



THE LAKE TAUPO REGULATIONS 1976

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 20th day of December 1976

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Harbours Act 1950 and, in respect of regulation 30, pursuant to the Maori Land Amendment and Maori Land Claims Adjustment Act 1926, His 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 Lake Taupo Regulations 1976.

(2) These regulations shall come into force on the 1st day of March 1977.

2. Interpretation—In these regulations, unless the context otherwise requires,—

“Advertised” means advertised once weekly for 2 consecutive weeks, either in a newspaper circulating in the Borough of Taupo and in the Counties of Taupo and Taumarunui, or in several newspapers that, taken together, circulate in the said borough and counties:

“Aircraft” means an aircraft as defined in section 2 of the Civil Aviation Act 1964:

“Anchor” means secure a vessel to the bed of the lake or adjacent land by means of an anchor, cable or other device belonging to the vessel:

“Annual fee”, means a fee in respect of a continuous period of 12 months commencing with the 1st day of July and expiring with the next following 30th day of June.

“Appropriate annual fee”, in relation to any permit, means the annual fee prescribed for that permit in the First Schedule to these regulations:

“Commercial vessel” means any craft available for charter or plying for hire or reward for the carriage of goods or persons:

“Craft” means any vessel or aircraft:

“Harbourmaster” means the officer so appointed under these regulations, and includes his deputy and any warden acting under his authority or instructions or those of his deputy:

“Lake” means all the waters of Lake Taupo, the navigable rivers and streams flowing into that lake, the tailrace from the Tokaanu power station, and the waters of the Waikato River between Lake Taupo and the Huka Falls:

“Minister” means the Minister of Local Government:

“Mooring” means any weight or article placed in or on the shore or bed of the lake for the purpose of securing a craft, and includes any wire, rope, buoy or other device attached or connected thereto but does not include an anchor or weight removed by a craft when departing from a site anchorage or mooring:

“Motor launch” includes any vessel normally or for the time being driven by mechanical power and includes any other vessel while towing water skis or an aquaplane or other similar object or any person:

“Permit holder”, in relation to any regulation, means the holder of a permit issued pursuant to that regulation:

“Rental vessel” means any vessel available to be let on hire or for reward, and operated by the hirer:

“Secretary” means the Secretary for Local Government:

“Structure” includes any building, enclosure, fence, shed, landing place, wharf, jetty, convenience, and any other work of whatever nature and whatever material:

“Warden” means a person so appointed pursuant to regulation 4 (4) of these regulations, and includes an officer appointed pursuant to section 79 of the Fisheries Act 1908, a ranger appointed pursuant to section 38 of the Wildlife Act 1953, the Harbourmaster, and his deputy.

Except as provided in this regulation expressions defined in the Harbours Act 1950 have the meanings so defined.

3. Area of application—These regulations shall apply to all the waters of the lake.

4. Harbourmaster and wardens—(1) There may from time to time be appointed, under the State Services Act 1962 or otherwise, a person suitably qualified to be a Harbourmaster, who shall carry out the duties imposed upon him by, and enforce, these regulations and investigate and report to the Secretary any breaches thereof.

(2) The Harbourmaster shall also, and is hereby authorised and empowered to, carry out the duties imposed upon Harbourmasters appointed pursuant to section 42 of the Harbours Act 1950 by the General Harbour (Nautical and Miscellaneous) Regulations 1968, and to enforce those regulations, as if he were such a Harbourmaster.

(3) Where the Harbourmaster is, or, in the opinion of the Secretary, it is likely that the Harbourmaster may be, by reason of illness, absence, or other sufficient cause, unable to perform his duties under these regulations for some period, the Secretary may appoint a deputy to act during that period and any deputy so appointed shall, for that period, have all the duties, powers, rights and obligations imposed on and enjoyed by the Harbourmaster.

(4) The Secretary may from time to time appoint any suitable person (whether or not he is an employee of the Public Service) to be a warden, either paid or honorary as he may think desirable.

(5) While purporting to exercise any right or perform any duty pursuant to these regulations, the Harbourmaster, his deputy, and every warden shall carry a warrant of appointment, as Harbourmaster, deputy, warden, officer, or ranger, as the case may be, and shall as soon as is practicable produce it to any person when asked to do so.

5. Warden's powers—Without in any way limiting the generality of regulation 4 (4) of these regulations, any warden may at any time—

(a) Require the person appearing to be in charge of a craft to stop it:

(b) Require any person whom he reasonably believes may be committing or to have committed an offence against these regulations to give his name and address and, if that person appears to be in charge of a craft and denies owning it, the name and address of its owner:

(c) Require the owner of any craft, on being informed of any offence alleged to have been committed against these regulations by any person in any association with it, to give all information in his possession that may lead to the identification of that person:

(d) Board any craft:

(e) Do all such other things as may be necessary to enable him to carry out his powers and functions under these regulations.

6. Obstructing wardens—No person shall—

(a) Obstruct a warden who is acting in the execution of his powers or duties under these regulations; or

(b) Refuse to stop any craft of which he is in charge when called upon to do so by a warden; or

- (c) On being asked by a warden for his name and address, or the name and address of the owner of the craft under his control, or for those of some other person who is alleged to have committed an offence in association with any craft of which he is the owner,—
- (i) Refuse to disclose his true name or place of residence or those of that other person; or
 - (ii) When a more precise description of a place or residence is possible, give so general a description that the place cannot be ascertained by means only of that description.

7. Mooring areas—(1) The Secretary may from time to time, by notice in the *Gazette* which shall not be operative until at least 7 days from the date of publication, set apart a defined area of the lake (other than a place where the taking of trout from a boat is prohibited under any regulations then in force) as a mooring area.

(2) Except in the case of an accident or emergency, no person shall, without the prior written consent of the Harbourmaster, swim or engage in any underwater swimming or underwater operations in any such mooring area.

8. Moorings—(1) The Harbourmaster may lay moorings in any area set apart as a mooring area pursuant to regulation 7 of these regulations.

(2) No person shall use a mooring laid by the Harbourmaster except pursuant to a permit under this regulation.

(3) Any person wishing to obtain a permit to hire a mooring laid by the Harbourmaster shall apply to the Harbourmaster giving details of the craft for which he desires the mooring and stating the area in which he seeks it, and if, in the opinion of the Harbourmaster, there is available in that area a mooring suitable for the craft, the Harbourmaster shall issue to him a permit specifying the mooring allocated to him.

(4) Every application for such a permit shall be accompanied by the appropriate annual fee; and if a permit is granted the permit holder shall in every subsequent year pay that fee.

(5) If at any time there are more applicants than moorings in relation to any area the Harbourmaster shall make a list of the applicants in order of the receipt of their applications and, subject to subclause (3) of this regulation, shall allocate all moorings which are or later become available to the applicants who are successively at the head of the list.

(6) No permit holder shall without the consent of the Harbourmaster use his mooring, or permit it to be used, for any craft other than that described in his application for the permit.

(7) No such permit shall be capable of being transferred, assigned, or hired, either legally or equitably; and every purported transfer, assignment or hiring of a permit shall be void.

(8) Every permit holder shall keep and maintain in proper condition and repair the mooring allocated to him.

(9) If any permit holder is convicted of failing to comply with the requirements of this regulation, or with any direction of a warden, or fails to pay his annual fee under subclause (4) of this regulation within 30 days of its falling due, the Harbourmaster may cancel his permit.

(10) Any such permit may be revoked by the Harbourmaster at any

time, and in such case the permit holder shall be entitled to a refund of such proportion of the fee paid as the unexpired part of the term for which it was issued bears to the whole term.

9. Private moorings—(1) No person shall lay a private mooring anywhere in the lake except pursuant to a permit from the Harbourmaster in that behalf.

(2) The Harbourmaster shall not issue such a permit in respect of a place where the taking of trout from a boat is prohibited by any regulations for the time being in force.

(3) Any person wishing to obtain a permit to lay a private mooring shall apply to the Harbourmaster, giving details of the site on which he wishes to lay the mooring and of the craft he wishes to moor there, and if, in the opinion of the Harbourmaster, there is available in that site a place suitable for it, the Harbourmaster shall issue to him a permit specifying the place where he may lay a mooring.

(4) Every application for such a permit shall be accompanied by an application fee of \$5; and if a permit is granted the permit holder shall then and in every subsequent year pay the appropriate annual fee.

(5) If at any time there are more applicants than suitable mooring sites in relation to any area the Harbourmaster shall make a list of the applicants in order of the receipt of their applications and subject to subclause (3) of this regulation shall allocate all mooring sites which are or later become available to the applicants who are successively at the head of the list.

(6) The owner of any moorings laid by him before the commencement of these regulations and occupied at that date by a craft owned by him who applies for a permit in accordance with this regulation before the 1st day of July 1977 shall, notwithstanding subclause (5) of this regulation, be issued with a permit in respect of that craft and that site or a similarly convenient site.

(7) No permit holder shall without the consent of the Harbourmaster use his mooring or permit it to be used for any craft other than that described in the application for the permit.

(8) No such permit shall be capable of being transferred, assigned or hired, either legally or equitably; and every purported transfer, assignment or hiring of a permit shall be void.

(9) Every mooring laid pursuant to such a permit shall be laid in accordance with the directions of the Harbourmaster, who shall be satisfied that it is of such design, and so strong and heavy, as will safely moor the craft described in the application for the permit.

(10) The permit holder shall keep and maintain his mooring in proper condition and repair; and at such time as the Harbourmaster may direct, (but no more frequently than once every 3 years) and at the expense of the permit holder, the whole of every mooring including the chain shall be lifted and inspected under the supervision of the Harbourmaster, and then repaired or renewed as necessary to the satisfaction of the Harbourmaster.

(11) If any permit holder is convicted of failing to comply with the terms of this regulation, or with any direction of a warden, or fails to pay his annual fee under subclause (4) of this regulation within 30 days of its falling due, the Harbourmaster may cancel his permit.

(12) Any such permit may be revoked by the Harbourmaster at any time and in such case the permit holder shall be entitled to a refund of such proportion of the fee paid as the unexpired part of the term for which it was issued bears to the whole term.

(13) When any permit has been cancelled pursuant to subclause (12) or subclause (10) of this regulation, the owner of the mooring shall remove it within such time as may be allowed him by the Harbourmaster for that purpose and if he fails to do so the Harbourmaster may remove it, and all costs and charges in connection with the removal shall be payable by and recoverable from the owner of the mooring as a debt due to the Crown which, until recovered, shall constitute a lien against the mooring.

(14) Every mooring laid pursuant to such a permit shall, while not occupied by the permit holder, be marked by him with a buoy or float of a type approved by the Harbourmaster.

10. Use of wharves and facilities—(1) No person shall berth any craft at any wharf, jetty, breastwork or other similar work provided or erected by the Crown (in this regulation referred to as a berthing facility) or moor or secure any craft to any other craft legally berthed at any berthing facility, except pursuant to a permit in that behalf from the Harbourmaster.

(2) Any person wishing to obtain a permit to berth any craft at any berthing facility shall apply to the Harbourmaster giving details of the craft that he wishes to use the berthing facility, its intended use, the length of time for which the permit is required, and the berthing facility at which he wishes to berth it, and if, in the opinion of the Harbourmaster, there is available suitable berthage space for a craft of that size and intended to be used in that manner the Harbourmaster shall issue to him a permit specifying the site at the berthing facility to be used (in this regulation referred to as a berthing site), the length of time for which the permit is to remain valid, and the manner in which the craft may be used.

(3) Every application for such a permit shall be accompanied by the fee specified in the First or Second Schedule, as the case may be, to these regulations for a permit for the length of time requested, and every holder of an annual permit shall in every subsequent year pay the appropriate annual fee to the Harbourmaster.

(4) If at any time there are, in relation to any berthing facility, more applicants than berthing sites, the Harbourmaster shall first issue permits to applicants who are the owners of commercial or rental vessels, and shall thereafter make a list of applicants in order of the receipt of their applications and, subject to subclause (2) of this regulation, shall allocate all berthing sites which are or later become available to the applicants who are successively at the head of the list.

(5) The owner of any craft occupying a berthing site with the authority of the Harbourmaster at the commencement of these regulations who applies for a permit under this regulation before the 1st day of July 1977 shall, notwithstanding subclause (4) of this regulation, be issued with a permit in respect of that craft and that berthing site or another similarly convenient berthing site.

(6) The Harbourmaster may grant together with the right to a berthing site, or by separate permit, the right to use any structure on

the berthing facility and may make any permit issued under this subclause subject to such terms and conditions as he may think desirable.

(7) No permit holder shall without the consent of the Harbourmaster use his berthing site, or permit it to be used, for any craft other than that described in his application for the permit.

(8) No such permit shall be capable of being transferred, assigned or hired, either legally or equitably; and every purported transfer assignment or hiring of a permit shall be void.

(9) Every permit holder shall provide fenders to the satisfaction of the Harbourmaster for the purpose of protecting the berthing facility specified in the permit, and shall ensure that his craft when berthed is secured adequately to it.

(10) Any such permit may be revoked by the Harbourmaster at any time, and in such case the permit-holder shall be entitled to a refund of such proportion of the fee paid as the unexpired part of the term for which it was issued bears to the whole term.

11. Launching and hauling out prohibited in certain areas—(1) The Secretary may by notice in the *Gazette* prohibit the launching and hauling out of craft or of any class or classes of craft at any point along the margin of the lake.

(2) No person shall launch into or haul out of the lake any craft contrary to a prohibition notified under subclause (1) of this regulation at any place where that prohibition is indicated by conspicuous notice maintained by the Harbourmaster.

12. Damage to wharves—(1) The person in charge of any craft which damages any wharf or other structure under the control of the Secretary or any part thereof, or any machinery, plant, appliances, building or property thereon or adjacent thereto, shall forthwith report the occurrence to the Harbourmaster.

(2) Any such damage may be repaired by the Harbourmaster and the cost of repair may be recovered by the Secretary from the owner or person in charge of the craft as a debt due to the Crown.

13. Craft to be securely moored—(1) No person shall leave any craft unmanned on the lake unless it is moored or anchored.

(2) Every craft that is at any time moored or anchored in the lake shall be securely moored so as not to break adrift or be likely to do so, and so as not to cause danger to other craft or structures on or near the lake or be likely to do so.

14. Houseboats—The Harbourmaster may direct a person to remove from the lake any vessel under his control or owned by him that in the opinion of the Harbourmaster is intended for residential use rather than navigation.

15. Harbourmaster to secure vessels—(1) In any case of non-compliance with these regulations, the Harbourmaster may, if in his opinion it is necessary to do so to ensure compliance with the Harbours Act 1950 or any regulations made thereunder, or to mitigate that non-compliance, moor, unmoor, place, or remove any craft, and for any such purpose may cast off or loose any warp or rope, or unshackle or loose

any chain by which a craft is moored or fastened (first putting on board a sufficient number of persons for the protection of the craft in case there is no person on board to protect it).

(2) The cost of any action undertaken by the Harbourmaster pursuant to subclause (1) of this regulation shall be recoverable from the owner of the craft concerned as a debt due to the Crown.

(3) The Harbourmaster may retain possession of any craft that he has dealt with pursuant to subclause (1) of this regulation in respect of which a debt due under subclause (2) of this regulation has not been paid until either:

(a) The debt is paid; or

(b) A person entitled to possession of the craft provides the Harbourmaster with particulars of his name and address and those of the owner of the craft and, if the Harbourmaster thinks fit, with evidence satisfactory to the Harbourmaster of the correctness thereof.

(4) If pursuant to subclause (1) of this regulation the Harbourmaster secures any craft at any mooring or berth maintained by him, the cost of so securing it shall be deemed to include a rateable proportion of the fee for the time being in force for that mooring or berth.

(5) The Harbourmaster may place and maintain over any craft to which subclause (1) of this regulation applies a custodian or custodians and the cost of securing that craft shall be deemed to include the cost of maintaining that custody.

16. Craft wrecked—Where any craft founders or is wrecked in the lake the person in or succeeding to control of it upon such happening shall, as soon as may be practicable, provide buoy and light indications sufficient to show the location of the craft and give due warning of possible danger and shall take all practicable steps to recover and remove it to safety; and if he thinks action has not been taken as aforesaid the Harbourmaster may take such protective action as seems to him to be required in the circumstances, and the Secretary may recover as a debt due to the Crown from the owner all expenses reasonably incurred in doing so which shall constitute a lien against the craft until satisfied.

17. Licences for commercial vessels—(1) No person shall operate or cause or permit to be operated on the lake any commercial vessel (not being an aircraft or a vessel required to be surveyed pursuant to the Shipping and Seamen Act 1952) without a licence under this regulation for that vessel.

(2) No such licence shall be granted in respect of any vessel unless the Harbourmaster is satisfied that the vessel meets the requirements as to survey set out in regulation 19 of these regulations; nor shall any such licence be granted unless the Harbourmaster is satisfied the vessel's intended operator is competent to manage the vessel and familiar with local conditions.

(3) Every licence issued under this regulation shall apply only to the operator or operators and vessel named therein and shall state the maximum number of persons and the maximum weight of cargo the vessel may carry and shall specify the limits (if any) within which the vessel may operate.

(4) Every owner of a licensed commercial vessel shall cause it at all times to carry the licence in a conspicuous position.

(5) Every owner of a licensed commercial vessel shall cause the name of that vessel to be legibly displayed in letters not less than 10 cm high in a conspicuous position on the hull or superstructure, and shall maintain the lettering in legible condition throughout the whole term of the licence.

(6) Every licensee shall pay the appropriate annual fee with his application for a licence and thereafter annually and if he fails to comply with the terms of this regulation, or fails to pay his licence fee within 30 days of its falling due, or if it appears to the Harbourmaster to be necessary in the interests of safety, navigation or public interest, the Harbourmaster may cancel the licence.

(7) In the case of the cancellation of a licence for reasons other than non-compliance with this regulation or for non-payment of the fee, the Harbourmaster shall refund to the licensee such proportion of his licence fee as the unexpired part of the term for which it was issued bears to the whole term.

(8) No person shall in any year operate or cause or permit to be operated on the lake any commercial vessel required to be surveyed pursuant to the Shipping and Seamen Act 1952 without having first paid to the Harbourmaster the annual licence fee for that year.

18. Licences for rental vessels—(1) No person shall offer for hire or permit to be offered for hire on the lake any vessel without having first obtained from the Harbourmaster a licence under this regulation for that vessel.

(2) No person shall offer for hire or permit to be offered for hire, to any person under the age of 15 years, a licensed vessel that is a motor launch capable of a speed greater than 16 kilometres per hour.

(3) No such licence shall be granted in respect of any vessel unless either the application therefor is accompanied by a certificate granted under the provisions of the Shipping and Seamen Act 1952 that the provisions of that Act as to survey of the vessel have been complied with, or the Harbourmaster is satisfied that the vessel meets the requirements as to survey set out in regulation 19 of these regulations; nor shall any such licence be granted unless the Harbourmaster is satisfied that the applicant is competent to manage the vessel for which a licence is sought and is familiar with local conditions as they affect the lake waters.

(4) Every licence issued under this regulation shall apply only to the operator or operators and vessel specified therein, and shall state the maximum number of persons the vessel may carry, and the limits, if any, within which it may operate.

(5) Every owner of a vessel licensed under this regulation shall cause to be displayed upon it in some conspicuous position the number assigned to it in the licence together with the prefix letter "T", such letter and number to be not less than 10 cm high, and shall maintain such letter and number in legible condition throughout the whole term of the licence.

(6) The owner of a licensed rental vessel shall not permit it to be used unless the equipment specified in regulation 19 of these regulations

is on board it, nor by more persons than are specified on the licence, which number he shall cause to be marked in a conspicuous place on the vessel.

(7) Except with the prior written consent of the Harbourmaster and subject to such conditions as he may impose, no owner of a licensed rental vessel shall permit it to be hired out or used during the hours of darkness or when the weather makes conditions dangerous.

(8) Except with the prior written consent of the Harbourmaster and subject to such conditions as he may impose, or in the event of accident or emergency, no person hiring any rental vessel shall—

(a) Carry in that vessel more than the number of persons specified in the licence:

(b) Proceed in that vessel beyond the limits specified in the licence, or when none are specified, beyond 5 km from base and 400 m from the margin of the lake.

(9) Every licensee shall pay the appropriate annual fee with his application for a licence and thereafter annually, and if he fails to comply with the terms of this regulation, or fails to pay his licence fee within 30 days of its falling due, or should it appear to the Harbourmaster to be necessary he may cancel the licence.

(10) In the event of the cancellation of a licence for reasons other than non-compliance with this regulation or for non-payment of the fee, the Secretary shall refund to the licensee on the cancellation of his licence, such proportion of his licence fee as the unexpired part of the term for which it was issued bears to the whole term.

19. Surveys—(1) This regulation applies to all commercial and rental vessels not requiring a certificate of survey issued under the provisions of the Shipping and Seamen Act 1952.

(2) Every such vessel shall be sufficiently buoyant when swamped to support its passengers and crew, any engine or motor it may carry and all other equipment it is required or may be likely to have on board.

(3) In any motor launch the engine or motor shall be fit for the purpose for which it is intended to be used, efficiently maintained, and with potential hazards of fire or injury eliminated or adequately isolated.

(4) Every such vessel shall carry the following equipment:

(a) A life jacket, of a type approved by the Chief Surveyor of Ships for each person intended to be carried on board:

(b) Two oars and rowlocks secured to the vessel (or, in the case of a canoe, 2 paddles attached to the vessel):

(c) A bailer or bilge pump.

(5) Every motor launch shall also carry:

(a) Means of extinguishing fire approved by the Harbourmaster:

(b) An anchor and warp, ready for use:

(c) Such tools and spare parts as may reasonably be expected to be required for the engine or motor.

(6) Every such vessel for which the operator intends to seek a licence to operate during the hours of darkness shall carry a flashlight, a compass, and the statutory navigation lights.

(7) The owner of every such vessel shall at all times possess, and when so ordered by the Harbourmaster produce to him:

- (a) A certificate, not more than 12 months old, from a boat-builder for the time being approved by the Harbourmaster for that purpose that the vessel is sound and seaworthy and suitable in all respects for the purposes specified therein; and
- (b) A schedule of engines or motors to be used, showing make, model, and separate identification, each engine or motor being certified, not more than 12 months previously, by a qualified motor mechanic as having been checked and found to be in good running order and condition.

20. Nuisances by use, and obstruction—No person shall—

- (a) Use or manage any craft or any waterski, aquaplane or other similar object, or tow any person behind any motor launch in such a manner as to create a nuisance:
- (b) Anchor or moor any craft in the fairway or any channel or within 50 m of a water supply intake marked by a conspicuous notice, or anchor or moor any craft so as to obstruct the approach to any wharf or landing:
- (c) Leave any craft unattended on the lake in such a position or manner as to be likely to become dangerous to other craft, or any swimmer or other person:
- (d) Place any cable, warp or other object or any tree, log or other obstruction in or on any part of the lake in such a position or manner as to cause or to be likely to cause injury to any person or damage to any craft or to impede navigation.

21. Dead animals—No person shall drown any animal in the lake, or leave or throw any dead animal in it.

22. Area prohibition of bathing—No person shall bathe in any part of the lake in respect of which the Harbourmaster by conspicuous notice indicates that bathing is prohibited.

23. Navigational aids—(1) Except with the prior written consent of the Harbourmaster no person shall use, display, injure, damage, deface, destroy, remove or otherwise interfere with any buoy or other appliance or sign or signal bell or warning device provided by the Crown or by any yacht club, boat club or person unless such action is necessary for the purpose of protecting or saving life.

(2) Except with the prior written consent of the Harbourmaster, no person shall erect, maintain or display any beacon, light, mark buoy, or other device which may be used as or mistaken for a navigational aid.

24. Lifesaving—(1) No person shall hinder or interfere with the carrying out of any lifesaving operation, practice or demonstration, or any person engaged therein.

(2) No person shall interfere with, remove, destroy or damage any lifebuoy or lifesaving apparatus erected, maintained, or otherwise controlled by the Secretary or the Harbourmaster.

25. Special area—(1) The Secretary may by notice in the *Gazette*—

- (a) Reserve a specified area of the waters of the lake to be used for bathing; and no person shall use any craft of any sort in any such area where conspicuous notices advertising the reservation are posted.
- (b) Reserve a specified area of the waters of the lake to be used for racing by any class or classes of yachts or other vessels or for use by aircraft or for water ski-ing, aquaplaning or other aquatic sports, and prohibit or regulate the use of such an area by other craft; and all special areas shall be marked by buoys or transit posts and notice boards of a type, size, shape and colour which conform with marking appliances set out in recommendations or instructions from the Ministry of Transport:
- (c) Regulate entry to, operation of, and emergence from launching areas and slipways and may restrict the use of any of them to particular types or classes of craft.

(2) The Harbourmaster may reserve, for a period of not more than 3 days, any specified area of the waters of the lake for any of the uses specified in paragraph (b) of subclause (1) of this regulation in which case he shall have the same powers and obligations as the Secretary has pursuant to that paragraph.

(3) The intention to make a reservation under this regulation shall be advertised so that the first publication of the advertisement appears not earlier than 21 days nor later than 14 days before the day that reservation takes effect.

(4) No person shall use any special area except for the purpose for which it was set apart, or to render assistance in case of accident or emergency; and for the purposes of this regulation a person shall be deemed to be fishing both at the place from which he is fishing and also at any place reached by his line or lure.

26. Offences and penalties—(1) Every person commits an offence against these regulations who—

- (a) Fails, refuses, or neglects to comply with any lawful direction of the Secretary, a Harbourmaster or warden or person acting under their authority; or
- (b) In any manner obstructs, impedes, or interferes with the doing of anything enjoined or authorised to be done pursuant to these regulations; or
- (c) Does any act in contravention of or fails to comply with any provision of these regulations.

(2) Every person convicted of an offence against these regulations shall be liable to a fine not exceeding \$100, and in the case of a continuing offence to an additional fine of \$10 for every day on which the offence continues.

27. Permits to use launching facilities controlled by Secretary—

(1) Subject to subclause (2) of this regulation, no person shall launch any vessel into the lake or haul any vessel therefrom by means of any launching ramp or other similar facility controlled by the Secretary.

(2) It shall be a defence to a charge under subclause (1) of this regulation that a current permit from the Secretary so to use such a facility was held in respect of that vessel by the person charged or the owner of any vessel alleged so to have been launched or hauled out.

(3) The Secretary may authorise any person to issue such permits on his behalf.

(4) The fees for such permits shall be as set out in the Schedules to these regulations.

28. Money received—All money paid to the Harbourmaster shall be deemed to be paid to the Secretary and received by him on behalf of the Crown.

29. Transitional—Notwithstanding anything in these regulations, the Secretary may issue a permit under these regulations for the year ending with the 30th day of June 1977 to a person who pays such amount (being an amount less than the appropriate annual fee for that permit) as in the opinion of the Secretary is reasonable having regard to the proportion of that year then remaining.

30. Revocation—The Taupo Harbour Regulations 1935* are hereby revoked.

*Gazette, 7 March 1935, p. 619

SCHEDULES

FIRST SCHEDULE

ANNUAL FEES

1. *Fees for use of moorings provided by Harbourmaster*—Either \$100 or an amount calculated at a rate of \$4 per 300 mm or part thereof of the length of the craft to be moored, calculated on the basis of the overall length of the vessel including all permanent extrusions, whichever is the greater.

2. *Fees for mooring sites*—Either \$70 or an amount calculated at a rate of \$2 per 300 mm or part thereof of the length of the craft to be moored at the site, calculated on the basis of the overall length of the vessel including all permanent extrusions, whichever is the greater.

3. *Fee for licences for commercial vessels*—\$275 per vessel.

4. *Fee for licences for rental vessels*—

(a) \$25 per power driven vessel:

(b) \$7 per vessel in any other case.

5. *Fee for permit to use launching ramps and similar facilities provided by the Secretary*—\$20 per vessel.

6. *Fees for berths at wharves, jetties and breastworks*—

(a) At floating jetty, Tokaanu tailrace marina—\$85:

(b) Parallel berth elsewhere—\$8 per 300 mm or part thereof of berth:

(c) Bow-in berth elsewhere—\$18 per 300 mm or part thereof of berth.

SECOND SCHEDULE

FEES FOR PERIODS OF LESS THAN ONE YEAR

1. *Fees for permit to use launching ramps and similar facilities controlled by the Harbourmaster—*

- (a) \$1 per vessel for a permit valid for one day:
- (b) \$8 per vessel for a permit valid for one month.

2. *Fees for berths at wharves, jetties, and breastworks—*

- (a) \$3 per berth per day:
- (b) \$12 per berth per week.

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 provide for the general control of activities on and in Lake Taupo, and replace the Taupo Harbour Regulations 1935.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 22 December 1976.

These regulations are administered in the Department of Internal Affairs.