

Reprint
as at 15 August 2021



Whitebait Fishing (West Coast) Regulations 1994
(SR 1994/66)

Whitebait Fishing (West Coast) Regulations 1994: revoked, on 15 August 2021, by regulation 24(2) of the Whitebait Fishing Regulations 2021 (LI 2021/180).

Thomas Eichelbaum, Administrator of the Government

Order in Council

At Wellington this 26th day of April 1994

Present:

His Excellency the Administrator of the Government in Council

Pursuant to sections 48 and 48A of the Conservation Act 1987, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

Contents

	Page
1 Title and commencement	2
2 Interpretation	2
3 Application	4
<i>General restrictions</i>	
4 Closed season	4
5 Closed areas	4
6 Hours of fishing	4

Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Department of Conservation.

Gear and method restrictions

7	Whitebait nets	5
8	Use of screens and diversions	6
9	Fishing gear	7
10	Fishing from bridge prohibited	7
11	Persons to remain in vicinity of net or structure	8
12	Fishing for whitebait from or near structures	8
13	Fishing up stream from back-pegs or in non-tidal waters prohibited	9
14	Fishing for whitebait from vessels prohibited	9

General provisions

15	Prohibition on possession of whitebait in conjunction with unlawful net	10
16	Returning of unlawfully taken fish	10
17	Dumping of other fish prohibited	10
18	Rivers, etc, not to be altered	11
19	Offences	11
20	Exemptions	11
21	Whitebait taken for hui or tangi [<i>Revoked</i>]	12
22	Revocations	12

Schedule 1 12**Areas where whitebait fishing prohibited****Schedule 2** 14**Rivers where special conditions apply****Schedule 3** 14**Rivers on which back-pegs are to be located****Regulations****1 Title and commencement**

- (1) These regulations may be cited as the Whitebait Fishing (West Coast) Regulations 1994.
- (2) These regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

2 Interpretation

In these regulations, unless the context otherwise requires,—

the Act means the Conservation Act 1987

back-peg means any yellow marker placed by the Director-General by any river specified in Schedule 3 to indicate the upper limit for whitebait fishing

confluence means the place where any river, stream, estuary, channel, or other water meets any other river, stream, estuary, channel, or other water having a separate source and a permanent and visible flow

fishing gear includes any net, line, pot, trap, dredge, screen, apparatus, device, or thing that is used or is capable of being used for the purposes of taking whitebait; and includes any licensed structure

licensed structure means—

- (a) a structure licensed under the Harbours Act 1950, or approved under section 178 of that Act, and used for the purpose of taking whitebait:
- (b) a structure authorised to be used for the purpose of taking whitebait pursuant to the Resource Management Act 1991—
 - (i) by a regional plan or a regional coastal plan; or
 - (ii) by a resource consent

river, stream, estuary, or channel means the waters of the river, stream, estuary, or channel, as the case may be; and includes all waters that are contained by natural or artificial banks

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

tidal portion includes all parts of a river, stream, estuary, channel, or other waters where the water level fluctuates with the tide

vessel means a ship, boat, hovercraft, raft, or vessel of any other description

whitebait means those fish commonly called whitebait, being—

- (a) the young or fry of the following *Galaxias* species:
 - (i) *Galaxias maculatus* (inanga):
 - (ii) *Galaxias brevipinnis* (koaro):
 - (iii) *Galaxias argenteus* (giant kokopu):
 - (iv) *Galaxias postvectis* (short jawed kokopu):
 - (v) *Galaxias fasciatus* (banded kokopu):
- (b) the young or fry of the fish (commonly known as smelt) of which the scientific name is *Retropinna retropinna*

whitebait net means any net or part of a net, contrivance, instrument, or device used or capable of being used to take the fish commonly known as whitebait.

Regulation 2 **screen**: substituted, on 24 August 2000, by regulation 3 of the Whitebait Fishing (West Coast) Amendment Regulations 2000 (SR 2000/132).

Regulation 2 **warranted officer**: revoked, on 15 August 1995, by regulation 2 of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

3 Application

These regulations shall apply to all waters and places on the West Coast of the South Island from Heaphy Bluff (at 40°59'S and 172°06'E) to Puysegur Point (at 46°09'S and 166°36'E).

General restrictions

4 Closed season

- (1) No person shall fish for whitebait in any waters or places to which these regulations apply during the period commencing on 15 November in any year and ending with the close of 31 August in the next year or be in possession of any whitebait taken from any of those waters or places during that period.
- (2) A person who contravenes this regulation commits an infringement offence and is liable to—
 - (a) an infringement fee of \$400; or
 - (b) a fine imposed by a court not exceeding \$800.
- (3) Subclause (2) does not prevent the prosecution of, and conviction for, a contravention of this regulation.

Regulation 4(1): amended, on 15 August 1995, by regulation 3(a) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Regulation 4(1): amended, on 15 August 1995, by regulation 3(b) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Regulation 4(2): inserted, on 3 February 2020, by regulation 64 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

Regulation 4(3): inserted, on 3 February 2020, by regulation 64 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

5 Closed areas

- (1) No person shall fish for whitebait in any of the areas specified in Schedule 1 or be in possession of any whitebait or fishing gear in any of those areas.
- (2) A person who contravenes this regulation commits an infringement offence and is liable to—
 - (a) an infringement fee of \$400; or
 - (b) a fine imposed by a court not exceeding \$800.
- (3) Subclause (2) does not prevent the prosecution of, and conviction for, a contravention of this regulation.

Regulation 5(2): inserted, on 3 February 2020, by regulation 64 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

Regulation 5(3): inserted, on 3 February 2020, by regulation 64 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

6 Hours of fishing

- (1) No person shall fish for whitebait,—

- (a) if the fishing occurs during any period for the time being prescribed by Order in Council under section 4(1) of the Time Act 1974 when the time for general purposes in New Zealand is 1 hour in advance of New Zealand standard time, between the hours of 9 pm on any day and 6 am on the next day:
 - (b) in any other case, between the hours of 8 pm on any day and 5 am on the next day.
- (2) A person who contravenes this regulation commits an infringement offence and is liable to—
- (a) an infringement fee of \$400; or
 - (b) a fine imposed by a court not exceeding \$800.
- (3) Subclause (2) does not prevent the prosecution of, and conviction for, a contravention of this regulation.

Regulation 6: substituted, on 15 August 1995, by regulation 4 of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Regulation 6(2): inserted, on 3 February 2020, by regulation 64 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

Regulation 6(3): inserted, on 3 February 2020, by regulation 64 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

Gear and method restrictions

7 Whitebait nets

- (1) No person shall use, set, or possess, in or adjacent to any river, stream, estuary, or channel, any whitebait net that—
- (a) has a net mouth in excess of 4.5 m in circumference or perimeter measured around the inside of the net frame; or
 - (b) has an overall length exceeding 3.5 m; or
 - (c) has any framing material that exceeds 120 mm in width.
- (2) No person shall use 2 or more whitebait nets at the same time.
- (3) No person shall use a whitebait net from any licensed structure while another whitebait net is being used (whether by that person or any other person) from that licensed structure.
- (4) A person who contravenes this regulation commits an infringement offence and is liable to—
- (a) an infringement fee of \$400; or
 - (b) a fine imposed by a court not exceeding \$800.
- (5) Subclause (4) does not prevent the prosecution of, and conviction for, a contravention of this regulation.

Regulation 7(2): substituted, on 15 August 1995, by regulation 5 of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Regulation 7(3): added, on 15 August 1995, by regulation 5 of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Regulation 7(4): inserted, on 3 February 2020, by regulation 65 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

Regulation 7(5): inserted, on 3 February 2020, by regulation 65 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

8 Use of screens and diversions

- (1) No person shall—
 - (a) place on the side of the net furthest from the water's edge any screen or other item that may divert whitebait into any net; or
 - (b) place any net in such a manner that it may divert whitebait into any other net; or
 - (ba) use a screen or screens whose total length exceeds 3 m in fishing for whitebait otherwise than from a licensed structure; or
 - (c) use a screen or screens in fishing for whitebait otherwise than from the water's edge at the site being fished.
- (2) No person shall—
 - (a) fish for whitebait within 20 m of any tide gate, flood gate, confluence, or culvert; or
 - (b) use anywhere or have on or adjacent to any net or screen in place in the water any device, contrivance, wing, or deflector that may be used to prevent or divert the movement of whitebait up or down stream, other than a screen that complies with and used in accordance with these regulations; or
 - (c) fish for whitebait within 20 m of any unlawful diversion constructed by any person from the bank or in the bed of a river, stream, estuary, or channel whereby whitebait may be diverted into a net.
- (3) A person who contravenes this regulation commits an infringement offence and is liable to—
 - (a) an infringement fee of \$400; or
 - (b) a fine imposed by a court not exceeding \$800.
- (4) Subclause (3) does not prevent the prosecution of, and conviction for, a contravention of this regulation.

Regulation 8(1)(ba): substituted, on 24 August 2000, by regulation 4 of the Whitebait Fishing (West Coast) Amendment Regulations 2000 (SR 2000/132).

Regulation 8(2)(b): amended, on 15 August 1995, by regulation 6(2)(a) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Regulation 8(2)(b): amended, on 15 August 1995, by regulation 6(2)(b) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Regulation 8(3): inserted, on 3 February 2020, by regulation 66 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

Regulation 8(4): inserted, on 3 February 2020, by regulation 66 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

9 Fishing gear

- (1) Except as provided in subclause (2), no person shall set or use any fishing gear that exceeds more than one-third of the width of the river, stream, estuary, or channel at that place at that time.
- (2) Nothing in subclause (1) shall apply in respect of any licensed structure so long as the other fishing gear used on or from the structure complies with that subclause.
- (3) No person shall set or use any fishing gear that, in conjunction with any fishing gear set or used by any other person, will exceed more than one-third of the width of any river, stream, estuary, or channel at that place at that time.
- (4) Every person fishing for whitebait on 1 or more occasions on any day shall remove all his or her fishing gear (other than a licensed structure) from the water—
 - (a) at the cessation of fishing on each occasion; or
 - (b) not later than 8 pm (or not later than 9 pm during any period referred to in regulation 6(a)) on the same day,—whichever is the earlier.
- (5) A person who contravenes this regulation commits an infringement offence and is liable to—
 - (a) an infringement fee of \$400; or
 - (b) a fine imposed by a court not exceeding \$800.
- (5) *[Revoked]*
- (6) Subclause (5) does not prevent the prosecution of, and conviction for, a contravention of this regulation.

Regulation 9(4): substituted, on 15 August 1995, by regulation 7 of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Regulation 9(5): inserted, on 3 February 2020, by regulation 67 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

Regulation 9(5): revoked, on 15 August 1995, by regulation 7 of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Regulation 9(6): inserted, on 3 February 2020, by regulation 67 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

10 Fishing from bridge prohibited

- (1) A person who fishes for whitebait from a bridge commits an infringement offence and is liable to—
 - (a) an infringement fee of \$400; or

- (b) a fine imposed by a court not exceeding \$800.
- (2) Subclause (1) does not prevent the prosecution of, and conviction for, a contravention of this regulation.

Regulation 10: replaced, on 3 February 2020, by regulation 68 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

11 Persons to remain in vicinity of net or structure

- (1) Every person who sets or uses a whitebait net shall remain within 10 m of any such net.
- (2) Every person who sets or uses a whitebait net from a licensed structure shall remain within 10 m of that licensed structure.
- (3) A person who contravenes this regulation commits an infringement offence and is liable to—
 - (a) an infringement fee of \$400; or
 - (b) a fine imposed by a court not exceeding \$800.
- (4) Subclause (3) does not prevent the prosecution of, and conviction for, a contravention of this regulation.

Regulation 11(3): inserted, on 3 February 2020, by regulation 69 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

Regulation 11(4): inserted, on 3 February 2020, by regulation 69 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

12 Fishing for whitebait from or near structures

- (1) No person fishing for whitebait in any river shall—
 - (a) fish for whitebait from any unlicensed structure; or
 - (b) place or use any net on or from any licensed structure unless the net is placed or used in a straight line, either from the up stream or down stream edge of the licensed structure; or
 - (c) set any screen beyond the outer edges of any licensed structure.
- (2) No person fishing for whitebait in any river specified in Schedule 2 (other than the Mokihinui River) shall fish within 40 m of any licensed structure from which any other person is fishing, whether on the same or opposite bank as that licensed structure.
- (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.
- (4) A person who contravenes this regulation commits an infringement offence and is liable to—
 - (a) an infringement fee of \$400; or
 - (b) a fine imposed by a court not exceeding \$800.

- (5) Subclause (4) does not prevent the prosecution of, and conviction for, a contravention of this regulation.

Regulation 12: substituted, on 15 August 1995, by regulation 8 of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Regulation 12(2): amended, on 24 August 2000, by regulation 5(1) of the Whitebait Fishing (West Coast) Amendment Regulations 2000 (SR 2000/132).

Regulation 12(3): added, on 24 August 2000, by regulation 5(2) of the Whitebait Fishing (West Coast) Amendment Regulations 2000 (SR 2000/132).

Regulation 12(4): inserted, on 3 February 2020, by regulation 70 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

Regulation 12(5): inserted, on 3 February 2020, by regulation 70 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

13 Fishing up stream from back-pegs or in non-tidal waters prohibited

- (1) No person shall fish for whitebait at any place up stream from any back-peg by the side of any river specified in Schedule 3.
- (2) No person shall fish for whitebait outside the tidal portion of any river, stream, estuary, or channel not specified in Schedule 3.
- (3) A person who contravenes this regulation commits an infringement offence and is liable to—
- (a) an infringement fee of \$400; or
 - (b) a fine imposed by a court not exceeding \$800.
- (4) Subclause (3) does not prevent the prosecution of, and conviction for, a contravention of this regulation.

Regulation 13(3): inserted, on 3 February 2020, by regulation 71 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

Regulation 13(4): inserted, on 3 February 2020, by regulation 71 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

14 Fishing for whitebait from vessels prohibited

- (1) No person shall use any vessel to fish for whitebait.
- (2) A person who contravenes this regulation commits an infringement offence and is liable to—
- (a) an infringement fee of \$400; or
 - (b) a fine imposed by a court not exceeding \$800.
- (3) Subclause (2) does not prevent the prosecution of, and conviction for, a contravention of this regulation.

Regulation 14(2): inserted, on 3 February 2020, by regulation 72 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

Regulation 14(3): inserted, on 3 February 2020, by regulation 72 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

*General provisions***15 Prohibition on possession of whitebait in conjunction with unlawful net**

- (1) No person shall be in possession of any whitebait together with any whitebait net that the person is not permitted to set or use by these regulations, whether or not that net is being used in fishing.
- (2) A person who contravenes this regulation commits an infringement offence and is liable to—
 - (a) an infringement fee of \$400; or
 - (b) a fine imposed by a court not exceeding \$800.
- (3) Subclause (2) does not prevent the prosecution of, and conviction for, a contravention of this regulation.

Regulation 15(2): inserted, on 3 February 2020, by regulation 72 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

Regulation 15(3): inserted, on 3 February 2020, by regulation 72 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

16 Returning of unlawfully taken fish

- (1) Any person engaged in fishing for whitebait shall, taking all reasonable care to ensure their survival, immediately return any fish that are unlawfully taken back into the waters from which the fish were taken.
- (2) A person who contravenes this regulation commits an infringement offence and is liable to—
 - (a) an infringement fee of \$400; or
 - (b) a fine imposed by a court not exceeding \$800.
- (3) Subclause (2) does not prevent the prosecution of, and conviction for, a contravention of this regulation.

Regulation 16(2): inserted, on 3 February 2020, by regulation 72 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

Regulation 16(3): inserted, on 3 February 2020, by regulation 72 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

17 Dumping of other fish prohibited

- (1) No person shall discard or dump on shore any fish taken when fishing for whitebait.
- (2) A person who contravenes this regulation commits an infringement offence and is liable to—
 - (a) an infringement fee of \$400; or
 - (b) a fine imposed by a court not exceeding \$800.
- (3) Subclause (2) does not prevent the prosecution of, and conviction for, a contravention of this regulation.

Regulation 17(2): inserted, on 3 February 2020, by regulation 72 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

Regulation 17(3): inserted, on 3 February 2020, by regulation 72 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

18 Rivers, etc, not to be altered

Nothing in these regulations shall be construed so as to permit any person fishing for whitebait to interfere with, alter, or modify the natural bed or banks of any river, stream, estuary, or channel.

19 Offences

Every person commits an offence and is liable on conviction to a fine not exceeding \$5,000 who—

- (a) contravenes, or fails to comply with, any of regulations 4 to 17; or
- (b) removes any back-peg placed pursuant to these regulations; or
- (c) takes whitebait otherwise than in accordance with any conditions imposed by the Director-General under regulation 20(3).

Regulation 19: amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Regulation 19 (c): substituted, on 24 August 2000, by regulation 6 of the Whitebait Fishing (West Coast) Amendment Regulations 2000 (SR 2000/132).

20 Exemptions

- (1) Notwithstanding regulations 13 and 14, any person may fish in any place where fishing would otherwise be prohibited by regulation 13 or fish from a vessel, if he or she—
 - (a) is a disabled person within the meaning of the Disabled Persons Employment Promotion Act 1960, or suffers from an infirmity or chronic disability, and is unable to fish at another place or by any other means; and
 - (b) holds a current authorisation issued by the Director-General under subclause (3).
- (2) Notwithstanding any other provision in these regulations, any person who wishes to take whitebait for the purposes of management, research, or scientific study or to take whitebait by any particular method for any such purpose, but is otherwise prevented from doing so by any provision of these regulations, may take whitebait for any such purpose or by any such method if he or she holds a current authorisation issued by the Director-General under subclause (3).
- (3) If—
 - (a) an application for an authorisation referred to in subclause (1) or subclause (2) is in accordance with that subclause; and

- (b) the Director-General is satisfied that the grant of an authorisation in that case will not adversely affect the overall conservation and management of the fishery,—

the Director-General shall grant the authorisation; and he or she may make the authorisation subject to such conditions as he or she considers necessary for the overall conservation and management of the fishery.

- (3A) A person who takes whitebait in contravention of any conditions imposed by the Director-General under subclause (3) commits an infringement offence and is liable to—
- (a) an infringement fee of \$400; or
- (b) a fine imposed by a court not exceeding \$800.
- (3B) Subclause (3A) does not prevent the prosecution of, and conviction for, a contravention of any conditions imposed by the Director-General under subclause (3).
- (4) Every authorisation granted under subclause (3) shall have effect according to its tenor and may be amended or revoked, as the case may require, to reflect changed circumstances.

Regulation 20(3A): inserted, on 3 February 2020, by regulation 73 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

Regulation 20(3B): inserted, on 3 February 2020, by regulation 73 of the Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326).

21 Whitebait taken for hui or tangi

[Revoked]

Regulation 21: revoked, on 15 August 1995, by regulation 10(1) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

22 Revocations

Amendment(s) incorporated in the regulations.

Schedule 1

Areas where whitebait fishing prohibited

r 5

- (a) the area of about 2.428 hectares known as Kongahu Swamp located north of Granite Creek to the east of the main road to Karamea township and approximately 6.5 km south of that township:
- (b) the Mahinapua Creek to the south side of the Hokitika River and any tributary of the Mahinapua Creek; including Lake Mahinapua and any stream running into that lake:
- (c) the south bank of the Hokitika River from a point 500 m down stream from the State highway 6 bridge to the sea:

- (d) the area known as the Hapuka River (including any tributary stream of the Hapuka River) that extends to the sea on the south bank and to the Okuru lagoon on the north bank:
- (e) *[Revoked]*
- (f) any tributary stream of the Waiatoto River and the waters of the Waiatoto River above the mean high-water mark:
- (g) the north bank of the Cascade River between a point 20 m upstream from Old Man Creek to the sea:
- (h) Old Man Creek:
- (i) Barn Creek that enters the Cascade River, and any tributary stream of Barn Creek:
- (j) the Awarua River above the Department of Conservation swing bridge:
- (k) all rivers, streams, and tributaries in Fiordland between Yates Point in the north and Puysegur Point in the south:
- (l) Baker Creek (a tributary of the Karamea River estuary):
- (m) Blackwater Creek (to within 200 m of the tide gate at Kongahu Swamp):
- (n) Bradshaws (Martins) Creek (a tributary of the Buller River):
- (o) Bullock Creek (a tributary of the Porarari River):
- (p) all tributaries of the Punakaiki River:
- (q) Ounatai Lagoon (a tributary of the Waitaha River):
- (r) Oneone Creek (a tributary of the Wanganui River):
- (s) Hikimutu Lagoon (a tributary of the Poerua River):
- (t) Crikey Creek (a tributary of the Haast River):
- (u) Nolans Creek (a tributary of the Okuru River):
- (v) Collier Creek (a tributary of the Turnbull River).

Schedule 1 paragraph (c): substituted, on 15 August 1995, by regulation 9(1) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Schedule 1 paragraph (d): substituted, on 15 August 1995, by regulation 9(1) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Schedule 1 paragraph (e): revoked, on 15 August 1995, by regulation 9(1) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Schedule 1 paragraph (l): added, on 15 August 1995, by regulation 9(2) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Schedule 1 paragraph (m): added, on 15 August 1995, by regulation 9(2) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Schedule 1 paragraph (n): added, on 15 August 1995, by regulation 9(2) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Schedule 1 paragraph (o): added, on 15 August 1995, by regulation 9(2) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Schedule 1 paragraph (p): added, on 15 August 1995, by regulation 9(2) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Schedule 1 paragraph (q): added, on 15 August 1995, by regulation 9(2) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Schedule 1 paragraph (r): added, on 15 August 1995, by regulation 9(2) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Schedule 1 paragraph (s): added, on 15 August 1995, by regulation 9(2) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Schedule 1 paragraph (t): added, on 15 August 1995, by regulation 9(2) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Schedule 1 paragraph (u): added, on 15 August 1995, by regulation 9(2) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Schedule 1 paragraph (v): added, on 15 August 1995, by regulation 9(2) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Schedule 2

Rivers where special conditions apply

r 12

Mokihinui, Orowaiti, Taramakau, Hokitika (proper), Waitaha, Wanganui, Poerua, Waitangi-Taona, Jacobs, Karangarua, Paringa, Moeraki (Blue), Okuru, Haast, Turnbull, Waiatoto, Arawhata, Cascade, Awarua, Ohinemaka, and Hollyford Rivers.

It should be noted that in parts of some of these rivers fishing for whitebait is totally prohibited. See Schedule 1.

Schedule 2: amended, on 24 August 2000, by regulation 7 of the Whitebait Fishing (West Coast) Amendment Regulations 2000 (SR 2000/132).

Schedule 3

Rivers on which back-pegs are to be located

rr 2, 13

Awarua, Hollyford, Smoothwater, Cascade, Arawhata, Waiatoto, Okuru, Turnbull, Haast, Waita, Moeraki, Paringa, Mahitahi, Jacobs, Manakaiaua, Hunts, Karangarua, Omoeroa, Waitangitaona, Whataroa, Poerua, Wanganui, Waitaha, Mikonui, Totara, Hokitika, Arahura, Houhou, Waimea, Serpentine, Taramakau, New River, Grey, Punakaiki, Pororari, Fox, Okari, Nile, Buller, Orowaiti, Mokihinui, Little Wanganui, Granite Creek, Karamea, Oparara, Kohaihai, and Heaphy Rivers.

Schedule 3: amended, on 15 August 1995, by regulation 9(3) of the Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139).

Martin Bell,
Acting for Clerk of the Executive Council.

Reprints notes

1 *General*

This is a reprint of the Whitebait Fishing (West Coast) Regulations 1994 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

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

Conservation (Infringement Offences in Regulations) Amendment Regulations 2019 (LI 2019/326): Part 5

Criminal Procedure Act 2011 (2011 No 81): section 413

Whitebait Fishing (West Coast) Amendment Regulations 2000 (SR 2000/132)

Whitebait Fishing (West Coast) Regulations 1994, Amendment No 2 (SR 1995/139)