

## Serial Number 1946/164



**THE FRESH-WATER FISHERIES (ASHBURTON)  
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 (Ashburton) 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) "The district" means the Ashburton Acclimatization District.

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

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

*Table of Revoked Regulations*

Date of Order in Council.	Short Title.	Published in Statutory Regulations.	
		Serial Number.	Page.
1st October, 1941 ..	The Trout-fishing (Ashburton) Regulations 1941	1941/172	530
6th October, 1943 ..	The Trout-fishing (Ashburton) Regulations 1941, Amendment No. 1	1943/170	377
20th September, 1944 ..	The Trout-fishing (Ashburton) Regulations 1941, Amendment No. 2	1944/135	389
29th August, 1945 ..	The Trout-fishing (Ashburton) Regulations 1941, Amendment No. 3	1945/119	292

\* Statutory Regulations 1936-37, Serial number 36/1936, page 119.

## OPEN SEASON

**5.** Whole-season licenses to fish for trout and other acclimatized fish issued by the Ashburton 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—

- (a) In any waters, other than the waters mentioned in paragraph (b) hereof, from the 1st day of October in any year to the 30th day of April in the year next following (both days inclusive) :
- (b) In all the lakes from the 20th day of October in any year to the 30th day of April 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 Ashburton Acclimatization Society.

## DISTRICT RESTRICTIONS

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

- (a) Any lure or bait other than natural fly or artificial fly, insects, worms, or fish, including spoon and minnow :
- (b) More than two flies or one minnow affixed to any trace :
- (c) A fly having more than one hook :
- (d) Any gimp trace of greater length than 6 ft. :
- (e) Any wire trace of a thickness greater than the equivalent of No. 28 standard wire gauge and having a greater length than 6 ft. :
- (f) An Archer spinner or any similar tackle made with spinning vanes and triple hooks.

**8.** No person shall in fishing for trout or other acclimatized fish within the said district use any silvery or bully tackle—

- (a) With a hook other than single or triple hook :
- (b) Having more than one set of triple hooks of a size greater than No. 4 :
- (c) Having more than two single hooks in conjunction with a set of triple hooks :
- (d) Having, if furnished with a set of triple hooks, any single hook larger than size No. 5 :
- (e) Having three single hooks any one of which is larger than size No. 5 :
- (f) Having more than one lure or bait attached to the line or trace.

**9.** No person in fishing for trout or other acclimatized fish within the district shall use any bare hooks or a set rod or line.

**10.** No person shall troll from any launch or boat on any river in the district.

**11.** No person shall fish from any launch or boat on any lake within the district.

12. (1) For the purposes of this regulation and Regulation 13 the word "trout" includes char or brook-trout (*Salvelinus fontinalis*).

(2) No person shall on any one day take or kill within the waters of the district more than twelve trout or more than 30 lb. weight of trout, and no person shall continue to fish for trout on any day on which he has already taken or killed twelve trout or more than 30 lb. weight of trout.

(3) No person shall on any one day take or kill in any lake within the district more than twelve acclimatized fish, of which not more than six may be trout.

(4) The quantities of fish specified in clauses (2) and (3) of this regulation shall be exclusive of any fish taken and dealt with pursuant to Regulations 49 and 50 of the general regulations.

(5) The provisions of this regulation shall not apply to the fishing for, taking, or killing of trout in the course of an angling competition duly authorized by an acclimatization society.

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

13. (1) For the purposes of this regulation "undersized fish" means—

(a) In respect of trout in or taken from any waters within the district, other than the waters specified in paragraph (b) of this clause, a trout which does not exceed 10 in. in length from tip of nose to tip of tail :

(b) In respect of trout in or taken from any lake within the district, a trout which does not exceed 12 in. 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 fish.

(3) Every person taking in or from any waters within the district an undersized fish 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 fish.

#### LOCAL RESTRICTIONS

14. No person shall take, attempt to take, or kill any trout or other acclimatized fish by any means other than by fishing in lawful manner with artificial fly in—

(a) Lake Emily :

(b) Lake Emma :

(c) The Hinds River :

(d) Lake Howard (generally known as Lake Camp) :

(e) Maori Lakes :

(f) Lake Spider :

(g) Lake Tripp (generally known as Lake Clearwater) :

15. No person shall take, attempt to take, or kill any trout or other acclimatized fish by any means other than by fishing in a lawful manner with artificial bait—

(a) In the Ashburton River from its source to the point known as Cole's Cutting (approximately ten miles below the Main South Road Bridge and approximately one mile and three-quarters from its mouth) :

- (b) In the tributaries of the Ashburton River :
- (c) The rivers lying south of the Ashburton River, but excluding the Rangitata River :
- (d) The tributaries of all rivers lying south of the Ashburton River.

## PENALTY

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

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

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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.