



**THE FRESHWATER FISHERIES REGULATIONS 1983,  
AMENDMENT NO. 14**

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CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 31st day of May 1993

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL 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.

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REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Freshwater Fisheries Regulations 1983, Amendment No. 14, and shall be read together with and deemed part of the Freshwater Fisheries Regulations 1983\* (hereinafter referred to as the principal regulations).

\*S.R. 1983/277

Amendment No. 1: S.R. 1984/259  
 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: S.R. 1992/118  
 Amendment No. 13: S.R. 1992/229

(2) Except as provided in subclause (3) of this regulation, these regulations shall come into force on the 1st day of July 1993.

(3) Regulations 2, 3, and 5 of these regulations shall come into force on the 1st day of August 1993.

**2. New Part VII substituted**—The principal regulations are hereby amended by revoking Part VII, and substituting the following Part:

#### “PART VII

##### “USE OF ELECTRIC FISHING MACHINES

“51. **Authority required for use of electric fishing machines**—(1) Except as provided in subclause (2) of this regulation, no person shall use an electric fishing machine for the taking of freshwater fish except with—

“(a) A written authority issued by the Fish and Game Council for the fish and game region in which the waters fished are situated; and

“(b) A written authority issued by the Director-General.

“(2) Subclause (1) of this regulation shall not apply to—

“(a) An employee of a Fish and Game Council who uses an electric fishing machine in waters within the region of the Council pursuant to an authority issued by the Council; or

“(b) An officer or employee of the Department of Conservation authorised by the Director-General to use an electric fishing machine.

“(3) The Fish and Game Council and the Director-General, respectively,—

“(a) May issue an authority under subclause (1) of this regulation on such conditions as may be specified in the authority; and

“(b) May, at any time, in writing vary any of the conditions of the authority.

“(4) Every person who holds an authority under subclause (1) of this regulation shall comply with the conditions imposed under subclause (3) of this regulation.

“(5) The Fish and Game Council may withdraw an authority issued by the Council and the Director-General may withdraw an authority issued by him or her, under subclause (1) of this regulation, where the holder breaches any condition imposed under subclause (3) of this regulation.

“(6) Every withdrawal of an authority shall be notified in writing to the holder of the authority.

“(7) Any person may appeal to the Minister against a decision of a Fish and Game Council or the Director-General to refuse to issue him or her with an authority under subclause (1) of this regulation, and the Minister may confirm, modify, or reverse the decision appealed against.”

**3. Offences and penalties**—Regulation 72 (2) of the principal regulations (as added by regulation 8 of the Freshwater Fisheries Regulations 1983, Amendment No. 9) is hereby amended by inserting, after the expression “50,” the expression “51 (1), 51 (4),”.

**4. New Second Schedule substituted**—(1) The principal regulations are hereby amended by revoking the Second Schedule (as substituted by regulation 2 (1) of the Freshwater Fisheries Regulations 1983, Amendment

No. 13), and substituting the Second Schedule set out in the Schedule to these regulations.

(2) The Freshwater Fisheries Regulations 1983, Amendment No. 13 are hereby consequentially revoked.

**5. Revocations**—Regulations 5 to 7 of the Freshwater Fisheries Regulations 1983, Amendment No. 3 are hereby consequently revoked.

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Reg. 4 (1)

## SCHEDULE

## NEW SECOND SCHEDULE TO PRINCIPAL REGULATIONS

Regs. 4, 14

## "SECOND SCHEDULE

## LICENCES AND FEES

1. *Fees for general licence:* Whole season licences and weekly licences are available throughout New Zealand, except in the Eastern Fish and Game Region or the Taupo District. Monthly licences are available only in the Eastern Fish and Game Region. Day licences are available only in the region of issue.

First Column	Second Column	Third Column	Fourth Column
Number of Class	Class of Licence	Fee for Adult Licence	Fee for Junior Licence
		\$	\$
1	Whole of Season	53.00	10.50
2	Week	21.00	No such licence
3	Day	10.50	3.00

2. *Fees for Eastern Fish and Game Region:*

First Column	Second Column	Third Column	Fourth Column
Number of Class	Class of Licence	Fee for Adult Licence	Fee for Junior Licence
		\$	\$
1	Whole of Season	55.00	11.00
2	Month	37.00	No such licence
3	Week	22.00	No such licence
4	Day	11.00	3.50"

BOB MACFARLANE,  
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 amend the provisions of the Freshwater Fisheries Regulations 1983 relating to the use of electric fishing machines and increase the fees payable in respect of the Eastern Fish and Game Region. The regulations relating to electric fishing machines come into force on 1 August 1993 and the new fees come into force on 1 July 1993.

The new provisions relating to electric fishing machines, which are contained in new Part VII of the principal regulations, regulate the use of electric fishing machines by way of 2 written authorities, one to be issued by the Fish and Game Council for the region and the other to be issued by the Director-General of Conservation. A person who is refused an authority may appeal against that decision to the Minister of Conservation.

The new provisions are authorised by sections 48 and 48A of the Conservation Act 1987 and, in particular, the provisions relating to the use of electric fishing machines are authorised by section 48A (1) (1) (as substituted by section 173 (2) of the Electricity Act 1992).

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These regulations are administered in the Department of Conservation.