

*Revoking Regulations for Trout-fishing in Auckland Acclimatization District, and making others in lieu thereof.*

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 20th day of December, 1926.

Present:

THE HONOURABLE W. DOWNIE STEWART PRESIDING IN COUNCIL.

IN pursuance of the powers and authorities vested in him by the Fisheries Act, 1908, and its amendments, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby make the following regulations for the Auckland Acclimatization District and the waters thereof; and doth hereby declare that the regulations shall, as from the date of the publication thereof in the *New Zealand Gazette*, supersede all regulations for the said district at variance therewith, and such regulations are hereby revoked.

REGULATIONS.

1. LICENSES to fish for trout in all waters within the said district as described in the First Schedule hereto shall be issued under the hand of the secretary of the Auckland Acclimatization Society (hereinafter termed "the said society"), or any one duly authorized by such secretary in that behalf. Such licenses shall be whole-season, half-season, or day licenses.

2. Every such whole-season license shall entitle the holder thereof to fish for trout in all the waters of the said district for a period extending from the 1st day of October in any one year to the 30th day of April in the year following, both days inclusive; subject, however, to the special limitations and restrictions hereinafter provided.

3. During the period from the 1st day of October, 1926, to the 30th day of September, 1928, it shall be unlawful to take trout by any means whatsoever in the Waimakariri and Pokaiwhenua Streams.

4. Every half-season license shall entitle the holder thereof to fish as aforesaid in the waters of the said district for a period extending from the 1st day of February to the 30th day of April in any one year.

5. Every day license shall entitle the holder thereof to fish as aforesaid in the waters of the said district during and throughout any one day of twenty-four hours therein specified within the period aforesaid.

6. The rights, powers, and privileges conferred upon holders of such aforesaid licenses shall be exercised subject to the provisions of the said Act, and to the regulations made or hereafter to be made thereunder during the currency of such licenses, and to regulations made or hereafter to be made as aforesaid in force in or affecting any particular acclimatization district, or having special reference to any particular water, stream, river, or lake: Provided always that the Secretary of the said society, or any person authorized by him as aforesaid, shall not be compelled to issue a license to any person who, within two years previously to the date of his application therefor, has been convicted or shall have been convicted of any breach of the provisions of the said Act or the regulations thereunder, or of any act relating to trout-fishing, or any regulations thereunder.

7. Licenses shall be issued by the said society at the following rates: For men—whole-season licenses, 20s.; half-season licenses, 12s. 6d.; day licenses, 2s. 6d. For women—whole-season licenses, 5s.; half-season licenses, 3s. 6d.; day licenses, 1s. 6d. For boys attending school or under the age of sixteen years—whole-season licenses, 5s.; half-season licenses, 3s. 6d.; day licenses, 1s. 6d. Such licenses shall be in the form or to the effect set forth in the Second Schedule hereto.

8. The holder of any such license as aforesaid may fish as aforesaid with one rod and line only, and may use a landing-net or gaff to secure any trout caught with such rod and line.

9. No person shall use any bait or lure other than the natural or artificial fly, or natural or artificial minnow, and any small indigenous fish, insect, grasshopper, beetle, or spider. The use of shellfish, koura, or the houhou or matai grub, or of earthworms shall be a breach of the regulations: Provided that no bait other than natural or artificial fly shall be used for taking fish in that portion of the Waihou River above Okoroire: Provided further that no bait other than natural and artificial fly shall be used for taking fish in the South Wairoa River, the Maungatawhiri River, Hay's Creek (otherwise known as Hunua Gorge Creek), Ararimu Creek, the Ongarue River, and the Waimiha River: Provided still

further that no bait other than the natural or artificial fly, or natural or artificial minnow, shall be used for taking fish in the Waipa River and its tributaries. The fine for every breach of this regulation shall not be less than £2 or more than £50.

10. No license shall be transferable, or be deemed to authorize any person other than the person named therein to fish.

11. The period from the 1st day of May to the 30th day of September, in any one year, both days inclusive, is hereby appointed a close season, during which it shall be unlawful for any person to fish for or to take trout, or to in any way injure or disturb the same. No person shall have in his possession, whether frozen, chilled, or otherwise, any trout between the 5th day of May and the 1st day of October in any one year.

12. No person shall cast or throw into any stream or waters in the said district in which trout exist or have been liberated, nor shall allow to flow into or place in or near the bank or margin of such stream or waters, any sawdust or sawmill refuse, lime, sheep-dip, flax-mill refuse, or any other matter or liquid that is noxious, poisonous, or injurious to fish: Provided that nothing herein contained shall extend to or prohibit the depositing in any such stream or waters of debris from any mining claim.

13. No person shall fish for trout without a license, and every person fishing in any such waters shall, on demand of any fishery officer, constable, officer of the said society, or person producing a license to fish issued in New Zealand, give his true name and place of residence, either permanent or for the time being, and on the like demand produce and show to such fishery officer, constable, officer of the said society, or person producing a license as aforesaid, his license to fish, and the contents of his creel, bag, or other receptacle for carrying fish, and also the bait or lure used or intended to be used by him for taking, catching, or killing such trout.

14. Every trout not exceeding 10 in. in length from tip of nose to tip of tail taken or caught by any person shall immediately be returned alive, with as little damage or hurt as possible, into the water from which the same has been taken.

15. No hand-line, night-line, or crossline fishing, stroke-hauling, trimmer, or any other unsportsmanlike device shall be used for the purpose of taking or attempting to take, catch, kill, or capture trout; nor shall any of the hereinbefore-mentioned permitted baits or lures be prepared or used with any medicated or chemical preparation whatever.

16. Except as provided in Regulation 7, no person shall fish with or use any net or engine, instrument, or device of any kind whatever for taking or attempting to take trout in any lake, river, or stream within the said district, or at the mouth or entrance of any such lake, river, or stream. Any trout taken by any such net or other means shall immediately be returned alive into the water from which the same is taken.

17. For the purposes of these regulations a lake and the mouth of a river or stream shall respectively be deemed to include every outlet of such lake, river, or stream respectively, and the seashore between the outlets of any such river or stream, and shall extend over a radius of one quarter of a mile from the point or line where the waters of such river, lake, or stream meet those of the sea or of any harbour at low water.

18. No person shall buy, sell, or expose or offer for sale, or shall fish for the purpose of obtaining for sale, any trout, or any portion thereof.

19. Any person convicted of any offence against these regulations shall have his license to fish (if any) confiscated, and such license (if any) shall thereupon become null and void.

20. No person shall take or catch more than twenty-five trout in any one day.

21. Except as provided for by the regulations regarding keeping trout in freezing-works or freezing-chambers during the close season which were made by the Governor in Council on the 6th day of October, 1908, and published in the *New Zealand Gazette* of the 8th day of the same month, no person shall have in his or her possession, whether frozen, chilled, or otherwise, any trout between the 5th day of May and the 1st day of October in any year: Provided that this regulation shall not apply to any fish taken by officers of the Government or by officers of the Auckland Acclimatization Society for the purpose of acclimatization.

22. The penalty for every breach of any of these regulations shall be not less than 40s., and not more than £50.

FIRST SCHEDULE.

*Auckland Acclimatization District.*

All that area bounded towards the north-west generally by Kaipara Harbour and Otamatea County; thence towards the north-east by the sea to the south-western corner of Coromandel County; thence by Coromandel County to its south-eastern corner; thence towards the east generally by the sea to the northernmost corner of Tauranga County;