

1971/65



## THE SOUTHERN LAKES FISHING REGULATIONS 1971

ARTHUR PORRITT, Governor-General

### ORDER IN COUNCIL

At the Government Buildings at Wellington this 15th day of March 1971

Present:

THE HON. D. J. RIDDIFORD PRESIDING IN COUNCIL

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

#### ANALYSIS

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| <ol style="list-style-type: none"> <li>1. Title, commencement, and application</li> <li>2. Interpretation</li> </ol> <p style="text-align: center;"><b>PART I</b></p> <p style="text-align: center;"><b>LICENCES</b></p> <ol style="list-style-type: none"> <li>3. Fishing without licence prohibited</li> <li>4. Licence to be signed by licence holder</li> <li>5. Kinds of licences</li> <li>6. Issue of licences</li> <li>7. Licence fees</li> <li>8. Issue of licence on compassionate grounds</li> <li>9. Replacement of lost or damaged licences</li> <li>10. Rights to fish conferred by licences</li> <li>11. Licences not to confer right of entry on land</li> <li>12. Licences not transferable</li> </ol> <p style="text-align: center;"><b>PART II</b></p> <p style="text-align: center;"><b>LIABILITIES OF PERSONS FISHING</b></p> <ol style="list-style-type: none"> <li>13. Fishing in close season prohibited</li> <li>14. Anglers to give name and address, and produce licence, etc.</li> <li>15. Disturbing spawning grounds, etc.</li> <li>16. Restrictions on methods of fishing</li> <li>17. Restrictions on lures</li> <li>18. Restriction on use of boats</li> <li>19. Restriction on taking of fish from or within 50 yards of fish traps, etc.</li> <li>20. Tagged acclimatised fish</li> </ol> <p style="text-align: center;"><b>PART III</b></p> <p style="text-align: center;"><b>BAG AND SIZE LIMITS</b></p> <ol style="list-style-type: none"> <li>21. Interpretation</li> <li>22. Bag limit</li> <li>23. Size limit</li> </ol> | <p style="text-align: center;"><b>PART IV</b></p> <p style="text-align: center;"><b>COMMERCIALISATION OF ACCLIMATISED FISH</b></p> <ol style="list-style-type: none"> <li>24. Application</li> <li>25. Duties of person in charge of freezing chamber or smokehouse</li> <li>26. Restriction on number of acclimatised fish that may be deposited in freezing chamber or smokehouse</li> <li>27. Sale, etc., of acclimatised fish prohibited</li> </ol> <p style="text-align: center;"><b>PART V</b></p> <p style="text-align: center;"><b>OFFENCES AND PENALTIES</b></p> <ol style="list-style-type: none"> <li>28. Interference with notices and landmarks</li> <li>29. Pollution of waters</li> <li>30. Wrongful possession</li> <li>31. Offences and penalties</li> <li>32. Seizure of fish unlawfully taken, etc.</li> <li>33. Disposal of fish and property seized</li> <li>34. Court may cancel or impound licence of or disqualify convicted person</li> </ol> <p style="text-align: center;"><b>PART VI</b></p> <p style="text-align: center;"><b>GENERAL PROVISIONS</b></p> <ol style="list-style-type: none"> <li>35. Taking of fish for piscicultural, scientific, or other purposes</li> <li>36. Keeping live acclimatised fish in captivity</li> <li>37. Taking, possession, or sale of indigenous fish</li> <li>38. Fish not to be liberated without authority</li> <li>39. Faunistic reserves</li> <li>40. Revocations</li> </ol> <p style="text-align: center;">Schedules</p> |
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## REGULATIONS

**1. Title, commencement, and application**—(1) These regulations may be cited as the Southern Lakes Fishing Regulations 1971.

(2) These regulations shall come into force on the 1st day of September 1971.

(3) These regulations shall have force and effect only in the Southern Lakes Acclimatisation District.

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

“Acclimatised fish” means brown trout (*Salmo trutta*), rainbow trout (*Salmo gairdneri*), Atlantic salmon (*Salmo salar*), quinnat or spring salmon (*Oncorhynchus tshawytscha*), perch (*Perca fluviatilis*), and American brook trout or char (*Salvelinus fontinalis*); 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:

“Artificial fly” includes any lure of feather, fur, wool, or other material of any kind customarily used in the making of artificial flies; but does not include any lure in the tying of which lead or other weight has been incorporated:

“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:

“Assembled rod” means a rod that is assembled from butt to tip, together with a reel and line attached:

“Boat” includes a launch or other vessel; and also includes any canoe, punt, or raft and any aircraft or hovercraft on the surface of the water:

“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:

“Day” means a day computed from midnight to midnight:

“District” means the Southern Lakes Acclimatisation District as described in the First Schedule to these regulations:

“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:

“Foulhook”, in relation to any acclimatised fish, means to take the fish with a hook otherwise than through the mouth:

“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:

“Length”, in relation to any fish, means the total length from the tip of the snout to the tip of the tail:

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

“Lure” includes any artificial or natural fly, any artificial or natural minnow, and any artificial or natural worm:

“Natural fly” includes spiders and insects; but does not include anything the use of which is prohibited by paragraph (c) of subclause (1) of regulation 17 of 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 between Makawhio Point and Puysegur Point (including the tributaries of those rivers and streams, but excluding all those waters draining into Deep Cove, Doubtful Sound, via the hydro-electric outfall from Lake Manapouri), 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 Lakes Hawea, Wanaka, Wakatipu, Te Anau, Manapouri, Hayes, and Johnson, the 1st day of October in any year to the 31st day of July 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:

“River” or “stream” includes any lake or impoundment of waters thereon, whether natural or artificial; and also includes any artificial watercourse:

“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:

“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:

“Take”, and all references thereto, include taking, catching, killing, or pursuing by any means or device; and also include the attempt to take.

(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 and lure.

PART I  
LICENCES

**3. Fishing without licence prohibited**—No person shall take acclimatised fish within the district unless he is the holder of a current licence issued under these regulations:

Provided that the following classes of persons may, subject to compliance with these regulations, take acclimatised fish in the following waters that are within the district:

- (a) In the case of a person who is the holder of a current whole-season licence issued under the Freshwater Fisheries Regulations 1951\* by any acclimatisation society, that portion of the Southern Lakes Acclimatisation District that lies within the Westland Land District:
- (b) In the case of a 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—
  - (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:

Provided also that 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 take 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.

**4. Licence to be signed by licence 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.

**5. Kinds of licences**—The following licences to take 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 July:  
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 July in the next succeeding year:
- (b) A monthly licence, in which the second day named shall be a day not later than the day 1 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 6 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.

\*S.R. 1951/15 (Reprinted with Amendments Nos. 1 to 8: S.R. 1964/196)  
Amendment No. 9: S.R. 1965/170  
Amendment No. 10: S.R. 1966/208  
Amendment No. 11: S.R. 1970/101

**6. Issue of licences**—Licences shall be issued only by persons authorised in writing in that behalf by the Secretary or his appointee, and, in the case of a whole-season or monthly or weekly licence, shall be generally in form 1 in the Second Schedule to these regulations, and, in the case of a day licence, shall be generally in form 2 in that Schedule.

**7. Licence fees**—(1) There shall be paid and received for licences issued under these regulations the appropriate fees set out in the Third Schedule to these regulations.

(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 representation 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 as a pupil.

**8. Issue of licence on compassionate grounds**—Notwithstanding the provisions of regulation 7 of these regulations, 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.

**9. 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 25 cents, 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.

**10. Rights to fish conferred by licences**—(1) Subject to the conditions and restrictions imposed by these regulations, the holder of a licence may take 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:

Provided that no person, whether a licence holder or not, shall take acclimatised fish 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:

- (d) That portion of the Moeraki River that lies upstream from Lake Moeraki:
  - (e) The Windbag Stream:
  - (f) Those waters draining into Deep Cove, Doubtful Sound, via the hydro-electric outfall from Lake Manapouri:
  - (g) Any waters in which acclimatised fish are held in captivity for display purposes pursuant to an authority given under regulation 36 of these regulations or the corresponding provisions of any former regulations.
- (2) Notwithstanding anything in subclause (1) of this regulation or in paragraph (b) of the definition of the term "open season" in subclause (1) of regulation 2 of these regulations, no person shall take quinnat or spring salmon (*Oncorhynchus tshawytscha*) in any river, lake, or stream draining into the Tasman Sea between Makawhio Point and Puysegur Point, or in any tributary of any such river or stream, or in any river or stream flowing into any such lake, or in any tributary of any such last-mentioned river or stream.
- (3) 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 take acclimatised fish or in any way injure or disturb the same in any part of the district during the close season for that part.

11. Licences not to confer right of entry on land—No licence shall confer any right of entry upon the land of any person.

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

## PART II

### LIABILITIES OF PERSONS FISHING

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

14. Anglers to give name and address, and produce licence, etc.—Every person taking acclimatised fish or in possession of a fishing rod or gear suitable for fishing for acclimatised fish shall, on the demand of any ranger or constable,—

- (a) Give his true name and place of residence, and, on the like demand, produce and show to any such ranger or constable his licence and the contents of his creel or container and any lure or bait in his possession:
- (b) Make or give legibly and clearly a specimen signature for comparison with the signature of the holder on the licence required under regulation 4 of these regulations.

**15. Disturbing spawning grounds, etc.**—No person shall, without having first obtained an authority in writing from the Secretary, or otherwise in accordance with these regulations,—

- (a) Disturb or damage spawning grounds; or
- (b) Disturb the bed, bank, or margin of any stream, river, or other water adjacent to any spawning grounds; or
- (c) Have in his possession the eggs or young of acclimatised fish taken from any spawning grounds.

**16. Restrictions on methods of fishing**—(1) No person shall take acclimatised fish by any means other than with one rod and running line, or use for the purpose of taking or killing acclimatised fish—

- (a) Any strokehauling or foulhooking gear; or
- (b) Any gaff; or
- (c) 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
- (d) Any lure having attached thereto more than 1 hook, which may be either a single hook or a multiple hook unit; or
- (e) Any net; or
- (f) More than 2 lures; or
- (g) Any unsportsmanlike device:

Provided that this subclause shall not forbid the use with artificial fly of a dropper having only 1 hook (which may be either a single hook or a multiple hook unit) or the use of a landing net to secure any acclimatised fish lawfully taken.

(2) No person shall foulhook or attempt to foulhook any acclimatised fish.

(3) No person shall take acclimatised fish with a set rod, unless—

- (a) He is fishing from a boat of which he is the sole occupant; or
- (b) Where there are 2 or more occupants of the boat, he has the actual physical control of the navigation of the boat; or
- (c) He remains within 50 feet of his rod.

(4) No person who is actually fishing for acclimatised fish with a rod and running line from a boat shall have in his possession any other assembled rod.

**17. Restrictions on lures**—(1) Subject to subclause (2) of this regulation, no person shall, in fishing for acclimatised fish, use—

- (a) Any lure containing the feathers of any bird absolutely protected under the Wildlife Act 1953; or
- (b) With any lure, 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; or
- (c) Any mollusc, or the freshwater crayfish (koura), or the creeper, or the huhu or matai grub, or fish roe, or any imitation of any of the things specified in this paragraph:

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

(2) No person shall, in fishing for acclimatised fish, use in any river or water specified in column 1 of the Fourth Schedule to these regulations any lure other than a lure specified against that river or water in column 2 of that Schedule:

Provided that nothing in this subclause shall authorise any person to take acclimatised fish in any of the waters in which fishing is prohibited by subclause (1) of regulation 10 of these regulations.

**18. Restriction on use of boats—**(1) No person shall take 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 Blue Gum Point north of the Te Anau township 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.

(2) No person shall fish from, or tow or troll any lure from, any mechanically propelled or mechanically drawn boat in Lake Hayes or Lake Johnson.

**19. Restriction on taking of fish from or within 50 yards of fish traps, etc.—**No person shall—

- (a) Take any fish from; or
- (b) Interfere with or damage; or
- (c) Take any acclimatised fish in or from any water which is within 50 yards of—

any net, trap, pound net, electrical device, or other contrivance erected or placed for the purpose of preventing or controlling the movement of acclimatised fish and used by any person for the purposes of acclimatisation, propagation, pisciculture, or for scientific or other purposes pursuant to regulation 35 of these regulations.

**20. 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 the 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 by clipping or removing a fin or fins except with the written consent of the Secretary.

### PART III

#### BAG AND SIZE LIMITS

**21. Interpretation**—In this Part of these regulations the expression “acclimatised fish” does not include perch (*Perca fluviatilis*).

**22. Bag limit**—(1) No person shall on any one day take (exclusive of fish dealt with under regulation 23 of these regulations) more than 12 acclimatised fish, of which not more than 6 may be trout or Atlantic salmon (*Salmo salar*) and not more than 6 may be landlocked quinnat or spring salmon (*Oncorhynchus tshawytscha*).

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

**23. Size limit**—(1) No person shall have in his possession—

(a) Any Atlantic salmon (*Salmo salar*) that does not exceed 15 in. in length; or

(b) Any other acclimatised fish that does not exceed 12 in. in length.

(2) Every person taking an acclimatised fish of a length less than that specified in subclause (1) of this regulation shall, notwithstanding anything in regulation 29 of these regulations, and whether it is alive or dead, immediately return it into the water from which it was taken.

### PART IV

#### COMMERCIALISATION OF ACCLIMATISED FISH

**24. Application**—The provisions of regulations 25 and 26 of these regulations shall apply to any person who freezes, smokes, or otherwise preserves, treats, or stores acclimatised fish for reward.

**25. Duties of person in charge of freezing chamber or smokehouse**—(1) No person in charge of any freezing chamber or smokehouse shall receive any acclimatised fish for the purpose of freezing or smoking that acclimatised fish or have any acclimatised fish in any such freezing chamber or smokehouse, unless he makes or causes to be made correctly in a register kept for that purpose the entries in respect of the acclimatised fish specified in subclause (3) of this regulation.

(2) The person in charge of any freezing chamber or smokehouse shall permit any ranger to enter the freezing chamber or smokehouse at all reasonable times and to inspect any acclimatised fish therein and to inspect and copy any entries from the register.

(3) The entries to be made in accordance with the provisions of subclause (1) of this regulation are as follows:

(a) The species of acclimatised fish:

(b) The date of receipt of the fish:

(c) The number of fish:

(d) The name and address of the owner of the fish:

- (e) The number of the licence (if any) of the owner of the fish:
- (f) The address (if any) to which the fish are to be forwarded:
- (g) The mode of identification of the fish while in the freezing chamber or smokehouse.

**26. Restriction on number of acclimatised fish that may be deposited in freezing chamber or smokehouse**—No person shall on any one day deposit, and no person in charge of a freezing chamber or smokehouse shall on any one day accept for deposit from any one person, any acclimatised fish in excess of the bag limit for that species of fish prescribed by regulation 22 of these regulations.

**27. Sale, etc., of acclimatised fish prohibited**—(1) Except for the purpose of pisciculture or acclimatisation, 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 take, 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.

(3) The provisions of this regulation shall apply to any acclimatised fish, whether fresh, salted, smoked, canned, frozen, or in any other form.

## PART V

### OFFENCES AND PENALTIES

**28. Interference with notices and landmarks**—No person shall, without lawful authority, remove, have in possession, deface, alter, destroy, damage, displace, or alter the position of any notice or landmark erected pursuant to these regulations, or the corresponding provisions of any former regulations, or for the purpose of conveying information as to any provision thereof or any prohibition or restriction imposed thereby.

**29. Pollution of waters**—(1) No person shall—

- (a) Except under any authority conferred by the Water and Soil Conservation Act 1967, cast or allow to flow into, or place on or near the bank or margin of, any waters any sawdust or sawmill refuse, lime (other than agricultural or slaked lime), sheep dip, flaxmill refuse, oil, chlorinated hydrocarbon pesticide, or any other matter or liquid poisonous or harmful to fish:

Provided that nothing in this paragraph shall apply with respect to the depositing of debris from any mining claim; or

- (b) Cast, throw, or place, or permit to be cast, thrown, or placed, any bottles, cans, rubbish, refuse, or substance of any kind on or into any waters or on any river bed or on to the bank or margin of any waters or any river bed; or
- (c) 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.

(2) Every person who commits a breach of subclause (1) of this regulation commits a further offence if he neglects or refuses to remove the material in respect of which the breach arose immediately upon having been ordered so to do by the Conservator of Wildlife at Queens-town or any ranger who is an employee of the Department of Internal Affairs.

**30. Wrongful possession**—(1) 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 that—

(a) The fish was lawfully taken during the open season in the part of the district where it was taken; or

(b) The fish had been lawfully taken from waters outside the district during any open season in those waters as defined in any regulations made pursuant to section 83 of the Fisheries Act 1908.

(2) No person shall have in his possession—

(a) Any acclimatised fish taken by any one or more of the methods prohibited by subclause (1) or subclause (2) of regulation 16 of these regulations:

(b) Any acclimatised fish taken from any of the waters in which fishing is prohibited by subclause (1) of regulation 10 of these regulations or any quinnat or spring salmon taken in breach of subclause (2) of that regulation:

(c) Any acclimatised fish that has been foulhooked:

Provided that it shall not be a breach of paragraph (c) of this subclause if the acclimatised fish, whether it is alive or dead, is immediately returned into the water from which it was taken.

**31. Offences and penalties**—(1) Every person commits an offence who does any act in contravention of or fails to comply with any provision of these regulations.

(2) Every person who commits an offence against these regulations is liable on summary conviction—

(a) In the case of an offence against regulation 29 (1) (a) of these regulations, to a fine not exceeding \$2,000, and, where the offence is a continuing one, to a further fine not exceeding \$20 for every day on which the offence has continued; and

(b) To a fine not exceeding \$300 in the case of any other offence against these regulations; and

(c) In the case of an offence against any of the following regulations, namely—regulations 10, 19, 20 (2), 22, 25, 27, 30, 36, and 38 of these regulations, to a further fine not exceeding \$5 for each fish in respect of which the offence was committed; and

(d) In the case of a continuing offence against any of the following regulations, namely—regulations 25, 29 (1) (b), 29 (1) (c), and 36 of these regulations, to a further fine not exceeding \$5 for every day on which the offence is continued.

**32. Seizure of fish unlawfully taken, etc.**—In addition to the powers of seizure conferred on rangers and constables by section 80 of the Fisheries Act 1908, any ranger or constable may seize—

- (a) Any fish illegally taken or had in possession or which he reasonably believes to be illegally taken or had in possession:
- (b) Any 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.

**33. Disposal of fish and property seized**—Any fish or other property seized under regulation 32 of these regulations and any 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 fish or other 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 (that fish or property being forfeited to the Crown under section 84 of the Fisheries Act 1908) shall be disposed of in such manner as the Secretary directs:

Provided that 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 of 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:

- (b) If in any such proceedings the charge is dismissed, or if no such proceedings are commenced within 6 months after the seizure, the fish or other property shall be returned to the person last in possession thereof.

**34. Court may cancel or impound licence of or disqualify convicted person**—On the conviction of any person of an offence against these regulations, the Court in its discretion may, instead of or in addition to any other penalty,—

- (a) 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:
- (b) Make an order prohibiting the issue of a licence to that person for any period not exceeding 2 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 VI

## GENERAL PROVISIONS

**35. Taking of fish for piscicultural, scientific, or other purposes—**Notwithstanding anything to the contrary in these regulations,—

- (a) Any person with the prior written authority of the Secretary or his appointee; or
- (b) Any officer of the Department of Internal Affairs or of the Marine Department acting in the course of his official duties,— may, for the purposes of pisciculture, scientific investigation, acclimatisation, propagation, or any other purposes, take by any means whatsoever any fish from any waters in the district at any time, and may have in his possession fish taken for these purposes:

Provided that the use of dynamite or other explosive substance, or any toxic, poisonous, or narcotic substance or gas, or any electrical device for the above purposes shall be restricted to officers of the Department of Internal Affairs, or of the Marine Department.

**36. Keeping live acclimatised fish in captivity—**No person shall obtain or shall keep in captivity any live acclimatised fish (not being perch (*perca fluviatilis*)) 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.

**37. Taking, possession, or sale of indigenous fish—**(1) No person shall—

- (a) Take; or
- (b) Have in his possession; or
- (c) Sell—

any crustacea of the genus *Paranephrops* (commonly called freshwater crayfish or koura) or any other fish indigenous to New Zealand (except any fish of the genus *Galaxias* (whitebait), any lamprey, and any eel), or the ova, young, or fry of any such crustacea or other fish as aforesaid:

Provided that nothing in this regulation shall render it unlawful for any person to take natural minnow from and for use in Lake Johnson, or Lake Hayes, or the streams flowing into or out of Lake Hayes.

(2) No person shall—

- (a) Take in any manner whatever any fish of the genus *Galaxias* (whitebait) from any waters in the district except rivers or streams flowing into the sea and the tributaries of any such rivers or streams; or
- (b) Have in his possession or sell any fish of the genus *Galaxias* (whitebait) taken in breach of paragraph (a) of this subclause.

(3) No person shall take any species of indigenous fish from the waters described in paragraph (b) of subclause (1) of regulation 10 of these regulations or be in possession of any indigenous fish taken in breach of this subclause.

**38. Fish not to be liberated without authority—**No 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.

**39. 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 or injure 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.

**40. Revocations**—The following regulations are hereby revoked:

- (a) The Southern Lakes Fishing Regulations 1965\*:
- (b) The Southern Lakes Fishing Regulations 1965, Amendment No. 1†:
- (c) The Southern Lakes Fishing Regulations 1965, Amendment No. 2‡.

\*S.R. 1965/135  
 †S.R. 1966/146  
 ‡S.R. 1970/78

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## SCHEDULES

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### FIRST SCHEDULE

Reg. 2 (1)

#### 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-ava 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 Mountains passing through

FIRST SCHEDULE—*continued*

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 the 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 the 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 to Reserve No. 780, being a Maori reserve, the point of commencement, and including adjacent islands.

Reg. 6

## SECOND SCHEDULE

## Form 1

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 1971*

THE holder of this licence [*Surname and initials*] of [*Full postal address*] is hereby authorised to take 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).

(Issuing Officer).

[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.]

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 1971

THE holder of this licence [*Surname and initials*] of [*Full postal address*] is hereby authorised to take 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).

(Issuing Officer).

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

THIRD SCHEDULE

Reg. 7

LICENCE FEES

Class of Person to Whom Licences are Issued	Whole-season Licence	Monthly Licence	Weekly Licence	Day Licence
(a) Men, and boys of 16 years of age or over, unless attending school full time as a pupil .....	\$ 6.00	\$ 3.00	\$ 2.00	\$ 0.75
(b) Women, and girls of 16 years of age or over, unless attending school full time as a pupil .....	3.00	1.50	1.00	0.50
(c) Children under 16 years of age, or attending school full time as a pupil .....	1.00	No Special Licence	No Special Licence	0.30



## Reg. 17 (2)

## FOURTH SCHEDULE

## RESTRICTIONS ON LURES

Column 1 Description of Waters	Column 2 Lures Permitted
1. (a) Lake Hayes and all streams flowing into or out of Lake Hayes (b) Lake Johnson	} Natural or artificial fly, natural or artificial minnow, or natural or artificial worms.
2. (a) 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 (b) The Clutha River between the Luggate Bridge and the point in the Cromwell Gorge where the boundary of the district crosses the river	} Natural or artificial fly, artificial minnow, or natural or artificial worms.
3. (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	} Natural fly, or artificial fly. Except as provided in the definition of "artificial fly" in regulation 2 (1) of these regulations, 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 shall be added to the cast, line, or fly.
4. In all other waters within the district	} Natural fly, artificial fly, or artificial minnow.

P. J. BROOKS,  
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 replace, with some changes, the Southern Lakes Fishing Regulations 1965.

The principal changes are—

- (a) Perch have been added to the definition of "acclimatised fish" (reg. 2 (1)).
- (b) The open season has been changed in certain waters (reg. 2 (1)).
- (c) The date for expiry of whole-season licences is changed to 31 July (reg. 5 (a)).
- (d) Certain additional waters are closed to fishing (reg. 10 (1)).
- (e) Only rangers and constables may demand to see licences, etc. (reg. 14).
- (f) The restriction on the use of cross lines, "otters", and hand lines is removed (reg. 16 (1)).

- (g) New restrictions are placed on the use of boats and set rods (reg. 16 (3) and (4)).
- (h) Further restrictions are placed on the use of feathers in lures (reg. 17 (1) (a)).
- (i) The use of artificial molluscs, worms, and certain other lures is prohibited (reg. 17 (1) (c)).
- (j) Trolling is no longer prohibited on Lake Dispute (reg. 18 (2)).
- (k) The provisions as to bag limits and size limits do not apply to perch (reg. 21).
- (l) The bag limit is changed (reg. 22).
- (m) The provisions for freezing and smoking acclimatised fish are changed (reg. 25).
- (n) The quantity of fish which may be frozen or smoked is redefined (reg. 26).
- (o) The canning provisions are omitted.
- (p) Interference with notices and landmarks is prohibited (reg. 28).
- (q) Penalties are increased and varied (reg. 31).
- (r) The provisions as to keeping live acclimatised fish in captivity do not apply to perch (reg. 36).
- (s) Further prohibitions on taking indigenous fish, etc., are included (reg. 37).
- (t) A new scale of licence fees is prescribed (Third Schedule).

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 18 March 1971.

These regulations are administered in the Department of Internal Affairs.