

1965/135



THE SOUTHERN LAKES FISHING REGULATIONS 1965

H. E. BARROWCLOUGH, Administrator of the Government

ORDER IN COUNCIL

At the Government House at Wellington this 4th day of August 1965

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL

PURSUANT to the Fisheries Act 1908, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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REGULATIONS

PART I—PRELIMINARY

1. **Title, commencement and expiration**—(1) These regulations may be cited as the Southern Lakes Fishing Regulations 1965.

(2) These regulations shall come into force on the 1st day of September 1965.

(3) These regulations shall expire with the 31st day of August 1970.

2. Interpretation—(1) In these regulations, unless the context otherwise requires,—

“Acclimatised fish” means brown trout (*Salmo trutta*), rainbow or steelhead trout (*Salmo irideus* or *Salmo gairdnerii*), Atlantic salmon (*Salmo salar*), quinnat or spring salmon (*Oncorhynchus tshawytscha*), American brook trout (*Salvelinus fontinalis*), and perch (*perca fluviatilis*); and includes the young, fry, ova, and spawn, and any part of any such fish; but does not include salmon preserved in cans and imported into New Zealand:

“Canning”, in relation to acclimatised fish, includes the preservation of those fish 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 acclimatised fish 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 Southern Lakes Acclimatisation District as described in the First Schedule hereto:

“Fish” means all fish, whether indigenous or not, and the young, fry, ova, and spawn of any fish; and includes any part of a fish:

“Freezing chamber” means any freezing chamber, cool store, or refrigerating works; and includes any freezing device situated in any cannery or other plant or premises (not being a private dwellinghouse) where acclimatised fish is frozen, canned, or otherwise preserved or treated or stored:

“Issuing officer” means any person authorised to issue licences under these regulations:

“Landmark” means a black and yellow ringed post:

“Licence” means a licence to fish for acclimatised fish issued under these regulations:

“Open season” means—

(a) In respect of all rivers and streams flowing into Lakes Hawea, Wanaka, Wakatipu, Te Anau, and Manapouri, or into any lake draining into those lakes, and the tributaries of those rivers and streams, except the Waiau River, the 1st day of November in any year to the 31st day of May in the next succeeding year (both days inclusive):

(b) In respect of all rivers, lakes, and streams draining into the Tasman Sea (including the tributaries of those rivers and streams), the 1st day of September in any year to the 31st day of May in the next succeeding year (both days inclusive):

(c) In respect of Lake Hayes and Lake Johnson, the 1st day of October in any year to the 31st day of August in the next succeeding year (both days inclusive):

(d) In respect of all other waters in the district, including the Waiau River and Mill Creek (which flows into Lake Hayes), the 1st day of October in any year to the 31st day of May in the next succeeding year (both days inclusive):

“Ranger” means any officer appointed for the purposes of Part II of the Fisheries Act 1908:

“Secretary” means the Secretary for Internal Affairs and includes his deputy; and “his appointee”, in relation to the Secretary, means any person authorised 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:

“Trout” means brown trout (*Salmo trutta*), rainbow or steelhead trout (*Salmo irideus* or *Salmo gairdnerii*), or American brook trout (*Salvelinus fontinalis*).

(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. Application—These regulations shall have force and effect only in the waters and places comprised in the district.

PART II—LICENCES

4. Fishing without licence prohibited—Except as provided in regulation 17 hereof, no person shall fish for, take, or kill acclimatised fish within the district, unless he is the holder of a licence issued under these regulations for which the prescribed fee has been paid.

5. Kinds of licences—The following licences to fish for acclimatised fish in the district may be issued:

- (a) A whole-season licence, which shall come into force on the date of its issue and shall expire with the next 31st day of August:
Provided that a whole-season licence issued during the month of August in any year shall come into force on the 1st day of September in that year and shall expire with the 31st day of August in the next succeeding year:
- (b) A monthly licence, in which the second day named shall be a day not later than the day one calendar month after the day preceding the first day named therein:
- (c) A weekly licence, in which the second day named shall be a day not later than the day six days after the first day named therein, so that if the first day named is a Tuesday the second day shall be the following Monday:
- (d) A day licence.

6. Issuing officers—Any person authorised in writing in that behalf by the Secretary or his appointee shall be an issuing officer for the purpose of these regulations, and shall have power to issue licences and charge therefor the fees herein provided.

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

8. Issue of licences—All licences shall be issued under the hand of an issuing officer, and in the case of a whole season or monthly or weekly licence, shall be generally in form 1 in the Second Schedule hereto, and, in the case of a day licence, shall be generally in form 2 in that Schedule.

9. Licence to be signed by holder—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.

10. Licence fees—(1) There shall be paid and taken for licences issued under these regulations the appropriate fees set out in the Third Schedule hereto.

(2) The appropriate fee shall be paid to the issuing officer before the issue of the licence.

(3) 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 subclause (1) of this regulation, makes any false representations to an issuing officer as to the age of himself or of any other person or as to whether or not he or any other person is attending school full time.

11. Issue of licence on compassionate grounds—Notwithstanding the provisions of regulation 10 hereof, it shall be lawful for the Secretary or his appointee to issue a licence to any person either for no fee or for such reduced fee as the Secretary approves, where in the sole discretion of the Secretary adequate compassionate grounds are shown.

12. Refund of licence fees—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.

13. Replacement of lost or damaged licences—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 the purposes for which the original licence could have been available under these regulations.

14. Rights to fish conferred by licences—(1) Subject to the conditions and restrictions imposed by Parts III and IV of these regulations and to regulation 34 hereof, the holder of a whole-season, monthly, weekly, or day licence may fish for, take, and kill acclimatised fish in any part of the district between the first and last days specified in the licence (both days inclusive) or on the day specified in the licence, as the case may be, except in the following waters:

- (a) That portion of Lake Wanaka which is within 100 yards of any part of the launch wharf at the township of Wanaka:
- (b) Queenstown Bay, Lake Wakatipu, inside a straight line drawn from the outermost point of the Tourist Park to the point where the south bank of One Mile Creek meets Lake Wakatipu:
- (c) That portion of the Waiau River which is within 100 yards of any part of the wharf belonging to the Manapouri and Doubtful Sound Tourist Company on the Waiau River, Lake Manapouri.

(2) 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 authorised to fish for, take, or kill acclimatised fish or in any way injure or disturb the same in any part of the district during the close season for that part.

15. Licences not to confer right of entry on land—No licence shall confer any right of entry upon the land of any person without his consent.

16. Licences not transferable—No licence shall be transferable or be deemed to authorise any person to fish other than the person named therein.

17. Effect of licences under other regulations—These regulations shall apply throughout the Southern Lakes Acclimatisation District:

Provided that—

- (a) Any person who is the holder of a current whole-season licence issued under the Freshwater Fisheries Regulations 1951* by any acclimatisation society may during the open season in that portion of the Southern Lakes Acclimatisation District that lies within the Westland Land District fish for, take, and kill acclimatised fish:
- (b) Any person who is the holder of a current licence issued under the Freshwater Fisheries Regulations 1951* by the Southland Acclimatisation Society and whose permanent and principal or only place of residence is within the district of that society may, during the open season in those waters, fish for, take, and kill acclimatised fish in the following waters situated within the Southern Lakes Acclimatisation District, namely:
 - (i) Lakes Monowai, Hauroko, Poteriteri, and Hakapoua:
 - (ii) All rivers and streams flowing into or out of any of those lakes:
 - (iii) The Borland Burn:

*S.R. 1951/15 (Reprinted with Amendments Nos. 1 to 8, S.R. 1964/196)

- (c) Any person who is the holder of a current tourist fishing licence issued pursuant to section 83A of the Fisheries Act 1908 (as inserted by section 2 of the Fisheries Amendment Act 1962) may fish for, take, and kill acclimatised fish in the district during the open season, subject to compliance by him with all the provisions of these regulations in force at that time with respect to the waters in which he is fishing.

PART III—LIABILITIES OF PERSONS FISHING

18. Anglers to give name and address, and produce licence, etc.—

(1) Every person fishing for acclimatised fish, or in possession of fishing gear suitable for fishing for acclimatised fish, shall, on the demand of any ranger, constable, or 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 acclimatised fish, or in possession of an assembled fishing rod and gear suitable for fishing for acclimatised fish, shall, on the 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 regulation 9 hereof.

19. Fishing in close season prohibited—No person shall fish for, take, or kill acclimatised fish or in any way injure or disturb the same in any part of the district during the close season for that part.

20. Fishing in certain waters prohibited—(1) No person shall fish for, take, or kill acclimatised fish or in any way injure or disturb acclimatised fish in any of the waters specified in subclause (1) of regulation 14 hereof.

(2) No person shall fish for, take, or kill any fish (whether acclimatised fish or not) in that portion of Queenstown Bay, Lake Wakatipu, which is within 50 yards of any part of Queenstown Wharf.

21. Disturbing spawning redds, etc., of acclimatised fish—No person shall, otherwise than in accordance with these regulations,—

- (a) Intentionally disturb or damage spawning redds; or
- (b) Have in his possession the eggs or larvae of acclimatised fish taken from any such redds.

PART IV—RESTRICTIONS ON METHODS OF FISHING, LURES, AND USE OF BOATS

Restrictions on Methods of Fishing

22. One rod and running line only to be used—No person shall fish for, take, or kill acclimatised fish otherwise than with one rod and running line, but a landing net may be used to secure any fish caught with any such rod and running line.

23. Restrictions on use of set rods—No person, unless he is fishing from a boat of which he is the sole occupant, shall fish for, take, or kill acclimatised fish with a set rod.

24. Methods prohibited—No person shall fish for, take, or kill acclimatised fish with, or use for the purpose of taking or killing acclimatised fish—

- (a) Any strokehauling or foulhooking gear; or
- (b) Any gaff; or
- (c) Any cross line, "otter", or hand line; or
- (d) Any hook which has a distance greater than $\frac{1}{2}$ in. between the point and the nearest part of the shank or hook; or
- (e) Any lure having attached thereto more than one hook; or
- (f) Any lure having attached thereto any multiple hook; or
- (g) Any net or other unsportsmanlike device; or
- (h) More than two lures:

Provided that this regulation shall not forbid the use with artificial fly as defined in regulation 25 hereof of a dropper having only one hook (not being a multiple hook) or the use of a landing net pursuant to regulation 22 hereof.

Restrictions on Lures

25. "Artificial fly" and "artificial minnow" defined—In regulations 26 and 27 hereof—

"Artificial fly" includes any lure of feather, fur, wool, or other material of any kind whatsoever customarily used in the making of artificial flies, in the tying of which no lead or other weight has been incorporated to facilitate the casting or sinking of the lure:

"Artificial minnow" includes spoonbait, any 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.

26. Lures and baits prohibited—(1) Subject to the provisions of sub-clause (2) of this regulation and of regulation 27 hereof, no person shall, in fishing for acclimatised fish, use—

- (a) Any lure or bait other than the natural fly or grasshopper or beetle or spider or insect or artificial fly or artificial minnow:
- (b) Any artificial fly containing the feathers of any species of bittern or kiwi:
- (c) With any lure or bait any medicated or chemical preparation other than—
 - (i) A preparation used solely for the purpose of floating a dry artificial fly; or
 - (ii) With a bait of natural minnow a chemical preparation in the nature of formalin or other preservative:
- (d) Any mollusc, or the freshwater crayfish (koura), or worms, or the creeper, or the huhu or matai grub, or fish roe:

Provided that the shell of any mollusc may be used in the preparation of an artificial minnow.

- (2) Notwithstanding anything in subclause (1) of this regulation—
- (a) Natural minnow or worms may be used as a lure or bait in Lake Johnson and in Lake Hayes and in the streams flowing into or out of Lake Hayes:
- (b) Worms may be used as a lure or bait in—
- (i) The Kawarau River between its confluence with the Clutha River at Cromwell and the site of a landmark approximately 1 mile above the road bridge at Bannockburn:
- (ii) The Clutha River between the Lowburn Bridge and the point in the Cromwell Gorge where the boundary of the district crosses the river.

27. Certain lures and baits prohibited in certain waters—(1) No person shall, in fishing for acclimatised fish in any of the waters specified in subclause (2) of this regulation, use—

- (a) Any lure or bait other than the natural fly or grasshopper or beetle or spider or insect or artificial fly (to which no spinning attachment, nor anything made from lead, glass, wood, plastic, or other material to facilitate casting or to increase the rate of sinking of the line, has been added); or
- (b) Any wire, lead, or metal-cored line.
- (2) The waters referred to in subclause (1) of this regulation are as follows:
- (a) That portion of the Lindis River upstream from the irrigation weir:
- (b) That portion of the Clutha River lying between a point indicated by a landmark, approximately 600 yards from the outlet of Lake Wanaka, and a point indicated by a landmark, approximately 600 yards above the bridge at Albert Town:
- (c) The Nevis River:
- (d) All rivers and streams flowing into Lake Wakatipu, except the Dart River and the Rees River and the tributaries of the Dart and Rees Rivers:
- (e) The Upukerora River:
- (f) The Eglinton River.

Restriction on Use of Boats

28. Fishing from unanchored boats prohibited in certain waters—No person shall fish for acclimatised fish from any boat in any of the following waters, unless the boat is securely anchored or otherwise secured, namely:

- (a) That portion of the Clutha River that is within the district:
- (b) The Hawea River and the Kawarau River:
- (c) Those portions of the Waiau River and its tributaries that are within the district, with the exception of that portion of the river which is between Home Creek and the eastern boundary of the district:
- (d) Lakes Moke, Kilpatrick, and Reid:
- (e) That portion of Lake Te Anau that is within 300 yards of the water's edge, commencing at a point known as Memorial Rocks north of the mouth of the Eglinton River and extending along the eastern and southern sides of the lake to a point 200 yards west of the outlet (Waiau River):

- (f) Every stream, spring, and river flowing into Lake Wakatipu, and the waters of that 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 at that lake.

29. Fishing from mechanically propelled boats prohibited in certain waters—No person shall fish from, or tow or troll any lure or bait from, any mechanically propelled or mechanically drawn boat in Lake Hayes or in Lake Dispute or in Lake Johnson.

PART V—BAG AND SIZE LIMITS

30. Bag limit—(1) No person shall on any one day—

- (a) Take and kill in any waters in the district other than Lake Hayes more than six acclimatised fish (being trout or Atlantic salmon); or
- (b) Take and kill more than 20 trout in Lake Hayes; or
- (c) Take or kill more than four quinnat salmon in any rivers, lakes, and streams in the district draining into the Tasman Sea (including the tributaries of those rivers and streams).

(2) No person shall continue to fish in any waters in the district on any day on which he has already taken and killed the maximum number of acclimatised fish that may be taken pursuant to paragraph (a) or paragraph (b) or paragraph (c) of subclause (1) of this regulation.

(3) The numbers specified in subclause (1) of this regulation shall not include fish dealt with pursuant to regulation 32 hereof.

31. Size limit—No person shall intentionally take or kill in any manner whatever or have in his possession—

- (a) Any trout or quinnat salmon that does not exceed 12 in. in length from nose to tip of tail; or
- (b) Any Atlantic salmon that does not exceed 15 in. in length from nose to tip of tail.

32. Disposal of undersized fish—Every person taking a trout or quinnat salmon that does not exceed 12 in. in length from nose to tip of tail or an Atlantic salmon that does not exceed 15 in. in length from nose to tip of tail shall immediately return it into the water from which it was taken, and, notwithstanding anything in regulation 40 hereof, whether it is alive or dead.

PART VI—PISCICULTURE AND SCIENTIFIC INVESTIGATION

33. Taking of fish from fish traps, etc.—No person shall take any fish from any net, trap, pound net, or other contrivance used by any person for the purpose of catching any fish for the purposes of acclimatisation, propagation, or pisciculture, or for scientific or other purposes pursuant to regulation 36 hereof, or shall in any way interfere with or damage any such net, trap, pound net, or contrivance.

34. Taking of fish within 50 yards of fish traps, etc.—No person shall fish for, take, or kill acclimatised fish by any means whatsoever in or from any water which is within 50 yards of any net, trap, pound net, or other contrivance used by any person for catching fish for the purposes of acclimatisation, propagation, or pisciculture, or for scientific or other purposes pursuant to regulation 36 hereof.

35. Tagged acclimatised fish—(1) Any angler taking any acclimatised fish bearing a tag or distinguishing device shall either cause the acclimatised fish and tag or device to be delivered to the Conservator of Wildlife at Queenstown or to an officer of the Department of Internal Affairs, or shall forthwith deliver to the Conservator of Wildlife at Queenstown or to an officer of the Department of Internal Affairs 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, sex, and length of the fish.

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

36. Taking of fish for purposes of pisciculture—(1) Notwithstanding anything to the contrary in these regulations, any person authorised 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.

(2) Notwithstanding anything to the contrary in these regulations, any officer of the Department of Internal Affairs or of the Marine Department, acting in each 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.

37. Taking of fish for scientific or other purposes—Regulations 4, 18 to 23, 24 (g) (so far as it relates to the use of nets), 26 to 34, and 61 hereof shall not apply to officers of the Department of Internal Affairs or of the Marine Department taking, fishing for, or catching fish for the purposes of acclimatisation or propagation or pisciculture, or for scientific or other purposes, nor to any fish in the possession of any such officer as aforesaid for any of those purposes.

PART VII—POLLUTION OF WATERS

38. Casting of sawdust, etc., prohibited—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 oil, or any other matter or liquid that is noxious, poisonous, or injurious to fish:

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

39. Casting of rubbish prohibited—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 or on or onto the bank or margin of any waters or river bed.

40. Leaving fish, cleaning etc., prohibited—No person shall leave any fish or the cleanings, offal, or other parts of fish on the bank or margin of any waters wherein there are acclimatised fish, unless the fish, cleanings, offal, and other parts are buried to a depth of not less than 6 in. below the level of the surrounding ground.

PART VIII—WRONGFUL POSSESSION AND DEALING

41. Possession in close season—No person shall in any part of the district have any acclimatised fish in his possession during any close season for that part:

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

- (a) That the fish was fresh, frozen, or smoked acclimatised fish lawfully taken during the open season, and that not more than one calendar month had elapsed since the end of the open season in that part of the district within which the acclimatised fish had been taken; or
- (b) That the fish 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 that part of the district within which the acclimatised fish had been taken; or
- (c) That the acclimatised fish had been taken for the purposes of pisciculture or scientific research in accordance with the provisions of these regulations; or
- (d) That the acclimatised fish had been taken pursuant to statutory authority, and had not been removed from the part of the district within which the acclimatised fish had been taken during the close season for acclimatised fish in that part of the district.

42. Sale of acclimatised fish prohibited—(1) Except for the purposes of pisciculture, 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 acclimatised fish or any part of any acclimatised fish, or fish for, take, or kill, for the purposes of sale, any acclimatised fish.

(2) No person shall give or receive any acclimatised fish 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.

43. Keeping live acclimatised fish in captivity—No person shall obtain or shall keep in captivity any live acclimatised fish for any purpose 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 IX—STORAGE OF FISH IN FREEZING CHAMBERS

44. Acclimatised fish not to be deposited in freezing chamber during close season—No manager or person in charge of a freezing chamber shall, during the close season for acclimatised fish in the part of the district where the acclimatised fish was taken, deposit or accept for deposit in the freezing chamber any acclimatised fish, except with the consent in writing of the Conservator of Wildlife at Queenstown given from time to time in respect of any specified fish or parcel of fish.

45. Storage of acclimatised fish during close season—No manager or person in charge of a freezing chamber shall hold or retain in the freezing chamber any acclimatised fish for more than one month after the end of the open season for acclimatised fish in the part of the district where the acclimatised fish was taken.

46. Register of acclimatised fish stored in freezing chamber—Every manager or person in charge of a freezing chamber in which acclimatised fish are from time to time deposited shall keep on the premises a register thereof in the form in the Fourth Schedule hereto, and shall make in respect of the fish 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.

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

48. Maximum weight of acclimatised fish that may be stored—No person (whether a licence holder or not) shall deposit, and no manager or person in charge of a freezing chamber shall accept for deposit, any acclimatised fish in any freezing chamber if the first-mentioned person already has an aggregate weight of 1 cwt of acclimatised fish deposited in the chamber.

PART X—CANNING OF ACCLIMATISED FISH

49. Restrictions on canning of acclimatised fish—No person shall can any acclimatised fish except in accordance with the provisions of these regulations, and no person shall be in possession of any such fish so preserved contrary to the provisions of these regulations.

50. No fee to be paid for canning of acclimatised fish—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 acclimatised fish.

51. Sale of canned acclimatised fish prohibited—(1) No person shall sell acclimatised fish preserved in any can or any can containing such fish.

(2) No person shall trade, exchange, give, or receive acclimatised fish for cans containing any such fish or for empty cans.

52. Cans to be marked—(1) No person shall can acclimatised fish, unless as soon thereafter as may be practicable on the same day the person canning the fish paints in oil paint or engraves on each can clearly and correctly the name of the licence holder who caught the fish, the number of his licence, and the date and place where the fish were caught.

(2) No person shall deface, obliterate, or alter any particulars painted or engraved on any can which contains acclimatised fish.

(3) No person shall paint or engrave on a can containing acclimatised fish any incorrect or misleading information.

(4) No person shall give away or in any way dispose of any can containing acclimatised fish unless the can is marked in accordance with the provisions of subclause (1) of this regulation.

53. Person not to continue fishing until cans marked—No person shall continue to fish on any day when he has in his possession any can containing acclimatised fish on which the particulars required by subclause (1) of regulation 52 hereof have not been painted or engraved.

54. Maximum weight of canned acclimatised fish permitted—No person shall have in his possession or at his disposal more than 50 lb gross weight of canned acclimatised fish, the weight to include the weight of cans and their contents.

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

56. Possession of canned acclimatised fish—Any canned acclimatised fish 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.

57. Canned acclimatised fish not to be served in hotels, etc.—No manager or person in charge of any hotel, motel, boardinghouse, or restaurant shall serve, allow or cause to be served, or in any way supply, to any guest of that hotel, motel, boardinghouse, or restaurant any meal consisting wholly or in part of canned acclimatised fish.

PART XI—COMMERCIAL SMOKEHOUSES

58. Duties of manager of commercial smokehouse—(1) No manager or person in charge of any commercial smokehouse shall receive any acclimatised fish for the purpose of being smoked or have any such fish 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 acclimatised fish 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 subclause (1) of this regulation 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.

59. Acclimatised fish in commercial smokehouse to be labelled—No person shall place or permit to be placed or kept in any commercial smokehouse any acclimatised fish (other than fresh or wet salted fish) 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 fish;
- (b) The number of the licence (if any) of the owner; and
- (c) The date on which the fish were received at the smokehouse.

60. Giving of acclimatised fish as consideration for smoking prohibited—No person shall give, and no manager or person in charge of a commercial smokehouse shall receive, any acclimatised fish in exchange or as a full or partial consideration for the smoking of any such fish.

PART XII—INDIGENOUS FISH

61. Taking of grayling prohibited—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 Queenstown, 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.

PART XIII—LIBERATION OF FISH

62. Fish not to be liberated without authority—No acclimatisation 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, or insecta, or of annelid, nematode, or platyhelminth worm, or any fish or fish ova of any description.

PART XIV—FAUNISTIC RESERVES

63. Faunistic reserves—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 for Marine, given solely for the 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 XV—OFFENCES AND PENALTIES

64. Offences and penalty—Every person commits an offence who does any act in contravention of or fails to comply with any provision of these regulations, and is liable on summary conviction to a fine not exceeding £50.

65. Seizure of fish illegally taken, etc.—Any constable or ranger may—

- (a) Seize any fish illegally taken or had in possession or which he reasonably believes to be illegally taken or had in possession:
- (b) Seize any bag, container, or other article (including any coat or similar article of clothing) that is being used for the purpose of carrying any fish illegally taken or had in possession or that he reasonably believes is being so used.

66. Disposal of property seized—Any fish seized under the powers conferred by regulation 65 hereof and any other property seized under the powers conferred by section 80 of the Fisheries Act 1908 shall be retained by the Secretary or his appointee pending the trial of any person for the offence in respect of which the property was seized, and shall be disposed of as follows:

- (a) On the conviction of any person for any such offence, the fish or other property shall be disposed of in such manner as the Secretary directs in order to give effect to the provisions as to forfeiture in section 84 of the Fisheries Act 1908:
- (b) If in any such proceedings the charge is dismissed, or if no such proceedings are commenced within six months after the seizure, the fish or other property shall be returned to the person last in possession thereof.

67. Disposal of forfeited gear and tackle—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 or tackle is of a kind which could lawfully be used by anglers for taking acclimatised fish, 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.

68. Court may cancel licence of convicted person—Where any person commits an offence against these regulations, the Court in its discretion, instead of inflicting a fine or in addition to such a fine, may declare void and of no effect any licence of that person 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.

69. Court may disqualify convicted person from obtaining licence—Where any person commits an offence against these regulations, the Court in its discretion, instead of or in addition to any other penalty, may 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.

PART XVI—MISCELLANEOUS PROVISIONS

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

71. Revocations—The regulations specified in the Fifth Schedule hereto are hereby revoked.

SCHEDULES

Reg. 2 (1)

FIRST SCHEDULE

DESCRIPTION OF THE SOUTHERN LAKES ACCLIMATISATION DISTRICT

ALL that area in the Otago, Southland, and Westland Land Districts, bounded by a line commencing at a point on the sea coast in Block VII, Bruce Bay Survey District, Westland Land District, in line with the south-western boundary of Reserve No. 780, being a Maori reserve, and proceeding due south to the summit of the range between Big Rock Creek and Makawhio River; thence south-easterly generally along the summit of the range between the Makawhio River and the Manakai-ua River to Mount McDonald, and along the summit of the range between the Makawhio River and the Karangarua River, passing through Mount McGloin to Fettes Peak; thence easterly generally along the summit of the range passing through Whitcombe Peak and Mount Townsend to Maunga Ma; thence south-westerly along the summit of the Southern Alps passing through Mount Burns, Mount Hopkins, Mount Williams, and Mount Jackson to Brodrick Pass; thence southerly generally along the summit of the range passing through Mount Huxley and Lindis Pass to Old Man Peak; thence southerly and south-westerly generally along the summit of the Dunstan

FIRST SCHEDULE—*continued*

Mountains passing through Mount Misery, Dunstan Pass, Cloudy Peak, Mount Kamaka, Mount Makariri, and Leaning Rock; thence again south-westerly generally by a right line to Carnmuir Hill; thence continuing south-westerly generally along the summit of the range between the Bannockburn and Hawksburn to and along the summit of the Garvie Mountains, passing through Trig. Stations AA, I, A, D, and H to K; thence westerly along a right line to the summit of Mount Tennyson; thence north-westerly and westerly generally along the summit of the generally northern watershed of the Mataura River, passing through Trig. Stations H and G and Mount Dick, to Eyre Peak; thence westerly along a right line to Jane Peak; thence northerly generally along the summit of the range to Round Peaks, passing through Hummock Peak, and Mount Lookup; thence north-westerly generally along the summit to David Peaks; thence southerly generally along the summit of the Livingstone Mountains, passing through Moffat Peak, Countess Peak, Winton Peak, and Mount Richmond to Snowdon; thence south-westerly generally along the summit of the range between the Fredburn and the Upukerora River passing through Trig. Station A in Block II, Te Anau Survey District, and GS to Trig. Station C on The Ramparts, and along The Ramparts to Trig. Station A in Block II, Manapouri Survey District; thence southerly by a right line to Trig. Station U in Block VII, Takitimo Survey District; thence south-westerly by a right line to the summit of Paddock Hill; thence due west by a right line to the eastern boundary of the Fiordland National Park, being a straight line from where the Waiau River leaves Lake Manapouri to the point where the Monowai River leaves Lake Monowai; thence southerly generally along that boundary and the south-eastern shore of Lake Monowai to a point due north of Goldie's Hill Trig. Station, situated in Hauroko Survey District; thence due south by a right line through the said trig. station to the sea in Te Waewae Bay; thence westerly and north-easterly generally along the sea coast to a point in line with the south-western boundary of Reserve No. 780, being a Maori reserve, the point of commencement, and including adjacent islands.

SECOND SCHEDULE

Form 1

Reg. 8

FORM OF WHOLE-SEASON OR MONTHLY OR WEEKLY LICENCE

Southern Lakes Acclimatisation District

MEN'S WHOLE-SEASON LICENCE TO FISH

*Under the Fisheries Act 1908 and its Amendments, and Under
the Southern Lakes Fishing Regulations 1965*

THE holder of this licence [*Surname and initials*] of [*Full postal address*] is hereby authorised to fish for trout, salmon, and other acclimatised fish within any part of the district affected by the above regulations between the dates (*or during the period*) shown hereon, subject to the above Acts and to all regulations made thereunder for the time being in force in the said district.

SECOND SCHEDULE—*continued*

Available from to (both days inclusive).

Time of issue a.m./p.m.

Date of issue

Signature of licence holder
(not valid until signed)......
(Authorised Agent).

[NOTE—"Women's" or "Children's" may be substituted for "Men's" in the above form, and "Monthly" or "Weekly" may be substituted for "Whole Season", as appropriate.]

Reg. 8

Form 2

FORM OF DAY FISHING LICENCE

Southern Lakes Acclimatisation District

MEN'S DAY LICENCE TO FISH

Under the Fisheries Act 1908 and its Amendments, and Under the Southern Lakes Fishing Regulations 1965

THE holder of this licence [*Surname and initials*] of [*Full postal address*] is hereby authorised to fish for trout, salmon, and other acclimatised fish within any part of the district affected by the above regulations on the date shown hereon, subject to the above Acts and to all regulations made thereunder for the time being in force in the said district.

Date available

Time of issue a.m./p.m.

Date of issue

Signature of licence holder
(not valid until signed)......
(Authorised Agent).

[NOTE—"Women's" or "Children's" may be substituted for "Men's" in the above form, as appropriate.]

Reg. 10

THIRD SCHEDULE

LICENCE FEES

Class of Person to Whom Licences are Issued	Whole-season Licence			Monthly Licence			Weekly Licence			Day Licence		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
(a) Men, and boys of 17 years of age or over, unless attending school full time	2	10	0	1	5	0	0	15	0	0	5	0
(b) Women, and girls of 17 years of age or over, unless attending school full time	1	5	0	0	12	6	0	7	6	0	3	6
(c) Persons under 17 years of age or attending school full time	0	7	6	No Special Licence			No Special Licence			0	2	6

FOURTH SCHEDULE

Reg. 46

FREEZING CHAMBER REGISTER

Number of Acclimatised Fish	Weight	Number of Depositor's Licence	Name of Licence Holder	Date of Deposit	Date of Delivery	Remarks

FIFTH SCHEDULE

Reg. 71

REGULATIONS REVOKED

Title	Serial Number
The Southern Lakes Fishing Regulations 1951 (Reprinted with Amendments Nos. 1 to 5, S.R. 1955/190)	1951/220
The Southern Lakes Fishing Regulations 1951, Amendment No. 1	1952/186
The Southern Lakes Fishing Regulations 1951, Amendment No. 2	1953/116
The Southern Lakes Fishing Regulations 1951, Amendment No. 3	1954/147
The Southern Lakes Fishing Regulations 1951, Amendment No. 4	1954/213
The Southern Lakes Fishing Regulations 1951, Amendment No. 5	1955/165
The Southern Lakes Fishing Regulations 1951, Amendment No. 6	1956/173
The Southern Lakes Fishing Regulations 1951, Amendment No. 7	1957/194
The Southern Lakes Fishing Regulations 1951, Amendment No. 8	1961/125
The Lake Hayes (Winter Fishing) Regulations 1961	1961/168
The Southern Lakes Fishing Regulations 1951, Amendment No. 9	1962/167
The Southern Lakes Fishing Regulations 1951, Amendment No. 10	1963/181
The Southern Lakes Fishing Regulations 1951, Amendment No. 11	1964/118

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 some changes the Southern Lakes Fishing Regulations 1951 and the amendments of those regulations.

The principal changes are—

- (a) The open season in lakes draining into the Tasman Sea will be the same as that for rivers and streams flowing into that sea, namely, 1 September to 31 May.
 - (b) There will be a winter season in Lake Johnson.
 - (c) The open season for all waters not specified will end on 31 May instead of 30 April.
 - (d) Certain waters in the vicinity of the launch wharf at the township of Wanaka are closed to fishing.
 - (e) Certain waters in the vicinity of Queenstown Wharf in Lake Wakatipu are closed to fishing of any kind, whether for acclimatised fish or not.
 - (f) A person fishing on his own from a boat may use a set rod.
 - (g) The use of natural minnow or worms is permitted in Lake Johnson.
 - (h) Fishing from a mechanically propelled boat is prohibited in Lake Johnson.
 - (i) A bag limit of four quinnat salmon is fixed for the waters draining into the Tasman Sea.
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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 5 August 1965.

These regulations are administered in the Department of Internal Affairs.