

Serial Number 1939/200.



**THE TAUPO TROUT-FISHING REGULATIONS 1939.**

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 4th day of October, 1939.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

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

REGULATIONS.

1. PRELIMINARY.

(1) These regulations may be cited as the Taupo Trout-fishing Regulations 1939.

(2) These regulations shall come into force on the 11th day of October, 1939.

(3) In these regulations, if not inconsistent with the context,—

“ Minister or his appointee ” means the Minister of Internal Affairs or any person authorized in writing by such Minister to act on his behalf for all the purposes of these regulations or any particular purpose, as the case may be :

“ License ” means a license to fish for trout issued under these regulations :

“ Open season ” means the period from the 1st day of November in any year to the 14th day of May in the next following year (both days inclusive) :

“ Close season ” means the portion of any year which is not included in the “ open season ” :

“ The district ” means the district hereinbefore defined :

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

“ Issuing officer ” means any person authorized to issue licenses under these regulations :

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

“The camping-area” includes—

(a) All lands which may be let for camping-sites pursuant to paragraph (c) of subsection (4) of the special Act :

(b) All lands which may be provided for camping-grounds or on which sites for camping-grounds may be laid out pursuant to subsection (7) of the special Act :

But does not include—

(c) Any land which has for the time being ceased to be available for public use for camping purposes by virtue of a Proclamation under subsection (3) of the special Act :

(d) Any land which is for the time being let to any person for a camping-site pursuant to paragraph (c) of subsection (4) of the special Act :

“Site” means any land used for a camping-site under the provisions of these regulations :

“Permit” means any permit or instrument by which any person is authorized to use any part of the camping-area as a camping-site under these regulations :

“Permit-holder” includes any person to whom a permit has been issued, notwithstanding the expiration or other determination of such permit :

“Permit Officer” means any person duly appointed in manner hereinafter provided to issue permits.

(4) These regulations shall have force and effect only in the waters and places comprised in the district described in the Second Schedule hereto.

(5) In so far as any other regulations heretofore made and now in force are inconsistent with or repugnant to these regulations, the same shall be deemed to be subject to these regulations.

(6) The respective regulations referred to in the First Schedule hereto are revoked, but such revocation shall not affect the definition of the district (being the district referred to in clause (4) of this regulation) effected by an Order in Council dated the 8th day of October, 1926, pursuant to section 14 of the Native Land Amendment and Native Land Claims Adjustment Act, 1926, and published in the *Gazette* of the same day, at page 2896, as being the district in which the provisions of the said section 14 should apply.

## 2. ISSUE OF LICENSES.

(1) The following licenses to fish for trout in the district may be issued :—

(a) A whole-season license :

(b) A weekly license :

(c) A week-end license :

(d) A day license :

(2) The Chief Postmasters at Auckland, Hamilton, Napier, New Plymouth, Wanganui, Palmerston North, Wellington, Christchurch, and Dunedin, and the Postmasters at Rotorua, Taupo, Tokaanu, Taumarunui, Ohakune, Taihape, Raetihi, Stratford, and Hawera, and any person authorized in writing in that behalf by the Minister or his appointee, shall be issuing officers for the purpose of these regulations, and shall have power to issue the licenses and charge therefor the fees herein provided.

(3) Applications for licenses shall be made to an issuing officer.

(4) All licenses shall be issued under the hand of an issuing officer, and shall be generally in the form set forth in the Third Schedule hereto.

(5) Any issuing officer may refuse to issue a license to any person who within the previous two years has been convicted of any breach of the provisions of any Act relating to fishing for trout or of any regulations made thereunder.

(6) Week-end licenses shall be issued only to residents (including district residents).

### 3. LICENSE FEES.

(1) For the purpose of these regulations "resident" means a person domiciled in New Zealand; "district resident" means a person domiciled in New Zealand whose permanent and principal or only place of residence is within the district.

(2) The fee for every week-end license issued shall be five shillings.

(3) The respective fees for all other licenses issued shall be those set out in the following table:—

| Class of Persons to whom License is issued.   | Whole-season License. | Weekly License.  | Day. License. |
|---|-----------------------|------------------|---------------|
| <i>District Residents.</i>  |                       |                  |               |
| (a) To any district resident being a woman or under the age of sixteen years                                | £ s. d.<br>0 10 0     | £ s. d.<br>6 7 6 | s. d.<br>3 6  |
| (b) To any other district resident .. .. .  | 1 10 0                | 0 10 0           | 3 6           |
| <i>Residents.</i>   |                       |                  |               |
| (c) To any resident (other than a district resident) being a woman or under the age of sixteen years        | 1 10 0                | 0 7 6            | 3 6           |
| (d) To any other resident (other than a district resident)  | 2 0 0                 | 0 10 0           | 3 6           |
| <i>Other Persons.</i>   |                       |                  |               |
| (e) To any other person (other than a district resident or a resident) being under the age of sixteen years | 3 0 0                 | 0 10 0           | 7 6           |
| (f) To any other person .. .. .   | 6 0 0                 | 1 0 0            | 7 6           |

(4) The foregoing fees shall be paid to the issuing officer prior to the issue of the respective licenses.

(5) Every person is guilty of an offence against these regulations who, with a view to obtaining any license for a fee lower than the respective fee payable under this regulation, makes any false representation to an issuing officer as to the domicile or place of residence or age of himself or of any other person.

(6) If through no fault of his own a person who has paid the prescribed fee for a license should be unable to use such license, or in any case in which there are special circumstances which in the opinion of the Minister render a refund of such fee advisable, the Minister may, in his absolute discretion, direct that such fee shall be refunded to such person. In such event such person shall, before such refund is made, surrender such license to the Minister.

## 4. RIGHTS, DUTIES, AND RESTRICTIONS UNDER LICENSES.

(1) The holder of a whole-season license may fish for trout in any part of the district, 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, between Lake Roto-Aira and the head of a waterfall in the said stream as more particularly delineated on the plan numbered 20161, lodged in the Wellington District Office, Department of Lands and Survey, and marked A-B thereon, during the whole of the open season in respect of which the license is issued, but every such license shall be for one season only, and shall expire at the close of the open season in respect of which it is issued.

(2) The holder of a weekly license or day license may fish for trout in any part of the district, except in Lake Roto-Aira and that portion of the Poutu Stream referred to in clause (1) of this regulation, within the open season during or in respect of which the same is issued between the first and last days set out in the license (both days inclusive) or on the day set out in the license, as the case may be.

(3) The holder of a week-end license may fish for trout in any part of the district, except in Lake Roto-Aira and that portion of the Poutu Stream referred to in clause (1) of this regulation, within the open season during or in respect of which the same is issued on the Saturday stated therein, the following Sunday, and until noon on the following Monday.

(4) Every license 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 license the holder thereof shall not be authorized to fish in any place during the close season in that place.

(5) Every license shall be deemed to operate as a special license 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 such license is in force, along and over the land referred to in the said paragraph (b), except such parts thereof as may for the time being be let for a camping-site or occupied as a camp under a permit issued pursuant to these regulations, and subject to any Proclamation for the time being in force issued under the proviso to the said paragraph (b).

(6) Every holder of a license exercising the right of way over land referred to in the last preceding clause hereof shall, after opening or passing through any gate or opening in a fence upon the said land, securely close and fasten the same, and shall be liable for any damage suffered by any person through his failure so to do, and for any damage done by him to any such gate, opening, or fence.

(7) Except as aforesaid, no license shall confer any right of entry upon the land of any person without his consent.

(8) No license shall be transferable or be deemed to authorize any person to fish other than the person named therein.

(9) Every person taking any trout having affixed thereto a metal tag impressed with the letters "I.A." shall forthwith deliver such tag to the Conservator of Fish and Game at Rotorua or a ranger or an

issuing officer, together with a statement in writing signed by him setting out—(a) The date on which such trout was taken; (b) the place at which it was taken; (c) its weight in pounds; (d) its length in inches from nose to tip of tail; and (e) the number marked on the tag.\*

#### 5. FISHING WITHOUT A LICENSE.

(1) No person shall fish for, take, or kill trout within the district unless he is the holder of a license issued under these regulations, for which the prescribed fee appropriate to the class of persons to which he belongs under Regulation 3 has been paid.

(2) A general license to fish for trout and other acclimatized fish in every acclimatization district issued pursuant to the Fresh-water Fisheries Regulations 1936 shall not entitle the holder to fish for trout or other acclimatized fish in the district; and a general license as aforesaid shall not be required to entitle a person holding a license under these regulations to fish for, take, or kill trout in the district to which these regulations relate.

(3) Every person fishing for trout, or in possession of fishing-gear, shall, on the demand of any ranger, constable, officer of the Department of Internal Affairs, or of any person producing a current license, give his true name and place of residence, and on the like demand, produce and show to such ranger, constable, officer, or person his license, and the contents of his creel or bag and the lure or bait used by him for taking, catching, or killing trout.

#### 6. RESTRICTIONS ON TIMES OF FISHING.

(1) No person shall fish for, take, or kill trout during the period between the hours of 11 p.m. and 5 a.m.

(2) No person shall fish for, take, or kill trout or in any way injure or disturb the same in any part of the district during the close season.

#### 7. RESTRICTIONS ON METHODS OF FISHING.

(1) No person shall fish for, take, or kill trout otherwise than with one rod and line; but a landing-net may be used to secure any trout caught with such rod and line.

(2) No person shall fish for, take, or kill trout with, or use for the purpose of taking or killing trout, any cross-line or hand-line fishing, stroke-hauling, or any set rod or line or any other unsportsmanlike device, provided that this clause shall not forbid the use of a landing-net as described in clause (1) of this regulation.

(3) No person shall, in fishing for trout, use—

(a) Any lure or bait other than the natural or artificial fly or natural or artificial minnow, or some form of spoon bait, or any small indigenous fish, or grasshopper, or beetle, or spider, or insect, the use of which is not otherwise forbidden by these regulations:

(b) Any artificial fly containing feathers of the matuku or kiwi.

(c) As a lure or bait the shell-fish koura, or worms, or the creeper, or the huhu or matai grub, or fish-roe:

\* NOTE.—Cards to be filled in with above particulars are obtainable from rangers and issuing officers within the district.

- (d) Any lure or bait otherwise than upon a running line attached to a rod and reel :
- (e) With any lure or bait any medicated or chemical preparation whatever other than any preparation used solely for the purpose of floating a dry artificial fly.

#### 8. RESTRICTION ON FISH THAT MAY BE TAKEN.

(1) No person shall on any one day take or kill more than ten trout, and no person shall continue to fish for trout on any day on which he has already taken or killed ten trout, exclusive of trout dealt with pursuant to clause (3) of this regulation.

(2) No person shall fish for, take, or kill in any manner whatever, or have in his possession any trout which does not exceed 14 in. in length from nose to tip of tail.

(3) Every person taking a trout which does not exceed 14 in. in length from nose to tip of tail shall, unless it appears to be affected by disease, immediately return it alive into the water from which it was taken, and if it appears to be affected by disease, or is dead when taken, shall dispose of it by burial.

(4) No person shall fish for, take, or kill in any manner whatever or intentionally have in his possession, any salmon, salmon-parr, or smolts, or the ova, young, or fry of any salmon in any stage whatever.

(5) Every person taking any of the fish referred to in the last preceding clause hereof by accident or otherwise shall immediately return it alive into the water from which it was taken.

(6) No person shall take any fish from or in any way interfere with or damage any net, trap, pound net, or other contrivance used by any officer of the Government for the purpose of catching any fish for the purposes of acclimatization or propagation or for scientific or other purposes.

#### 9. LOCAL RESTRICTIONS.

(1) No person shall, in fishing for trout in any of the rivers, streams, or tributaries of such rivers or streams within the district or in the waters of Lake Taupo within 200 yards of the shore of such lake, use—

- (i) Any lure or bait other than an artificial fly :
- (ii) Any spinning fly or fly with a spinning attachment, whether such fly be an artificial fly or not :
- (iii) Any lead or weight on or in connection with a line.

(2) No person shall fish for trout from a boat in the following places :—

- (i) The Waitahanui River :
- (ii) That portion of Lake Taupo, being a rectangle bounded on the east by a line 800 yards long extending along the shore 400 yards north and 400 yards south from the centre of the meeting-line of the Waitahanui River with the said lake, and extending thence westward over the waters of the lake for a distance of 200 yards :
- (iii) Any waters within 1 chain of the Taupo Wharf and Taupo Boat Jetty :
- (iv) That portion of the Tongariro River above the point at which the stream known as Dan's Creek leaves the said river.

(3) In all other waters described in clause (1) of this regulation no person shall fish for trout from a boat which is not securely anchored, and no person shall fish for trout from a boat measuring 18 ft. or more in length in any waters within a radius of 200 yards from the meeting-place of the waters of any river or stream and Lake Taupo.

(4) No person shall, in fishing for trout in any waters in the district in which the use of any artificial minnow or some form of spoon bait is not prohibited by these regulations, use any minnow or spoon bait which is of a greater length than two and one-half inches.

(5) No person shall fish for trout from the Taupo Wharf or Taupo Boat Jetty.

(6) In addition to the restrictions imposed by this regulation no person shall cause or permit any boat to travel at a speed exceeding 5 knots in any of the waters described in clause (1) and subclause (ii) of clause (2) of this regulation, or in any portion of Lake Taupo which is within a radius of 400 yards from the Taupo Wharf.

#### 10. POLLUTION OF WATERS.

(1) 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 any other matter or liquid that is noxious, poisonous, or injurious to fish: Provided that nothing herein contained shall extend to prohibit the depositing in any such waters of debris from any mining claim.

(2) No person shall cast, throw, or place, or permit to be cast, thrown, or placed, any dead fish or any cleanings, offal, or other parts of fish into or in any water wherein there are trout, or leave any fish or the cleanings, offal, or other parts of fish unburied on the bank or margin of any such water.

#### 11. WRONGFUL POSSESSION AND DEALING.

(1) Save as provided in clause (2) hereof, no person shall in any part of the district have any trout in his possession during any close season except during the first five days thereof.

(2) Any license-holder may, during the open season for trout in any place, deposit in any freezing-chamber trout lawfully taken by the license-holder, and the manager or person in charge of such chamber may have such trout in his possession until delivered to the license-holder as hereinafter provided, and the license-holder may thereafter have such trout in his possession for a reasonable time for purposes of consumption or export thereof.

(3) Every license-holder placing trout in a freezing-chamber as aforesaid shall forthwith deliver to the Conservator of Fish and Game, Rotorua, a written statement of the following particulars:—

- (i) His full name and postal address:
- (ii) The number of his license:
- (iii) The address and name of the freezing-chamber:
- (iv) The date of deposit of the fish:
- (v) The number of fish deposited:
- (vi) The aggregate weight of fish deposited.

(4) No license-holder shall deposit trout in freezing-chambers so that he has at any one time more than an aggregate weight of one hundredweight of fish so deposited.

(5) No manager or person in charge of a freezing-chamber shall deliver any trout received therein under clause (2) hereof except to the license-holder or to his order and except upon the written authority of the Conservator of Fish and Game, Rotorua.

(6) Every manager or person in charge of a freezing-chamber in which trout are received under clause (2) hereof shall keep on the premises a register thereof in the form set out hereunder, and shall allow any ranger, constable, or officer of the Department of Internal Affairs to inspect the register at all reasonable times and to make copies of any entries therein, and shall make on the day of the deposit of any trout appropriate entries in respect thereof in the first five columns of the register and on the day of delivery of any trout an appropriate entry in the sixth column of the register, and shall retain every such register for not less than six months after the making of the last entry therein.

#### FREEZING-CHAMBER REGISTER.

| Number of Trout. | Weight. | No. of Depositor's License. | Name of License-holder. | Date of Deposit. | Date of Delivery. | Remarks. |
|------------------|---------|-----------------------------|-------------------------|------------------|-------------------|----------|
|                  |         |                             |                         |                  |                   |          |

(7) No person shall buy, sell, or expose or offer for sale any trout or any part thereof or, for the purpose of obtaining for sale, fish for, take, or kill any trout.

(8) No person shall have in his possession any trout or part thereof if the same is received by him for the purpose of being smoked in the course of his business unless he makes in a book kept for that purpose the entries hereinafter mentioned relative to such trout, and permits any ranger, constable, or officer of the Department of Internal Affairs to enter any premises where any such trout are or are believed to be, and to inspect and copy such book at all reasonable times.

(9) The entries required to be made as aforesaid shall be—

- (i) Date of receipt of fish :
- (ii) Number of fish received :
- (iii) Name of owner of fish :
- (iv) Address of owner of fish :
- (v) Number of fishing license (if any) of owner of fish :
- (vi) Address to which fish are to be delivered or forwarded.

#### 12. LIBERATION OF FISH.

No acclimatization society or person shall liberate any fish of any description whatever in any lake, river, stream, or other waters within the district without the written consent of the Under-Secretary of the Department of Internal Affairs having been first obtained.



## 13. EXEMPTION.

(1) These regulations shall be read subject to the special provisions as to issue of licenses contained in paragraph (c) of subsection (9) of the special Act.

(2) Regulations 5, 6, and 8 hereof and clause (1) of Regulation 7 hereof and clause (1) of Regulation 9 hereof and clause (1) of Regulation 11 hereof shall not apply to the Minister or to officers of the Department of Internal Affairs taking, fishing for, or catching fish for the purposes of acclimatization or propagation or for scientific or other purposes, nor to any fish in the possession of the Minister or such officers as aforesaid for any of the said purposes.

## 14. CAMPING-SITES.

(1) No person shall camp upon or use for a camping-site or otherwise occupy any part of the camping-area otherwise than by virtue of a permit, or permanent-camp license, issued pursuant to these regulations, whether by erecting or bringing thereon any hut, whare, or other structure, or any tent, caravan, motor-car, or otherwise howsoever.

(2) The Minister or his appointee may from time to time, by writing under his hand, appoint the Postmaster at Taupo or at Tokaanu, or any officer of the Department of Internal Affairs or other person, to be a permit officer for the purposes of this regulation.

(3) Applications for permits shall be made personally or in writing to a permit officer, and shall state the period for which a permit is desired, and shall be accompanied with the amount of the fee payable for such permit for the period for which the same is desired, and there shall be produced together with such application the license issued to the person by or on behalf of whom the permit is desired.

(4) The fee for a permit issued for a week or less shall be 3s., and for a permit issued for more than a week shall be at the rate of 3s. for every week or part of a week of the period for which the permit is issued.

(5) A permit officer may refuse to issue a permit to any person who within the previous two years has been convicted of any breach of the provisions of any Act relating to fishing for trout or of any regulation made thereunder, or, subject to the direction of the Minister, to any person whom in his discretion he considers unsuitable to hold a permit, and the Minister or his appointee may forbid the issue of a permit to any person whom in his discretion he considers unsuitable to receive a permit.

(6) Every permit shall be issued under the hand of a permit officer, and shall set out the period for which the permit is granted, and shall be generally in the form set forth in the Fourth Schedule hereto.

(7) No permit shall be transferable, and no person shall assign, transfer, or make over to any other person any permit, or any rights conferred on him by any permit, or assign, demise, sublet, or otherwise assure, or purport so to do, to any other person, any part of the camping-area occupied by him by virtue of a permit, or use any part of the camping-area otherwise than for his own personal occupation and for that of any persons occupying a camp with him as provided by clause 15 of this regulation.

(8) Permits may be issued at any time between the 1st day of October in any year and the close of the open season in the following year.

(9) No permit shall be issued except to a person who is the holder of a whole-season license for the time being in force, save that at any time during the open season a permit may be issued to the holder of a weekly or week-end license, but such permit shall expire with the expiration of such license.

(10) (a) No permit granted during the close season shall take effect prior to the day before the commencement of the ensuing open season.

(b) No permit shall continue in force after the day following the expiration of the open season during or prior to which it was granted.

(c) No permit shall continue in force after the day following the expiration of the period for which it was granted.

(11) Every holder of a permit shall on demand produce such permit to any ranger, constable, officer of the Department of Internal Affairs, or permit officer.

(12) If the license issued to the holder of any permit shall become void pursuant to these regulations, then such permit shall thereupon likewise become void and of no effect.

(13) If the holder of any permit shall commit a breach of or fail to comply with any of the provisions of this regulation, then, without prejudice to the provisions of the two last preceding clauses of this regulation, the Minister or his appointee may, in his discretion, revoke such permit, and, by writing under his hand, give notice of such revocation to the holder, and such notice may be served either by delivering the same to the holder personally or by forwarding the same by registered post addressed to the holder at his usual or last known place of abode in New Zealand, and upon service of such notice the permit shall become void and of no effect.

(14) Every permit shall be deemed to operate as a license to the permit-holder to erect and maintain, and, together with not more than five persons in addition to the permit-holder, to occupy a camp on any part of the camping-area, for the term therein set out, subject to all the conditions and restrictions contained in this regulation.

(15) Every permit shall also be deemed to operate as a special license within the meaning of paragraph (b) of subsection (4) of the special Act, and to confer on the holder thereof a full and free right of way (in common with all other persons having the like right) between any site for the time being occupied by the permit-holder and the shore of Lake Taupo or the most convenient public road at all times, so long as such permit is in force, along and over the land referred to in the said paragraph (b) for himself, his family, visitors, and servants, and all persons having business with him at such site.

(16) Notwithstanding the rights conferred by any permit, there shall be reserved a full and free right of way for all persons at all lawful times to go, pass, and repass along the bank or margin of any river or stream and to use the same for a reasonably sufficient width from the water's edge for purposes of fishing and for purposes of access to any other site, and no permit-holder shall erect or maintain or cause or suffer to be erected or maintained anything that may in any way obstruct or impede the use of such bank or margin for such width and for such purposes as aforesaid.

(17) A permit-holder shall be entitled to erect, maintain, and occupy, on any part of the camping-area, a camp comprising one or more tents or other structures of a temporary nature and to remove the same at any time prior to the expiration or sooner determination of the permit, doing as little damage as possible to the ground thereby, and making good before the expiration or sooner determination of the permit any damage to the ground done thereby :

Provided that no permit-holder shall erect, maintain, or occupy at any one time more than one camp, nor erect, maintain, or occupy as a camp any part of the camping-area situate within one chain of any camp already for the time being erected and occupied in any part of the camping-area, except with the consent of the permit-holder, or holder of a permanent-camp license, in occupation of such last-mentioned camp.

(18) No permit-holder shall—

- (a) Use any site or cause or suffer the same to be used for the purpose of any trade or business or for any illegal or improper purpose or otherwise howsoever than as a camping-site :
- (b) Use any site or cause or suffer the same to be used in any manner that shall or may be or become a nuisance, damage, annoyance, or inconvenience to or in any way interfere with the quiet and comfort of the occupier of any other site, or the owners or occupiers of any adjoining or neighbouring land :
- (c) Destroy or damage or cause or suffer to be destroyed or damaged any trees, growing timber, or bushes on any site or any adjoining or neighbouring land :
- (d) Keep, or cause, or suffer to be kept, or to be upon or about any site any dog or other animal without the express written permission of a permit officer, which permission may at any time be revoked.

(19) Every permit-holder shall at all times during the continuance of his permit—

- (a) Provide and maintain sufficient sanitary accommodation for any site for the time being occupied by him and take all steps and do all things necessary or desirable to prevent any river or stream or any water-supply from being polluted through the use or occupation of the site :
- (b) Keep any site for the time being occupied by him and all erections thereon in a clean, orderly, and tenantable condition:
- (c) Use all reasonable precautions to prevent damage by fire either to the camping-area, or to adjoining or neighbouring land, or to anything growing or erected thereon respectively :
- (d) After he or any member of his family, or any visitor, or servant, or any person occupying a camp with him as provided by clause (15) of this regulation, has opened or passed through any gate or opening in a fence upon the camping-area, securely close and fasten the same.

(20) Every permit-holder shall, prior to his leaving any site, destroy or bury all refuse and articles and matter of any kind not removed by him from the site, save that it shall be lawful to leave

erected thereon any tent-framework, whare, fireplace, or similar structure, provided always that no right to the ownership or possession of anything so left shall enure to the permit-holder against the Crown or against any person being at any time in lawful occupation of the said site.

(21) Every permit-holder shall, without affecting any liability he may have incurred for a breach of these regulations, be liable for any damage suffered by any person through such breach, and for any damage done to the camping-area, or to anything affixed thereto or growing thereon, by him or any member of his family, or any visitor or servant or any person occupying a camp with him as provided by clause (15) of this regulation.

(22) The production of a duplicate copy of a permit signed by a permit officer shall be *prima facie* evidence that such permit was duly issued to the person named therein and that such person thereupon became a permit-holder within the meaning of this regulation.

(23) Nothing contained in the foregoing clauses of this regulation shall be deemed to restrict the right of the Crown to let for camping-sites any part of the land referred to in paragraph (c) of subsection (4) of the special Act.

#### 15. PERMANENT CAMPS.

(1) The right to the exclusive occupation of any part of the land referred to in paragraph (c) of subsection (4) of the special Act shall be conferred by means of a permanent-camp license issued under the hand of a permit officer in the form set forth in the Fifth Schedule hereto.

(2) No permit officer shall, without the previous consent in writing of the Minister, issue a permanent-camp license except to a person to whom such a license has previously been issued.

(3) No permanent-camp license shall be issued for any land exceeding 100 square yards in area or having a frontage exceeding 10 yards on the side thereof lying towards any river or stream.

(4) An applicant for a permanent-camp license shall take all reasonable steps to indicate the boundaries of any proposed camp-site, and for such purpose may drive pegs, dig lockspits, blaze trees, erect cairns, and affix notice-boards.

(5) No person shall remove, damage, or deface any landmark made or erected under the last preceding clause hereof.

(6) Every applicant for a permanent-camp license shall, on making his application, submit to the permit officer a written description of the site for which he desires a license, with a reference to any landmarks set up as provided in clause (4) hereof, and a permit officer may require an applicant to submit a further or better description of such site.

(7) The issue of a permanent-camp license may be deferred until the Minister is satisfied that the site is described in a manner reasonably sufficient for the identification thereof.

(8) The fee for a permanent-camp license shall be at the rate of 5s. for every week or part of a week of the period for which the license is issued.

(9) Every permanent-camp license shall be deemed to operate as a license to the permit-holder and his tenants and assigns to use and occupy, to the exclusion of all other persons, for the term therein stated, but subject to the provisions implied herein by this regulation, the land described in such license.

(10) The holder of a permanent-camp license shall be entitled to erect, maintain, and occupy on the land described therein such buildings as he may require, and as are authorized under clause (12) hereof, and remove the same at any time prior to one month before the commencement of the next ensuing open season, doing as little damage as possible to the ground thereby, and making good immediately upon such removal any damage to the ground done thereby.

(11) The holder of a permanent-camp license who, after the expiration of the term therein stated, leaves any building on the land described therein, shall pay a fee, computed from such expiration, at the rate of 5s. for every week or part of a week during the open season, and 2s. 6d. for every week or part of a week during the close season until—

- (a) The date when every such building is removed ; or
- (b) The date on which he shall have given to a permit officer notice in writing that he makes no claim to any such building ; or
- (c) The commencement of the next ensuing open season, as the case may be.

And such fee shall be payable from time to time on demand by any permit officer, and shall be recoverable as a debt due to the Crown.

(12) A permanent-camp license shall be deemed to authorize the erection, maintenance, or occupation of any building or other erection, or the doing of any other act that may reasonably be necessary or proper for the better use and enjoyment of land for the purposes of a camping-site :

Provided that no person shall erect on any camp-site any building other than a canvas tent except with the previous consent in writing of a permit-officer and in accordance with a written description of the proposed building, which shall be furnished to a permit-officer in such detail as he may require, and which shall be approved by him in writing.

(13) The granting of a permanent-camp license to any person for any land shall not confer on such person the right to obtain a license for the same land or any other land after the expiration of such license or for the next ensuing open season or at any future time or for any future period.

(14) If any dispute arises between the holder of a permanent-camp license and any other holder or any other person touching the boundaries of the land comprised in any license, such dispute shall be referred to and shall forthwith be decided by the Conservator of Fish and Game at Rotorua, and his decision shall be final, and he may, to give effect thereto, require any license to be produced to him and make any modification he thinks proper in the description of land contained therein.

(15) Clauses (4), (6), (7), (9), (12), (14), and (17) of Regulation 14 hereof shall not apply to permanent-camp licenses or the holders thereof.

(16) Except as aforesaid, all the provisions of Regulation 14 hereof shall apply, *mutatis mutandis*, to permanent-camp licenses and the holders thereof.

#### 16. PENALTIES.

(1) The penalty for the breach of any of these regulations so far as the same enure under section 83 and section 94 of the Fisheries Act, 1908, shall be a fine of not less than £2 nor more than £50.

(2) The penalty for the breach of any of these regulations so far as the same enure under paragraph (d) of subsection (9) of the special Act, but not under section 83 and section 94 of the Fisheries Act, 1908, shall be the penalty prescribed by section 98 of the last-mentioned Act.

(3) If any person is convicted of an offence against these regulations, the license (if any) held by the offender shall thereupon become void, and shall be returned to the Minister or his appointee.

(4) Any fish unlawfully taken and the baskets or other receptacles thereof and also all nets, gear, tackle, and other apparatus used in any unlawful fishing, whether found on shore or in any vessel or boat which articles are by section 84 of the Fisheries Act, 1908, declared to be forfeited, may, pending the conviction of any person on a charge of unlawfully taking such fish or a charge of unlawful fishing, be retained by an officer of the Department of Internal Affairs, and upon dismissal of such charge shall be returned to the person last in possession of such articles, and upon conviction of such person on such charge as aforesaid shall be disposed of by delivery to the Minister or his appointee.

### SCHEDULES.

#### FIRST SCHEDULE. REGULATIONS REVOKED.

| Regulations.  | Published in <i>Gazette</i> . |       |
|---|-------------------------------|-------|
|   | Year.                         | Page. |
| The Taupo Trout-fishing Regulations 1929                  | 1929                          | 2631  |
| The Taupo Trout-fishing Regulations 1929, Amendment No. 1 | 1930                          | 2880  |
| The Taupo Trout-fishing Regulations 1929, Amendment No. 2 | 1931                          | 2916  |
| The Taupo Trout-fishing Regulations 1929, Amendment No. 3 | 1932                          | 2069  |
| The Taupo Trout-fishing Regulations 1929, Amendment No. 4 | 1933                          | 2480  |
| The Taupo Trout-fishing Regulations 1929, Amendment No. 5 | 1934                          | 2948  |
| The Taupo Trout-fishing Regulations 1929, Amendment No. 6 | 1935                          | 2761  |

  

| Regulations.  | Published in Statutory Regulations. |                |       |
|---|-------------------------------------|----------------|-------|
|   | Year.                               | Serial Number. | Page. |
| Taupo Trout-fishing Regulations 1929, Amendment No. 7 | 1936-37                             | 44/1936        | 155   |

## SECOND SCHEDULE.

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, Paretaitonga, 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.

## THIRD SCHEDULE.

[Class of Person to whom License is issued.]

[Class of License issued.]

## LICENSE TO FISH FOR TROUT.

Under the Fisheries Act, 1908, and its Amendments, and the Native Land Amendment and Native Land Claims Adjustment Act, 1926; and under the Taupo Trout-fishing Regulations 1939.

THE holder of this license [*Name in full*], of [*Address*], [*Calling or occupation*], having this day paid the sum of . . . . ., is hereby authorized to fish for trout with one rod and line only within any part of the district affected by the above-entitled regulations and described in the endorsement hereon, on and from the . . . . . day of . . . . ., 19.., to the . . . . . day of . . . . ., 19.. [or, in case of a day license, on the . . . . . day of . . . . ., 19..], [*in case of a week-end license add, at noon*], subject to the above-entitled Acts and to all regulations made thereunder for the time being in force in the said district.

This license does not authorize fishing 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, between Lake Roto-Aira and the head of a waterfall in the said stream, as more particularly delineated on the plan numbered 20161 lodged in the Wellington District Office, Department of Lands and Survey, and marked A-B thereon (see section 22, Native Purposes Act, 1938).

Dated at . . . . ., this . . . . . day of . . . . ., 19..

.....

Postmaster.

[Or Authorized person.]

## ENDORSEMENT.

[District to which license relates.]

## FOURTH SCHEDULE.

## PERMIT FOR CAMPING-SITE.

Reference to Number of License issued to fish for Trout:

Under the Native Land Amendment and Native Land Claims Adjustment Act, 1926; and under the Taupo Trout-fishing Regulations 1939.

THE holder of this permit [*Name in full*], of [*Address*], [*Calling or occupation*], having this day paid the sum of . . . . ., is hereby authorized to occupy as a

camping-site any part of the camping-area defined in the above-entitled regulations and indicated in the endorsement hereon, for the period undermentioned, subject to the above-entitled Act and to all regulations made thereunder for the time being in force.

*Term.*—From . . . . ., 19.., to . . . . ., 19.., both days inclusive.

Dated at . . . . ., this . . . . . day of . . . . ., 19..

.....  
Permit Officer.

ENDORSEMENT.

(CAMPING-AREA.)

One chain in width on the western or left bank of the Tongariro River from the lake to its junction with the Whiti kau Stream.

One chain in width on each bank of each of the following rivers, Waihora, Waihaha, Whanganui, Whareroa, Kuratau, Waimarino, Tauranga-Taupo, Waipehi, Waiotaka, Hinemaia, or Hatepe Rivers, for a distance of one mile up-stream from the lake.

One chain in width on each bank of the Poutu Stream from its junction with the Tongariro River to the Waimarino-Tokaanu Road Bridge.

FIFTH SCHEDULE.

PERMANENT-CAMP LICENSE.

Under the Native Land Amendment and Native Land Claims Adjustment Act, 1926; and under the Taupo Trout-fishing Regulations 1939.

THE holder of this license [*Name in full*], of [*Address*], [*Calling or occupation*], having this day paid the sum of . . . . ., is hereby authorized to occupy as a permanent-camp site for the period undermentioned the parcel of land hereunder described, subject to the above-entitled Act and to all regulations made thereunder for the time being in force.

*Term.*—From . . . . ., 19.., to . . . . ., 19.., both days inclusive.

*Description of Land*—

Dated at . . . . ., this . . . . . day of . . . . ., 19..

.....  
Permit Officer.

C. A. JEFFERY,  
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 5th day of October, 1939.

These regulations are administered by the Department of Internal Affairs.