

Serial Number 1951/219

**THE TAUPO TROUT FISHING REGULATIONS 1950,
AMENDMENT NO. 1**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 26th day of
September 1951

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Fisheries Act 1908 and section 14 of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Taupo Trout Fishing Regulations 1950, Amendment No. 1, and shall be read together with and deemed part of the Taupo Trout Fishing Regulations 1950* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. (1) Regulation 9 of the principal regulations is hereby amended by adding the following subclause as subclause (2) thereof:—

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

(2) The Second Schedule to the principal regulations is hereby amended by inserting in the Form of Licence, after the words “ Postmaster [*or* Authorized person.]”, the words “ Signature of Licensee : (Not valid until signed) ”.

3. Regulation 10 of the principal regulations is hereby revoked.

4. Regulation 30 of the principal regulations is hereby amended by adding the following subclause as subclause (2) thereof:—

“ (2) The holder of a current licence when fishing for trout or in possession of an assembled fishing rod and gear suitable for fishing for trout shall, on demand of any ranger, constable, or officer of the Department of Internal Affairs, make or give legibly and clearly a specimen signature for comparison with the signature of the holder on the licence required under subclause (2) of regulation 9 of these regulations.”

5. Regulation 38 of the principal regulations is hereby amended by adding the words “ to a depth of not less than 6 in. below the level of the surrounding ground ”.

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

6. (1) Regulation 43 of the principal regulations is hereby amended by revoking paragraph (e) of subclause (2), and substituting the following paragraphs:—

“(e) That portion of Lake Taupo, being a rectangle bounded on the east by a line 400 yards long extending along the shore 200 yards north and 200 yards south from the centre of the meeting line of the Tauranga-Taupo River with the said lake and extending thence westward over the waters of the lake for a distance of 200 yards:

“(f) Those portions of Lake Taupo, other than the portions described in paragraphs (b) and (e) of this subclause lying within a radius of 200 yards from the centre of the meeting lines of that lake and all rivers and streams flowing into that lake, except the Tongariro River and the Waikino and Otupoto streams.”

(2) Regulation 43 of the principal regulations is hereby further amended by omitting from subclause (3) the words “Tongariro and Tauranga-Taupo Rivers”, and substituting the words “Tongariro River”.

(3) Regulation 43 of the principal regulations is hereby further amended by revoking subparagraphs (i) and (xii) of paragraph (b) of subclause (5), and substituting therefor respectively the following subparagraphs:—

“(i) Commencing at a point in Tapuaeharuru Bay on the western side of the outlet (Waikato River) where it leaves the lake and following the western shore line of the said bay in a generally south-western direction to a point known as Teruatakuahi immediately south of Jerusalem Bay, as indicated by a landmark at that point:

“(xii) Commencing at the rocks approximately 400 yards south of the point known as Wharewhaka, as indicated by a landmark, and following the south-eastern and north-eastern shores of Tapuaeharuru Bay to the point on the eastern side of the outlet (Waikato River):”.

7. Regulation 47 of the principal regulations is hereby amended by adding the words “or on or onto the bank or margin of any such waters or river bed”.

8. Regulation 48 of the principal regulations is hereby amended as follows:—

(a) By omitting the word “unburied”:

(b) By adding the words “unless it is buried to a depth of not less than 6 in. below the level of the surrounding ground”.

9. Regulation 49 of the principal regulations is hereby amended by omitting the words “except during the first five days thereof”.

10. (1) The principal regulations are hereby amended by revoking regulations 75, 76, 77, and 78, and substituting the following regulation:—

“75. Subject to the provisions of subsection (2) of the special Act, no person shall fish for, take, or kill in any manner whatever any species of whitebait, any crustacea of the genus *Paranephrops* (commonly called freshwater crayfish or koura), or any other small fish indigenous to New Zealand, or the ova, young, or fry of any such

whitebait, crustacea, or other fish as aforesaid in any stage whatsoever, or intentionally have in his possession or sell any such whitebait, crustacea, or other fish or the ova, young, or fry thereof taken or killed in the district."

(2) The principal regulations are hereby further amended by revoking regulation 40.

(3) Regulation 41 of the principal regulations is hereby amended by omitting the words "or regulation 40".

(4) Regulation 121 of the principal regulations is hereby amended by omitting the words "and regulation 49", and substituting the words "regulation 49, and regulation 75".

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 make several miscellaneous amendments of the Taupo Trout Fishing Regulations 1950.

Regulation 2 provides that licences do not become valid until signed by the holder, and specimen signatures must be given on request (regulation 4).

Regulation 3 revokes regulation 10 of the principal regulations, which authorizes issuing officers to refuse licences to persons convicted of offences relating to trout fishing. Regulation 128 of the principal regulations is not affected, and the power of prohibiting the issue of licences to convicted persons is now confined to the Court that makes the conviction.

Regulation 38 of the principal regulations requires all undersized trout to be returned alive into the water, or, if it is dead or diseased, to be buried. Regulation 5 of these regulations requires the fish to be buried to a depth of at least 6 in.

Regulation 6 amends regulation 43 of the principal regulations, which imposes restrictions on fishing in certain specified places.

The effect of regulation 7 is to prohibit the leaving of rubbish on the bank or margin of any waters or river bed.

Regulation 48 of the principal regulations forbids the leaving of fish or fish cleanings or offal unburied on the bank or margin of any water in which there are trout. Regulation 8 of these regulations requires the fish, cleanings, or offal to be buried to a depth of at least 6 in.

Regulation 49 of the principal regulations makes it unlawful for any person to be in possession of trout during the close season except during the first five days thereof, but it is a defence to any person charged with an offence under that regulation if he proves (*inter alia*) that the fish was lawfully taken during the open season and that not more than one month had elapsed since the close of the open season. In view of the latter provision, the words "except during the first five days thereof" in the earlier part of the regulation are unnecessary, and have been omitted by regulation 9 of these regulations.

Regulation 10 replaces the existing provisions as to the taking of small indigenous fish other than grayling. The principal change in the new provision is the prohibition of the taking by Europeans of the freshwater crayfish or koura.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 27th day of September 1951.

These regulations are administered in the Department of Internal Affairs.