

1955/56



THE TAUPO TROUT FISHING (SPECIAL SEASON)  
REGULATIONS 1955

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 26th day of April 1955

Present:

THE RIGHT HON. S. G. HOLLAND PRESIDING 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 (Special Season) Regulations 1955, 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 1st day of June 1955 and shall expire on the 31st day of October 1955.

2. The principal regulations shall continue to apply during the special experimental season, but, so long as these regulations continue in force, shall be read subject to these regulations and shall have effect as if they had been amended in the manner specified in these regulations.

3. (1) The definitions of the terms "close season", "resident", "district resident", and "overseas visitor" in regulation 2 (1) of the principal regulations are hereby suspended.

(2) There shall be no close season in the district during the year 1955.

\*S.R. 1950/186.

Amendment No. 1: S.R. 1951/219.

Amendment No. 2: S.R. 1952/169.

Amendment No. 3: (*Revoked by S.R. 1953/125.*)

Amendment No. 4: S.R. 1953/125.

Amendment No. 5: S.R. 1954/185.

(3) The definition of the term "open season" in regulation 2 (1) of the principal regulations is hereby suspended, and the following definition is hereby substituted:

"'Special experimental season' means the 1st day of June 1955 to the 31st day of October 1955 (both days inclusive), except in Lake Roto-Aira and that portion of the Poutu Stream situated in Blocks VI and VII, Pihanga Survey District, in the Wellington Land District, which is between Lake Roto-Aira and the head of the waterfall in the said stream, as more particularly delineated on plan numbered 20161 lodged in the Wellington District Office, Department of Lands and Survey, and marked A-B thereon."

4. Regulation 6 of the principal regulations is hereby suspended, and the following regulation is hereby substituted:

"6. The following licences to fish for trout in the district during the special experimental season may be issued:

"(a) A monthly licence:

"(b) A weekly licence:

"(c) A day licence."

5. (1) Regulation 9 (1) of the principal regulations is hereby suspended, and the following regulation is hereby substituted:

"9. (1) All licences shall be issued under the hand of an issuing officer, and shall be in a form to be provided for that purpose by the Secretary for Internal Affairs."

(2) The Second Schedule to the principal regulations is hereby suspended.

6. (1) Regulation 13 of the principal regulations is hereby suspended, and the following regulation is hereby substituted:

"13. (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:

"Provided that any person who has purchased licences to fish during the special experimental season and has paid in respect of those licences fees amounting in the aggregate to not less than £2, or, in the case of a woman or girl or of a boy under sixteen years of age, to not less than 30s., shall be entitled to purchase further monthly licences for the remainder of that season for a fee of one shilling for each such further licence.

"(2) The further monthly licences may be obtained from any issuing officer upon surrender in the first instance of the licences referred to in subclause (1) of this regulation or of a licence purchased at the lower rate provided for in that subclause.

"(3) Every licence surrendered under subclause (2) of this regulation shall be marked 'Cancelled' clearly on the face thereof by the issuing officer, and the cancelled licences shall be retained by the issuing officer to be dealt with as directed by the Conservator of Wildlife, Rotorua."

(2) The Third Schedule to the principal regulations is hereby suspended, and the Third Schedule set out in the Schedule to these regulations is hereby substituted.

7. Regulation 18 of the principal regulations is hereby suspended.

8. Regulation 19 of the principal regulations is hereby suspended, and the following regulation is hereby substituted:

“19. The holder of a licence may fish for, take, and kill trout in any part of the district, except in Lake Roto-Aira and that portion of the Poutu Stream referred to in the definition of the term ‘special experimental season’ in regulation 2 (1) of these regulations, within the special experimental season between the first and last days set out in the licence (both days inclusive) or on the day set out in the licence, as the case may be.”

9. Regulation 21 of the principal regulations is hereby suspended, and the following regulation is hereby substituted:

“21. Every licence shall be subject to the special limits and restrictions set out in these regulations or otherwise imposed by law.”

10. Regulation 32 of the principal regulation is hereby suspended.

11. While these regulations continue in force regulation 44 of the principal regulations shall have effect as if it had been amended by adding the following paragraphs:

“(f) That portion of the Tongariro River between its source and the point where it is joined by the Whitikau Stream:

“(g) That portion of the Tongariro River which flows through the by-pass that leaves the main stream at the Red Hut Pool and rejoins it at Kowhai Flats, as indicated by signposts:

“(h) That portion of the Waiotaka River between its source and the point where the northern boundary of Section 3, Block XI, Puketi Survey District, previously part of Hautu 2B 1B 3E Block, crosses the river as indicated by a signpost:

“(i) That portion of the Waimarino River between its source and the point known as Korohe Crossing:

“(j) That portion of the Tauranga-Taupo River between its source and the point where it is joined by the Mangakowhitiwhiti Stream:

“(k) That portion of the Waitahanui River between its source and the point where it is joined by the Te Arero Stream:

“(l) All rivers and streams entering the lake from the south, west, and north between the wharf at Tokaanu and Rangatira Point:

“(m) That portion of the Wanganui River which is within the district:

“(n) All tributaries of those portions of the rivers and streams described in this regulation.”

12. Regulations 49, 53, 54, 88, 89, 90 (1), and 114 of the principal regulations are hereby suspended.

13. While these regulations continue in force subclause (2) of regulation 90 of the principal regulations shall have effect as if it had been amended by inserting, after the words "open season", the words "or special experimental season, as the case may be".

14. (1) While these regulations continue in force regulation 88 of the Freshwater Fisheries Regulations 1951\* shall have effect as if it had been amended by inserting in the proviso, after paragraph (b), the following paragraphs:

"(bb) That the acclimatized fish was fresh, frozen, or smoked trout lawfully taken in the Taupo Trout Fishing District during the special experimental season in that district; or

"(bbb) That the acclimatized fish was trout that had lawfully been taken and canned in the Taupo Trout Fishing District during the special experimental season in that district, and had been preserved in cans or jars marked in accordance with the provisions of these regulations; or".

(2) While these regulations continue in force regulation 41 of the Rotorua Trout Fishing Regulations 1951† shall have effect as if it had been amended by inserting in the proviso, after paragraph (a), the following paragraphs:

"(aa) That the trout was fresh, frozen, or smoked trout lawfully taken in the Taupo Trout Fishing District during the special experimental season; or

"(aaa) That the trout had lawfully been taken and canned in the Taupo Trout Fishing District during the special experimental season in that district and had been preserved in cans or jars in accordance with the provisions of these regulations; or".

\*S.R. 1951/15.

†S.R. 1951/36.

## SCHEDULE

### "SUBSTITUTED THIRD SCHEDULE TO THE PRINCIPAL REGULATIONS

#### "Licence Fees

Class of Persons to Whom Licences are Issued	Monthly Licence	Weekly Licence	Day Licence
(a) Women, girls (irrespective of age), and boys under sixteen years of age	£ s. d. 0 15 0	£ s. d. 0 7 6	£ s. d. 0 2 6
(b) Men and boys of sixteen years of age and over	£ s. d. 1 0 0	£ s. d. 0 10 0	£ s. d. 0 2 6"

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 provide for a further special experimental open season in the Taupo Trout Fishing District from 1 June 1955 to 31 October 1955 (both days inclusive), which would normally be the close season in that district. The regulations are temporary and will expire at the end of the special season on 31 October 1955.

The Taupo Trout Fishing Regulations 1950 and the amendments of those regulations will continue to apply during the special season with the modifications set out in these regulations. The principal modifications are as follows:

- (a) Only monthly, weekly, and day licences will be issued (regulation 4).
- (b) A special scale of licence fees is prescribed (regulation 6).
- (c) Fishing is prohibited in certain specified waters (regulation 11).
- (d) It will be a defence, where any person is charged with being in possession of trout during the close season in some other district, if he proves that the trout had lawfully been taken in the Taupo Trout Fishing district during the special experimental season (regulation 14).
- (e) Generally speaking, the other modifications suspend certain provisions of the existing regulations which have relation to the close season, and which are inapplicable while there is no close season.

These regulations substantially follow the form of those which were in force during the 1954 special experimental season, one important difference being that these regulations do not fix a limit bag for the special season, so that the limit bag for the open season (namely, eight fish) will apply during the special season also.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 28 April 1955.

These regulations are administered in the Department of Internal Affairs.