

Serial Number 1951/36

THE ROTORUA TROUT FISHING REGULATIONS 1951

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 6th day of
March, 1951

Present :

THE RIGHT HON. S. G. HOLLAND 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, doth hereby make the following regulations

REGULATIONS

PART I—PRELIMINARY

1. (1) These regulations may be cited as the Rotorua Trout Fishing Regulations 1951.

(2) Subject to the provisions of subclause (3) of regulation 8 hereof and of subclause (3) of regulation 24 hereof, these regulations shall come into force on the day after the date of their notification in the *Gazette*.

Interpretation

2. (1) In these regulations, unless the context otherwise requires,—
- “Canning”, in relation to trout, includes the preservation of trout in sealed cans or jars ; and “can” has a corresponding meaning :
 - “Close season” means, in respect of any part of the district, the portion of any year which is not included in the open season for that part :
 - “Commercial smokehouse” means any smokehouse in respect of which a fee is charged for the smoking of trout or any smokehouse available with or without additional charge to the paying guests of any angling camp, angling lodge, or boardinghouse ; and includes any fish preparation room, salting room, or drying room adjacent to or forming part of a smokehouse :
 - “Day” means a day computed from midnight to midnight :
 - “District” means the Rotorua Trout Fishing District as described in the First Schedule hereto :
 - “Issuing officer” means any person authorized to issue licences under these regulations :
 - “Licence” means a licence to fish for trout issued under these regulations :

“Open season” means—

(a) In respect of all rivers and streams in the district flowing into lakes and the tributaries of all such rivers and streams (but excepting the Ohau Channel and the Waikato River), the 1st day of December in any year to the 14th day of May in the year next following (both days inclusive):

(b) In respect of all other waters in the district, the 1st day of November in any year to the 14th day of May in the year next following (both days inclusive):

“Secretary” means the Secretary for Internal Affairs; and “his appointee”, in relation to the Secretary, means any person authorized in writing by the Secretary to act on his behalf in respect of all matters or in respect of any specified matter arising under these regulations.

(2) For the purposes of these regulations, a person who is fishing shall be deemed to be fishing both at the place from where he is fishing and also at any place reached by his line or lure.

3. These regulations shall have force and effect only in the waters and places comprised in the district.

4. In so far as any regulations heretofore made and now in force are inconsistent with or repugnant to these regulations, the same shall be deemed to be subject to these regulations.

5. These regulations are divided into Parts, as follows:—

Part I—Preliminary. (Regulations 1 to 5.)

Part II—Licences. (Regulations 6 to 24.)

Part III—Restrictions on Times and Methods of Fishing. (Regulations 25 to 37.)

Part IV—Pollution of Waters. (Regulations 38 to 40.)

Part V—Wrongful Possession and Dealing. (Regulations 41 to 44.)

Part VI—Storage of Fish in Freezing Chambers. (Regulations 45 to 49.)

Part VII—Canning of Trout. (Regulations 50 to 62.)

Part VIII—Commercial Smokehouses. (Regulations 63 to 65.)

Part IX—Indigenous Fish. (Regulations 66 to 70.)

Part X—Liberation of Fish. (Regulation 71.)

Part XI—Faunistic Reserves. (Regulation 72.)

Part XII—Miscellaneous. (Regulations 73 to 84.)

PART II—LICENCES

Issue of Licences

6. The following licences to fish for trout in the district may be issued:—

(a) A whole season licence:

(b) A weekly licence:

(c) A day licence.

7. Applications for licences shall be made to an issuing officer.

8. (1) All licences shall be issued under the hand of an issuing officer, and shall be generally in the form set forth in the Second Schedule hereto.

(2) No licence shall have any effect or validity until the holder thereof has verified the same by signing his usual signature clearly and legibly in the space provided for the purpose on the licence.

(3) Subclause (2) of this regulation shall apply only with respect to licences issued after the close of the open season which is current at the commencement of these regulations.

9. Any issuing officer may refuse to issue a licence to any person who within the previous two years has been convicted of any breach of the provisions of any Act relating to fishing for trout or of any regulations made thereunder.

Licence Fees

10. There shall be paid and taken for licences issued under these regulations the appropriate fees set out in the Third Schedule hereto.

11. The appropriate fee shall be paid to the issuing officer before the issue of the licence.

12. Every person commits an offence against these regulations who, with a view to obtaining any licence for a fee lower than the appropriate fee payable under regulation 10 hereof, makes any false representation to an issuing officer as to the age of himself or of any other person.

13. If through no fault of his own a person who has paid the prescribed fee for a licence is unable to use the licence, or in any case in which there are special circumstances which in the opinion of the Secretary render a refund of the fee advisable, the Secretary may, in his absolute discretion, direct that the fee shall be refunded to that person. In that event that person shall, before the refund is made, surrender the licence to the Secretary.

14. If any person to whom a licence has been issued under these regulations proves to the satisfaction of the Secretary or his appointee, by such evidence as the Secretary or his appointee requires, that any licence or copy of a licence has been lost or mutilated or become illegible, and on payment of a fee of 2s. 6d., he may at any time during the currency of the licence obtain from the Secretary or his appointee a copy of the licence certified as being a true copy, and that copy shall be available for all purposes for which the original licence could have been available under these regulations.

Rights, Duties, and Restrictions Under Licences

15. The holder of a whole season licence may fish for, take, and kill trout in any part of the district during the whole of the open season for the part of the district in respect of which the licence is issued, but every such licence shall be for one season only and shall expire at the close of the open season in respect of which it was issued.

16. The holder of a weekly or day licence may fish for, take, and kill trout in any part of the district within the open season for that part during or in respect of which the same is issued between the first and last days set out in the licence (both days inclusive) or on the day set out in the licence, as the case may be.

17. Every licence shall be subject always to the special limits and restrictions set out in these regulations or otherwise imposed by law, and, notwithstanding the terms of any licence, the holder thereof shall not be authorized to fish in any place during the close season in that place.

18. No licence shall confer any right of entry upon the land of any person without his consent.

19. No licence shall be transferable or be deemed to authorize any person to fish other than the person named therein.

20. (1) Any angler taking any trout bearing a tag or distinguishing device shall either cause the trout and tag or device to be delivered to the Conservator of Wildlife at Rotorua or to a ranger or an issuing officer, or shall forthwith deliver to the Conservator of Wildlife at Rotorua or to a ranger or issuing officer full particulars in writing of the tag or distinguishing device, the place where and date when the fish was taken, and, if it is reasonably possible so to do, the weight and length of the fish.

(2) No person shall mark any living trout by attaching thereto a tag or other distinguishing device or by clipping or removing a fin or fins, except with the written consent of the Secretary.

21. No person shall fish for, take, or kill trout within the district unless he is the holder of a licence issued under these regulations, for which the prescribed fee has been paid.

22. A general licence to fish for, take, or kill trout and other acclimatized fish in every acclimatization district issued pursuant to the Freshwater Fisheries Regulations 1951* shall not entitle the holder to fish for, take, or kill trout or other acclimatized fish in the Rotorua Trout Fishing District; and a general licence as aforesaid shall not be required to entitle a person holding a licence under these regulations to fish for, take, or kill trout in the Rotorua Trout Fishing District.

23. A licence to fish for, take, and kill trout in the Taupo Trout Fishing District issued pursuant to the Taupo Trout Fishing Regulations 1950,† shall not entitle the holder to fish for, take, or kill trout in the Rotorua Trout Fishing District; and shall not be required to entitle a person holding a licence under these regulations to fish for, take, or kill trout in the Rotorua Trout Fishing District.

24. (1) Every person fishing for trout or in possession of fishing gear shall, on the demand of any ranger, constable, officer of the Department of Internal Affairs, or of any person producing a current licence for the district, give his true name and place of residence, and, on the like demand, produce and show to any such ranger, constable, officer, or person his licence and the contents of his creel or bag and any lure or bait in his possession.

(2) The holder of a current licence when fishing for trout or in possession of an assembled fishing rod and gear suitable for fishing for trout shall, on demand of any ranger, constable, or officer of the Department of Internal Affairs, make or give legibly and clearly a specimen signature for comparison with the signature of the holder on the licence required under subclause (2) of regulation 8 hereof.

(3) Subclause (2) of this regulation shall apply only with respect to licences issued after the close of the open season which is current at the commencement of these regulations.

PART III—RESTRICTIONS ON TIMES AND METHODS OF FISHING

Restrictions on Times of Fishing

25. No person shall fish for, take, or kill trout during the period between the hours of 11 p.m. and 5 a.m.

* Statutory Regulations 1951, Serial number 1951/15, page 23.

† Statutory Regulations 1950, Serial number 1950/186, page 849.

26. No person shall fish for, take, or kill trout or in any way injure or disturb the same in any part of the district during the close season.

Restrictions on Methods of Fishing

27. No person shall fish for, take, or kill trout otherwise than with one rod and line; but a landing net may be used to secure any trout caught with any such rod and line.

28. No person shall fish for, take, or kill trout with, or use for the purpose of taking or killing trout,—

- (a) Any crossline or handline fishing; or
- (b) Strokehauling; or
- (c) Any gaff; or
- (d) Any set rod or line; or
- (e) Any form of spoonbait having attached thereto more than one hook; or

(f) Any net or other unsportsmanlike device:

Provided that this regulation shall not forbid the use of a landing net pursuant to regulation 27 of these regulations.

29. (1) No person shall, in fishing for trout, use—

(a) Any lure or bait other than the natural or artificial fly or natural or artificial minnow, or some form of spoonbait, or any small indigenous fish, or grasshopper, or beetle, or spider, or insect, the use of which is not otherwise forbidden by these regulations:

- (b) Any artificial fly containing feathers of the matuku or kiwi:
- (c) As a lure or bait mollusca, or the freshwater crayfish koura, or worms, or the creeper, or the huhu or matai grub, or fish roe:
- (d) Any lure or bait otherwise than upon a running line attached to a rod and reel:
- (e) With any lure or bait any medicated or chemical preparation whatever, other than any preparation used solely for the purpose of floating a dry artificial fly:
- (f) Any artificial fly having more than one hook or having a multiple hook.

(2) For the purpose of this regulation and of regulation 36 hereof,—

- (a) Artificial fly shall be deemed to include any lure of feather, fur, wool, or similar material, in the tying of which no lead or other weight has been incorporated to facilitate the casting or sinking of the lure:
- (b) Artificial minnow shall be deemed to include spoonbait, any feather lure in the tying of which lead or other weight has been incorporated to facilitate the casting or sinking of the lure, and any lure which incorporates a spinning device to impart a wobbling or irregular motion to the lure.

Restrictions on Fish That May be Taken

30. No person shall on any one day take or kill more than six trout, and no person shall continue to fish for trout on any day on which he has already taken or killed six trout, exclusive of trout dealt with pursuant to regulation 32 hereof.

31. No person shall fish for, take, or kill in any manner whatever, or intentionally have in his possession, any trout which does not exceed 14 in. in length from nose to tip of tail.

32. Every person taking a trout which does not exceed 14 in. in length from nose to tip of tail shall, unless it appears to be affected by disease, immediately return it alive into the water from which it was taken, and, if it appears to be affected by disease, or is dead when taken, shall dispose of it by burial.

33. No person shall fish for, take, or kill in any manner whatever, or intentionally have in his possession, any salmon, salmon-parr, or smolts, or the ova, young, or fry of any salmon in any stage whatever.

34. Every person taking any of the fish referred to in regulation 33 hereof by accident or otherwise shall immediately return it alive into the water from which it was taken.

35. No person shall take any fish from any net, trap, pound net, or other contrivance used by any officer of the Government for the purpose of catching any fish for the purposes of acclimatization, propagation, pisciculture, or scientific investigation, or for scientific or other purposes pursuant to regulation 77 or regulation 78 hereof, or shall in any way interfere with or damage any such net, trap, pound net, or contrivance.

Local Restrictions

36. (1) No person shall, in fishing for trout in any place to which this regulation applies, use—

- (i) Any lure or bait other than an artificial fly :
- (ii) Any spinning fly or fly with a spinning attachment, whether the fly be an artificial fly or not :
- (iii) Any leaden or other weight on or in connection with a line, including a weight embodied in the hook or other part of a fly, but excluding the weight of a lure consisting solely of a metal hook dressed in accordance with accepted practice so as to become an artificial fly.

(2) No person shall, in fishing for trout in any place to which this regulation applies, fish from any boat measuring 18 ft. or more in length unless the boat is securely anchored at both ends, or from any boat less than 18 ft. in length unless the boat is securely anchored at one end.

(3) No person shall fish for trout from a boat in the Ohau Channel or in that portion of the Kaituna River at Okere Falls which is between the northern end of the wharf landing and the bridge over the rapids.

(4) No person shall in that portion of the Waikato River which is within the district and which is not included in the portion described in paragraph (t) of subclause (5) of this regulation fish from any boat measuring 18 ft. or more in length unless the boat is securely moored at both ends or from any boat less than 18 ft. in length unless the boat is securely moored at one end.

(5) Subclauses (1) and (2) of this regulation shall apply to the following places :—

- (a) Every part of Lake Roto-iti lying within 200 yards of that portion of the lake shore that commences at a point 300 yards north of the Tapuaeharuru Stream and extends thence in a southerly and westerly direction to a point 300 yards north-north-west of Haupara Stream, and every stream, spring, and river flowing into or from that part of that lake :

- (b) The Ohau Channel, and that portion of Lake Roto-iti that is within a radius of 300 yards shore to shore from the centre of the meeting line of that channel and Lake Roto-iti :
- (c) Every stream, spring, and river, and the tributaries of any such stream, spring, or river, flowing into Lake Rotorua, and the waters of that lake lying within a radius of 300 yards shore to shore from the centre of the meeting line of every such stream, spring, and river and Lake Rotorua :
- (d) That portion of Lake Rotorua lying within 200 yards of the shore in all areas other than those described in paragraph (c) of this subclause :
- (e) Every stream, spring, and river flowing into or from the lakes and portions of lakes mentioned in the next succeeding paragraph and the waters of every such lake lying within a radius of 200 yards shore to shore from the centre of the meeting line of every such stream, spring, or river, and the lake into or from which it flows :
- (f) The lakes and portions of lakes referred to in the last preceding paragraph are—
 - (i) That portion of Lake Roto-iti not comprised in the areas described in paragraphs (a) and (b) hereof ;
 - (ii) Lake Rotoehu ;
 - (iii) Lake Rotoma ;
 - (iv) Lake Rotokakahi ; and
 - (v) Lake Okataina :
- (g) Lake Tarawera, and every stream, spring, or river flowing into that lake, and the Tarawera River or outlet from the lake for an approximate distance of 3 miles to the Falls :
- (h) The Kaituna River from Lake Roto-iti to a landmark approximately 3 miles downstream from that lake :
- (i) The Taahunaatara and Whangapoa Streams :
- (j) That part of the Whakatane River lying between a point where it is joined by the Otapora Stream and a point 1 mile downstream from the confluence of the Owaka Stream with the said Whakatane River :
- (k) That part of the Waimana River lying between its confluence with the Whakatane River and the point of its divergence from the Whakatane-Opotiki Road at the foot of Douglas Hill :
- (l) That part of the Waimana River lying between the point where it is joined by the Wai-iti Stream and a point 7 miles downstream therefrom at the top end of the Tahora Flats :
- (m) Those portions of the Waioeka River from where the river is intersected by the boundary between the Rotorua and East Coast Acclimatization Districts to its confluence with the Opato River ; and from Hamilton's swing bridge to its confluence with the Oponae Stream :
- (n) That portion of the Whirinaki River lying between its confluence with the Rangitaiki River and a landmark approximately 1 mile above the bridge crossing the river on the main Galatea Estate - Te Teko Road :
- (o) The Pakahi Stream from its confluence with the Otara Stream to its source :

- (p) The Te Waiti Stream from its confluence with the Pakahi Stream to its source :
- (q) That part of the Ruakituri River lying between its confluence with the Mangarewarewa River at Erepeti and its confluence with the Mokokomuka River at the northern boundary of S.G.R. 84 :
- (r) The Waikaretaheke River :
- (s) The Hopuruahine, Mokau, and Aniwhaniwa Rivers, and the waters of Lake Waikaremoana within a radius of 400 yards shore to shore from the respective centres of the meeting line of each of the said rivers and the said lake :
- (t) That portion of the Waikato River between the Huka Falls and the Aratiatia Rapids :
- (u) The Waipunga River from its confluence with the Mohaka River to its source.

37. No person shall fish for, take, or kill trout by any means whatsoever in or from—

- (a) The Wairoa Stream between the waterfalls and Lake Tarawera :
- (b) The Wairua Stream and that portion of Lake Tarawera within an arc drawn from shore to shore having a radius of 200 yards from the centre of the meeting line of the said Wairua Stream and the said lake.

PART IV—POLLUTION OF WATERS

38. No person shall cast or throw into any lake, river, stream, or other waters, or shall allow to flow into or place near any bank or margin of any lake, river, stream, or other waters any sawdust or sawmill refuse, lime, sheep dip, flaxmill refuse, or any other matter or liquid that is noxious, poisonous, or injurious to fish :

Provided that nothing contained in this regulation shall extend to prohibit the depositing in any such waters of debris from any mining claim.

39. No person shall cast, throw, or place, or permit to be cast, thrown, or placed, any rubbish or refuse or material of any kind into any waters or on any river bed.

40. No person shall cast, throw, or place, or permit to be cast, thrown, or placed, any dead fish or any cleanings, offal, or other parts of fish into or in any water wherein there are trout, or leave any fish or the cleanings, offal, or other parts of fish unburied on the bank or margin of any such water.

PART V—WRONGFUL POSSESSION AND DEALING

41. No person shall in any part of the district have any trout in his possession during any close season for that part except during the first five days thereof :

Provided that it shall be a defence to the person charged with a breach of this regulation if he proves—

- (a) That the trout was fresh, frozen, or smoked trout lawfully taken during the open season, and that not more than one calendar month had elapsed since the end of the open season in the district within which the trout had been taken ; or

- (b) That the trout had been taken and canned lawfully during the open season and had been preserved in cans or jars marked in accordance with the provisions of these regulations, and that not more than one calendar month had elapsed from the end of the open season in the part of the district within which the trout had been taken ; or
- (c) That the trout had been taken for purposes of pisciculture or scientific research in accordance with the provisions of these regulations ; or
- (d) That the trout had been taken pursuant to statutory authority, and had not been removed from the part of the district within which the trout had been taken during the close season for trout in that part of the district.

42. No person shall sell or expose or offer for sale or buy or attempt to buy or have in his possession for purposes of sale any trout or any part of any trout, or fish for, take, or kill, for purposes of sale, any trout.

43. No person shall give or receive any trout in compensation or as a consideration or by way of exchange for anything done, or for any service rendered, or for any materials or things supplied.

44. No person shall obtain or shall keep in captivity any live trout for purposes of public exhibition except with the prior consent in writing of the Secretary, and except in compliance with such conditions as the Secretary may lay down as to rights of inspection of the fish by rangers and as to the welfare of the fish.

PART VI—STORAGE OF FISH IN FREEZING CHAMBERS

45. No manager or person in charge of a freezing chamber shall, during the close season for trout in the part of the district where the freezing chamber is situated, deposit or accept for deposit in the freezing chamber any trout, except with the consent in writing of the Conservator of Wildlife at Rotorua given from time to time in respect of any specified fish or parcel of fish.

46. No manager or person in charge of a freezing chamber shall hold or retain in the freezing chamber any trout for more than one month after the end of the open season for trout in the part of the district where the freezing chamber is situated.

47. Every manager or person in charge of a freezing chamber in which trout are from time to time deposited shall keep on the premises a register thereof in the form set out in the Fourth Schedule hereto, and shall make in respect of the trout deposited therein appropriate entries in the first five columns of the register on the day of deposit and the appropriate entry in the sixth column on the day of delivery, and shall retain the register for at least six months after the making of the last entry therein.

48. Every manager or person in charge of a freezing chamber in which from time to time trout are deposited shall, whenever required, furnish any ranger with full particulars of all trout deposited therein, and shall permit any such ranger at all reasonable times to enter the chamber and inspect any trout therein and to inspect and make copies of entries in any register kept for the purposes of these regulations.

49. No licence holder or other person shall deposit, and no manager or person in charge of a freezing chamber shall accept for deposit, any trout in any freezing chamber, if the licence holder or other person already has an aggregate weight of 1 cwt. of trout deposited in the chamber.

PART VII—CANNING OF TROUT

50. No person shall can any trout except in accordance with the provisions of these regulations, and no person shall be in possession of any trout so preserved contrary to the provisions of these regulations.

51. No fee shall be paid to or accepted by any person, and no consideration shall be given to or accepted by any person, for the canning of any trout.

52. No trout preserved in any can and no can containing trout shall be sold.

53. No person shall trade, exchange, give, or receive trout for cans containing trout or for empty cans.

54. No person shall can trout unless as soon thereafter as may be practicable on the same day the person canning the trout paints in oil paint or engraves on each can clearly and correctly the name of the licence holder who caught the trout, the number of his licence, and the date and place where the trout was caught.

55. No person shall deface, obliterate, or alter any particulars painted or engraved on any can which contains trout.

56. No person shall paint or engrave on a can containing trout any incorrect or misleading information.

57. No person shall give away or in any way dispose of any can containing trout unless the can is marked in accordance with the provisions of regulation 54 hereof.

58. No person shall continue to fish on any day when he has in his possession any can containing trout on which the particulars required by regulation 54 hereof have not been painted or engraved.

59. No person shall have in his possession or at his disposal more than 50 lb. gross weight of canned trout, the weight to include the weight of cans and their contents.

60. No person shall post or consign or cause to be conveyed by land, water, or air on any one day a quantity of canned trout exceeding in aggregate weight of cans and contents 50 lb.

61. Any canned trout shall be deemed to be in possession of the person whose name and licence number are painted or engraved on the can while that person is in any launch or motor vehicle in which the can is found or in any dwellinghouse, hut, tent, encampment, or caravan of which that person is the sole occupant or one of the occupants.

62. No manager or person in charge of any hotel, boardinghouse, or restaurant shall serve, allow or cause to be served, or in any way supply to, any guest of that hotel, boardinghouse, or restaurant any meal consisting wholly or in part of canned trout.

PART VIII—COMMERCIAL SMOKEHOUSES

63. (1) No manager or person in charge of any commercial smokehouse shall receive any trout for the purpose of being smoked or have any trout in any such smokehouse unless he makes or causes to be made correctly in a book kept in the smokehouse for that purpose

the entries in respect of the trout mentioned in subclause (2) of this regulation, and unless he permits any ranger to enter the smokehouse at all reasonable times and to inspect any fish therein and to inspect and copy any entries from that book.

(2) The entries to be made in accordance with the provisions of the last preceding subclause are as follows :—

- (a) The date of the receipt of the fish at the smokehouse ;
 - (b) The number of fish ;
 - (c) The name of the owner of the fish ;
 - (d) The address of the owner of the fish ;
 - (e) The number of the licence (if any) of the owner of the fish ;
- and
- (f) The address (if any) to which the fish are to be forwarded.

64. No person shall place or permit to be placed or kept in any such smokehouse any trout (other than fresh or wet salted trout) to which there is not affixed or tied a label on which are legibly written the following particulars :—

- (a) The name and address of the owner of the trout ;
- (b) The number of the licence (if any) of the owner ; and
- (c) The date on which the trout were received at the smokehouse.

65. No person shall give, and no manager or person in charge of a commercial smokehouse shall receive, any trout in exchange or as a full or partial consideration for the smoking of any trout.

PART IX—INDIGENOUS FISH

66. No person shall intentionally fish for, take, or kill grayling or fish of the genus *Prototroctes*, and any person unintentionally taking or killing any grayling or any such fish shall forthwith convey or cause it to be conveyed to the Conservator of Wildlife at Rotorua, or to any ranger, and shall give to the conservator or ranger full particulars of the time and place of the capture of the grayling or other fish.

67. No person shall in any water intentionally kill or destroy small indigenous fish other than elvers.

68. No person, having taken from any water small indigenous fish other than elvers, shall leave the fish upon the bank or shore of any stream or lake.

69. Nothing contained in regulation 67 or regulation 68 hereof shall be construed as a restriction on the taking of whitebait or other small indigenous fish for purposes of scientific research or for purposes of human consumption, or as affecting the operation of any other regulations which restrict the taking of any such indigenous fish.

70. No person (not being a Maori) shall take from any lake or from any tributary of any lake in the district any small indigenous fish in such quantity that he shall have in his possession more than fifty of such fish at any one time.

PART X—LIBERATION OF FISH

71. No acclimatization society or person shall, without the written authority of the Secretary, place, liberate, or introduce in or into any lake, river, stream, or other waters within the district any indigenous or exotic species of mollusca, crustacea, protozoa, insecta, or of annelid, nematode, or platyhelminth worm, or any fish or fish ova of any description.

PART XI—FAUNISTIC RESERVES

72. The Minister of Marine may from time to time, by notice published in the *Gazette*, declare any water or waters to be a faunistic reserve, whereupon in respect of any such water so declared, in addition to restrictions on the transfer to and release into waters of fish and other forms of aquatic life imposed by these regulations, it shall be unlawful for any person without the consent in writing of the Secretary of Marine, given solely for purposes of scientific investigation,—

- (a) To take, injure, or kill any fish or any form of live aquatic mollusca, crustacea, protozoa, insecta, or worms :
- (b) To be in possession of any fish or any form of aquatic mollusca, crustacea, protozoa, insecta, or worms taken from that water :
- (c) To introduce or plant any form of aquatic plant.

PART XII—MISCELLANEOUS

73. No person shall otherwise than in accordance with these regulations intentionally disturb or damage the spawning redds or the eggs or larvæ of trout or have in his possession the eggs or larvæ of trout.

Exemptions

74. These regulations shall be read subject to the special provisions as to issue of licences and as to the rights of the holders of those licences contained in section 2 of the Fisheries Amendment Act, 1908.

75. These regulations shall be read subject to the exemptions set out in sections 88 and 90 of the Fisheries Act, 1908.

76. Regulations 21, 22, 23, 24, 25, 26, 27, 29, 36, and 41 hereof shall not apply to officers of the Marine Department or to officers of the Department of Internal Affairs taking, fishing for, or catching fish for the purposes of acclimatization or propagation or for scientific or other purposes, nor to any fish in the possession of any such officer as aforesaid for any of those purposes.

77. Notwithstanding anything to the contrary in these regulations, any person authorized in writing in that behalf by the Secretary may, by any method whatsoever, fish for, take, or kill fish from any waters in the district at any time, whether during the open season or the close season, for the purposes of pisciculture or scientific investigation, and may have in his possession fish taken for any such purpose.

78. Notwithstanding anything to the contrary in these regulations, any officer of the Department of Internal Affairs or any officer of the Marine Department, acting in either case in the course of his official duties and with the written authority of the Secretary, may take fish in any waters within the district for the purposes of pisciculture or scientific investigation by the use of narcotic or poisonous matter or liquid to stupefy or kill the fish, and may have in his possession fish so taken for those purposes.

Penalties

79. The penalty for the breach of any of these regulations shall be a fine not exceeding £50.

80. All nets, gear, tackle, and other apparatus used in any unlawful fishing, whether found on shore or in any vessel or boat (which articles are by section 84 of the Fisheries Act, 1908, declared to be forfeited), may be seized by any constable or ranger, and, pending the trial of any person on a charge of unlawfully taking fish or a charge of unlawfully fishing, shall be retained by an officer of the Department of Internal Affairs, and upon the conviction of any person on such a charge shall be disposed of by delivery to any person appointed by the Secretary to receive the same; but upon the dismissal of such a charge shall be returned to the person last in possession of the articles.

81. Where any person commits a breach of these regulations, the Court in its discretion may, instead of inflicting a fine or in addition to such a fine, declare void and of no effect any licence of a person convicted of a breach of these regulations or may order the impounding of any such licence for a stated period; and during that period of impounding the licence shall be void and of no effect.

82. Where any person commits a breach of these regulations, the Court in its discretion may, instead of or in addition to any other penalty, make an order prohibiting the issue of a licence to that person for any period not exceeding two years; and the person in respect of whom any such order is made shall not apply for or otherwise obtain any licence during that period. Any licence obtained by any such person during that period shall be void and of no effect.

83. Where in the discretion of the Court forfeiture of gear and tackle used by a person convicted of a breach of these regulations would be inequitable and the gear and tackle is of a kind which could lawfully be used by anglers for taking trout, the Court may recommend to the Secretary the return of the gear or tackle or any portion of it to the person last in possession thereof either immediately or after any stated interval, and the Secretary shall thereupon dispose of any such gear or tackle in accordance with the recommendation of the Court. Subject to the foregoing provisions of this regulation, all gear and tackle forfeited under section 84 of the Fisheries Act, 1908, shall be disposed of as the Secretary directs.

Revocations

84. (1) The regulations specified in the Fifth Schedule hereto are hereby revoked.

(2) All licences and generally all acts of authority, documents, matters, acts, and things which originated under any regulations hereby revoked and which are of continuing effect at the time of the commencement of these regulations shall enure for the purposes of these regulations as if they had originated under the corresponding provisions of these regulations, and shall, where necessary, be deemed to have so originated.

(3) All matters and proceedings commenced under any of the regulations hereby revoked, and pending or in progress at the commencement of these regulations, may be continued, completed, and enforced under these regulations.

SCHEDULES

Reg. 2 (1)]

FIRST SCHEDULE

DESCRIPTION OF ROTORUA TROUT FISHING DISTRICT

ALL that area in the Auckland, Gisborne, Hawke's Bay, and Wellington Land Districts, bounded by a line commencing at a point on the sea coast in the Bay of Plenty in line with the south-western boundary of Whangaparaoa No. 1 Block; thence to and along that boundary, the western boundary of the Whangaparaoa No. 3A Block, and the western and south-western-boundaries of Waikura No. 2 Block to Pakira Trig. Station; thence along right lines to Whanakaoa Trig. Station to Kapua Trig. Station, to Arowhana Trig. Station, to Tuanui-o-te-Kahakaha Trig. Station; thence along a right line passing through Trig. Station 140 to the Motu River; thence up the Motu River and the Whakapaupakihi Stream to its source; thence along a right line to Trig. Station 149A; thence along a right line to Trig. Station Pokaikiri; thence along the north-western boundaries of Section 2, Block V, Motu Survey District, Sections 2, 1, and 4, Block IX, Motu Survey District, and Sections 3 and 2, Block XII, Moanui Survey District, S.G.R.'s 90 and 89, and that boundary produced to a point in line with the western boundary of Tahora 2c 3, Section 2 Block; thence to and along that boundary to Trig. Station Te Wana; thence south-easterly generally to and along the summit of the watershed between the Hangaroa and Ruakituri Rivers passing through or near Trig. Stations RI, RV, 50 (Kahunui), Kairanga, Kou, Te Aitangaamahaki, M and K to the confluence of the Hangaroa and Ruakituri Rivers; thence along a right line to the sea coast at Paritu (Block XIII, Paritu Survey District); thence southerly along high water mark of the sea to the southernmost point of the Mahia Peninsula; thence along high water mark, Hawke Bay, to the mouth of the Mohaka River; thence to and up the middle of the Mohaka River to a point in line with Trig. Stations 68A and 65A; thence along that line to said Trig. Station 65A; thence westerly along a right line to Trig. Station 26, Tawaki Tohunga, in Block XII, Mangamaire Survey District; thence south-westerly along a right line to Trig. Station 27; thence westerly along a right line to Trig. Station 28, Manukaiaapu; thence north-easterly along a right line to Ruapehu Trig. Station; thence north-easterly along a right line to Paretetaitonga Trig. Station; thence towards the north-east along a right line to Ngaruhoe Trig. Station; thence northerly along a right line to Tongariro Trig. Station; thence north-easterly along a right line in the direction of the mouth of the Waihi Stream, Lake Taupo, to the Wanganui River; thence down the middle of that river to the western boundary of the Waione Block, and northerly along that boundary to Maungaku Trig. Station; thence northerly along a mountain range passing through Haukunganaroa, Motere, Tuhingamata, and Weraroa Trig. Stations to Pureora Trig. Station; thence north-easterly along a right line to Trig. Station 1778, Pukeroa, in Block XIV, Ranginui Survey District; thence north-easterly generally along the watershed to the south of the Karamarama Stream, and passing between the Mangatete Stream and the Waione Stream and between the Waiteti Stream and the Mangakino Stream to Trig. Station 1771 in Block I, Whakamaru Survey District; thence easterly along a right line to the dam site at Maraetai on the Waikato River; thence north-easterly along a right line to Trig. Station 1002 in Block XV, Patetere South Survey District; thence due easterly along a right line to its intersection with a right line from Trig. Station 1390, Pureora, to Trig. Station Puwhenua; thence north-easterly along the last mentioned right line to Trig. Station Puwhenua; thence north-westerly along a right line in the direction of Weraiti Trig. Station to a point due west from Otanewainuku Trig. Station in Block XVI, Otanewainuku Survey District; thence due east along a right line to that trig. station, and again due east along that line produced to a point due south of Trig. Station Ji in Block IV, Waihi South Survey District; thence along a right line running due north through Trig. Station Ji aforesaid to high water mark of the Bay of Plenty; thence south-easterly and north-easterly along the aforesaid high water mark to a point in line with the south-western boundary of Whangaparaoa No. 1 Block, the point of commencement; and including White and Whale Islands and the Ru Rimu Rocks.

Excepting thereout the Taupo Trout Fishing District as described in the First Schedule to the Taupo Trout Fishing Regulations 1950*.

* Statutory Regulations 1950, Serial number 1950/186, page 849

Reg. 8]

SECOND SCHEDULE

FORM OF LICENCE

[Class of Person to Whom Licence is Issued]

[Class of Licence Issued]

Under the Fisheries Act, 1908, and its amendments; and under the Rotorua Trout Fishing Regulations 1951.

THE holder of this licence [*Name in full*], of [*Address*], [*Calling or occupation*], having this day paid the sum of is hereby authorized to fish for, take, or kill trout with one rod and line only within any part of the district affected by the above entitled regulations during any portion of the period from the day of, 19.., to the day of, 19.. [or, in the case of a day licence on the day of, 19..], which may be included in the open season in that part of the said district, subject to the above mentioned Act, and to all regulations made thereunder for the time being in force in the said district.

Dated at this day of, 19..

.....
Issuing Officer.

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

NOTES.—(1) The said district consists approximately of the Rotorua Acclimatization District, exclusive of Lake Taupo and all rivers and streams flowing into that lake and the Waikato River between Lake Taupo and the Huka Falls.

(2) Detailed description of the district is set out in the above entitled regulations.

Reg. 10]

THIRD SCHEDULE

LICENCE FEES

Class of Person to Whom Licences are Issued.	Whole Season Licence.	Weekly Licence.	Day Licence.
	£ s. d.	£ s. d.	£ s. d.
(a) Women, girls (irrespective of age), and boys under the age of sixteen years	0 10 0	0 5 0	0 3 6
(b) Men and boys of sixteen years of age and over	1 5 0	0 10 0	0 3 6

Reg. 47]

FOURTH SCHEDULE

FREEZING CHAMBER REGISTER

Number of Trout.	Weight.	Number of Depositor's Licence.	Name of Licence Holder.	Date of Deposit.	Date of Delivery.	Remarks.

Reg. 84]

FIFTH SCHEDULE
REGULATIONS REVOKED

Regulations.	Published in Statutory Regulations.	
	Year.	Serial Number.
The Rotorua Trout Fishing Regulations 1939 ..	1939	199
The Rotorua Trout Fishing Regulations 1939, Amendment No. 2	1944	133
The Rotorua Trout Fishing Regulations 1939, Amendment No. 3	1945	137
The Rotorua Trout Fishing Regulations 1939, Amendment No. 5	1947	148
The Rotorua Trout Fishing Regulations 1939, Amendment No. 6	1948	69
The Rotorua Trout Fishing Regulations 1939, Amendment No. 7	1948	169
The Rotorua Trout Fishing Regulations 1939, Amendment No. 8	1950	187

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 consolidate, with amendments, the Rotorua Trout Fishing Regulations 1939 and the amendments of those regulations.

The new provisions in the regulations are as follows:—

- (a) Licences do not become valid until signed by the holders (regulation 8 (2)), and specimen signatures must be given on request (regulation 24 (2)). These provisions do not operate during the current season.
- (b) Unauthorized tagging or marking of fish is prohibited (regulation 20 (2)).
- (c) The circumstances under which trout may be lawfully in possession during the close season are clarified (Part V).
- (d) The regulations contain new provisions relating to the storage of trout in freezing chambers (Part VI), the canning of trout (Part VII), and commercial smokehouses (Part VIII).
- (e) Part IX contains provisions forbidding the taking of certain indigenous fish, such as grayling, and forbids the destruction or waste of certain small fishes.
- (f) Part XI provides for the gazetting of faunistic reserves.
- (g) Part XII contains new provisions relating to penalties. The penalties are extended to include cancellation or impounding of licences, and the Court is empowered to prohibit the issue for two years of licences to convicted persons. The Court has a discretion to recommend the return of angling gear to convicted persons.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 8th day of March, 1951.

These regulations are administered in the Department of Internal Affairs.