

**Reprint
as at 15 August 2021**

**Whitebait Fishing (West Coast) Amendment Regulations
2000**

(SR 2000/132)

Whitebait Fishing (West Coast) Amendment Regulations 2000: revoked, on 15 August 2021, pursuant to regulation 24(2) of the Whitebait Fishing Regulations 2021 (LI 2021/180).

Pursuant to sections 48 and 48A of the Conservation Act 1987, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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1 Title

- (1) These regulations are the Whitebait Fishing (West Coast) Amendment Regulations 2000.
- (2) In these regulations, the Whitebait Fishing (West Coast) Regulations 1994¹ are called “the principal regulations”.

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this reprint. See the notes at the end of this reprint for further details.

These regulations are administered in the Department of Conservation.

¹ SR 1994/66

2 Commencement

These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

3 Interpretation

Regulation 2 of the principal regulations is amended by revoking the definition of the term **screen**, and substituting the following definition:

screen means a metallic or fabric gauze material that does not impede the flow of water and is capable of being used in such a way as to divert the movement of whitebait into a net, and includes any supporting frame.

4 Use of screens and diversions

Regulation 8(1) of the principal regulations is amended by revoking paragraph (ba), and substituting the following paragraph:

(ba) use a screen or screens whose total length exceeds 3 m in fishing for whitebait otherwise than from a licensed structure; or.

5 Fishing for whitebait from or near structures

(1) Regulation 12(2) of the principal regulations is amended by inserting, after the word “regulations”, the words “(other than the Mokihinui River)”.

(2) Regulation 12 of the principal regulations is amended by adding the following subclause:

(3) No person fishing for whitebait in the Mokihinui River may fish within 40 m of any licensed structure from which any other person is fishing, whether on the same or opposite bank as the licensed structure, unless the person is fishing from another licensed structure.

6 Offences

Regulation 19 of the principal regulations is amended by revoking paragraph (c), and substituting the following paragraph:

(c) takes whitebait otherwise than in accordance with any conditions imposed by the Director-General under regulation 20(3).

7 Mokihinui River added to Schedule 2

Schedule 2 of the principal regulations is amended by inserting, immediately before the word “Orowaiti”, the word “Mokihinui”.

Marie Shroff,

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, which come into force 28 days after their notification in the *Gazette*, amend the Whitebait Fishing (West Coast) Regulations 1994 as follows:

- *regulation 3* substitutes a new definition of **screen** that now effectively includes unframed floating or **floppy** screens:
- *regulation 4* amends regulation 8(1) of the principal regulations, which currently prohibits the use of 1 or more screens with a total length exceeding 3 m. The substituted *paragraph (ba)* reinstates an earlier exemption from this requirement for persons fishing from licensed structures:
- *regulations 5 and 7* insert the Mokihinui River into Schedule 2 of the principal regulations, as a river where special conditions apply, and as with other rivers named in the Schedule provide a 40 m clearance zone around licensed structures within which other persons may not fish while the structure is being used. Due to the density of licensed structures on the Mokihinui River however, the new *regulation 12(3)* provides that this prohibition will not apply on that river to persons fishing from another licensed structure that is within the 40 m radius:
- *regulation 6* cures a drafting error, in that it was not previously clear which of 2 identically numbered provisions in regulation 19 was revoked by amending legislation in 1995.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 27 July 2000.

Reprint notes**1 *General***

This is a reprint of the Whitebait Fishing (West Coast) Amendment Regulations 2000 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *About this reprint*

This reprint is not an official version of the legislation under section 18 of the Legislation Act 2012.

3 *Amendments incorporated in this reprint*

Whitebait Fishing Regulations 2021 (LI 2021/180): regulation 24(2)