

1963/63



THE WELLINGTON (WINTER SEASON) FISHING REGULATIONS 1963

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 29th day of April 1963

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING IN COUNCIL

PURSUANT to the Fisheries Act 1908, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and on the written application of the Wellington Acclimatisation Society, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Wellington (Winter Season) Fishing Regulations 1963, and shall be read together with and deemed part of the Freshwater Fisheries Regulations 1951,* as modified by the Freshwater Fisheries Regulations (Wellington) Modification Notice 1961† (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of June 1963.

2. In these regulations the term "winter-season waters" means—

- (a) All coastal dune lakes in the Wellington Acclimatisation District (except Lakes William, Guddop, and Alice);
- (b) The Hokowhitu Lagoon;
- (c) Lake Wairarapa;
- (d) The Manawatu River downstream from the Ashhurst Bridge;
- (e) The Mangaone Stream;
- (f) The Ruamahanga River downstream from the Pirinoa Bridge; and
- (g) The Upper Kororau Dam.

*S.R. 1951/15
 Amendment No. 1: S.R. 1951/200
 Amendment No. 2: S.R. 1952/185
 Amendment No. 3: S.R. 1955/177
 Amendment No. 4: S.R. 1957/178
 Amendment No. 5: S.R. 1960/142
 Amendment No. 6: S.R. 1962/152
 †S.R. 1961/118

3. (1) There shall be a winter season in the winter-season waters, which shall commence on the 1st day of June and end with the 30th day of September in each year.

(2) Subject to the provisions of these regulations, the principal regulations shall apply in the Wellington Acclimatisation District during each winter season.

4. Subject to the provisions of these regulations, it shall be lawful to fish for, take, and kill acclimatised fish in any winter-season waters during the winter season.

5. There may be issued by the Wellington Acclimatisation Society a winter-season licence to fish for acclimatised fish in the winter-season waters in the form set out in the Schedule to these regulations.

6. The fee for a winter-season licence shall be as follows:

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|---|-------|-------|------|
| (a) In the case of a licence issued to a person under 17 years of age or attending school full time | | | 5s. |
| (b) In the case of any other licence | | | 10s. |

7. Nothing in regulation 64 or regulation 65 of the principal regulations (which relate to the storage of fish in freezing chambers during the close season) shall apply with respect to acclimatised fish taken in any winter-season waters during the winter season.

8. Notwithstanding anything in regulation 88 of the principal regulations (which relates to the possession of acclimatised fish during the close season), it shall be a good defence to a person charged with an offence against that regulation if he proves—

- (a) That the fish in respect of which the offence is alleged to have been committed was fresh, frozen, or smoked acclimatised fish lawfully taken in any winter-season waters during the winter season; or
- (b) That the fish in respect of which the offence is alleged to have been committed was acclimatised fish that had lawfully been taken in any winter-season waters during the winter season and canned during that season, and had been preserved in cans or jars marked in accordance with the provisions of the principal regulations.

Reg. 5

SCHEDULE

WINTER-SEASON LICENCE

LICENCE TO FISH IN WINTER-SEASON WATERS

The Fisheries Act 1908 and its Amendments

THE holder of this licence [*Name in full*], of [*Address*], [*Calling or occupation*], having this day paid the sum ofs., is hereby authorised to fish for trout and other acclimatised fish with one rod and line only in the following waters in the Wellington Acclimatisation District, namely, all coastal dune lakes in the district (except Lakes William, Guddop, and Alice), the Hokowhitu Lagoon, Lake Wairarapa, the Manawatu River

SCHEDULE—*continued*

downstream from the Ashhurst Bridge, the Mangaone Stream, the Ruamahanga River downstream from the Pirinoa Bridge, and the Upper Kororau Dam, during any portion of that period commencing on the 1st day of June 19..... and ending with the 30th day of September 19..... (being the winter season for those waters), subject to the above-mentioned Acts and to all general and local regulations made thereunder for the time being in force.

Dated this day of 19.....

.....
Agent or Secretary,
Wellington Acclimatisation Society.

.....
Signature of Licensee (not valid until signed).

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations make provision for a winter season for fishing for trout and other acclimatised fish in certain waters in the Wellington Acclimatisation District commencing on 1 June and ending with 30 September in each year, and prescribe the conditions which are to apply in that winter season.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 2 May 1963.

These regulations are administered in the Marine Department.