whole-season licenses to fish for trout or other acclimatized fish issued by the North Canterbury Acclimatization Society or any other acclimatization society under the general regulations shall entitle the holder to fish in the district for trout and other acclimatized fish as follows :—

(a) For trout and other acclimatized fish (except salmon)—

(i) In certain of the high-country waters—namely, Lakes Coleridge, Katrine, Sheppard, Sumner, and Taylor—and in all other waters of the district not being high-country waters from the 1st day of October in any year to the 30th day of April in the year next following, both days inclusive; and

(ii) In all the high-country waters from the 1st day of November in any year to the 30th day of April in the year next following, both days inclusive :

(b) For salmon—

(i) In Lakes Coleridge, Ellesmere, Katrine, Sheppard, Sumner, and Taylor and in all rivers and streams in the district, except the Rakaia River above the water-gauge upstream from the Gorge Bridge and except the tributaries of the Rakaia River which join it above the said water-gauge, from the 1st day of October in any year to the 30th day of April in the year next following, both days inclusive; and

(ii) In the Rakaia River above the water-gauge upstream from the Gorge Bridge and in the tributaries of the Rakaia River which join it above the said water-gauge from the 1st day of October in any year to the 31st day of March in the year next following, both days inclusive.

6. It is hereby declared that these regulations, in so far as they affect the date of commencement and duration of the close season for trout, are made pursuant to section 93 of the Fisheries Act, 1908, and on the written application in that behalf of the North Canterbury Acclimatization Society.

7. Half-season licenses, monthly licenses, weekly licenses, day licenses, and single-river licenses issued by the North Canterbury Acclimatization Society shall entitle the holder to fish in the district during the period set out in the license, and in the case of a single-river license in the waters specified in the license only, but always in accordance with Regulation 5 hereof.

DISTRICT RESTRICTIONS

8. No person shall in fishing for trout or other acclimatized fish in the district use—

(a) Any mollusca (which term includes snails, pipi, fresh-water mussels, salt-water mussels, oysters, winkles, and other shell-fish), boiled shrimp, fresh shrimp, or shrimp treated in any way, or any lure or bait other than natural or artificial flies, insects, worms, or fish :

Provided that it shall be lawful to fish for trout with fresh shrimp in the waters of the Waimakariri River below the bridge behind the Belfast Hotel and below the confluence of the Main Drain and the Ohoka Stream and the Eyre River :

(b) More lures or baits affixed to one trace than (i) two flies, or (ii) one fly and one minnow, or (iii) one fly and one natural bait, or (iv) two natural baits :

(c) More than one lead or sinker tied to one line :

(d) A lead or sinker tied otherwise than above all baits or lures on the line :

(e) Any wire or gimp trace of a greater length than 6 ft. :

Provided that this restriction shall apply only to a wire trace of a thickness greater than the equivalent of No. 28 standard wire gauge :

(f) In any river where worm bait is permitted, except the Waimakariri River, a single hook larger than size No. 6 (old numbers) :

(g) In the Waimakariri River a single hook larger than size No. 2 (old numbers) :

(h) In the Rakaia River any silvery tackle having a single hook larger than size No. 5 (old numbers) or a triple hook or any other type of hook larger than size No. 4 (old numbers) :

(j) In the Rakaia River more than one silvery tackle on any one trace or line :

(k) In the Rakaia River on the same trace or line with silvery tackle any other lure or bait.

9. No person shall in fly-fishing in the district use—

(a) More than one hook for each fly :

(b) Any hook larger than size No. 6 (old numbers) in any lake or tarn except Lakes Coleridge, Katrine, Sheppard, Sumner, and Taylor.

10. (1) For the purposes of this regulation the term “undersized trout” means—

(a) In respect of trout in or taken from any waters within the district, other than in waters mentioned in paragraph (b) of this clause, a trout which does not exceed 11 in. in length from tip of nose to tip of tail :

(b) In respect of trout in or taken from any of the high-country waters, a trout which does not exceed 14 in. in length from tip of nose to tip of tail.

(2) No person shall within the district intentionally fish for, take, or kill in any manner whatever an undersized trout.

(3) Every person taking in or from any waters within the district an undersized trout shall immediately return it alive with as little damage or hurt as possible into the water from which it was taken.

(4) No person shall within the district intentionally have in his possession an undersized trout.

11. (1) No person shall, from midnight on any one day to midnight on the succeeding day, take or kill in the district more than ten trout, and no person shall continue to fish for trout in the district during any such period after he has already taken ten trout during that period :

Provided, first, that the number hereinbefore specified shall be exclusive of any fish taken and dealt with pursuant to Regulations 49 and 50 of the general regulations :

Provided, secondly, that this regulation shall not apply to the fishing for, taking, or killing of trout in the course of an angling competition duly authorized by the North Canterbury Acclimatization Society.

(2) Regulation 47 of the general regulations shall not apply within the district.

12. Notwithstanding anything contained in Regulation 33 of the general regulations, there shall be paid and taken for the several classes of licenses issued under the general regulations by the North Canterbury Acclimatization Society, and specified in the first, second, and third columns of the Schedule to these regulations, the respective fees set forth in the fourth, fifth, sixth, and seventh columns of the said Schedule.

LOCAL RESTRICTIONS

13. No person shall fish for, take, or kill any acclimatized fish at any time or by any manner in the following waters :—

(a) That part of the Avon River which extends from the water-course near the bend of the river on Riccarton Road thence through the City of Christchurch to Colombo Street Bridge :

(b) Taylor's Drain from its head to its junction with the Wairarapa Stream.

14. No person shall fish for trout or other acclimatized fish in any of the high-country waters other than Lakes Coleridge, Katrine, Sheppard, Sumner, and Taylor with any weighted cast or with any lure or bait other than artificial fly or with any hook larger size than size No. 6 (old numbers).

15. No person shall in fly-fishing in any lake being part of the high-country waters, other than Lakes Coleridge, Katrine, Sheppard, Sumner, and Taylor, use any hook larger than size No. 6 (old numbers).

16. No person shall in fishing for trout or other acclimatized fish in the Ashley River within the district use as bait any worms, shrimps, or creeper.

17. No person shall in fishing for trout or other acclimatized fish at any time in any part of the Selwyn River and its tributaries above the Ellesmere Bridge use any lure or bait other than artificial fly or artificial minnow.

18. No person shall fish for trout or other acclimatized fish from a boat of any description in any of the high-country waters except Lakes Coleridge and Sumner.

NETTING

19. No person shall put, throw, stake, set, drag, draw, or place or cause to allow to be put, thrown, staked, set, dragged, drawn, or placed for any purpose whatsoever a net of any description in any of the lakes, rivers, streams, or waters in the district in which any acclimatized fish exist or have been liberated or are believed to exist, or in the mouth of any such river or stream as defined in the general regulations, except a bully-net, silvery-net, whitebait-net, or a landing-net used for the purpose of landing fish lawfully caught with a rod and line:

Provided that it shall be a defence to any person charged with a breach of this regulation if such person proves that he was netting for indigenous fish or netting for acclimatized fish for sale in accordance with the provisions of any regulations in that behalf for the time being in force.

PENALTY

20. The penalty for any breach of these regulations shall be a fine not exceeding £50.

SCHEDULE

<i>First Column.</i> Number of Class.	<i>Second Column.</i> Class of License.	<i>Third Column.</i> Area of Availability.	<i>Fourth Column.</i> Fee for Men of Eighteen Years and over.	<i>Fifth Column.</i> Fee for Women of Eighteen Years and over.	<i>Sixth Column.</i> Fee for Persons of Sixteen Years but under Eighteen Years of Age.	<i>Seventh Column.</i> Fee for Persons under Sixteen Years of Age.
			£ s. d.	s. d.	s. d.	s. d.
1	Whole-season, to any person except a man of eighteen years or over	Every part of New Zealand except the Rotorua Acclimatization District and the Southern Lakes Acclimatization District	..	7 6	12 6	5 0
1A	Whole-season to a man of eighteen years or over	Every part of the South Island except the Southern Lakes Acclimatization District	1 5 0
2	Half-season	North Canterbury District	0 15 0	5 0	12 6	5 0
3	Monthly	North Canterbury District	0 10 0	5 0	5 0	5 0
4	Weekly	North Canterbury District	0 7 6	5 0	5 0	5 0
5	Day	North Canterbury District	0 5 0	5 0	5 0	5 0
6	Single-river	North Canterbury District	0 10 0	5 0	5 0	5 0

W. O. HARVEY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette*: 19th day of September, 1946.
These regulations are administered in the Marine Department.