



**THE FRESHWATER FISHERIES REGULATIONS 1951,  
AMENDMENT NO. 17**

—  
KEITH HOLYOAKE, Governor-General

**ORDER IN COUNCIL**

At the Government Buildings at Wellington this 22nd day of September  
1980

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Fisheries Act 1908, His Excellency the Governor-General, acting by and with the consent of the Executive Council, hereby makes the following regulations.

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ANALYSIS

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| <ul style="list-style-type: none"> <li>1. Title and commencement</li> <li>2. Interpretation</li> <li>3. Application</li> <li>4. Form of licences amended</li> <li>5. Area of availability of licences</li> <li>6. Licences and fees</li> </ul> |  | <ul style="list-style-type: none"> <li>7. Tourist fishing licences</li> <li>8. Payments to Island Councils</li> <li>9. Authorised fishing gear</li> <li>10. No discharge of pollutant into waters</li> <li>11. Offences and penalties</li> <li>12. Revocation Schedules</li> </ul> |
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REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Freshwater Fisheries Regulations 1951, Amendment No. 17, and shall be read together with and deemed part of the Freshwater Fisheries Regulations 1951\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of October 1980.

**2. Interpretation**—Regulation 2 (1) of the principal regulations is hereby amended by inserting, in their appropriate alphabetical order, the following definitions:

\*S.R. 1951/15 (Reprinted with Amendments Nos. 1 to 13: S.R. 1976/191)  
Amendment No. 14: (Revoked by S.R. 1977/268)  
Amendment No. 15: S.R. 1977/268  
Amendment No. 16: S.R. 1980/110

- “Rotorua District’ means the district described in Part B of the First Schedule to the Rotorua and Taupo Trout Fishing Regulations 1980\*:
- “Southern Lakes District’ means the district described in the First Schedule to the Southern Lakes Fishing Regulations 1971†:
- “Taupo District’ means the district described in Part A of the First Schedule to the Rotorua and Taupo Trout Fishing Regulations 1980\*.”

**3. Application**—(1) The principal regulations are hereby further amended by revoking regulation 4 (as amended by regulation 3 of the Freshwater Fisheries Regulations 1951, Amendment No. 16), and substituting the following regulation:

“4. These regulations shall apply throughout New Zealand except in the Rotorua District, the Taupo District, and the Southern Lakes District.”

(2) Regulation 3 of the Freshwater Fisheries Regulations 1951, Amendment No. 16 is hereby consequentially revoked.

**4. Form of licences amended**—(1) The principal regulations are hereby amended by inserting after the Third Schedule (as substituted by regulations 5 (1) of the Freshwater Fisheries Regulations 1951, Amendment No. 16) the new Fourth Schedule as set out in the Second Schedule to these regulations.

(2) Regulation 10 of the principal regulations (as amended by regulation 5 of the Freshwater Fisheries Regulations 1951, Amendment No. 16) is hereby amended by omitting the words “and Third”, and substituting the words “, Third, and Form 1 of the Fourth”.

(3) Regulation 5 (2) of the Freshwater Fisheries Regulations 1951, Amendment No. 16 is hereby consequentially revoked.

**5. Area of availability of licences**—(1) The principal regulations are hereby amended by revoking regulation 11 (as amended by regulation 3 of the Freshwater Fisheries Regulations 1951, Amendment No. 1‡ and regulation 6 of the Freshwater Fisheries Regulations 1951, Amendment No. 16), and substituting the following regulation:

“11. (1) A whole season licence issued under these regulations or the Southern Lakes Fishing Regulations 1971§ shall be available throughout New Zealand except in the Rotorua District or the Taupo District.

“(2) A weekly licence issued under these regulations shall be available throughout New Zealand except in the Rotorua District, Taupo District, or Southern Lakes District.

“(3) A day licence shall be available only in respect of the District for which it is issued.

\*S.R. 1980/149

†S.R. 1971/65

Amendment No. 1: S.R. 1973/20

Amendment No. 2: S.R. 1974/5

Amendment No. 3: S.R. 1976/220

Amendment No. 4: S.R. 1979/232

‡S.R. 1951/200

§S.R. 1971/65

Amendment No. 1: S.R. 1973/20

Amendment No. 2: S.R. 1974/5

Amendment No. 3: S.R. 1976/220

Amendment No. 4: S.R. 1979/232

“(4) Any licence issued under the Rotorua and Taupo Trout Fishing Regulations 1980\*, or any licence, other than a whole season licence, issued under the Southern Lakes Fishing Regulations 1971† shall be available only for the district in respect of which it is issued.

“(5) Notwithstanding subclause (4) of this regulation, the holder of any licence for the time being current issued under the Rotorua and Taupo Trout Fishing Regulations 1980‡ in respect of the Rotorua District may, during the open season in the Hawke’s Bay Acclimatisation District, fish for, take, and kill acclimatised fish in the waters or from the bank of that portion of the Mohaka River that lies within the Hawke’s Bay Acclimatisation District and is opposite the boundary between that district and the Rotorua District in accordance with these regulations and all local regulations in force at that place at that time.

“(6) Notwithstanding the foregoing provisions of this regulation, where regulations in force in any district specified in subclause (1) of this regulation provide that licences issued under these regulations shall be available in that district, the licences shall be available accordingly.”

(2) Regulation 3 of the Freshwater Fisheries Regulations 1951, Amendment No. 1§ and regulation 6 of the Freshwater Fisheries Regulations 1951, Amendment No. 16 are hereby consequentially revoked.

**6. Licences and fees**—(1) Regulation 22 of the principal regulations (as amended by regulation 9 (1) of the Freshwater Fisheries Regulations 1951, Amendment No. 16) is hereby amended by omitting the words “third and fourth”, and substituting the words “third, fourth, and fifth”.

(2) The principal regulations are hereby amended by revoking the First Schedule (as substituted by regulation 4 (1) of the Freshwater Fisheries Regulations 1951, Amendment No. 16), and substituting the new First Schedule as set out in the First Schedule to these regulations.

(3) Regulations 4 and 9 and the First Schedule to the Freshwater Fisheries Regulations 1951, Amendment No. 16 are hereby consequentially revoked.

**7. Tourist fishing licences**—(1) The principal regulations are hereby amended by inserting, after regulation 22, the following regulation:

“22A. (1) The fees paid for a tourist fishing licence shall be as follows:

“(a) An adult licence . . . . . \$12.00

“(b) A junior licence . . . . . \$3.00

“(2) For the purposes of these regulations, ‘tourist fishing licence’ means a licence issued for a period of one month pursuant to section 83A of the Act in the form set out in Form 2 of the Fourth Schedule to these regulations.”

(2) The Tourist Fishing Regulations 1963|| are hereby consequentially revoked.

\*S.R. 1980/149

†S.R. 1971/65

Amendment No. 1: S.R. 1973/20

Amendment No. 2: S.R. 1974/5

Amendment No. 3: S.R. 1976/220

Amendment No. 4: S.R. 1979/232

‡S.R. 1980/149

§S.R. 1951/200

||S.R. 1963/175

**8. Payments to Island Councils**—Regulation 28A of the principal regulations (as substituted by regulation 10 of the Freshwater Fisheries Regulations 1951, Amendment No. 16) is hereby amended by inserting, in subclause (1) (c) after the words “junior licence”, the words “or day licence”.

**9. Authorised fishing gear**—(1) Regulation 50 (a) (as amended by regulation 5 of the Freshwater Fisheries Regulations 1951, Amendment No. 13\* and regulation 14 of the Freshwater Fisheries Regulations 1951, Amendment No. 16) is hereby revoked.

(2) So much of the Second Schedule to the Freshwater Fisheries Regulations 1951, Amendment No. 13 as relates to regulation 50 (a) of the principal regulations and regulation 14 of the Freshwater Fisheries Regulations 1951, Amendment No. 16 are hereby consequentially revoked.

**10. No discharge of pollutant into waters**—Regulation 103 (2) of the principal regulations (as substituted by regulation 4 of the Freshwater Fisheries Regulations 1951, Amendment No. 11†) is hereby amended by omitting the expression “2,000”, and substituting the expression “\$4,000”.

**11. Offences and penalties**—Regulation 112 (2) of the principal regulations (as substituted by regulation 6 of the Freshwater Fisheries Regulations 1951, Amendment No. 11 and amended by regulation 18 of the Freshwater Fisheries Regulations 1951, Amendment No. 15 and regulation 20 of the Freshwater Fisheries Regulations 1951, Amendment No. 16) is hereby amended by omitting from paragraph (b) the expression “\$5”, and substituting the expression “\$10”.

**12. Revocation**—Regulation 5 of the Freshwater Fisheries Regulations 1951, Amendment No. 5‡ is hereby consequentially revoked.

\*S.R. 1975/152

†S.R. 1970/101

‡S.R. 1960/142

## SCHEDULES

## FIRST SCHEDULE

Reg. 6

NEW FIRST SCHEDULE TO THE PRINCIPAL REGULATIONS

## "FIRST SCHEDULE

Reg. 9

## LICENCES AND FEES

<i>First Column</i>	<i>Second Column</i>	<i>Third Column</i>	<i>Fourth Column</i>	<i>Fifth Column</i>
Number of Class	Class of Licence	Fee for Adult Licence		Fee for Junior Licences
		For Licences Issued in the North Island	For Licences Issued in the South Island	
		\$	\$	\$
1	Whole season	12.00	15.00	3.00
2	Weekly	4.50	6.00	..
3	Day	2.00	2.00	2.00"

## SECOND SCHEDULE

Regs. 5 (1), 7 (1)

NEW FOURTH SCHEDULE TO THE PRINCIPAL REGULATIONS

## "FOURTH SCHEDULE

Regs. 10, 22A

## Form 1

## DAY LICENCE

## LICENCE TO FISH

*The Fisheries Act 1908 and its Amendments*

THE holder of this licence [*Name in full*] of [*Address*], [*Calling or occupation*], having this day paid the appropriate fee, is hereby authorised to fish for acclimatised fish, subject to the above Act and its regulations, in the .....Acclimatisation District, on the.....day of.....19.., within the open season in the place where the holder is fishing.

Dated at.....this.....day of.....19...

Agent or Secretary,.....Acclimatisation Society.

Signature of licensee (not valid until signed).

## Form 2

## TOURIST FISHING LICENCE

## LICENCE TO FISH IN NEW ZEALAND

*The Fisheries Act 1908 and its Amendments*

THE holder of this licence [*Name in full*] of [*Address*], [*Calling or occupation*], having this day paid the appropriate fee, is hereby authorised to fish for acclimatised fish, subject to the above Act and its regulations, in any part of New Zealand during the open season in the place where the holder is fishing, from . . . . . to . . . . . (both days inclusive).

Date of issue . . . . .

Issued at [*Place*] by [*Signature of issuing officer*].

Signature of licensee (not valid until signed).

P. G. MILLEN,

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 amend the Freshwater Fisheries Regulations 1951.

*Regulations 2 and 3* are consequential on the making of the Rotorua and Taupo Trout Fishing Regulations 1980 (S.R. 1980/149).

*Regulation 4* reintroduces the day fishing licence.

*Regulation 5* consolidates the provisions relating to the areas of New Zealand in which licences issued under the principal regulations are valid.

*Regulation 6* increases the fee payable for a whole season or weekly licence issued in the South Island, and prescribes the fee (\$2) payable for a day licence.

*Regulation 7* prescribes the form of a tourist fishing licence and the fees payable, and revokes the existing Tourist Fishing Regulations 1963 (S.R. 1963/175).

*Regulation 8* provides for the sum of \$0.50 to be payable to the respective Island Councils in respect of each day licence issued.

*Regulation 9* revokes the restrictions on the length of fishing rods.

*Regulation 10* increases, from \$2,000 to \$4,000, the maximum penalty for polluting any waters.

*Regulation 11* increases, from \$5 to \$10, the maximum penalty payable on conviction for each day on which any offence against the principal regulations has continued.

*Regulation 12* revokes a spent provision.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 25 September 1980.

These regulations are administered in the Ministry of Agriculture and Fisheries.