

1966/112



## THE TAUPO TROUT FISHING REGULATIONS 1966

BERNARD FERGUSSON, Governor-General

By his Deputy

RICHARD WILD

### ORDER IN COUNCIL

At the Government House at Wellington this 29th day of June 1966

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.

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## REGULATIONS

## PART I—PRELIMINARY

1. Title, commencement, and expiration—(1) These regulations may be cited as the Taupo Trout Fishing Regulations 1966.

(2) These regulations shall come into force on the 1st day of July 1966.

(3) These regulations shall expire with the 30th day of June 1971.

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

“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:

“Canning”, in relation to trout, includes the preservation of trout in sealed cans or jars; and “can” has a corresponding meaning:

“Close season” means, in respect of any part of the district, that portion of any year which is not included in the open season for that part:

“Commercial smokehouse” means any smokehouse in respect of which a fee is charged for the smoking of trout, or any smokehouse available with or without additional charge to the paying guests of any angling camp, angling lodge, or boardinghouse; and includes any fish-preparation room, salting room, or drying room adjacent to or forming part of a smokehouse:

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

“District” means the Taupo Trout Fishing 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” means intentionally to take a trout with a hook other than by catching it in the mouth:

“Freezing chamber” means any freezing chamber, cool store, or refrigeration works; and includes any freezing device situated in any cannery or other plant or premises (not being a private dwellinghouse) where trout 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 trout issued under these regulations:

“Open season” means—

(a) The 1st day of December in any year to the 31st day of May in the year next following (both days inclusive) in respect of the following waters:

(i) That portion of the Tongariro River between its source and the point where it is joined by the Whiti-kau Stream:

- (ii) That portion of the Waiotaka River between its source and the point known as the Hautu Ford on the old Turangi-Korohe Road:
  - (iii) That portion of the Waimarino River between its source and the point known as Korohe Crossing:
  - (iv) The Mangakowhitiwhiti Stream and that portion of the Tauranga-Taupo River between its source and its junction with the Mangakowhitiwhiti Stream:
  - (v) That portion of the Waitahanui River between its source and the point where it is joined by the Te Arero Stream:
  - (vi) All rivers and streams entering the portion of Lake Taupo that lies north and west of a line drawn between Rangatira Point and the wharf at Tokaanu:
  - (vii) That portion of the Wanganui River which is within the district:
  - (viii) The Hinemaiaia Stream downstream from its source to the Taupo-Turangi highway bridge:
  - (ix) The Mangamawhitiwhiti Stream:
  - (x) The Mangamutu Stream:
  - (xi) All tributaries of the rivers and streams and portions of rivers and streams specified in this paragraph:
- (b) The 1st day of July in any year to the 30th day of June in the year next following (both days inclusive), in respect of all other waters in the district:

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

“River” includes any lake or impoundment of waters thereon, whether natural or artificial:

“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:

“Stream” includes any lake or impoundment of waters thereon, whether natural or artificial:

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

“The special Act” means section 14 of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926:

“Trout” means brown trout (*Salmo trutta*), rainbow trout (*Salmo irideus*), or the American brook trout or char (*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**—Subject to the provisions of regulation 14 of these regulations, 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 18 of these regulations, no person shall fish for, take, or kill trout within the district, unless he is the holder of a current licence issued under these regulations for which the prescribed fee has been paid.

**5. Kinds of licences**—The following licences to fish for trout 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 30th day of June:

Provided that a whole-season licence issued during the month of June in any year shall come into force on the 1st day of July in that year and shall expire with the 30th day of June in the next succeeding year:

(b) A monthly licence, in which the second day named therein 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 therein 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 to these regulations, 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 it 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 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.

**11. Issue of licence on compassionate grounds**—Notwithstanding the provisions of regulation 10 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.

**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 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, he may at any time during the currency of the licence, on payment of a fee of 2s. 6d., obtain from the Secretary or his appointee a copy of the licence certified as being a true copy, and that copy shall be available for all purposes for which the original licence could have been available under these regulations.

**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 regulations 39 and 40 of these regulations, the holder of a whole-season, monthly, weekly, or day licence may fish for, take, and kill trout 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 or from—

- (a) The Taupo Wharf or Taupo Boat Jetties or the control bridge crossing the Waikato River near the Borough of Taupo:
- (b) The Waitetoko Stream:
- (c) The Whitikau Stream:
- (d) The Waihukahuka Stream (hatchery stream):
- (e) The Tokaanu Stream:
- (f) The Whareroa Stream:
- (g) The Omoho Stream:
- (h) The Whangamata Stream:
- (i) The Mapara Stream:
- (j) All tributaries of the streams specified in the foregoing provisions of this subclause:
- (k) Any waters in which trout are held in captivity for display purposes pursuant to an authority given under regulation 51 of these regulations or the corresponding provisions of any former regulations.

(2) The holder of a current whole-season, monthly, weekly, or day licence may, during the open season in those waters, fish for, take, and kill trout in the waters and from the banks of—

- (a) That portion of the Waikato River that lies between the Huka Falls and the Waimahana Bridge at Mihi:
- (b) That portion of the Rangitaiki River which lies upstream from the main Napier-Taupo highway bridge:
- (c) That portion of the Mohaka River and its tributaries which lie upstream from its junction with the Waipunga River, and including the Waipunga River—

subject to compliance with all the provisions of the Rotorua Trout Fishing Regulations 1966\* in force at those places at that time.

(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 fish for, take, or kill trout or in any way injure or disturb trout in any part of the district during the close season for that part.

**15. Right of way over land**—Every licence shall be deemed to operate as a special licence within the meaning of paragraph (b) of subsection (4) of the special Act and to confer upon the holder thereof a full and free right of way (in common with all other persons having the like right) for purposes of angling, at all times so long as the licence is in force, along and over the land referred to in the said paragraph (b), and subject to any Proclamation for the time being in force issued under the proviso to the said paragraph (b).

**16. Licence not otherwise to confer right of entry on land**—Except as aforesaid, no licence shall confer any right of entry upon the land of any person without his consent.

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

**18. Effect of licences issued under other regulations**—(1) These regulations shall apply throughout the Taupo Trout Fishing District, and a licence issued—

- (a) Under the Freshwater Fisheries Regulations 1951† to fish for, take, and kill trout and other acclimatised fish; or
- (b) Under the Rotorua Trout Fishing Regulations 1966\* to fish for, take, and kill trout—

shall not authorise the holder to fish for, take, and kill trout within the district.

(2) 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 trout 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.

\*S.R. 1966/109

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

Amendment No. 9: S.R. 1965/170

## PART III—LIABILITIES OF PERSONS FISHING

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

(1) Every person fishing for trout or in possession of fishing gear suitable for fishing for trout shall, on 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 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 regulation 9 of these regulations.

**20. Fishing prohibited between 11 p.m. and 5 a.m.—**No person shall fish for, take, or kill trout during the period between the hours of 11 p.m. and 5 a.m.

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

**22. Fishing in certain waters prohibited—**No person shall at any time fish for, take, or kill trout or in any way injure or disturb trout in or from any of the waters or places in which fishing is prohibited by subclause (1) of regulation 14 of these regulations.

**23. 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) Intentionally disturb or damage spawning grounds; or
- (b) Intentionally 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 larvae of trout taken from any spawning grounds.

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

*Restrictions on Methods of Fishing*

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

**25. 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 trout with a set rod.



**26. Possession of more than one assembled rod on boat prohibited—**

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

(2) For the purposes of this regulation a rod shall be deemed to be assembled for fishing if it is assembled from butt to tip, together with a reel, line, trace, and a fly, bait, or lure attached ready for immediate use.

**27. Methods prohibited—**(1) No person shall fish for, take, or kill trout with, or use for the purpose of taking or killing trout,—

- (a) Any strokehauling or foulhooking gear; or
- (b) Any gaff; or
- (c) Any cross line, paravane, "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 of the 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 of a dropper having only one hook (not being a multiple hook) or the use of a landing net pursuant to regulation 24 of these regulations.

(2) No person shall intentionally foulhook or attempt to foulhook any trout.

*Restrictions on Lures*

**28. Lures and baits prohibited—**Subject to the provisions of regulation 29 of these regulations, no person shall, in fishing for trout, 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 a preparation used solely for the purpose of floating a dry artificial fly:
- (d) Any mollusc, or the freshwater crayfish (koura), or worms, 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.

**29. Certain lures and baits prohibited in certain waters—**(1) No person shall, in fishing for trout in any of the waters specified in sub-clause (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) All rivers and streams within the district, and all tributaries of any such river or stream except—
  - (i) That portion of the Hinemaiaia Stream which lies upstream from the lower Taupo hydro-electric supply dam (including the lake formed by the dam) and all tributaries of that portion of that river; and
  - (ii) That portion of the Kuratau River which lies upstream from the Kuratau hydro-electric dam (including the lake formed by the dam), and all tributaries of that portion of that stream; and
  - (iii) That portion of the Tongariro River which lies upstream from Begg's Falls, and all tributaries of that portion of that river:
- (b) Those portions of Lake Taupo and rivers or streams contained within the arcs or circles having a radius of 300 yards from the centre of the mouth or mouths of all rivers and streams entering the said lake:
- (c) Within 100 yards of the Tokaanu Wharf:
- (d) Within a radius of 300 yards from the sandy point located approximately 780 yards south of the mouth of the Kuratau River and marked by a landmark:
- (e) All that portion of Tapuaeharuru Bay, Lake Taupo, that is within 300 yards of the shore, commencing at a point approximately 300 yards west of the outlet of the Waikato River (which is the normal site of a post painted black and yellow) then in an easterly and southerly direction to what is known as Shag Rock lying approximately 400 yards south of Wharewaka Point:

Provided that nothing in this regulation shall authorise any person to fish for, take, or kill trout in any of the waters or from any of the places in which fishing is prohibited by subclause (1) of regulation 14 of these regulations.

#### *Restrictions on Use of Boats*

**30. Maximum speed of boats**—No person shall propel or navigate any mechanically powered launch, boat, or other vessel at a proper speed of more than 5 miles an hour in the waters specified in subclause (2) of regulation 29 or subclause (1) of regulation 31 of these regulations.

(2) For the purposes of this regulation the term "proper speed" means speed over the ground as distinct from speed through the water.

**31. Fishing from boats prohibited in certain waters**—(1) No person shall fish for trout from a boat in the following places:

- (a) The Waitahanui River:
- (b) That part of the Waikato River lying between a straight line commencing at the shore end of the rock mole at the outlet of Lake Taupo and extending across the outlet for a distance of approximately 40 yards to the normal site of a landmark on the western shore of the outlet, and the control gate bridge on the Taupo-Rotorua highway:
- (c) Within 100 yards of the Tokaanu Wharf:

- (d) That portion of the Tongariro River upstream from a position at the head of that stretch of water known as Down's Pool, which is the normal site of a post painted black and yellow:
- (e) Those portions of Lake Taupo contained within arcs of circles having a radius of 300 yards from the centre of the mouth or mouths of all rivers and streams entering the said lake (except the Tongariro and Tauranga-Taupo Rivers and the Oruapuraho, Waikino, and Otupoto Streams):
- (f) That portion of the Hinemaiaia River which lies downstream from the lower Taupo hydro-electric dam, and all tributaries of that portion of that river.

(2) No person shall, except in case of emergency, take, put into motion, or allow to remain in motion, any launch, boat, or other vessel, whether propelled by mechanical power or not, into or in any waters described in subclause (1) of this regulation, while any person aboard is fishing for trout.

**32. Fishing from unanchored boats prohibited in certain waters—**

(1) No person shall fish for trout from any launch, boat, or other vessel in any waters specified in subclause (2) of regulation 29 of these regulations, unless the boat is securely anchored at one end only.

(2) No person shall, except in case of emergency, put into motion, or allow to remain in motion, any launch, boat, or other vessel, whether propelled by mechanical power or not, in any waters described in subclause (2) of regulation 29 of these regulations, while any person aboard is fishing for trout.

**33. Fishing from boats exceeding 18 ft prohibited in certain waters—**

(1) No person shall fish for trout from a boat of greater length than 18 ft in the following waters:

- (a) That portion of Lake Taupo contained within the arc of a circle having a radius of 300 yards from the centre of the mouth of the Tauranga-Taupo River:
- (b) That portion of Lake Taupo contained within the arc of a circle having a radius of 300 yards from the centre of the mouth of the Oruapuraho Stream:
- (c) That portion of Lake Taupo contained within the arc of a circle having a radius of 300 yards from the centre of any mouth of the Tongariro River.

(2) No person shall take any launch, boat, or other vessel, whether propelled by mechanical power or not, of greater length than 18 ft into any waters described in subclause (1) of this regulation, while any person aboard is fishing for trout.

*Restrictions on Access*

**34. Access near electrical devices prohibited—**(1) No person shall, without the prior written authority of the Secretary or his appointee, enter within any protective fences, so designated by a notice thereon or in the vicinity thereof, built about any electrical device erected for the purpose of preventing or controlling the movement of trout.

(2) No person in a boat or other vessel shall, if upstream, approach within 500 yards or, if downstream, approach within 100 yards of any such electrical device as described in subclause (1) of this regulation without the prior written authority of the Secretary or his appointee.

**35. Tokaanu Stream spawning grounds**—(1) The portion of the Tokaanu Stream enclosed by a fence erected on both banks and commencing at the Te Puna Springs and extending downstream for a distance of approximately 2,000 yards is hereby declared to be a spawning ground for fish.

(2) No person shall, without the prior authority of the Secretary or his appointee, enter the spawning ground defined in subclause (1) of this regulation or the land enclosed by that fence for any purpose whatsoever.

#### PART V—BAG AND SIZE LIMITS

**36. Bag limit for rainbow trout**—No person shall on any one day take and kill more than 20 rainbow trout, exclusive of such trout dealt with under regulation 38 of these regulations, and no person shall continue to fish on any day on which he has already taken and killed 20 rainbow trout exclusive of such trout dealt with under that regulation.

**37. Size limit**—No person shall intentionally take or kill in any manner whatever or have in his possession any trout which does not exceed 14 in. in length.

**38. Disposal of undersized fish**—Every person unintentionally taking a trout which does not exceed 14 in. in length shall, notwithstanding anything in regulation 46 of these regulations and whether it is alive or dead, immediately return it into the water from which it was taken.

#### PART VI—PISCICULTURE AND SCIENTIFIC INVESTIGATION

**39. 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 fish for the purposes of acclimatisation, propagation, or pisciculture, or for scientific or other purposes pursuant to regulation 42 or regulation 43 of these regulations, or shall in any way interfere with or damage any such net, trap, pound net, or contrivance.

**40. Taking of fish within 100 yards of fish traps, etc.**—No person shall fish for, take, or kill trout by any means whatsoever in or from any water which is within 100 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 42 or regulation 43 of these regulations, or from any water that is within 100 yards of any electrical device erected for the purpose of preventing or controlling the movement of trout.

**41. Tagged trout**—(1) Any angler taking any trout bearing a tag or distinguishing device shall either cause the trout and tag or device to be delivered to the Conservator of Wildlife at Rotorua, or to an officer of the Department of Internal Affairs, or shall forthwith deliver to the Conservator of Wildlife at Rotorua 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 trout by attaching thereto a tag or other distinguishing device or by clipping or removing a fin or fins, except with the prior written authority of the Secretary.

**42. Taking of fish for purposes of pisciculture**—(1) Notwithstanding anything to the contrary in these regulations, any person with the prior written authority of 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 prior written authority of the Secretary, may take fish in any waters within the district for 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.

**43. Taking of fish for scientific or other purposes**—Regulations 4, 14, 19 to 26, regulation 27 (g) (so far as it relates to the use of nets), regulations 28 to 40, and regulations 48, 49, and 67 of these regulations 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 for scientific or other purposes, nor to any fish in the possession of any such officers as aforesaid for any of these purposes.

#### PART VII—POLLUTION OF WATERS

**44. 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.

**45. Casting of rubbish, etc., prohibited**—No person shall cast, throw, or place, or permit to be cast, thrown, or placed, any bottles, cans, rubbish, refuse, or material or substance of any kind on or into any waters or on any river bed or on or onto the bank or margin of any waters or river bed.

**46. Leaving fish, cleanings, 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 trout, unless the fish, cleanings, offal, or other parts are buried to a depth of not less than 6 in. below the level of the surrounding ground.

**47. Offence to refuse or neglect to remove offensive matter**—Every person who commits a breach of regulation 44, regulation 45, or regulation 46 of these regulations 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 Rotorua or any ranger who is an employee of the Internal Affairs Department.

#### PART VIII—WRONGFUL POSSESSION AND DEALING

**48. Possession in close season**—No person shall in any part of the district have any trout 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 trout was fresh, frozen, or smoked trout lawfully taken during the open season in the part of the district where it was taken and that not more than one calendar month had elapsed since the end of the open season in that part; or
- (b) That the trout had been taken and canned lawfully during the open season in the part of the district where it was taken, 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; or
- (c) That the trout had been taken for purposes of pisciculture or scientific research in accordance with the provisions of these regulations; or
- (d) That the trout had been taken pursuant to statutory authority, and had not been removed from the part of the district within which it had been taken during the close season for trout in that part:

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

**49. Wrongful possession**—No person shall have in his possession any trout taken by any one or more of the methods prohibited by regulation 27 of these regulations or taken from any of the waters in which fishing is prohibited by subclause (1) of regulation 14 of these regulations.

**50. Sale of trout prohibited**—(1) Except for the purpose 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 trout or any part of any trout, or fish for, take, or kill, for purposes of sale, any trout.

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

**51. Keeping live trout in captivity**—No person shall obtain or shall keep in captivity any live trout for any purpose except with the prior written authority of the Secretary, and except in compliance with such conditions as the Secretary may impose 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

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

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

**54. Maximum weight of trout 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 trout in any freezing chamber, if the first-mentioned person already has an aggregate weight of 50 lb of trout deposited in the chamber.

#### PART X—CANNING OF TROUT

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

**56. No fee to be paid for canning of trout**—No person shall pay or accept any fee or give or accept any consideration for the canning of any trout.

**57. Sale of canned trout prohibited**—(1) No person shall sell trout preserved in any can or any can containing trout.

(2) No person shall trade, exchange, give, or receive trout for cans containing trout or for empty cans.

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

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

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

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

**59. 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 trout on which the particulars required by subclause (1) of regulation 58 of these regulations have not been painted or engraved.

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

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

**62. Possession of canned trout—**Any canned trout shall be deemed to be in the 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.

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

#### PART XI—COMMERCIAL SMOKEHOUSES

**64. Duties of manager of commercial smokehouse—**(1) No manager or person in charge of any commercial smokehouse shall receive any trout for the purpose of being smoked or have any trout in any such smokehouse, unless he makes or causes to be made correctly in a book kept in the smokehouse for that purpose the entries in respect of the trout mentioned in subclause (3) of this regulation.



(2) The manager or person in charge of any commercial smokehouse shall permit 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.

(3) 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.

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

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

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

## PART XII—INDIGENOUS FISH

**67. Taking of indigenous fish**—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.

## PART XIII—LIBERATION OF FISH

**68. Fish not to be liberated without authority**—No acclimatisation society or person shall, without the prior 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

**69. Faunistic reserves**—The Minister of Marine may from time to time, by notice published in the *Gazette*, declare any water or waters in the district 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 prior written authority of the Secretary for Marine, given solely for purposes of scientific investigation,—

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

## PART XV—OFFENCES AND PENALTIES

**70. 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 the provisions of these regulations or for the purpose of conveying information as to any provision thereof or any prohibition or restriction imposed thereby.

**71. Offences and penalties**—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—

- (a) In any case where that provision enures under section 83 of the Fisheries Act 1908, to a fine not exceeding £50:
- (b) In any case where that provision enures under paragraph (d) of subsection (9) of the special Act, but not under section 83 of the Fisheries Act 1908, to the penalty prescribed by section 98 of the last-mentioned Act, namely, a fine not exceeding £20.

**72. 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.

**73. Disposal of property seized**—Any fish seized under the powers conferred by regulation 72 of these regulations 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.

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

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

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

#### PART XVI—MISCELLANEOUS PROVISIONS

**77. Licences to members of Tuwharetoa Tribe**—These regulations shall be read subject to the special provisions as to the issue of licences in paragraph (c) of subsection (9) of the special Act.

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

- (a) The Taupo Trout Fishing Regulations 1963\*:
- (b) The Taupo Trout Fishing Regulations 1963, Amendment No 1†.

\*S.R. 1963/97

†S.R. 1965/38

## SCHEDULES

Reg. 2 (1)

## FIRST SCHEDULE

## DESCRIPTION OF TAUPO TROUT FISHING DISTRICT

ALL that area in the Auckland, Hawke's Bay, and Wellington Land Districts bounded by a line commencing at the source of the Ongarue River, thence by a right line to and along the watershed between the Waihora and Huruhurumaku Streams to Marotiri Trig. Station; thence along a right line to the westernmost corner of Run. No. 92; thence along a right line to the Huka Falls on the Waikato River; thence along a right line to Tauhara Mount Trig. Station 42; thence along a right line to Wairango Trig. Station No. 47; thence along a right line to the north-western corner of Kaimanawa No. 1c Block; thence south-westerly along the south-eastern boundary of Kaimanawa No. 1E Block to Ahipaepae Trig. Station; thence along a right line to C, Ngapuketura Trig. Station; thence along a right line to W, Karikaringa Trig. Station; thence along a right line to Manukaiapu Trig. Station No. 28; thence along a right line to Ruapehu Trig. Station; thence along right lines running between Ruapehu, Pare-tetaitonga, Ngauruhoe, and Tongariro to the summit of the last-mentioned mountain; thence along a right line to the source of the Wanganui River; thence down the middle of the Wanganui River to the western boundary of the Waione Block; thence northerly along that boundary to Maungaku Trig. Station; thence northerly generally along the watershed, passing through Trig. Stations Hauhangaroa, Moutere, Tuhingamata, and Weraroa to the source of the Ongarue River, the place of commencement (excepting thereout Lake Rotoaira and that portion of the Poutu Stream situated in Blocks VI and VII, Pihanga Survey District, in the Wellington Land District, between Lake Rotoaira and the head of a waterfall in the said stream as more particularly delineated in the plan numbered 20161, lodged in the Wellington District Office, Department of Lands and Survey, and marked A-B thereon).

Reg. 8

## SECOND SCHEDULE

## Form 1

## FORM OF WHOLE-SEASON, MONTHLY, OR WEEKLY LICENCE

*Taupo Trout Fishing District*

## MEN'S WHOLE-SEASON LICENCE TO FISH

*Under the Fisheries Act 1908 and its Amendments, the Maori Land Amendment and Maori Land Claims Adjustment Act 1926, and the Taupo Trout Fishing Regulations 1966*

THE holder of this licence [*Surname and initials*], of [*Full postal address*], is hereby authorised to fish for trout 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".]

Form 2

FORM OF DAY FISHING LICENCE

Taupo Trout Fishing District

MEN'S DAY LICENCE TO FISH

*Under the Fisheries Act 1908 and its Amendments, the Maori Land Amendment and Maori Land Claims Adjustment Act 1926, and the Taupo Trout Fishing Regulations 1966*

THE holder of this licence [*Surname and initials*], of [*Full postal address*], is hereby authorised to fish for trout 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 ..... until 11 p.m.  
 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.]

THIRD SCHEDULE

Reg. 10 (1)

LICENCE FEES

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

Reg. 52

**FOURTH SCHEDULE**  
**FREEZING CHAMBER REGISTER**

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

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 replace, with some changes, the Taupo Trout Fishing Regulations 1963.

The principal changes are—

- (a) The open season in part of the Hinemaiaia Stream is changed (reg. 2 (1)).
- (b) Certain additional waters are closed to fishing (reg. 14 (1), paras. (d) to (k)).
- (c) Speed limits are imposed in certain waters (reg. 30).
- (d) Access near electrical devices erected to prevent or control the movement of fish is restricted (reg. 34).
- (e) The taking of fish within 100 yards of such devices is prohibited (reg. 39).
- (f) Part of the Tokaanu Stream is declared to be a spawning ground, and unauthorised access thereto is prohibited (reg. 41).
- (g) The person casting offensive matter into or near any waters must remove it when ordered to do so by the Conservator of Wildlife or a ranger (reg. 47).
- (h) There are new provisions as to possession of trout in the close season (reg. 48).
- (i) The possession of trout taken from closed waters or by illegal methods is prohibited (reg. 49).
- (j) The maximum weight of trout that any one person may have stored in a freezing chamber is reduced from 1 cwt to 50 lb (reg. 54).
- (k) It will be an offence to interfere with notices and landmarks (reg. 70).
- (l) The provisions of Part XV (Camping Sites) and Part XVI (Permanent Camps) of the 1963 regulations are omitted.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 30 June 1966.

These regulations are administered in the Department of Internal Affairs.