

1961/168

THE LAKE HAYES (WINTER FISHING) REGULATIONS 1961

COBHAM, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 19th day of December 1961

Present:

THE RIGHT HON. KEITH HOLYOAKE 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, hereby makes the following regulations.

REGULATIONS

1. These regulations may be cited as the Lake Hayes (Winter Fishing) Regulations 1961, and shall be read together with and deemed part of the Southern Lakes Fishing Regulations 1951* (hereinafter referred to as the principal regulations).

2. The principal regulations shall apply in Lake Hayes in the Southern Lakes Acclimatisation District, except as varied by these regulations.

3. (1) There shall be a winter fishing season in Lake Hayes, which shall commence on the 1st day of May and end with the 31st day of August in each year.

(2) Subject to the provisions of these regulations, it shall be lawful to fish for, take, and kill acclimatised fish in Lake Hayes during the winter fishing season.

4. There may be issued a winter fishing season licence to fish for acclimatised fish in Lake Hayes in the form set out in the Schedule to these regulations.

5. The fee for a winter fishing season licence shall be 10s.

6. Notwithstanding anything in regulation 39 of the principal regulations or regulation 88 of the Freshwater Fisheries Regulations 1951* (which relate to the possession of acclimatised fish during the closed season), it shall be a good defence to a person charged with an offence against either of those regulations if he proves—

(a) That the fish in respect of which the offence is alleged to have been committed was fresh, frozen, or smoked fish lawfully taken in Lake Hayes during the winter season; or

*S.R. 1951/220

Reprinted with Amendments Nos. 1 to 5: S.R. 1955/190

Amendment No. 6: S.R. 1956/173

Amendment No. 7: S.R. 1957/194

Amendment No. 8: S.R. 1961/125

- (b) That the fish in respect of which the offence is alleged to have been committed was fish that had been lawfully taken in Lake Hayes during the winter season and canned during that season, and had been preserved in cans or jars in accordance with the provisions of the principal regulations.

7. Nothing in regulation 43 or regulation 44 of the principal regulations (which relate to the storage of fish in freezing chambers during the close season) shall apply to acclimatised fish taken in Lake Hayes during the winter fishing season.

SCHEDULE

WINTER FISHING SEASON LICENCE

LICENCE TO FISH IN LAKE HAYES

The Fisheries Act 1908 and its Amendments and the Southern Lakes Fishing Regulations 1951 and Amendments

THE holder of this licence [*Name in full*], of [*Address*], [*Calling or occupation*], having this day paid the sum of 10s., is hereby authorised to fish for trout and other acclimatised fish with one rod and line only in Lake Hayes in the Southern Lakes Acclimatisation District during any portion of the period commencing on the 1st day of May 19..... and ending with the 31st day of August 19..... (being the winter fishing season for that water), subject to the above-mentioned Acts and Regulations and the Lake Hayes (Winter Fishing) Regulations 1961.

Dated this day of 19.....

.....
 (Signature of Licensee)
 (Not valid until signed)

.....
 (Issuing Officer)

T. J. SHERRARD,
 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 make provision for a winter fishing season in Lake Hayes in the Southern Lakes Acclimatisation District. The winter season will apply to that lake only, and will not extend to Mill Creek, which flows into the lake, or to any other river or stream that flows into or out of the lake.

Subject to these regulations, the Southern Lakes Fishing Regulations 1951 will apply in Lake Hayes during the winter season. Those regulations provide, *inter alia*, that—

- (a) The bag limit is 20 trout.
- (b) The minimum size limit for trout is 12 in., measured from nose to tip of tail.
- (c) Trolling from powered boats in the lake is prohibited.
- (d) Certain lures and methods of fishing are prohibited. The use of worms and natural minnow is permitted in Lake Hayes.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 21 December 1961.

These regulations are administered in the Department of Internal Affairs.