

Freshwater Fisheries Regulations 1983
(SR 1983/277)

Note

These regulations are administered in the Ministry of Agriculture and Fisheries.

PURSUANT to the Fisheries Act 1983, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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1 Title and commencement

- (1) These regulations may be cited as the Freshwater Fisheries Regulations 1983.
(2) These regulations shall come into force on the 1st day of January 1984.

2 Interpretation

- (1) In these regulations, unless the context otherwise requires,—

The Act means the Conservation Act 1987

Act: this definition was substituted, as from 27 September 1990, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209).

Acclimatised fish means fish specified in Schedule 1 to these regulations

Adult licence

[Revoked]

Adult licence: this definition was revoked, as from 1 October 1997, by regulation 2(1)(a) Freshwater Fisheries Amendment Regulations 1997 (SR 1997/176).

Artificial fly shall be deemed to include any lure of feather, fur, wool, or other material of any kind customarily used in the making of artificial flies; but shall not include any lure in the tying of which lead or other weight has been incorporated unless the hook incorporated in that lure does not exceed 14mm in length (exclusive of the eye) and the gape of the hook does not exceed 6mm

Artificial minnow shall be deemed to include spoonbait, any feather lure in the tying of which lead or other weight has been incorporated to facilitate the casting or sinking of the lure, and any lure which incorporates a spinning device or a device to impart a wobbling or irregular motion to the lure

Assembled rod means a rod that is assembled from butt to tip, together with a line and lure attached

Auckland Acclimatisation District means the area defined as the Auckland Acclimatisation District in a notice published in the Gazette of 1925 at page 749

Auckland Acclimatisation District: this definition was inserted, as from 22 August 1986, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 4 (SR 1986/197).

Canning, in relation to fish, includes the preservation by heat or other treatment of fish in sealed cans or jars; and **can** has a corresponding meaning

Commercial freezing chamber means any freezing chamber, including any cool store, refrigeration works, or freezing or cooling device, situated in or on any cannery, plant, or premises (not being a private dwellinghouse) where acclimatised fish are or have been in the preceding 6 months frozen, canned, or otherwise preserved or treated or stored

Commercial smokehouse means any smokehouse, including any fish-preparation room, salting room, or drying room adjacent to or forming part of that smokehouse, situated in or on any plant or premises (not being a private dwellinghouse) where acclimatised fish are or have been in the preceding 6 months canned, or otherwise preserved or treated or stored

Dam means any structure designed to confine, direct, or control water, whether permanent or temporary; and includes weirs

Day means a day computed from midnight to midnight

Diversion structure means any structure designed to divert or abstract natural water from its natural channel or bed whether permanent or temporary

Eastern Fish and Game Region means the region having that name and defined by notice in the Gazette, 1990, at page 1861; and includes all alterations to the boundaries of the region that are for the time being in force pursuant to section 26A(1)(c) of the Act

Eastern Fish and Game Region: this definition was inserted, as from 27 September 1990, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209).

Electric fishing machine means any device, engine, or machine designed or used for the taking or killing by means of electric current of any species of fish or for the production of electronarcosis of any species of fish; but does not include any non-movable electrical device erected in any waters for the purpose of preventing or controlling the movement of fish

Fish facility means any structure or device, including any fish pass or fish screen inserted in or by any water course or lake, to stop, permit, or control the passage of fish through, around, or past any dam or other structure impeding the natural movement of fish upstream or downstream

Fish pass means any structure providing passage through or over any barrier to their passage

Fish screen means any device whether moving or stationary designed to impede or stop the passage of fish

Island Council

[Revoked]

Island Council: this definition was revoked, as from 27 September 1990, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209).

Junior licence

[Revoked]

Junior licence: this definition was substituted, as from 19 October 1984, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 1 (SR 1984/259).

Junior licence: this definition was revoked, as from 1 October 1997, by regulation 2(1)(b) Freshwater Fisheries Amendment Regulations 1997 (SR 1997/176).

Licence means a licence to take acclimatised fish issued in accordance with these regulations and in accordance with a notice in the Gazette

Licence: this definition was substituted, as from 1 October 1997, by regulation 2(2) Freshwater Fisheries Amendment Regulations 1997 (SR 1997/176).

Limit bag means the maximum number of acclimatised fish which may be taken pursuant to these regulations or any District Anglers Notice by any one person in any one day

New participant

[Revoked]

New participant: this definition was inserted, as from 1 October 1995, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 18 (SR 1995/178).

New participant: this definition was revoked, as from 1 October 1997, by regulation 2(1)(c) Freshwater Fisheries Amendment Regulations 1997 (SR 1997/176).

Officer means a warranted officer within the meaning of the Act

Officer: this definition was substituted, as from 27 October 1990, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209).

Open season means the period from the 1st day of October in any year to the 30th day of April in the year next following (both days inclusive) during which fishing for acclimatised fish is generally permitted, unless otherwise specified in any District Anglers Notice

Remedial works means any structures, channel modifications, or water flow provided to offset the effect of a dam or diversion structure

Rotorua District

[Revoked]

Rotorua District: this definition was revoked, as from 27 October 1990, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209).

Size, in relation to any fish, means the total length from the tip of the nose to the tip of the tail

Size limit means the minimum size of fish which may be taken pursuant to these regulations or to any District Anglers Notice

Southern Lakes District

[Revoked]

Southern Lakes District: this definition was revoked, as from 27 October 1990, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209).

Special Act means the Maori Land Amendment and Maori Land Claims Adjustment Act 1926

Taupo District means the district described in the Taupo District Order 1983, made pursuant to section 14(8) of the Special Act

Tourist fishing licence means a licence issued pursuant to regulation 6A of these regulations to a bona fide overseas tourist to fish for sports fish

Tourist fishing licence and Trout: these definitions were substituted, as from 19 October 1984, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 1 (SR 1984/259).

Trout includes char of any species, and any hybrid of any trout or char; and includes any trout whether alive or dead, and any part of a trout

Tourist fishing licence and Trout: these definitions were substituted, as from 19 October 1984, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 1 (SR 1984/259).

Undersized fish means a fish of a smaller size than the minimum prescribed by these regulations or by any District Anglers Notice for the taking of fish.

Young adult

[Revoked]

Young adult: this definition was inserted, as from 1 October 1995, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 18 (SR 1995/178).

Young adult: this definition was revoked, as from 1 October 1997, by regulation 2(1)(c) Freshwater Fisheries Amendment Regulations 1997 (SR 1997/176).

(2) For the purposes of these regulations and of any District Anglers Notice, a person fishing shall be deemed to be fishing both at the place from where he is fishing and also at any place reached by his line or lure.

(3) For the purposes of these regulations, the waters of any district shall be deemed to include the mouth of every river or stream, and the mouth of every river or stream shall be deemed to include every outlet thereof and the seashore between those outlets and the waters of the sea or of any harbour lying within a distance of 500 metres from any place where at low tide the waters of a river or stream meet the waters of the sea or of any harbour.

2A **Sports fish** defined for the purposes of Act

- For the purposes of the Act it is hereby declared that the species of fish specified in Schedule 1 to these regulations are sports fish.

Regulation 2A was inserted, as from 19 September 1985, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 3 (SR 1985/222).

3 Application of regulations

- (1) Part 6 (Fish Passage), Part 7 (Use of Electric Fishing Machines), and Part 9 (Faunistic Reserves) of these regulations shall apply throughout New Zealand.
(2) These regulations (except Part 6 and Part 7 and Part 9) shall apply throughout New Zealand other than in the Taupo District.

Regulation 3 was substituted, as from 19 October 1984, by regulation 3(1) Freshwater Fisheries Regulations 1983, Amendment No 1 (SR 1984/259).

Part 1 Licences

4 Classes and forms of licences

- Licences issued to take acclimatised fish must be in the forms and for the classes fixed by notice in the Gazette.

Regulation 4 was substituted, as from 1 October 1997, by regulation 3 Freshwater Fisheries Amendment Regulations 1997 (SR 1997/176).

4A Special licences

- (1) The Minister may authorise any Fish and Game Council to issue special licences of the following kinds:
 - (a) Authorising the holder to take sports fish for education, investigative research, or the carrying out of trials or experiments involving any vessel, gear, or apparatus capable of being used in connection with the taking of sports fish:
 - (b) Authorising any disabled person, within the meaning of the Disabled Persons Employment Promotion Act 1960, to take sports fish by any means that would otherwise be unlawful:
 - (c) Authorising the holder to take sports fish for any other purpose approved by the Minister.
- (2) In considering an application to issue a special licence under this regulation, a Council shall have regard to the following:
 - (a) Any sports fish and game management plans approved for its region under section 17M of the Act:
 - (b) Any relevant national policy of the New Zealand Fish and Game Council and any relevant general policy that has been approved under the Act:
 - (c) The potential the proposal has for adverse impact on the sports fishery.
- (3) Every such special licence shall specify the waters within the Council's jurisdiction in which the holder is permitted to take sports fish.
- (4) Every such special licence may be revoked by the issuing Council by notice in writing to the holder.
- (5) A Council shall give reasons in writing to the holder if it revokes a special licence granted to the holder under this regulation.
- (6) All fish taken pursuant to this section shall be disposed of as the Council directs, or as may be specified in the licence.

Regulation 4A was inserted, as from 27 September 1990, by regulation 3 Freshwater Fisheries Regulations 1990, Amendment No 9 (SR 1990/209).

5

- [Revoked]
Regulation 5 was revoked, as from 1 October 1997, by regulation 6(a) Freshwater Fisheries Amendment Regulations 1997 (SR 1997/176).

6

- [Revoked]
Regulation 6 was substituted, as from 1 October 1991, by regulation 2(1) Freshwater Fisheries Regulations 1983, Amendment No 10 (SR 1991/83) and amended, as from 1 October 1991, by

regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 11 (SR 1991/151) by substituting the words “except in” for the words “unless it is issued only for”.

Regulation 6 was revoked, as from 1 October 1997, by regulation 6(a) Freshwater Fisheries Amendment Regulations 1997 (SR 1997/176).

6A

- [Revoked]
Regulation 6A was inserted, as from 19 October 1984, by regulation 5 Freshwater Fisheries Regulations 1983, Amendment No 1 (SR 1984/259).
Regulation 6A was revoked, as from 1 October 1997, by regulation 6(a) Freshwater Fisheries Amendment Regulations 1997 (SR 1997/176).

7

- [Revoked]
Regulation 7 was revoked, as from 1 October 1997, by regulation 6(a) Freshwater Fisheries Amendment Regulations 1997 (SR 1997/176).

8 Issue of licences

- (1) Whole season licences shall be issued upon request being made to any acclimatisation society or authorised agent in a district where there is an open season.
(2) Part season licences may be issued at the discretion of the acclimatisation society.

9 Restrictions on issue of licences

- (1) No acclimatisation society shall issue or cause to be issued a licence at any place outside the boundaries of its district, and no person shall verify any licence issued in breach of this regulation.
(2) No person shall canvass or seek to induce any person outside the boundaries of any acclimatisation society to obtain a licence issued by that society.

10 Application for licences

- Every applicant for a licence shall furnish his full name, address, and occupation to the person to whom the application is made.

11 Verification of licences

- (1) Every licence shall before issue be verified by the signature of the manager of the Fish and Game Council by which the licence is issued or by the signature of some other person authorised by the Fish and Game Council.
(2) Except as provided in subclause (3) of this regulation, no licence shall have any effect or validity until the holder has verified it by signing the holder's usual signature legibly and clearly in the space provided for the purpose on the licence.
(3) Where any licence has been issued under subclause (1) of this regulation but the holder has not yet received the licence, that licence is valid and effective from date of issue for the period specified in the licence, notwithstanding that the holder has not complied with subclause (2) of this regulation.

Regulation 11 was substituted, as from 1 October 1995, by regulation 3 Freshwater Fisheries Regulations 1983, Amendment No 18 (SR 1995/178).

12 Licences not transferrable

- No licence shall be transferrable.

13 Cancellation of licences

- (1) Any society may accept and cancel any licence it has issued, and may refund to the former holder of the licence the whole or any part of the fee paid.
(2) Any society, which is satisfied that a licence has been lost or mutilated and, in the case of mutilation, on surrender of the licence to the society, may issue in its place a duplicate licence. Every duplicate licence shall have the same force and effect as the original licence.

14 Licence fees

- The fees fixed by notice in the Gazette for a licence must be paid and received for that licence.

Regulation 14 was amended, as from 1 July 1988, by regulation 2(1) Freshwater Fisheries Regulations 1983, Amendment No 6 (SR 1988/122) by inserting the words “(which fees are inclusive of goods and services tax payable under the Goods and Services Tax Act 1985)”.

Regulation 14 was substituted, as from 1 October 1997, by regulation 4 Freshwater Fisheries Amendment Regulations 1997 (SR 1997/176).

14A

- [Revoked]
Regulation 14A was inserted, as from 28 August 1987, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 5 (SR 1987/261), and was revoked, as from 1 July 1988, by regulation 2(2) Freshwater Fisheries Regulations 1983, Amendment No 6 (SR 1988/122).

15 Reduction or waiver of fees

- Notwithstanding the provisions of a Gazette notice fixing fees for different classes of licences, it shall be lawful for any acclimatisation society to issue a licence to any person either for no fee or for such reduced fee as the society approves.

Regulation 15 was amended, as from 1 October 1997, by regulation 5 Freshwater Fisheries Amendment Regulations 1997 (SR 1997/176) by substituting the words “a Gazette notice fixing” for the words “these regulations prescribing”.

16 Expenditure of licence fees

- All sums received by an acclimatisation society in respect of licence fees under these regulations shall be spent within the district of the society receiving them; but nothing in this regulation shall prevent—
 - (a) The payment to the New Zealand Fish and Game Council of any levy determined by that Council under section 26C(1)(f) of the Conservation Act 1987:
 - (b) The making of payments towards the reasonable and proper operation of any regional or national organisation of acclimatisation societies:
 - (c) Subject to paragraph (b) above, any expenditure in the district of any one or more societies made with the prior consent of the Minister for a freshwater fisheries purpose:
Provided that nothing in this regulation shall apply to licence fees received by the Department of Conservation.

Regulation 16(a) was substituted, with effect for licences issued in respect of any period commencing on or after 1 July 1990, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 8 (SR 1990/136). Regulation 16 Proviso was amended, as from 1 April 1987, by section 65(3) Conservation Act 1987 (1987 No 65) by substituting the word “Conservation” for the words “Internal Affairs”.

17

- [Revoked]
Regulation 17 was revoked, with effect for licences issued in respect of any period commencing on or after 1 July 1990, by regulation 4(1) Freshwater Fisheries Regulations 1983, Amendment No 8 (SR 1990/136).

18

- [Revoked]
Regulation 18 was revoked, with effect for licences issued in respect of any period commencing on or after 1 July 1990, by regulation 4(1) Freshwater Fisheries Regulations 1983, Amendment No 8 (SR 1990/136).

19 No right of entry on land

- No licence shall confer any right of entry upon the land of any person without his consent.

Part 2

Obligations of persons fishing

20 Anglers to give name and address, and produce licence

- Every person taking sports fish or in possession of a rod or gear suitable for taking sports fish shall, on the demand of any Officer,—
 - (a) Give that person's true names and place of residence; and
 - (b) Produce and show the contents of that person's creel or container and any live bait in that person's possession; and
 - (c) Where regulation 11(3) of these regulations applies, produce identification showing that person's true name, place of residence, and signature; and

- (d) In any other case, produce that person's licence and make or give legibly and clearly a specimen signature for comparison with the signature on the licence.

Regulation 20 was substituted, as from 1 October 1995, by regulation 4 Freshwater Fisheries Regulations 1983, Amendment No 18 (SR 1995/178).

21 Restriction on taking fish from or near fish traps

- No person shall—
 - (a) Take any fish from; or
 - (b) Interfere with or damage; or
 - (c) Take any sports fish in or from any water that is within 100 m of—
any net, trap, pound net, electrical device, or other contrivance erected or placed for the purpose of preventing or controlling the movement of sports fish and used by any person for the purposes of acclimatisation, propagation, or management, or for scientific or other purposes authorised by an acclimatisation society.

Regulation 21(c) was substituted, as from 19 September 1985, by regulation 3 Freshwater Fisheries Regulations 1983, Amendment No 3 (SR 1985/222).

Part 3
Marked fish

22 No unauthorised marking of acclimatised fish

- No person shall mark any living acclimatised fish or attach or insert a tag or other distinguishing device or clip or remove a fin or fins, except with the written consent of the Director-General or of the acclimatisation society of the district.

23 Notifying details of marked fish taken

- Any angler taking during the open season any acclimatised fish bearing a tag or distinguishing device shall either cause the fish and tag or device to be delivered to the acclimatisation society of the district in which it was taken or to the nearest office of the Ministry or shall forthwith deliver to that society or Ministry office full particulars in writing of the tag or distinguishing device, the place where and date when the fish was taken, and, if it is reasonably possible so to do, the weight and length of the fish.

Part 4
Storage and smoking of acclimatised fish

24 Register for acclimatised fish

- (1) No manager or person in charge of any commercial freezing chamber or commercial smokehouse shall receive any acclimatised fish for any purpose or have any acclimatised fish in any such premises unless on the day of and at the time of deposit he makes or causes to be made correctly in a book kept on the premises for that purpose the entries in respect of the acclimatised fish mentioned in subclause (2) of this regulation, and unless he permits any Officer to enter any such premises at all reasonable times and to inspect any fish therein and to inspect and copy any entries from that book.
- (2) The entries to be made in accordance with subclause (1) of this regulation are as follows:
 - (a) The date and time of deposit of the fish on the premises:
 - (b) The number and species of fish:
 - (c) The total weight of fish:
 - (d) The name and address of the owner of the fish:
 - (e) The number and the district of issue of the licence (if any) of the owner of the fish:
 - (f) The address (if any) to which the fish are to be forwarded.
- (3) Any book compiled under this regulation shall be retained for at least 6 months after the making of the last entry therein.

25 Details to be attached to acclimatised fish

- No person shall place or permit to be placed or kept in any commercial freezing chamber or commercial smokehouse any acclimatised fish to which there is not affixed or tied a label on which are legibly written the following particulars:
 - (a) The name and address of the owner of the fish:
 - (b) The date on which the fish were deposited on the premises.

26 No gifts of acclimatised fish

- No person shall give and no manager or person in charge of any commercial freezing chamber or commercial smokehouse shall receive any acclimatised fish in exchange or as a full or partial consideration for the storage or any preservation or treatment of any acclimatised fish.

27 Maximum weight of acclimatised fish

- No licence holder or other person shall deposit, and no manager or person in charge of any commercial freezing chamber or commercial smokehouse shall accept for deposit, in any such premises, acclimatised fish if the licence holder or other person already has an aggregate weight of 50kg of any such fish deposited in the premises.

Part 5

Canning of acclimatised fish

28 No unauthorised canning of acclimatised fish

- No person shall can any acclimatised fish except in accordance with the provisions of these regulations, and no person shall be in possession of any such fish so preserved contrary to the provisions of these regulations.

29 No payment for canning acclimatised fish

- No fee shall be paid to or accepted by any person, and no consideration shall be given to or accepted by any person, for the canning of any acclimatised fish.

30 No sale of canned acclimatised fish

- No acclimatised fish preserved in any can and no can containing acclimatised fish shall be sold.

31 No trading of acclimatised fish for canned acclimatised fish

- No person shall trade, exchange, give, or receive acclimatised fish for cans containing acclimatised fish or for empty cans.

32 Marking cans of acclimatised fish

- No person shall can acclimatised fish unless as soon thereafter as may be practicable on the same day the person canning the fish paints in oil paint or engraves on each can clearly and correctly the name of the licence holder who caught the fish, the number and district of issue of his licence, and the date and place where the fish was caught.

33 No interference with marked cans of acclimatised fish

- No person shall deface, obliterate, or alter any particulars painted or engraved on any can which contains acclimatised fish.

34 No false marking of canned acclimatised fish

- No person shall paint or engrave on a can containing acclimatised fish any incorrect or misleading information.

35 Marking cans before parting with them

- No person shall give away or in any way dispose of any can containing acclimatised fish unless the can is marked in accordance with the provisions of regulation 32 of these regulations.

36 No fishing while holding unmarked cans

- No person shall continue to fish on any day when he has in his possession any can containing acclimatised fish on which the particulars required by regulation 32 hereof have not been painted or engraved.

37 Maximum weight of canned acclimatised fish

- No person shall have in his possession or at his disposal more than 50kg gross weight of canned acclimatised fish, the weight to include the weight of cans and their contents: Provided that no more than 23kg gross weight of canned sports fish may be processed in the Southern Lakes District or the Rotorua District.

Regulation 37 Proviso was amended, as from 19 September 1985, by regulation 4 Freshwater Fisheries Regulations 1983, Amendment No 3 (SR 1985/222) by substituting the words “District or the Rotorua District” for the words “, Rotorua, or Taupo District”.

38 Maximum daily quantity for transport of canned acclimatised fish

- No person shall post or consign or cause to be conveyed by land, water, or air on any one day a quantity of canned acclimatised fish exceeding in aggregate weight of cans and contents 23kg.

39 Possession of canned acclimatised fish

- Any canned acclimatised fish shall be deemed to be in possession of the person whose name and licence number are painted or engraved on the can while that person is in any launch or motor vehicle in which the can is found or in any dwelling-house, hut, tent, encampment, or caravan of which that person is the sole occupant or one of the occupants.

40 No canned acclimatised fish in public eating house

- No manager or person in charge of any hotel, boardinghouse, or restaurant shall serve, allow, or cause to be served, or in any way supply to any guest of that hotel, boarding house, or restaurant any meal consisting wholly or in part of canned acclimatised fish.

Part 6

Fish passage

- Heading after regulation 40 refer as from 19 October 1984, to regulation 3(2) Freshwater Fisheries Regulations 1983, Amendment No 1 (SR 1984/259) which formally amended the Heading by substituting the words “PART 6” for the words “Part 4”.

41 Scope

- (1) This part of these regulations shall apply to every dam or diversion structure in any natural river, stream, or water.
- (2) For the purposes of these regulations **dam or diversion structure** shall not include—
 - (a) Any net, trap, or structure erected and used solely for the purpose of taking or holding fish in accordance with the provisions of the Act, or of these regulations:
 - (b) Any dam constructed on dry or swampy land or ephemeral water courses for the express purpose of watering domestic stock or providing habitat for water birds:
 - (c) Any water diversion not being incorporated into or with a dam, that is solely and reasonably required for domestic needs or for the purposes of watering domestic stock and that empties, without dead ends, into any viable fish habitat:
 - (d) Any structure authorised by a Regional Water Board not requiring a water right that in no way impedes the passage of fish.
- (3) For the purposes of this Part of these regulations, the term **occupier** includes the owner of any land when there is no apparent occupier; and also includes any person doing any work by contract for the occupier.

42 Culverts and fords

- (1) Notwithstanding regulation 41(2)(d) of these regulations, no person shall construct any culvert or ford in any natural river, stream, or water in such a way that the passage of fish would be impeded, without the written approval of the Director-General incorporating such conditions as the Director-General thinks appropriate.
- (2) The occupier of any land shall maintain any culvert or ford in any natural river, stream, or water (including the bed of any such natural river, stream, or water in the vicinity of the culvert or ford) in such a way as to allow the free passage of fish: Provided that this requirement shall cease if the culvert or ford is completely removed or a written exemption has been given by the Director-General.

43 Dams and diversion structures

- (1) The Director-General may require that any dam or diversion structure proposed to be built include a fish facility:

Provided that this requirement shall not apply to any dam or diversion structure subject to a water right issued under the provisions of the Water and Soil Conservation Act 1967 prior to the 1st day of January 1984.

(2) Any person proposing to build such a dam or diversion structure shall notify the Director-General and forward a submission seeking the Director-General's approval or dispensation from the requirements of these regulations, shall supply to the Director-General such information as is reasonably required by the Director-General to assist him in deciding his requirements (including plans and specifications of the proposed structure and any proposed fish facility).

(3) Should the Director-General consider that the information supplied is inadequate, he shall, within 28 days, advise the applicant as to what further information is required.

44 Requirement for a fish facility

- (1) If, in the opinion of the Director-General, a fish facility is required or dispensation from such a requirement is acceptable, the Director-General shall as soon as practical but in no case longer than 6 months if a fish facility is required from the date of receiving all information required, or 3 months where a fish facility is not required from the date of receiving all information required, forward his written requirement or dispensation to whomsoever made the submission.

(2) Where in the opinion of the Director-General a fish facility is required he shall specify what is required to enable fish to pass or stop the passage of fish, and while not limiting this general requirement may specify—

- (a) The type, general dimensions, and general design of any fish pass to be utilised:
- (b) The type, general dimensions, general design, and placement of any fish screen utilised.

(3) Subject to the Water and Soil Conservation Act 1967 and any determination under that Act, the Director-General may specify—

- (a) The type and placement of any water intake to be utilised where fish screens are not required:
- (b) The flow of water through any fish pass and the periods of the day and year when the pass must be operational:
- (c) The volume, velocity, and placement of additional water to attract migrating fish to any fish pass:
- (d) The type and scope of any remedial works in connection with any fish screen or fish pass to enable fish to approach the structure or to be returned to the normal course of the water channel:
- (e) The volume or relative proportion of water that shall remain downstream of any dam or diversion structure and the period of day or year that such water flows shall be provided.

(4) Every approval given by the Director-General shall expire 3 years from the date of issue if the construction of the dam or diversion structure is not completed, or such longer time as he may allow.

(5) The manager of every dam or diversion structure in connection with which a fish facility is provided shall at all times keep such fish facility in good and satisfactory repair and order, so that fish may freely pass and return at all times or are prevented from passing as specified under these regulations.

45 Adequate water

- The manager of every dam or diversion structure in connection with which a fish facility is provided shall, subject to the Water and Soil Conservation Act 1967 and any relevant determination under that Act, maintain a flow of water through or past such fish facility sufficient in quantity to allow the facility to function as specified at all times or periods specified; but no person shall be liable for a breach of this regulation due to drought, flood, or other sources beyond his control if the default is made good as soon as reasonably possible.

46 Required maintenance or repair

- The Director-General may serve notice in writing to the manager of any fish facility notifying him of any defects or want of repair in such fish facility and requiring him within a reasonable time to be therein prescribed to remove any defect or make such repairs as may be required: Provided that nothing in this regulation shall affect the liability of a manager under regulation 44 of these regulations.

47 Damage

- No person shall wilfully injure or damage any fish facility.

48 Alterations

- No person shall, without the written consent of the Director-General, make a structural alteration in any fish facility.

49 Inspection of fish facilities

- Any Officer may at all reasonable times enter upon any fish facility and upon any remedial works or upon the land bordering such fish facility or remedial works for the purpose of their inspection.

50 Protection of fish

- No person, other than an Officer acting in his official capacity, shall take or attempt to take any fish on its passage through a fish facility, or place any obstruction therein or within a radius of 50m of any point of a fish facility, or shall within a radius of 50m of any point of a fish facility use any contrivance whereby fish may be impeded in any way in freely entering or passing through or passing by a fish facility except as may be provided by the Director-General in writing to the manager of the fish facility.

Part 7

Use of electric fishing machines

- PART 7 (Reg 51) was substituted, as from 1 August 1993, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 14 (SR 1993/153).

51 Authority required for use of electric fishing machines

- (1) Except as provided in subclause (2) of this regulation, no person shall use an electric fishing machine for the taking of freshwater fish except with—
 - (a) A written authority issued by the Fish and Game Council for the fish and game region in which the waters fished are situated; and
 - (b) A written authority issued by the Director-General.
- (2) Subclause (1) of this regulation shall not apply to—
 - (a) An employee of a Fish and Game Council who uses an electric fishing machine in waters within the region of the Council pursuant to an authority issued by the Council; or
 - (b) An officer or employee of the Department of Conservation authorised by the Director-General to use an electric fishing machine.
- (3) The Fish and Game Council and the Director-General, respectively,—
 - (a) May issue an authority under subclause (1) of this regulation on such conditions as may be specified in the authority; and
 - (b) May, at any time, in writing vary any of the conditions of the authority.
- (4) Every person who holds an authority under subclause (1) of this regulation shall comply with the conditions imposed under subclause (3) of this regulation.
- (5) The Fish and Game Council may withdraw an authority issued by the Council and the Director-General may withdraw an authority issued by him or her, under subclause (1) of this regulation, where the holder breaches any condition imposed under subclause (3) of this regulation.
- (6) Every withdrawal of an authority shall be notified in writing to the holder of the authority.
- (7) Any person may appeal to the Minister—
 - (a) Against a refusal by the Fish and Game Council to issue an authority under subclause (1)(a) of this regulation; or
 - (b) Against a refusal by the Director-General to issue an authority under subclause (1)(b) of this regulation; or

- (c) Against the imposition by the Director-General or the Fish and Game Council, in accordance with subclause (3)(a) of this regulation, of any conditions of an authority; or
 - (d) Against the variation by the Director-General or the Fish and Game Council, in accordance with subclause (3)(b) of this regulation, of any conditions of an authority; or
 - (e) Against the withdrawal by the Director-General or the Fish and Game Council of any authority issued under subclause (1) of this regulation,—
- and the Minister may confirm, modify, or reverse the decision.

PART 7 (Reg 51) was substituted, as from 1 August 1993, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 14 (SR 1993/153).

Subclause (7) was substituted, as from 1 October 1995, by regulation 5 Freshwater Fisheries Regulations 1983, Amendment No 18 (SR 1995/178).

52

- [Revoked]
Regulation 52 was revoked, as from 1 August 1993, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 14 (SR 1993/153).

53

- [Revoked]
Regulation 53 was revoked, as from 1 August 1993, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 14 (SR 1993/153).

54

- [Revoked]
Regulation 54 was revoked, as from 1 August 1993, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 14 (SR 1993/153).

55

- [Revoked]
Regulation 55 was revoked, as from 1 August 1993, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 14 (SR 1993/153).

56

- [Revoked]
Regulation 56 was revoked, as from 1 August 1993, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 14 (SR 1993/153).

57

- [Revoked]
Regulation 57 was revoked, as from 1 August 1993, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 14 (SR 1993/153).

Part 7A

Fishing competitions relating to sports fish

- PART 7A (Regs 57A to 57F) was inserted, as from 27 September 1990, by regulation 5 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209).

57A Fishing competitions require approval of Fish and Game Council

- No fishing competition in respect of sports fish shall be held unless it has been approved in writing by the Fish and Game Council having jurisdiction over the waters concerned.

PART 7A (Regs 57A to 57F) was inserted, as from 27 September 1990, by regulation 5 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209).

57B Applications

- (1) Every application for approval of a fishing competition shall specify the following particulars:
 - (a) The water or waters in respect of which it is proposed to hold the competition:
 - (b) The dates on which the competition will be held:
 - (c) The anticipated number of entrants:
 - (d) The classes, and respective fees (if any), of entry:

- (e) The categories of competition for which prizes will be offered:
 - (f) The kinds and values of prizes to be offered:
 - (g) Details of procedures to be followed by the applicant to ensure that all entrants hold a current fishing licence and are aware of the provisions of the relevant District Anglers Notice.
 - (h) Details of the kind of catch or scientific data (if any) to be collected during the competition and provided to the Fish and Game Council:
 - (i) Details of proposed actions (if any) to be taken by the applicant to reduce the impact of the competition on fish stocks or the habitat:
 - (j) The rules of the competition:
 - (k) The purposes for which any profits are proposed to be used.
- (2) Every Fish and Game Council shall notify the Director-General of each application it receives under this Part of these regulations.

PART 7A (Regs 57A to 57F) was inserted, as from 27 September 1990, by regulation 5 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209).

57C Matters to be considered by Council

- In considering an application under this Part of these regulations, a Fish and Game Council shall have regard to the following:
 - (a) Any sports fish and game management plans approved for its region under section 17M of the Act:
 - (b) Any relevant national policy of the New Zealand Fish and Game Council and any relevant general policy that has been approved under the Act:
 - (c) The potential for any significant impact on the sports fishery or the habitat, and on the recreational opportunities for anglers:
 - (d) Any views expressed in writing by the Director-General, or his or her nominee.

PART 7A (Regs 57A to 57F) was inserted, as from 27 September 1990, by regulation 5 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209).

57D Powers of Council

- (1) A Fish and Game Council may—
 - (a) Approve an application under this Part of these regulations:
 - (b) Require an application to be modified to include such provisions as the Council considers necessary or desirable for the management or protection of the fishery or habitat:
 - (c) Decline an application.
- (2) If a Council declines an application, it shall give to the applicant in writing the reasons for its decision.
- (3) Any applicant may appeal to the New Zealand Fish and Game Council against a decision of a Fish and Game Council to decline the applicant's application; and the New Zealand Fish and Game Council may confirm, modify, or reverse the decision appealed against.

PART 7A (Regs 57A to 57F) was inserted, as from 27 September 1990, by regulation 5 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209).

57E Holders to comply with provisions of approval

- (1) Every person who holds an approved fishing competition under this Part of these regulations shall, so far as is practicable, comply with the provisions of the application in respect of which the approval has been given.
- (2) A Fish and Game Council may revoke its approval of an application if the holder fails to comply with subclause (1) of this regulation.

PART 7A (Regs 57A to 57F) was inserted, as from 27 September 1990, by regulation 5 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209).

57F Rental

- Where a Fish and Game Council approves a fishing competition under this Part of these regulations and an entrance fee is charged by the holder, the holder shall be liable to pay to the

Council rental of \$40, plus \$5 for each participant aged 16 years or over and \$2 for each participant aged under 16 years.

PART 7A (Regs 57A to 57F) was inserted, as from 27 September 1990, by regulation 5 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209).

Part 8 Management

58 Authorised introduction of indigenous or exotic species

- No person or acclimatisation society shall, without the written authority in that behalf of the Director-General, place, liberate, or introduce into any lake, river, or stream any indigenous or exotic species of mollusca, crustacea, protozoa, insecta, or of annelid, nematode, platyhelminth worm, or oligochaete worm.

Regulation 58 was amended, as from 19 September 1985, by regulation 8 Freshwater Fisheries Regulations 1983, Amendment No 3 (SR 1985/222) by substituting the words “platyhelminth worm, or oligochaete worm” for the words “or platyhelminth worm”.

59 Restricted authority to liberate fish or ova

- No person shall liberate any fish or fish ova of any description whatever in the waters of any lake, river, or stream within any acclimatisation district without the prior written consent of the acclimatisation society of that district.

60 General authority to liberate fish or ova

- No person shall liberate any fish or fish ova of any description whatever in the waters of any lake, river, or stream, not being part of an acclimatisation district, without the prior written consent of the Director-General.

61 Restricted authority to introduce indigenous or exotic fish or ova

- (1) No person or acclimatisation society shall, without the written authority of the Director-General, place, liberate, or introduce into any lake, river, or stream any fish or fish ova of any species whatsoever which the person or society cannot show to the satisfaction of the Director-General to be already present in that lake, river, or stream.
(2) For the purposes of this regulation, that portion of any river or stream above any waterfall or dam shall be deemed to be a separate river or stream from that portion of the river or stream below the waterfall or dam.

62 Transfer of acclimatised fish

- (1) Notwithstanding regulation 61 of these regulations no person shall, without the written authority of the Director-General, transfer any sports fish or fish ova from any lake, river, or stream of any catchment and place, liberate, or introduce such sports fish or fish ova into any lake, river, or stream of any other catchment.
(2) For the purposes of this regulation any lake, river, or stream that is permanently interconnected by an artificial waterway, that provides passage for fish, shall be deemed to be part of the same catchment:
Provided that the Director-General shall not authorise such transfers of fish or fish ova without the written agreement of the acclimatisation society or societies that administer the waters of the catchment into which the transfer is to be made.

Regulation 62(1) was amended, as from 19 September 1985, by regulation 9 Freshwater Fisheries Regulations 1983, Amendment No 3 (SR 1985/222) by substituting the words “regulation 61 of these regulations” for the words “regulation 83”.

63 Transfer of live aquatic life

- (1) No person shall, without the written authority of the Director-General, transfer any live freshwater aquatic life from any island being part of New Zealand to any other island being part of New Zealand.
(2) The Director-General shall not give his authority for any transfer involving sports fish or fish ova that are to be placed, liberated, or introduced into any lake, river or stream without the

written agreement of the acclimatisation society or societies that administer the waters of the catchment into which the transfer is to be made.

(3) Nothing in this regulation shall apply to the transfer of any ornamental tropical fish or goldfish that has been bred and kept only in an artificial aquarium or artificial pond.

Regulation 63 was substituted, as from 19 September 1985, by regulation 10 Freshwater Fisheries Regulations 1983, Amendment No 3 (SR 1985/222) and subclause (3) was inserted, as from 22 August 1986, by regulation 3 Freshwater Fisheries Regulations 1983, Amendment No 4 (SR 1986/197).

64 No unauthorised catching or keeping of certain fish

- No person shall, except with the prior consent in writing of the acclimatisation society for the district within which it is proposed to catch or keep the fish and except in compliance with such conditions as the society may lay down—
 - (a) Obtain or keep in captivity any live sports fish or any mosquito fish (*Gambusia affinis*) .
 - (b) [Revoked]

Regulation 64(a) was amended, as from 22 August 1986, by regulation 4(a) Freshwater Fisheries Regulations 1983, Amendment No 4 (SR 1986/197) by omitting the words “or catfish or brown bullhead (*Ictalurus nebulosus*)”.

Regulation 64(b) was revoked, as from 22 August 1986, by regulation 4(b) Freshwater Fisheries Regulations 1983, Amendment No 4 (SR 1986/197).

65 Control of noxious fish

- (1) Subject to subclause (2) of this regulation and to Part 7A of these regulations, no person shall have in his possession or under his control, or rear, raise, hatch, or consign any of those species (including subspecies, hybrids, and variations of those species) specified in Schedule 3 to these regulations (in this regulation referred to as noxious fish).
- (2) The Director-General may authorise in writing any person to have in his possession any noxious fish. Any such authorisation may contain such conditions as the Director-General considers necessary and any such conditions may be varied in writing at any time.
- (3) Every authority under this regulation may be revoked by the Director-General at any time and, upon revocation, the species of noxious fish the subject of the authority may, after 24 hours notice given to the holder of the revoked authority, be taken without payment or other compensation by an officer authorised in that behalf and destroyed or otherwise dealt with in such manner as the Director-General may direct.

Regulation 65(1) was amended, as from 27 September 1990, by regulation 6 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209) by inserting the words “and to Part 8A of these regulations”.

66 No fish refuse on banks

- No person shall leave any fish, or any cleanings or offal from fish, lying unburied on the bank or margin of any waters.

67 Possession of mounted specimens

- Notwithstanding any provision of these regulations, it shall be lawful for any person to be in possession of any mounted specimen of acclimatised fish, and for any acclimatisation society, museum, university, research institution, or fisheries research worker at any time to be in possession of any acclimatised fish whether fresh or preserved.

Part 8A

European carp, Japanese koi

- PART 8A (Regs 67A to 67C) was inserted, as from 27 September 1990, by regulation 7 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209).

67A Licences to harvest fish

- (1) The Director-General may issue licences authorising the harvesting of European carp or Japanese koi (*Cyprinus carpio*), and any subspecies, hybrids, and variations of that species.

(2) The holder of a current licence issued under this regulation shall, subject to subclause (3) of this regulation and to the Fisheries Act 1983 and the Act, be entitled to do all or any of the following:

- (a) Take European carp or Japanese koi from the waters of the containment area specified in the licence, or from such of those waters as may be so specified:
- (b) Transfer such fish to any processing plant:
- (c) Process such fish:
- (d) Sell the flesh of such fish.

(3) Every licence issued under this regulation shall be subject to such conditions as the Director-General thinks fit to impose.

(4) Every licence issued under this regulation may be revoked by the Director-General at any time and, upon revocation, any fish taken under the licence may, after 24 hours notice given to the holder of the revoked licence, be taken without payment or other compensation by an officer authorised in that behalf and destroyed or otherwise dealt with in such manner as the Director-General may direct.

(5) If the Director-General revokes a licence issued under this regulation, he or she shall give to the holder in writing the reasons for his or her decision.

(6) The holder may appeal to the Minister against a decision of the Director-General to revoke the holder's licence; and the Minister may confirm, modify, or reverse the decision appealed against.

(7) Nothing in regulation 65 of these regulations shall apply to anything authorised under this regulation.

PART 8A (Regs 67A to 67C) was inserted, as from 27 September 1990, by regulation 7 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209).

67B Recreational fishing

- (1) Subject to such conditions as may be specified in the notice given in respect of the waters under regulation 67C of these regulations, any person may take any European carp or Japanese koi from the waters of any containment area if the fish is taken for subsistence or personal use only.
- (2) All fish taken in accordance with subclause (1) of this regulation shall be immediately killed by the person who has taken the fish.

PART 8A (Regs 67A to 67C) was inserted, as from 27 September 1990, by regulation 7 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209).

67C Containment areas to be established

- The Director-General, by notice in the Gazette,—
 - (a) Shall establish and describe containment areas for the purposes of this Part of these regulations:
 - (b) May specify conditions applicable in respect of the taking of European carp or Japanese koi from any containment area:
 - (c) May specify the waters of any containment area from which such fish may be taken:
 - (d) May specify the purposes for which such fish may be taken from any specified waters of any containment area:
 - (e) May prohibit the taking of such fish from any specified waters of any containment area.

PART 8A (Regs 67A to 67C) was inserted, as from 27 September 1990, by regulation 7 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209).

Part 9 Faunistic reserves

68 Faunistic reserves

- The Minister may from time to time, by notice in the Gazette, declare any water or waters to be a faunistic reserve, whereupon in respect of any such water so declared, in addition to restrictions on the transfer to and release into waters of fish and other forms of aquatic life imposed by these regulations, it shall be unlawful for any person without the consent in writing of the Director-General, given solely for purposes of scientific investigation,—
 - (a) To take, injure, or kill any fish or any form of live aquatic mollusca, crustacea, protozoa, insecta, or worms:
 - (b) To be in possession of any fish or any form of aquatic mollusca, crustacea, protozoa, insecta, or worms taken from that water:
 - (c) To introduce or plant any form of aquatic plant.

Part 10

Indigenous fish

69 No taking of grayling

- No person shall intentionally fish for, take, or kill grayling or fish of the genus *Prototroctes*, and any person unintentionally taking or killing any grayling or any such fish shall forthwith convey or cause it to be conveyed to an officer of the acclimatisation society for the district within which the grayling was killed, and shall give to that officer full particulars of the time and place of the capture of the grayling.

70 No killing of indigenous fish

- (1) No person shall in any water intentionally kill or destroy indigenous fish.
(2) No person, having taken indigenous fish from any water, shall leave the fish upon the bank or shore of any stream or lake, except where such indigenous fish is used in accordance with any provisions of a District Anglers Notice relating to lures.

71 Taking of indigenous fish

- Nothing in regulation 70 of these regulations shall be construed as a restriction on the taking of whitebait, or eels, or other indigenous fish for the purposes of scientific research or for purposes of human consumption, or as affecting the operation of any other regulations which restrict the taking of any indigenous fish:
Provided that no person shall sell or trade or have in his possession for the purposes of sale or trade any freshwater crayfish or koura (*Paranephrops* sp.)

Part 11

Offences, defences, and penalties

72 Offences and penalties

- (1) Every person who commits an offence against these regulations for which no penalty is provided elsewhere than in this regulation is liable on summary conviction to a fine not exceeding \$5,000.
(2) Every person commits an offence against these regulations who contravenes, or fails to comply with, any of regulations 20, 21, 22, 24 to 38, 40, 42, 43(2), 44(5), 45, 47, 48, 50, 51(1), 51(4), 57A, 57E(1), 58 to 66, 67B(2), and 68 to 71 of these regulations.
(3) Every person commits an offence against these regulations who fails to comply with any requirement made by the Director-General under regulation 43(1) or regulation 44(1) of these regulations.
(4) Every person commits an offence against these regulations who contravenes, or fails to comply with, any conditions imposed under regulation 67A or regulation 67C of these regulations.

Regulation 72(2) to (4) were inserted, as from 27 September 1990, by regulation 8 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209) and regulation 72(2) was amended, as from 1 August 1993, by regulation 3 Freshwater Fisheries Regulations 1983, Amendment No 14 (SR 1993/153) by inserting the expression “51(1), 51(4)”.

73 Defences

- (1) It shall be a defence to any person charged with taking or having in possession any fish in breach of these regulations if such person proves that on taking the same, he is in the act of immediately returning it to the water from where it was taken, with as little injury as possible.
- (2) Where any person is charged with being unlawfully in possession of more than the maximum number of fish as specified by these regulations or in a District Anglers Notice, it shall be a defence if he shows beyond reasonable doubt that the number of fish in his possession in excess of the maximum permitted number was not taken in breach of these regulations.

Part 12 Savings

75 Savings

- (1) All licences and generally all acts of authority, documents, matters, acts, and things which originated under any regulations revoked by the Act and which are of continuing effect at the time of the commencement of these regulations shall enure for the purposes of these regulations as if they had originated under the corresponding provisions of these regulations, and shall, where necessary, be deemed to have so originated, and all local regulations made under the Act or any other authority in that behalf shall until revoked continue to have the same force and effect as they would have had had these regulations not been made.
- (2) All matters and proceedings commenced under any of the regulations hereby revoked, and pending or in progress at the commencement of these regulations, may be continued, completed, and enforced under these regulations

Schedule 1

Reg 2(1)

For the purposes of the Act and these regulations, **acclimatised fish** means—

- (a) Brown trout (*Salmo trutta*):
- (b) Rainbow trout (*Oncorhynchus mykiss*, formally known as *Salmo gairdneri*):
- (c) American brook trout or char (*Salvelinus fontinalis*):
- (d) Lake trout or char (*Salvelinus namaycush*):
- (e) Atlantic salmon (*Salmo salar*):
- (f) Quinnet or chinook salmon (*Oncorhynchus tshawytscha*):
- (g) Sockeye salmon (*Oncorhynchus nerka*)
- (h) Perch (*Perca fluviatilis*):
- (i) Tench (*Tinca tinca*)—
- (j) Rudd (*Scardinius erythrophthalmus*) found or taken in the Auckland Acclimatisation District—

and includes any hybrid and the young, fry, ova, and spawn, and any part of any such fish; but does not include salmon preserved in cans and imported into New Zealand.

- Schedule 1, was amended, as from 19 September 1985, by regulation 11 Freshwater Fisheries Regulations 1983, Amendment No 3 (SR 1985/222) by inserting the words “the Act and”.
- Schedule 1 Paragraph (b) was substituted, as from 27 September 1990, by regulation 9 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209).
- Schedule 1 Paragraph (j) was inserted, as from 22 August 1986, by regulation 5(1) Freshwater Fisheries Regulations 1983, Amendment No 4 (SR 1986/197).

Schedule 2 Licences and fees

[Revoked]

- Schedule 2 was substituted, as from 1 October 1993, by regulation 2(1) Freshwater Fisheries Regulations 1983, Amendment No 15 (SR 1993/270).

- Part 3 of Schedule 2 was substituted, as from 1 July 1994, by regulation 2(1) Freshwater Fisheries Regulations 1983, Amendment No 16 (SR 1994/85).
- Schedule 2 was further substituted, as from 1 October 1994, by regulation 2 Freshwater Fisheries Regulations 1983, Amendment No 17 (SR 1994/193).
- Schedule 2 was further substituted, as from 1 October 1995, by regulation 6 Freshwater Fisheries Regulations 1983, Amendment No 18 (SR 1995/178).
- Schedule 2 was further substituted, as from 1 October 1996, by regulation 2(1) Freshwater Fisheries Regulations 1983, Amendment No 19 (SR 1996/246). See also regulation 3 of those regulations as to part season and niche licences.
- Schedule 2 was revoked, as from 1 October 1997, by regulation 6(a) Freshwater Fisheries Amendment Regulations 1997 (SR 1997/176).

Schedule 3
Species of noxious fish

Reg 65

Scientific Name	Common Name
Clarias batrachus	Walking catfish
Cyprinus carpio	Live European carp, live Japanese koi (including their live or viable eggs, milt, and ova)
Esox lucius	Pike
Pygocentrus spp.	Piranha
Rooseveltiella spp.	Piranha
Serrasalmus spp.	Piranha
Scardinius erythrophthalmus	Rudd (other than within the Auckland Acclimatisation District)
Tilapia spp.	Tilapia
Sarotherodon spp.	Tilapia

- Schedule 3 was amended, as from 27 September 1990, by regulation 10 Freshwater Fisheries Regulations 1983, Amendment No 9 (SR 1990/209) by substituting the words “Live European carp, live Japanese koi (including their live or viable eggs, milt, and ova)” for the words “European carp, Japanese koi”, and amended, as from 22 August 1986, by regulation 5(2) Freshwater Fisheries Regulations 1983, Amendment No 4 (SR 1986/197) by inserting in the item relating to Rudd the words “(other than within the Auckland Acclimatisation District)”.

P G MILLEN,
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 consolidate, with minor amendments, the Freshwater Fisheries Regulations 1951, the Fish Pass Regulations 1947, and the Electric Fishing Machines Regulations 1971, and their amendments.

Issued under the authority of the Regulations Act 1936.
Date of notification in Gazette: 21 December 1983.