

Serial Number 1941/177.



**THE FRESH-WATER FISHERIES (SOUTHLAND)
REGULATIONS 1941.**

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 1st day of
October, 1941.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL 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 (Southland) Regulations 1941.

2. Terms used herein shall have the same meaning as in the Fresh-water Fisheries Regulations 1936* (hereinafter called the general regulations).

3. These regulations shall come into force on the 1st day of October, 1941.

4. The regulations for fishing in the Southland Acclimatization District (hereinafter called the district) referred to in the First Schedule hereto are revoked.

5. The taking of salmon and trout in the waters named in Regulation 6 hereof shall commence in every year on the 1st day of November and cease on the next ensuing 30th day of April to the intent that the period from the 1st day of May to the 31st day of October (both days inclusive) in every year shall be a close season for salmon and trout in the said waters.

6. The waters referred to in Regulation 5 are the following, namely :—

- (1) Lake Te Anau :
- (2) Lake Manapouri :
- (3) That portion of the Waiau River between Lake Te Anau and Lake Manapouri.

* Statutory Regulations 1936-7, Serial number 1936/36, page 119.
Amendment No. 1 : Statutory Regulations 1936-7, Serial number 1937/190, page 718.
Amendment No. 2 : Statutory Regulations 1939, Serial number 1939/112, page 549.

7. The taking of salmon and trout in all waters in the district except the waters named in Regulation 6 hereof shall commence in every year on the 1st day of October and cease on the next ensuing 30th day of April to the intent that the period from the 1st day of May to the 30th day of September (both days inclusive) in every year shall be a close season for salmon and trout in all waters in the district except as aforesaid.

8. During the period from the 1st day of October, 1941, until the 30th day of September, 1942 (both days inclusive), no person shall fish for, take, or kill any acclimatized fish other than trout by any method whatsoever in the waters named in Regulation 9 hereof to the intent that the said period shall be a close season for such fish in the said waters.

9. The waters referred to in Regulation 8 are the following namely:—

(1) Upokororo River:

(2) That portion of Lake Te Anau lying east of a straight line drawn from Blue Gum Point to the mouth of the first creek north of Lookout Hill.

10. For a period until the expiration of three years from the coming into force of these regulations no person shall fish for or attempt to take fish of any description by any method whatsoever in that portion of the spring-fed lagoon situated within the Tuatapere Domain which is enclosed by a wire-netting fence to the intent that the said period shall be a close season for all fish in the said waters.

DISTRICT RESTRICTIONS.

11. No person shall in fishing for any acclimatized fish in the district use any shell-fish or any lure or bait other than worm or natural or artificial insects or one natural or artificial fish.

12. Notwithstanding Regulation 45 of the general regulations, it shall be lawful to use with a bait of natural fish a chemical preparation in the nature of formalin or other preservative.

13. No person shall within the district intentionally fish for, take, or kill in any manner whatever or have in his possession—

(a) Any trout which does not exceed 11 in. in length from tip of nose to tip of tail:

(b) Any Atlantic salmon which does not exceed 15 in. in length from tip of nose to tip of tail.

14. Every person taking within the district—

(a) A trout which does not exceed 11 in. in length from tip of nose to tip of tail:

(b) An Atlantic salmon which does not exceed 15 in. in length from tip of nose to tip of tail—

shall immediately return it alive with as little injury as possible into the water from which it was taken.

15. (a) No person shall on any one day take or kill from or in the waters named in clause (b) of this regulation more than six trout, and no person shall continue to fish in the waters named in clause (b) of this regulation on any day on which he has already taken or killed six trout from or in any waters within the district.

(b) The waters referred to in clause (a) of this regulation are the following:—

- (1) The Mararoa River :
- (2) The tributaries of the Mararoa River :
- (3) The Upper Oreti River from its source down to the site of the old accommodation-house at or near Centre Hill :
- (4) The tributaries of the Upper Oreti River the confluence of which with the river is within that portion of the river lying between its source and the site of the old accommodation-house at or near Centre Hill :
- (5) The Wairaki River :
- (6) The White Stone River :
- (7) The tributaries of the White Stone River.

16. Subject to Regulation 15 hereof, no person shall on any one day take or kill more than a total of fifteen trout in the said district, and no person shall continue to fish for trout on any day on which he has already taken or killed fifteen trout.

17. Subject to the provisions of Regulations 23 and 24 hereof, no person shall on any one day take or kill within the district more than six Atlantic salmon, and no person shall continue to fish for Atlantic salmon on any day on which he has already taken or killed six Atlantic salmon.

18. No person shall use a fishing-net in any of the waters of the district except—

- (a) A seine net used in the waters named in the Second Schedule hereto for the purpose of taking indigenous fish :
- (b) A whitebait net :
- (c) A landing-net to secure fish lawfully caught with a rod and line :
- (d) A small net for catching bait to be used for fishing for trout.

19. Any person taking any trout or salmon in a net shall immediately return it alive with as little injury as possible into the water from which it was taken.

LOCAL RESTRICTIONS.

20. (a) No person shall in fishing for any acclimatized fish in the district use worm or creeper as a bait or lure except in the waters named in clause (b) of this regulation.

(b) The waters referred to in clause (a) of this regulation are the following:—

- (1) The Aparima River :
- (2) The Makarewa River below its junction with the Hedhope River :
- (3) The Mararoa River :
- (4) The tributaries of the Mararoa River :
- (5) The Mataura River :
- (6) The Oreti River :
- (7) The tributaries of the Oreti River :
- (8) The Waiiau River below its junction with the Mararoa River.

21. No person shall in fishing for any acclimatized fish in the Eglinton River use any bait or lure other than natural or artificial minnow or natural or artificial fly.

22. No person shall in fishing for any acclimatized fish during any period in which it is lawful to fish for acclimatized fish in that portion of the Upokoro River from its source down to the road bridge use any bait or lure other than artificial fly.

23. No person shall on any one day take or kill from the Eglinton River more than three Atlantic salmon or continue to fish for Atlantic salmon in the Eglinton River on any day on which he has already taken or killed three Atlantic salmon therein.

24. No person shall on any one day during any period in which it is lawful to fish for acclimatized fish in any portion of the Upokoro River take or kill from that portion of the Upokoro River from its source down to the road bridge more than three Atlantic salmon or continue to fish for Atlantic salmon in that portion of the Upokoro River from its source down to the road bridge on any day on which he has already taken or killed three Atlantic salmon therein.

25. No person shall use a boat for the purpose of taking acclimatized fish in—

- (1) Lake Fergus :
- (2) Lake Gunn :
- (3) That portion of the Waiau River from the outlet of Lake Te Anau down to Lake Manapouri :
- (4) That portion of Lake Te Anau within half a mile of the water's edge, commencing at a point half a mile to the west of the mouth of the Clinton River and extending along the eastern and then southern side of the lake to a point half a mile to the west of the outlet (the Waiau River).

PENALTY.

26. Any person committing a breach of these regulations shall be liable to a fine not exceeding £50.

SCHEDULES.

FIRST SCHEDULE. REGULATIONS REVOKED.

Short Title.	Statutory Regulations Serial number.
The Fresh-water Fisheries (Southland) Regulations 1937 . .	230/1937
The Fresh-water Fisheries (Southland) Regulations 1937, Amendment No. 1	1938/125
The Fresh-water Fisheries (Southland) Regulations 1937, Amendment No. 2	1939/157
The Fresh-water Fisheries (Southland) Regulations 1937, Amendment No. 3	1940/203
The Fresh-water Fisheries (Southland) Regulations 1937, Amendment No. 4	1940/301

SECOND SCHEDULE.

(a) All that portion of the New River Harbour situated to the south of the Otatarā Road and Bridge which begins at the west end of Tweed Street in the Town of Invercargill, and runs in a south-westerly direction across to the Otatarā or western side of the New River Estuary, and being in the Land District of Southland: As the said boundary is delineated in pink colour on plan marked M.D. 4370, and deposited in the office of the Marine Department, Wellington, in the Provincial District of Wellington: Excepting therefrom all that portion of the said New River Estuary at the mouths of the Waimatua and Waipaka Streams, situated towards the east of a line connecting the north-east corner of Section 21, Block VI, Campbelltown Hundred, with the intersection of high-water mark by the prolongation in a westerly direction of the south side of the road forming the northern boundary of Section 1, Block VI, Campbelltown Hundred, the said line being defined on the ground by three beacon-posts painted white with black tops, the approximate position of the said posts being shown and all being in the Land District of Southland: As the said area is coloured red and marked "A" on the plan marked M.D. 3562, deposited in the office of the Marine Department at Wellington: And also all that portion of the New River Estuary at the mouth of the Oreti or New River, situated towards the west of a line being the prolongation in a southerly direction of the west side of the road forming the eastern boundary of Section 19, Block XX, Invercargill Hundred, till intersected by a line proceeding due east from the north-eastern corner of Native Reserve 181, Block XXIII, New River Hundred, which last-mentioned line forms the southern boundary of the said area; each of the said lines being defined on the ground by two beacon-posts painted white with black tops, the approximate position of the said posts being shown and being all in the Land District of Southland: As the said area is coloured red and marked "B" on the plan marked M.D. 3562, deposited in the office of the Marine Department at Wellington.

(b) Also all that the mouth or entrance of the Aparima or Jacobs River, or at any place in such river below the place at which the Aparima Estuary Road Bridge crosses the said river.

T. R. AICKIN,
Acting Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette*: 2nd day of October, 1941.
These regulations are administered in the Marine Department.