



## THE TAUPO FISHING REGULATIONS 1984, AMENDMENT NO. 5

PAUL REEVES, Governor-General

### ORDER IN COUNCIL

At Wellington this 11th day of June 1990

Present:

THE RIGHT HON. HELEN CLARK PRESIDING IN COUNCIL

PURSUANT to section 14 of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926, and to sections 48 and 48A of the Conservation Act 1987, 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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## REGULATIONS

**1. Title, commencement, and application**—(1) These regulations may be cited as the Taupo Fishing Regulations 1984, Amendment No. 5, and shall be read together with and deemed part of the Taupo Fishing Regulations 1984\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of July 1990.

(3) These regulations shall apply in respect of all licences issued in respect of any period commencing on or after the 1st day of July 1990.

**2. Interpretation**—(1) Regulation 2 (1) of the principal regulations is hereby amended by omitting the definition of the term “artificial fly”, and substituting the following definition:

“‘Artificial fly’—

“(a) Includes any lure of feather, fur, wool, or other material of any kind customarily used in the making of artificial flies; but

“(b) Does not include any lure in the tying of which lead or other weight has been incorporated, unless the hook incorporated in the lure does not exceed 17 mm in length (being the horizontal straight line distance from the rear of the eye of the hook to the rear of the bend) and the gap (being the distance from the point of the hook to the underside of the nearest part of the hook shank above the point) does not exceed 5.5 mm.”.

(2) Regulation 2 (1) of the principal regulations is hereby further amended by revoking the definition of the term “Officer”, and substituting the following definition:

“‘Officer’ means a warranted officer within the meaning of the Conservation Act 1987.”.

(3) Regulation 2 (1) of the principal regulations is hereby further amended by inserting, after the definition of the term “open season”, the following definitions:

“‘Set rod’ means any assembled rod that is not in physical contact with a person when being used to take trout:

“‘Strike indicator’—

“(a) Means any synthetic or natural yarn attached to the line or cast, and used by the person fishing as an aid to detect a strike; but

“(b) Does not include—

“(i) Any other material or any object attached to the line or cast; or

“(ii) Any synthetic or natural yarn to which has been added any material or chemical (other than a colour dye or surfactant line floatant preparation);”.

**3. Classes of licences**—Regulation 6 of the principal regulations is hereby amended by revoking paragraph (d), and substituting the following paragraph:

“(d) A day licence, which shall be in force only on the day named therein.”

\*S.R. 1984/547

Amendment No. 1: S.R. 1985/129

Amendment No. 2: (Revoked by S.R. 1988/123)

Amendment No. 3: S.R. 1988/125

Amendment No. 4: S.R. 1989/148

**4. Rights to fish conferred by licences**—Regulation 10 (2) of the principal regulations is hereby amended by revoking paragraph (d).

**5. New regulations substituted in principal regulations**—The principal regulations are hereby amended by revoking regulation 13, and substituting the following regulations:

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

“13A. **Unauthorised amendment of licences prohibited**—(1) No person, except an issuing officer, shall in any way amend anything appearing on the face of a licence.

“(2) No person shall falsify or knowingly omit any information that is required by these regulations to be specified on the face of a licence.

“13B. **Operator not to permit unlicensed persons to fish from commercial vessel**—No person who operates any licensed commercial vessel on Lake Taupo pursuant to regulation 17 of the Lake Taupo Regulations 1976\*, or who causes or permits any such vessel to be operated on the lake, shall permit any other person to fish from the vessel unless that other person holds an appropriate current licence to fish.”

**6. Prohibitions relating to trout fishing**—The principal regulations are hereby amended by revoking regulation 14, and substituting the following regulation:

“14. No person shall take trout—

“(a) During the period between the hours of 12 midnight and 5.00 a.m.;

or

“(b) From any waters, except during the open season for those waters.”

**7. Restrictions on methods of fishing**—(1) Regulation 16 (1) of the principal regulations is hereby amended by revoking paragraph (j), and substituting the following paragraph:

“(j) Any outrigger, downrigger, or similar device; or”.

(2) Regulation 16 (4) of the principal regulations is hereby amended by revoking paragraph (b), and substituting the following paragraph:

“(b) Take trout with a set rod, unless he or she is fishing from a boat and all persons on board hold an appropriate current licence to fish:”.

(3) Regulation 16 (4) is hereby further amended by adding, after paragraph (c), the following paragraphs:

“(d) Operate or be in charge of a boat from which a set rod is or set rods are being used in contravention of any provision of these regulations:

“(e) In waters reserved for natural fly or artificial fly fishing only, add to or attach to the cast, line, or fly—

“(i) Any spinning attachment; or

“(ii) Anything made from lead, glass, plastic, or other material to facilitate casting or to increase the sinking or buoyancy of the line.”

(4) Regulation 16 of the principal regulations is hereby further amended by adding, after subclause (4) (as amended by subclause (3) of this regulation), the following subclause:

“(5) Nothing in subclause (4) (e) of this regulation shall prevent the use of a strike indicator.”

**8. Tagged trout**—Regulation 19 (1) of the principal regulations is hereby amended by omitting the words “Internal Affairs”, and substituting the word “Conservation”.

**9. Taking of fish for piscicultural, scientific, or other purposes**—Regulation 39 (b) of the principal regulations is hereby amended by omitting the words “Internal Affairs”, and substituting the word “Conservation”.

**10. Fishing competitions**—The principal regulations are hereby amended by inserting, after regulation 45, the following regulation:

“45A. No person shall promote, organise, or participate in a fishing competition, unless the competition has been approved in writing by the Director-General.”

**11. New Schedule of licence fees substituted**—(1) The principal regulations are hereby amended by revoking the Second Schedule (as substituted by regulation 2 (1) of the Taupo Fishing Regulations 1984, Amendment No. 4), and substituting the new Second Schedule set out in the Schedule to these regulations.

(2) The Taupo Fishing Regulations 1984, Amendment No. 4 are hereby consequentially revoked.

**12. Third Schedule amended**—The Third Schedule to the principal regulations is hereby amended by omitting the words in column 2 opposite clause 1 (a) (iii), and substituting the following words:

“Natural fly or artificial fly.”

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SCHEDULE  
NEW SECOND SCHEDULE TO PRINCIPAL REGULATIONS  
"SECOND SCHEDULE  
LICENCE FEES

Reg. 11

Reg. 8

Class of Persons to Whom Licences are Issued	Whole Season Licence	Month Licence	Week Licence	Day Licence
	\$	\$	\$	\$
(a) Adults, and any child of 16 years of age or over unless attending school full time as a pupil	42.00	28.00	20.00	7.50
(b) Children under 16 years of age or attending school full time as a pupil	5.50	No special licence	No special licence	1.50"

MARIE SHROFF,  
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, which come into force on 1 July 1990, amend the Taupo Fishing Regulations 1984.

*Regulation 2* inserts definitions of the terms "set rod" and "strike indicator", and substitutes new definitions of the terms "artificial fly" and "Officer".

*Regulation 3* amends regulation 6 of the principal regulations to make it clear that a day licence is in force only on the day named on the face of the licence.

*Regulation 4* revokes regulation 10 (2) (d) of the principal regulations. That provision permitted a licence holder to take trout in the waters and from the banks of the Otamangakau Lake and its watershed.

*Regulation 5* revokes regulation 13 of the principal regulations (which relates to the transfer of licences), and substitutes new regulations 13 to 13B. The new regulations provide as follows:

- (a) *Regulation 13* prohibits the transfer of licences and carries forward former regulation 13 (1);
- (b) *Regulation 13A* prohibits the amendment of a licence, except by an issuing officer and carries forward former regulation 13 (2). The new regulation also contains a new provision which prohibits the falsification or deliberate omission from a licence of any information that is required to be specified on its face;
- (c) *Regulation 13B* prohibits the operator of a commercial vessel from allowing unlicensed persons to fish from the vessel.

*Regulation 6* revokes and replaces regulation 14 of the principal regulations. The new regulation—

- (a) Continues the prohibition against trout fishing between the hours of 12 midnight and 5.00 a.m.; and

(b) Prohibits trout fishing in any waters, except during the open season for those waters.

*Regulation 7* amends regulation 16 of the principal regulations, which restricts fishing methods. The new provisions—

- (a) Prohibit the use of a downrigger.
- (b) Prohibit the use of a set rod, except in a boat where all persons on board hold an appropriate licence.
- (c) Prohibit, in waters reserved for natural fly or artificial fly, the use of attachments other than strike indicators.

*Regulation 8* amends regulation 19 (1) of the principal regulations (which relates to tagged trout) by requiring tags to be delivered to an officer of the Department of Conservation. Formerly, tags were required to be delivered to an officer of the Department of Internal Affairs.

*Regulation 9* amends regulation 39 of the principal regulations to enable any officer of the Department of Conservation to take fish for scientific or other purposes. Formerly, officers of the Department of Internal Affairs had this power.

*Regulation 10* inserts into the principal regulations new *regulation 45A*, which requires the approval of the Director-General of Conservation before fishing competitions can be held.

*Regulation 11* increases licence fees.

*Regulation 12* removes from the Third Schedule to the principal regulations a restriction on the use of lures.

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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 14 June 1990.

These regulations are administered in the Department of Conservation.