



**THE FRESHWATER FISHERIES REGULATIONS 1983,
AMENDMENT NO. 18**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 28th day of August 1995

Present:

THE RIGHT HON. D. C. MCKINNON PRESIDING IN COUNCIL

PURSUANT to sections 48 and 48A of the Conservation Act 1987, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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| <ul style="list-style-type: none"> 1. Title and commencement 2. Interpretation 3. Verification of licences 4. Obligation of anglers to give name and address and to produce licence or identification | | <ul style="list-style-type: none"> 5. Authority required for use of electric fishing machines 6. New Second Schedule substituted 7. Part season and niche licences Schedule |
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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Freshwater Fisheries Regulations 1983, Amendment No. 18, and shall

be read together with and deemed part of the Freshwater Fisheries Regulations 1983* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of October 1995.

2. Interpretation—(1) Regulation 2 (1) of the principal regulations is hereby amended by inserting, after the definition of the term “limit bag”, the following definition:

“ ‘New participant’ means any person who has not previously been issued with any Class I (whole of season) adult licence issued under Part I of the Second Schedule to these regulations or a Class I (whole of season) young adult licence issued under Part II of the Second Schedule to these regulations:”.

(2) Regulation 2 (1) of the principal regulations is hereby amended by adding the following definition:

“ ‘Young adult’ means, in relation to a season, a person who is of or over the age of 16 years and under the age of 20 years on the 1st day of October of that season.”

3. Verification of licences—The principal regulations are hereby amended by revoking regulation 11, and substituting the following regulation:

“11. (1) Every licence shall before issue be verified by the signature of the manager of the Fish and Game Council by which the licence is issued or by the signature of some other person authorised by the Fish and Game Council.

“(2) Except as provided in subclause (3) of this regulation, no licence shall have any effect or validity until the holder has verified it by signing the holder’s usual signature legibly and clearly in the space provided for the purpose on the licence.

“(3) Where any licence has been issued under subclause (1) of this regulation but the holder has not yet received the licence, that licence is valid and effective from date of issue for the period specified in the licence, notwithstanding that the holder has not complied with subclause (2) of this regulation.”

4. Obligation of anglers to give name and address and to produce licence or identification—The principal regulations are hereby amended by revoking regulation 20, and substituting the following regulation:

“20. Every person taking sports fish or in possession of a rod or gear suitable for taking sports fish shall, on the demand of any Officer,—

“(a) Give that person’s true names and place of residence; and

*S.R. 1983/277

Amendment No. 1 S.R. 1984/559

Amendment No. 2: (Revoked by S.R. 1985/222)

Amendment No. 3: S.R. 1985/222

Amendment No. 4: S.R. 1986/197

Amendment No. 5: (Revoked by S.R. 1988/122)

Amendment No. 6: S.R. 1988/122

Amendment No. 7: (Revoked by S.R. 1990/136)

Amendment No. 8: S.R. 1990/136

Amendment No. 9: S.R. 1990/209

Amendment No. 10: S.R. 1991/83

Amendment No. 11: S.R. 1991/151

Amendment No. 12: (Revoked by S.R. 1992/229)

Amendment No. 13: (Revoked by S.R. 1993/153)

Amendment No. 14: S.R. 1993/153

Amendment No. 15: S.R. 1993/270

Amendment No. 16: S.R. 1994/85

Amendment No. 17: S.R. 1994/193

- “(b) Produce and show the contents of that person’s creel or container and any live bait in that person’s possession; and
- “(c) Where regulation 11 (3) of these regulations applies, produce identification showing that person’s true name, place of residence, and signature; or
- “(d) In any other case, produce that person’s licence and make or give legibly and clearly a specimen signature for comparison with the signature on the licence.”

5. Authority required for use of electric fishing machines—

Regulation 51 of the principal regulations (as substituted by regulation 2 of the Freshwater Fisheries Regulations 1983, Amendment No. 14) is hereby amended by revoking subclause (7), and substituting the following subclause:

- “(7) Any person may appeal to the Minister—
- “(a) Against a refusal by the Fish and Game Council to issue an authority under subclause (1) (a) of this regulation; or
- “(b) Against a refusal by the Director-General to issue an authority under subclause (1) (b) of this regulation; or
- “(c) Against the imposition by the Director-General or the Fish and Game Council, in accordance with subclause (3) (a) of this regulation, of any conditions of an authority; or
- “(d) Against the variation by the Director-General or the Fish and Game Council, in accordance with subclause (3) (b) of this regulation, of any conditions of an authority; or
- “(e) Against the withdrawal by the Director-General or the Fish and Game Council of any authority issued under subclause (1) of this regulation,—

and the Minister may confirm, modify, or reverse the decision.”

6. New Second Schedule substituted—(1) The principal regulations are hereby amended by revoking the Second Schedule (as substituted by regulation 2 of the Freshwater Fisheries Regulations 1983, Amendment No. 17), and substituting the Second Schedule set out in the Schedule to these regulations.

(2) The Freshwater Fisheries Regulations 1983, Amendment No. 17 are hereby consequentially revoked.

7. Part season and niche licences—(1) Subclauses (2) to (7) of this regulation apply in respect of the licences specified in Part II of the Second Schedule to the principal regulations (as substituted by regulation 2 of these regulations).

(2) A class 1 licence (a whole of season licence) issued under Part II of the Second Schedule to the principal regulations may be issued only to a young adult and only by—

- (a) The Northland Fish and Game Council:
- (b) The Taranaki Fish and Game Council:
- (c) The Nelson/Marlborough Fish and Game Council:
- (d) The North Canterbury Fish and Game Council:
- (e) The West Coast Fish and Game Council:
- (f) The Central South Island Fish and Game Council:
- (g) The Otago Fish and Game Council:
- (h) The Southland Fish and Game Council,—

for use only within the region of the Council that issued the licence.

(3) A class 2 licence (a winter licence) issued under Part II of the Second Schedule to the principal regulations is valid only for the period specified in the licence (which period shall begin not earlier than the 1st day of April in any year and end not later than the 30th day of September in that year) and may be issued only by—

- (a) The Northland Fish and Game Council:
- (b) The Hawkes Bay Fish and Game Council:
- (c) The Taranaki Fish and Game Council:
- (d) The Wellington Fish and Game Council:
- (e) The Nelson/Marlborough Fish and Game Council:
- (f) The North Canterbury Fish and Game Council:
- (g) The West Coast Fish and Game Council:
- (h) The Central South Island Fish and Game Council:
- (i) The Otago Fish and Game Council:
- (j) The Southland Fish and Game Council,—

for use only within the region of the Council that issued the licence.

(4) A class 3 licence (a 72 hour licence) issued under Part II of the Second Schedule to the principal regulations is valid only for the 72 hours specified in the licence and may be issued only by the North Canterbury Fish and Game Council for use only within the North Canterbury fish and game region.

(5) A class 4 licence (a 48 hour licence) issued under Part II of the Second Schedule to the principal regulations is valid only for the 48 hours specified in the licence and may be issued only by—

- (a) The North Canterbury Fish and Game Council:
- (b) The Otago Fish and Game Council:
- (c) The Southland Fish and Game Council,—

for use only within the region of the Council that issued the licence.

(6) A class 5 licence (a 24 hour licence) issued under Part II of the Second Schedule to the principal regulations is valid only for the 24 hours specified in the licence and may only be issued by—

- (a) The Northland Fish and Game Council:
- (b) The Eastern Fish and Game Council:
- (c) The Hawkes Bay Fish and Game Council:
- (d) The Nelson/Marlborough Fish and Game Council:
- (e) The North Canterbury Fish and Game Council:
- (f) The West Coast Fish and Game Council:
- (g) The Central South Island Fish and Game Council:
- (h) The Otago Fish and Game Council:
- (i) The Southland Fish and Game Council,—

for use only within the region of the Council that issued the licence.

(7) A class 6 licence (a new participant whole of season licence) issued under Part II of the Second Schedule to the principal regulations may be issued only to a new participant by the Nelson/Marlborough Fish and Game Council for use only within the Nelson/Marlborough Fish and Game region.

Reg. 2

SCHEDULE

NEW SECOND SCHEDULE SUBSTITUTED IN PRINCIPAL REGULATIONS

Regs, 4, 14

"SECOND SCHEDULE

LICENCES AND FEES

PART I

Whole Season, Weekly, and Day General Licences

Whole season licences and weekly licences are available throughout New Zealand, except in the Taupo District. Day licences are available only in the region of issue.

<i>Number of Class</i>	<i>Class of Licence</i>	<i>Fee for Adult Licence</i>	<i>Fee for Junior Licence</i>
		\$	\$
1	Whole of Season	58.00	11.50
2	Weekly	28.00	5.00
3	Day	11.50	3.50

PART II

Other Licences

These licences are available only in certain areas during certain periods. The applicable areas and issuing authorities are specified in regulation 7 of the Freshwater Fisheries Regulations 1983, Amendment No. 18.

<i>Number of Class</i>	<i>Class of Licence</i>	<i>Fee for Adult Licence</i>	<i>Fee for Young Adult Licence</i>	<i>Fee for Junior Licence</i>
		\$	\$	\$
1	Whole of Season	No such licence under this Part of this Schedule	29.00	No such licence under this Part of this Schedule
2	Winter	35.00	17.50	7.00
3	72 hour	19.00	9.50	4.50
4	48 hour	16.50	8.50	4.00
5	24 hour	11.50	6.00	3.50
6	New participant whole of season	29.00	No such licence under this part of this Schedule	No such licence under this part of this Schedule

DIANE WILDERSPIN,
Acting for 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, which come into force on 1 October 1995, amend the provisions of the Freshwater Fisheries Regulations 1983 by—

(a) Increasing the licence fees:

(b) Providing an exception to the requirements to validate a licence and carry an operative fishing licence when fishing:

(c) Adding further appeal rights in relation to the use of electric fishing machines.

The fee increases range from 50c per licence to a maximum of \$2.00 per licence.

Where the licence has been issued but has not been received by the applicant, the requirement that the licence be validated by signing it and the requirement that a person, when fishing, carry a valid licence are both waived. Licences can therefore be purchased by telephone immediately before a fishing trip.

A right of appeal against the imposition or variation of conditions on an authority to use an electric fishing machine and a right of appeal against the withdrawal of such an authority are given by the regulations.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 31 August 1995.

These regulations are administered in the Department of Conservation.