



THE TAUPO FISHING REGULATIONS 1983

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 19th day of December
1983

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to to section 14 of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926, 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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REGULATIONS

1. Title, commencement, and application—(1) These regulations may be cited as the Taupo Fishing Regulations 1983.

(2) These regulations shall come into force on the 1st day of January 1984.

(3) These regulations shall have effect only in the Taupo District.

2. Interpretation—(1) In these regulations, unless the context otherwise requires,—

“Artificial fly” includes any lure of feather, fur, wool, or other material of any kind customarily used in the making of artificial flies; but does not include any lure in the tying of which lead or other weight has been incorporated unless the hook incorporated in the lure does not exceed 20 mm in length (being the horizontal straight line distance from the rear of the eye of the hook to the rear of the bend) and the gap (being the distance from the point of the hook to the underside of the nearest part of the hook shank above the point) does not exceed 7 mm and the hook is not larger than size No. 8 (“Redditch” scale):

“Artificial minnow” includes spoonbait, any 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:
- “Boat” includes a launch or other vessel; and also includes any canoe, punt, or raft, and any aircraft or hovercraft on the surface of the water:
- “Canning”, in relation to trout, includes the preservation of trout in sealed cans, jars, or other containers; and “canned” has a corresponding meaning:
- “Close season” means, in respect of any part of the District, that portion of any year which is not included in the open season for that part:
- “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 trout 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 trout are or have been in the preceding 6 months canned, or otherwise preserved, or treated, or stored:
- “Conservator” means that person holding the position of Conservator of Wildlife at Rotorua:
- “Day” means a day computed from midnight to midnight:
- “District” or “Taupo District” means the District described in the Taupo District Order 1983 made pursuant to section 14 (8) of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926:
- “Fish” means all fish, whether indigenous or not, and the young, fry, ova, and spawn of any fish; and includes any part of a fish:
- “Foulhook”, in relation to any trout, means to take the trout with a hook otherwise than through the mouth:
- “Issuing officer” means any person authorised to issue licences under these regulations:
- “Landmark” means a black and yellow ringed post or buoy:
- “Length”, in relation to any fish, means the total length from the tip of the snout to the tip of the tail:
- “Licence” means a licence to take trout issued under these regulations:
- “Lure” means any artificial or natural fly, and any artificial minnow:
- “Natural fly” includes spiders and insects; but does not include anything the use of which is prohibited by regulation 19 (1) (c) of these regulations:
- “Open season”, in respect of the Taupo District, means—
- (a) The first day of December in any year to the 31st day of May in the year next following (both days inclusive) in respect of the following waters:
 - (i) That portion of the Tongariro River between its source and the point where it is joined by the Whiti-kau Stream:
 - (ii) That portion of the Waiotaka River between its source and the point known as the Hautu Ford on the old Turangi-Korohe Road:
 - (iii) That portion of the Waimarino River between its source and the point known as Korohe Crossing:

- (iv) That portion of the Tauranga-Taupo River between its source and its junction with the Mangakowhitiwhiti Stream:
 - (v) The Hinemaiaia Stream between its source and the lower Taupo hydro-electric supply dam:
 - (vi) The Hinemaiaia Stream downstream from a point the normal site of a landmark situated approximately 300 m downstream from the powerhouse of the lower Taupo hydro-electric supply dam to the Taupo-Turangi highway bridge:
 - (vii) That portion of the Waitahanui River between its source and the point where it is joined by the Te Arero Stream:
 - (viii) The Mangamutu Stream:
 - (ix) All rivers and streams entering that portion of Lake Taupo that lies north and west of a line between Rangitira Point and the wharf at Tokaanu; but excluding the mouths of the Tongariro River and that portion of the Kuratau River upstream from the Kuratau hydro-electric supply dam:
 - (x) All tributaries of the rivers and streams and portions of rivers and streams specified in this paragraph:
 - (b) The 1st day of October in any year to the 30th day of June in the year next following (both days inclusive), in respect of the following waters:
 - (i) That portion of the Kuratau River upstream from the Kuratau hydro-electric supply dam:
 - (ii) The Wanganui River and those portions of the upper tributaries of that river, including the Otamangakau Lake and the Wairehu Canal, that lie within the District:
 - (c) The 1st day of July in any year to the 30th day of June in the year next following (both days inclusive) in respect of all other waters in the District:
- “River” or “stream” includes any lake or impoundment of waters thereon, whether natural or artificial; and also includes any artificial watercourse:
- “Secretary” means the Secretary for Internal Affairs; and includes his deputy; and means any person authorised in writing by the Secretary to act on his behalf in respect of all matters or in respect of any specified matter arising under these regulations:
- “Take” and all references thereto, include taking, fishing for, catching, killing, or pursuing by any means or device; and also include the attempt to take:
- “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.
- (2) For the purposes of these regulations, a person who is 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 and lure.

PART I

LICENCES

3. Fishing without a licence prohibited—Subject to these regulations, no person shall take trout in the Taupo District unless he is the holder of a current Taupo licence.

4. Fishing prohibited—(1) No person, whether a licence holder or not, shall take trout in any of the following waters:

- (a) The Waitetoko Stream:
 - (b) The Tokaanu Stream:
 - (c) The Whareroa Stream:
 - (d) The Omoho Stream:
 - (e) The Whangamata Stream:
 - (f) The Mapara Stream:
 - (g) All tributaries of the streams of portion thereof specified in the foregoing provisions of this subclause:
 - (h) That portion of the Hinemaiaia Stream which lies between the lower Taupo hydro-electric supply dam and a point the normal site of a landmark situated approximately 300 m downstream from the powerhouse of that dam:
 - (i) All rivers and streams including the Poutu Aquaduct flowing into Lake Rotoaira except the Wairehu Canal:
 - (j) All tributaries of the Waimarino Stream:
 - (k) All tributaries of the Tongariro River other than the Poutu Stream, and the Waipakihi Stream:
 - (l) All tributaries of the Poutu Stream:
 - (m) All tributaries of the Tauranga-Taupo River:
 - (n) The Omori Stream:
 - (o) The Pukawa Stream:
 - (p) The Tokaanu tailrace for a distance of 110 m downstream from the powerhouse.
- (2) No person, whether a licence holder or not, shall take trout from:
- (a) The Taupo Wharf or Taupo boat jetties:
 - (b) The control bridge over the Waikato River near the Borough of Taupo:
 - (c) The bridge over the Tokaanu Tailrace which carries State Highway 41.

(3) No person, whether a licence holder or not, shall take trout from any waters in which trout are held in captivity for display, hatching, or other purposes, or from within a distance of 80 m from such waters.

5. Licence to be signed by licence holder—No licence shall have any effect or validity until its holder has verified it by signing his usual signature clearly and legibly in the space provided for the purpose on the licence.

6. Classes of licence—The following licences to take trout may be issued:

- (a) A whole-season licence, which shall come into force on the date of its issue and shall expire with the next 30th day of June, or, if the whole-season licence is issued during the month of June in any year, it shall come into force on the 1st day of July in that year and shall expire with the 30th day of June in the next succeeding year:
- (b) A monthly licence, in which the second day named therein shall be a day not later than the day 1 calendar month after the day preceding the first day named therein:
- (c) A weekly licence, in which the second day named therein shall be a day not later than the day 6 days after the first day named therein, so that if the first day named is a Tuesday the second day shall be the following Monday:
- (d) A day licence.

7. Issue of licences—(1) Licences shall be issued only by persons authorised in writing in that behalf by the Secretary and, in the case of a whole-season or monthly or weekly licence, shall be generally in form 1 in the First Schedule to these regulations, and, in the case of a day licence, shall be generally in form 2 in that Schedule.

(2) Every applicant for a licence shall furnish his full name and usual address to the person issuing the licence.

(3) Every person issuing licences shall, on the demand of the Secretary, return all unissued licences and the butts of all issued licences and any licence fees not already remitted.

8. Licence fees—(1) There shall be paid and received for licences issued under these regulations the appropriate fees set out in the Second Schedule to these regulations.

(2) The appropriate fee shall be paid to the issuing officer before the issue of the licence.

(3) Every person commits an offence against these regulations who, with a view to obtaining any licence for a fee lower than the appropriate fee payable under subclause (1) of this regulation, makes any false representation to an issuing officer as to the age of himself or of any other person or as to whether or not he or any other person is attending school full-time as a pupil.

(4) Notwithstanding subclause (1) of this regulation, it shall be lawful for the Secretary to issue a licence to any person either for no fee or for such reduced fee as the Secretary approves, where in the opinion of the Secretary adequate compassionate grounds are shown.

9. Replacement of lost or damaged licences— If any person to whom a whole-season licence has been issued under these regulations proves to the satisfaction of the Secretary, by such evidence as the Secretary requires, that any whole-season licence has been lost or mutilated or become illegible, he may at any time during the currency of the whole-season licence, on payment of a fee of \$1, obtain from the Secretary a replacement.

10. Rights to fish conferred by licences—(1) Subject to these regulations, the holder of a current Taupo licence may take trout in any part of the Taupo District between the first and last days specified in the licence (both days inclusive) or on the day specified in the licence, as the case may be.

(2) The holder of a current Taupo licence may, as provided in the Freshwater Fisheries Regulations 1983, take trout in the waters and from the banks of—

(a) That portion of the Waikato River that lies between the Huka Falls and the Waimahana Bridge at Mihi:

(b) The Rangitaiki River and the Otamatea Stream which lie upstream from the junction of the Rangitaiki River and the Otamatea Stream:

(c) That portion of the Mohaka River and the Waipunga River and their tributaries which lie upstream from the junction of the Mohaka and Waipunga Rivers:

(d) The Otamangakau Lake and its watershed including the Wairehu Canal upstream of the fish screens that lie outside the District.

(3) In addition to the rights conferred on the holder of a current Taupo licence by the foregoing provisions of these regulations, the holder of such

a licence who is the holder of a permit issued under Part I of the Maori Purposes Act 1959 shall also be entitled to take trout in the waters to which the Rotoaira Trout Fishing Regulations 1979^a apply in accordance with and subject to the conditions specified in those regulations.

(4) A person who is the holder of a current tourist fishing licence issued pursuant to section 90 (1) (a) of the Fisheries Act 1983 may take trout in the District.

(5) The holder of a current licence to fish in the Rotorua fishing district may take trout—

- (a) In the waters or from the banks of those portions of the Wanganui River and its tributaries that lie within the Taupo District:
- (b) In the Otamangakau Lake and its watershed, including the Wairehu Canal upstream of the fish screens.

11. Right of way over land—Every licence issued in respect of the Taupo District shall be deemed to operate as a special licence within the meaning of paragraph (b) of section 14 (4) of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926 and to confer upon the holder a full and free right of way (in common with all other persons having the like right) for the purpose of angling, at all times so long as the licence is in force, along and over the land referred to in the said paragraph (b), and subject to any Proclamation for the time being in force issued under the proviso to the said paragraph (b).

12. Licence not otherwise to confer right of entry on land—Except as aforesaid, no licence shall confer any right of entry upon the land of any person without his consent.

13. Licences not transferable—(1) No licence shall be transferable or be deemed to authorise any person other than the person named therein to take fish.

(2) No person, except an issuing officer, shall in any way amend anything appearing on the face of a licence.

PART II

CIRCUMSTANCES UNDER WHICH FISHING IS AUTHORISED

14. Fishing in close season prohibited—No person shall take trout or in any way injure or disturb trout during the close season.

15. Fishing prohibited between certain hours—No person shall take trout during the period between the hours of 12 midnight and 5.00 a.m.

16. Anglers to give name and address, and produce licence—Every person taking trout or in possession of a rod or gear suitable for taking trout shall, on the demand of any ranger appointed for the purpose of these regulations by the Secretary, or any constable,—

- (a) Give his full name and place of residence, and, on the like demand, produce and show to any such ranger or constable his licence and the contents of his creel or container and any lure or bait in his possession:

- (b) Make or give legibly and clearly a specimen signature for comparison with the signature of the holder on the licence required under regulation 5 of these regulations.

17. Disturbing spawning grounds—(1) No person shall, without the prior written authority of the Secretary, or otherwise in accordance with these regulations,—

- (a) Disturb or damage any spawning grounds; or
- (b) Disturb the bed, bank, or margin of any stream, river, or other water adjacent to any spawning grounds; or
- (c) Have in his possession the egg or young of trout taken from any spawning grounds.

(2) No person shall, without the prior written authority of the Secretary, enter that portion of the Tokaanu Stream enclosed by a fence erected on both banks and commencing at the Te Puna Springs and extending downstream for a distance of approximately 2000 m for any purpose whatsoever.

(3) Every person who commits a breach of subclause (1) of this regulation commits a further offence if he neglects or refuses to repair the damage to any spawning grounds, or to the bed, bank, or margin of any stream, river, or other water adjacent to any spawning grounds occasioned by the breach when requested to do so by the Conservator.

18. Restrictions on methods of fishing—(1) No person shall take trout by any means other than with one rod and running line, or use for the purpose of taking trout—

- (a) Any strokehauling or foulhooking gear; or
- (b) Any gaff; or
- (c) Any spear or similar implement or speargun; or
- (d) Any hook which has a distance greater than 14 mm between the point and the shank; or
- (e) Any lure having attached thereto more than one hook or a hook that is not a single-pointed or single-barbed hook; or
- (f) Any net, trap, wire netting, or similar device; or
- (g) More than 2 lures; or
- (h) Any paravane; or
- (i) Any electronic device; or
- (j) Any outrigger or similar device; or
- (k) Any unsportsmanlike device; or
- (l) Any line incorporating or containing wire, lead, or any other metal except as provided in subclause (3) of this regulation.

(2) Nothing in this regulation shall forbid the use with artificial fly of a dropper having only one hook (being a single-pointed or single-barbed hook) or the use of a landing net to secure any trout lawfully taken.

(3) Nothing in this regulation shall forbid the use of lines incorporating or containing wire, or lead, or any other metal in any part of Lake Taupo not specified in clause 1 of column 1 of the Third Schedule to these regulations.

(4) No person shall—

- (a) Foulhook or attempt to foulhook any trout;
- (b) Take trout with a set rod, unless he is fishing from a boat of which he is the sole occupant;
- (c) When fishing for trout with a rod and running-line from a boat, have in his possession any other assembled rod.

19. Restriction on lures—(1) Subject to subclause (2) of this regulation, no person shall, in fishing for trout, use—

- (a) Any lure containing the feathers of any bird absolutely protected under the Wildlife Act 1953; or
- (b) With any lure, any medicated or chemical preparation other than a preparation used solely for the purpose of floating a dry artificial fly; or
- (c) Any mollusc, or the freshwater crayfish (koura), or worms, or the creeper, or the huhu or matai grub, or fish roe, or fish, or any imitation of any of the things specified in this paragraph:

Provided that the shell of any mollusc may be used in the preparation of an artificial minnow and a lure may be an imitation of a fish or a freshwater crayfish.

(2) No person shall, in fishing for trout, use in any river or water specified in column 1 of the Third Schedule to these regulations any lures other than those specified for that river or water in column 2 of that Schedule.

20. Restriction on use of boats—(1) No person shall take trout from a boat in the following places:

- (a) That part of the Waikato River lying between a straight line commencing at the shore end of the rock mole at the outlet of Lake Taupo and extending across the outlet for a distance of approximately 40 m to the normal site of a landmark on the western shore of the outlet, and the control gate bridge on the Taupo-Rotorua highway;
- (b) Within 100 m of the Tokaanu Wharf;
- (c) That portion of the Tongariro River upstream from a position at the head of that stretch of water known as Downes Pool, which is the normal site of a landmark;
- (d) Those portions of Lake Taupo contained within arcs of circles having a radius of 300 m from the centre of the mouth or mouths of all rivers and streams entering the said lake (except the Tongariro and Tauranga-Taupo Rivers and the Waikino and Otupoto Streams);
- (e) That portion of the Hinemaiaia River which lies downstream from the lower Taupo hydro-electric dam;
- (f) That part of the Te Whaiaiu Canal, Lake Otamangakau, upstream of a landmark and that portion of the Wairehu Canal downstream of a landmark.

(2) No person shall take trout from any boat in waters that are reserved for natural fly or artificial fly fishing unless the boat is securely anchored parallel to the river flow with not more than 2 anchors.

(3) No person shall, except in case of emergency, put into motion or allow to remain in motion, any boat, whether propelled by mechanical power or not, in any waters referred to in subclause (2) of this regulation while any person aboard is fishing for trout.

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 trout in or from any water which 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 trout and used by any person for the purposes of acclimatisation, propagation, pisciculture, or for scientific or other purposes authorised pursuant to these regulations.

22. Access prohibited in vicinity of fish control apparatus—No person shall, without the prior written authority of the Secretary,—

- (a) Enter within any protective fences, so designated by a notice thereon or in the vicinity thereof, built about any electrical device or net, trap, or pound, or other contrivance erected for the purpose of preventing or controlling the movement of trout; or
- (b) If upstream, approach within 500 m or, if downstream, approach within 100 m of any such device.

23. Tagged trout—(1) Any angler taking any trout bearing a tag or distinguishing device shall forthwith deliver to the Conservator or to an officer of the Department of Internal Affairs full particulars in writing of the tag or distinguishing device, the place where and the date when the fish was taken, and, if it is reasonably possible to do so, the weight, sex, and length of the fish.

(2) No person shall mark any living trout by attaching thereto a tag or other distinguishing device or by clipping or removing a fin or fins, except with the prior written authority of the Conservator.

PART III

BAG AND SIZE LIMITS

24. Bag and size limit—(1) No person shall on any one day take and keep more than 8 trout; and no person shall continue to fish on any day on which he has already taken 8 trout.

(2) No person shall have any trout in his possession which does not exceed 35 cm in length, or, in the case of trout taken from the Kuratau River upstream from the hydro-electric supply dam does not exceed 30 cm in length.

(3) Every person taking a trout of a length less than that specified in subclause (2) of this regulation shall, notwithstanding anything in regulation 44 of these regulations, and whether it is alive or dead, immediately return it into the water from which it was taken.

(4) For the purpose of subclause (1) of this regulation, any person who takes a trout and fails to return that trout immediately to the waters from which it was taken shall be deemed to have taken and kept that trout.

PART IV

STORAGE AND SMOKING OF TROUT

25. Register for trout—(1) No manager or person in charge of any commercial freezing chamber or commercial smokehouse shall receive any trout for any purpose or have any 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 trout mentioned in subclause (2) of this regulation, and unless he permits any Ranger 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 of fish:
 - (c) The total weight of fish:
 - (d) The name and address of the owner of the fish:
 - (e) The number and the type 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.

26. Details to be attached to trout—No person shall place or permit to be placed or kept in any commercial freezing chamber or commercial smokehouse any trout 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.

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

28. Maximum weight of trout—(1) 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, trout if the licence holder or other person already has an aggregate weight of 23 kg of any such fish deposited in the premises.

(2) No one person shall on any one day deposit at any commercial freezing chamber or commercial smokehouse any trout in excess of the bag limit provided in these regulations.

PART V

CANNING OF TROUT

29. No unauthorised canning of trout—No person shall can any trout except in accordance with these regulations, and no person shall be in possession of any such fish so preserved contrary to these regulations.

30. No payment for canning trout—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 trout.

31. No sale of canned trout—No trout preserved in any can and no can containing trout shall be sold.

32. No trading of trout for canned trout—No person shall trade, exchange, give, or receive trout for cans containing trout or for empty cans.

33. Marking cans of trout—No person shall can trout unless as soon thereafter as many 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.

34. No interference with marked cans of trout—No person shall deface, obliterate, or alter any particulars painted or engraved on any can which contains trout.

35. No false marking of canned trout—No person shall paint or engrave on a can containing trout any incorrect or misleading information.

36. Marking cans before parting with them—No person shall give any or in any way dispose of any can containing trout unless the can is marked in accordance with the provisions of regulation 33 of these regulations.

37. No fishing while holding unmarked cans—No person shall continue to fish on any day when he has in his possession any can containing trout on which the particulars required by regulation 33 hereof have not been painted or engraved.

38. Maximum weight of canned trout—No person shall have in his possession or at his disposal more than 23 kg gross weight of canned trout, the weight to include the weight of cans and their contents.

39. Maximum daily quantity for transport of canned trout—No person shall post or consign or cause to be conveyed by land, water, or air on any one day a quantity of canned trout exceeding, in the aggregate weight of cans and contents, 23 kg.

40. Possession of canned trout—Any canned trout 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 dwellinghouse, hut, tent, encampment, or caravan of which that person is the sole occupant or one of the occupants.

41. No canned trout 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 trout.

PART VI

OFFENCES AND PENALTIES

- 42. Obstructing Rangers**—(1) Every person commits an offence who—
- (a) Assaults, resists, or obstructs any Ranger in the execution of the powers or duties conferred on him by these regulations, or any person lawfully acting under the Ranger's orders or in his aid; or
 - (b) Incites or encourages any other person to assault, resist, or obstruct any Ranger while in the execution of his powers or duties, or any person lawfully acting under the Ranger's orders or in his aid; or

- (c) Uses threatening language or behaves in a threatening or insulting manner or uses abusive language or insulting gestures towards any Ranger, while in the execution of his powers or duties, or any person lawfully acting under the Ranger's orders or in his aid; or
 - (d) Fails to comply with the lawful requirements of any Ranger; or
 - (e) Furnishes to any Ranger any particulars which, to his knowledge, are false or misleading in any material respect; or
 - (f) Personates or falsely represents himself to be a Ranger, or who falsely represents himself to be a person lawfully acting under a Ranger's orders or in his aid.
- (2) Any person who refuses to allow any Ranger or any person acting under his order or in his aid, to exercise any of the powers conferred on a Ranger by these regulations shall be deemed to be obstructing that Ranger or person.

43. Interference with notices, landmarks, and bridges—(1) No person shall, without lawful authority, remove, have in possession, deface, alter, destroy, damage, displace, or alter the position of any notice or landmark erected pursuant to these regulations, or the corresponding provisions of any former regulations, or for the purpose of conveying information as to any provision thereof or any prohibition or restriction imposed thereby.

(2) No person shall without lawful authority damage, deface, alter, or destroy any bridge.

(3) In subclause (4) of this regulation, "footbridge" means a footbridge spanning the Tongariro River which footbridge has displayed at each end a notice, under the authority of the Secretary, setting out the maximum number of persons authorised to be on the bridge at any one time.

(4) No person shall enter on any footbridge if, by so entering, the maximum number of persons authorised to be on that footbridge at any one time is thereby exceeded.

44. Pollution of waters—(1) No person shall—

- (a) Cast or allow to flow into, or place on or near the bank or margin of, any waters any sawdust or sawmill refuse, lime (other than agricultural or slaked lime), sheep dip, flaxmill refuse, oil, chlorinated hydrocarbon pesticide, or any other matter or liquid poisonous or harmful to fish, to the food of fish, or to the habitat of fish; or
- (b) Cast, throw, or place or permit to be cast, thrown, or placed, any bottles, cans, rubbish, refuse, or material or substance of any kind on or into any water or on any riverbed or on to the bank or margin of any waters or riverbed; or
- (c) Leave any fish or the cleanings, offal, or other parts of fish on the bank or margin of any waters wherein there are trout, unless the fish, cleanings, offal, or other parts are buried to a depth of not less than 15 cm below the level of the surrounding ground.

(2) Every person who commits a breach of subclause (1) of this regulation commits a further offence if he neglects or refuses to remove the material in respect of which the breach arose immediately upon having been ordered so to do by the Conservator or any Ranger who is an employee of the Department of Internal Affairs.

45. Wrongful possession—(1) No person shall have any trout in his possession during the close season in any part of the District:

Provided that it shall be a defence to the person charged with a breach of this regulation if he proves that the trout was lawfully taken during any open season.

(2) No person shall have in his possession —

(a) Any trout taken by any one or more of the methods prohibited by these regulations:

(b) Any trout taken from any of the waters in which fishing is prohibited:

Provided that it shall not be a breach of paragraph (a) of this subclause if any trout accidentally foulhooked, whether it is alive or dead, is immediately returned into the water from which it was taken.

46. Offences and penalties—(1) Every person commits an offence who does any act in contravention of or fails to comply with any provision of these regulations.

(2) Every person who commits an offence against these regulations is liable on summary conviction—

(a) In the case of an offence against regulation 44 (1) (a) of these regulations, to a fine not exceeding \$10,000, and, where the offence is a continuing one, to a further fine not exceeding \$500 for every day on which the offence has continued; and

(b) To a fine not exceeding \$1,000 in the case of any other offence against these regulations; and

(c) In the case of an offence against regulations 14, 15, 21, 23 (2), 24, 25, 26, 45, 49, or 52 of these regulations, to a further fine not exceeding \$10 for each fish in respect of which the offence was committed; and

(d) In the case of a continuing offence against regulations 25 or 50 of these regulations, to a further fine not exceeding \$10 for each day on which the offence has continued.

47. Disposal of fish and property seized—Any fish or property seized under these regulations shall be retained by the Secretary pending the trial of any person for the offence in respect of which the property was seized, and shall be disposed of as follows:

(a) On the conviction of any person of any such offence, the fish or other property is forfeit to the Crown and shall be disposed of in such manner as the Secretary directs:

(b) The person whose property has been so forfeit to the Crown or any person having a legal or equitable interest in such property may apply to the Secretary within 30 days of conviction for the release of the property so forfeited; and the Secretary may order the release of such property on payment to the Crown of such amount as he thinks appropriate, being an amount not exceeding the amount the items otherwise forfeited are estimated by the Secretary to realise if sold by public auction in New Zealand:

(c) Any forfeiture or redemption payment imposed pursuant to this regulation shall be in addition to, and not in substitution for, any other penalty that may be imposed by the Court or by these regulations:

- (d) If in any proceedings the charge is dismissed or if no such proceedings are commenced within 6 months after the seizure, the fish or other property shall be returned to the person last in possession thereof; but if the person last in possession of the property cannot be located or fails to uplift it after 12 months, the property seized may be disposed of as the Secretary directs.

PART VII

GENERAL PROVISIONS

48. Taking of fish for piscicultural, scientific, or other purposes—Notwithstanding anything to the contrary in these regulations—

(a) Any person with the prior written authority of the Secretary or his appointee; or

(b) Any officer of the Department of Internal Affairs acting in the course of his official duties—

may for the purposes of pisciculture, scientific investigation, acclimatisation or propagation, or any other purposes, take by any means whatsoever any fish from any waters in the district at any time, and may have in his possession fish taken for those purposes.

49. Keeping live trout in captivity—No person shall obtain or keep in captivity any live trout for any purpose, except with the prior written authority of the Conservator, and except in compliance with such conditions as the Conservator may impose as to rights of inspection of the trout by rangers and as to the welfare of the trout.

50. Fishing competitions—(1) Except with the prior written approval of the Conservator and in compliance with any conditions imposed by him in giving that approval, no person shall promote or conduct, or attempt to promote or conduct, any form of contest or competition where the winning of any prize is an inducement to take trout.

(2) Any approval given by the Conservator under subclause (1) of this regulation may be given subject to such conditions as he considers necessary for the welfare of the fisheries.

51. Taking, possession, or sale of indigenous fish—(1) No person shall—

(a) Take; or

(b) Have in his possession; or

(c) Sell—

any crustacea of the genus *Paranephrops* (commonly called freshwater crayfish or koura), or any other fish indigenous to New Zealand (except any fish of the genus *Galaxias* (whitebait), any lamprey, and any eel) or the ova, young, or fry of any such crustacea or other fish:

Provided that members of the Tuwharetoa tribe are authorised to fish for and catch for their own use any fish in Lake Taupo that are indigenous to that lake subject to the conditions set down in section 14 (2) of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926.

(2) No person shall take koura or any indigenous fish when using any underwater or artificial breathing apparatus.

52. Fish not to be liberated without authority—No person shall, without the prior written authority of the Conservator, place, liberate, or introduce, or attempt to place, liberate, or introduce in or into any lake,

river, stream, or other waters within the District any indigenous or exotic species of mollusca, crustacea, protozoa, or insecta, or any annelid, nematode, or platyhelminth worm, or any fish or fish ova of any description.

53. Control of noxious fish—(1) Subject to subclause (2) of this regulation, 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 the Fourth Schedule to these regulations (in this regulation referred to as noxious fish).

(2) The Secretary may authorise in writing any person to have in his possession any noxious fish. Any such authorisation may contain such conditions as the Secretary 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 Secretary 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 Secretary may direct.

54. Licences to members of Tuwharetoa Tribe—These regulations shall be read subject to the special provisions as to the issue of licences in paragraph (c) of section 14 (9) of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926.

PART VIII

ADMINISTRATION

55. Appointment of Rangers—(1) There may from time to time be appointed under the State Services Act 1962 such Rangers and other officers as may be required for the purposes of this Act.

(2) Every constable shall be deemed to be a Ranger for the purposes of these regulations.

(3) Every person holding a warrant as a Fishery Officer under section 78 (1) (a) of the Fisheries Act 1983 shall be deemed to be a Ranger for the purposes of these regulations.

56. Appointment of Honorary Rangers—(1) The Secretary may, from time to time, appoint suitable persons as Honorary Rangers for the district, and every person so appointed shall be deemed to be a Ranger for the purposes of these regulations having the powers of such as specified in the warrant issued to him under regulation 57 of these regulations.

(2) Every person appointed as an Honorary Ranger may, at any time, be removed from office by the Secretary, or may at any time resign his office by writing addressed to the Secretary.

(3) There may be paid to any Honorary Ranger out of money appropriated by Parliament for the purpose an honorarium not exceeding \$1,000 in any one year.

(4) No person appointed as an Honorary Ranger under this section shall, by virtue of any honorarium paid to him under subsection (3) of this regulation, be deemed to be employed by the Crown for the purposes of the State Services Act 1962 or the Government Superannuation Fund Act 1956.

(5) There may be paid to any Honorary Ranger out of money appropriated by Parliament for the purpose, reimbursement of actual and reasonable expenses incurred in the course of carrying out his powers and duties, where prior authorisation has been given by the Secretary and where the expenses have been subsequently approved by the Secretary.

(6) Every person holding a warrant as an Honorary Fishery Officer under section 78 (1) (b) of the Fisheries Act 1983 authorising him to exercise the powers specified in his warrant in the Taupo District shall, to the extent of the specified powers, be deemed to be a Ranger for the purposes of these regulations.

57. Issue of warrants—(1) The Secretary may, from time to time, issue—

(a) To any Ranger appointed or deemed to be appointed under these regulations, a warrant authorising him to exercise any powers conferred in these regulations:

(b) To any Honorary Ranger appointed under these regulations, a warrant specifying any powers conferred in these regulations.

(2) The Secretary may, from time to time, issue a warrant to such officers of the Department of Internal Affairs or Ministry of Agriculture and Fisheries as may be required to carry out any research or investigatory work for the purposes of these regulations; and any such officer is accordingly empowered, at any time, to enter upon and pass along the banks and borders of any river, stream, lake, or other waters, whether natural or artificial, and enter upon and pass along, with boats or otherwise, such river, stream, lake, or other waters within the District.

(3) On the termination of any appointment made under regulation 55 or regulation 56 of these regulations, the person whose appointment has been terminated shall surrender to the Secretary any warrant issued to him.

(4) Any person to whom a warrant is issued under subsection (2) of this regulation shall surrender that warrant to the Secretary when the reasons for it being issued no longer apply.

58. Powers of Rangers—(1) Every person holding a warrant designating that person as a Ranger, and every other person who by these regulations is deemed to be a Ranger may for the purpose of the enforcement of the provisions of these regulations, at all reasonable times,—

(a) Enter, or pass across any land and enter, examine, and search, by stopping or by opening, where necessary, any vessel, conveyance of any kind, premises, or place (except a private dwelling place), parcel, package, or thing where that Ranger believes, on reasonable grounds, that any offence is being or has been committed against these regulations, and any fish, or thing used in contravention of these regulations is being concealed or is located:

(b) Stop, enter, or pass across any land and enter, and examine any vessel or vehicle, or enter and examine any place (except a private dwelling place), or examine any record, document, article, and any gear, apparatus, device, or contents of any kind therein in the course of the enforcement and administration of these regulations:

(c) Question any person and require the master of any vessel, or any other person, to give any explanation or information concerning that vessel, or any place or thing, or any fish, fishing method,

gear, apparatus, record, document, article, device, or thing, and require such persons to produce any permit, authority, licence, or certificate issued in respect of that vessel, person, or thing where that Ranger has reasonable cause to believe that such person is or has been engaged in taking fish:

- (d) Where he finds any person offending against these regulations or where he believes on reasonable grounds that any person may have committed an offence against these regulations, order that person forthwith to desist from that offence, and, if that person after being so required, refuses upon request by the officer to provide his real first name or given name, surname, date of birth, actual place of residence and occupation or continues the offence, arrest the offender and cause him to be brought before a District Court Judge to be dealt with by law as soon as practicable:
- (e) Do all such acts and things and give such directives as are necessary for the purpose of these regulations.

(2) Nothing in subsection (1) of this regulation shall be construed to empower any Ranger to enter a private dwelling place, or the enclosed garden or curtilage of any private dwelling place, or upon any Maori reservation constituted under or pursuant to the Maori Affairs Act 1953, unless he is authorised in writing by a District Court Judge or Justice, who shall not grant such authority unless he is satisfied that the Ranger has reasonable grounds for requiring entry into the private dwelling place or the enclosed garden or curtilage of such private dwelling place, or the Maori reservation.

(3) Nothing in subsection (1) of this regulation shall be construed so as to require any person to answer any question tending to incriminate himself.

(4) Any Ranger lawfully exercising his powers under this regulation may make or take copies of any record or document, and for this purpose may take possession of and remove from the place where they are kept, for such period of time as is reasonable in the circumstances, any such record or document.

(5) Every Ranger exercising any power conferred by this regulation shall identify himself and produce evidence that he is a Ranger to any person on or in the land, vehicle, vessel, premises, or place or claiming an interest in the things on or in or in respect of which the power is exercised, who questions the right of the Ranger to exercise that power.

(6) The production by any Ranger of any warrant issued to him under these Regulations shall, until the contrary is proved, be sufficient authority for any such officer to do any thing which he is authorised by these regulations to do.

59. Powers of seizure—(1) A Ranger may seize—

- (a) Any vessel, vehicle or other conveyance, fishing gear, implement, appliance, material, container, goods, or equipment which he believes on reasonable grounds is being or has been used or is intended to be used in the commission of an offence against these regulations:
- (b) Any fish, which he believes on reasonable grounds are being or have been taken, killed, transported, bought, sold, or found in the possession of any person, in contravention of these regulations:
- (c) Any article (including any coat or article of clothing) that is being used to carry any fish unlawfully taken or had in possession or that he reasonably believes is being so used.

(2) Any vessel, vehicle or other conveyance, fish, or other article seized pursuant to subsection (1) of this regulation shall be delivered into the custody of the Secretary.

(3) Notwithstanding subsection (2) of this regulation, any vessel, vehicle or other conveyance, fish, or other article seized pursuant to subsection (1) of this regulation may, on application by the person from whom such vessel, vehicle or other conveyance, fish, or article was seized, be released to such person, under such sureties and conditions as the Secretary may specify.

60. Persons to assist Rangers—While in lawful execution of his duty, every Ranger may call upon any person, not being under the age of 18 years, to aid him or assist him when reasonable necessity exists for calling that assistance, and every person aiding or assisting any Ranger pursuant to any such call shall while doing so be deemed to be and shall have all the powers of a Ranger duly appointed under these regulations.

61. Protection of Rangers from liability—(1) Any Ranger who does any act in pursuance of these regulations, or omits to do any act required by these regulations shall not be under any civil or criminal liability as a result of that act or omission on the ground of want of jurisdiction or mistake of law or fact, or any other ground, unless he has acted or omitted to act in bad faith, or without reasonable cause.

(2) The Crown shall not be held directly or indirectly liable for any such act or omission of any such officer, unless the officer himself would incur liability for the act or omission.

62. Proceedings for offences—(1) All proceedings in respect of offences against these regulations shall be taken pursuant to the Summary Proceedings Act 1957.

(2) Any proceedings in respect of offences against these regulations may be commenced in the name of the Secretary or any Ranger.

PART IX

SAVINGS

63. Savings—(1) All licences and generally all acts of authority, documents, matters, acts, and things which originated under any regulations revoked pursuant to section 108 of the Fisheries Act 1983 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.

(2) All matters and proceedings commenced under any of the regulations revoked as aforesaid, and pending or in progress at the commencement of these regulations, may be continued, completed, and enforced under these regulations.

Reg. 7

FIRST SCHEDULE

Form 1

FORM OF WHOLE-SEASON, MONTHLY, OR WEEKLY LICENCE

Taupo Trout Fishing Licence

Adult's Whole-season Licence to Fish

PURSUANT to the Maori Land Amendment and Maori Land Claims Adjustment Act 1926.

THE holder of this licence [Surname and initials], of [Full postal address], is hereby authorised to take trout within any part of the Taupo District between the dates (or during the period) shown hereon, subject to the above Act and to all regulations made thereunder for the time being in force in the said District.

Available from to (both days inclusive).

Time of issue a.m./p.m.

Date of issue

Signature of licence holder

(not valid until signed)

.....
(Issuing Officer).

(NOTE: "Children's" may be substituted for "Adult's" in the above form, and "Monthly" or "Weekly" may be substituted for "Whole-season" as appropriate.)

Form 2

FORM OF DAY FISHING LICENCE

Taupo Trout Fishing Licence

Adult's Day Licence to Fish

PURSUANT to the Maori Land Amendment and Maori Land Claims Adjustment Act 1926.

THE holder of this licence [Surname and initials], of [Full postal address], is hereby authorised to take trout within any part of the Taupo District between the dates (or during the period) shown hereon, subject to the above Act and to all regulations made thereunder for the time being in force in the said District.

Available from until midnight

Time of issue a.m./p.m.

Date of issue

Signature of licence holder

(not valid until signed)

.....
(Issuing Officer).

(NOTE: "Children's" may be substituted for "Adult's" in the above form as appropriate.)

SECOND SCHEDULE

Reg. 8

LICENCE FEES

Class of Persons to Whom Licences are Issued	Whole-season Licence	Monthly Licence	Weekly Licence	Day Licence
	\$	\$	\$	\$
(a) Adults, and any child of 16 years of age or over, unless attending school full time as pupil	18.00	12.00	8.50	3.00
(b) Children under 16 years of age or attending school full time as pupil	3.50	No special licence	No special licence	1.00

THIRD SCHEDULE

Regs. 18 (3), 19 (2)

RESTRICTIONS ON LURES

COLUMN 1 Description of Waters	COLUMN 2 Lures Permitted
<p>1. (a) All rivers and streams within the Taupo District, and all tributaries of any such river or stream including—</p> <p>(i) That portion of the Hinemaiaia Stream up to the lower Taupo hydro-electric supply dam; and</p> <p>(ii) That portion of the Kuratau River up to the Kuratau hydro-electric dam; and</p> <p>(iii) That portion of the Tongariro River up to Begg's Falls, and the Poutu Stream, but excluding those portions of the Hinemaiaia Stream, the Kuratau River, and the Tongariro River not specified in subparagraphs (i) to (iii) of this paragraph:</p> <p>(b) Those portions of Lake Taupo and rivers or streams contained within the arcs of circles having a radius of 300 m from the centre of the mouth or mouths of all rivers and streams entering or leaving the said lake except the mouths of the Waikino and Otupoto Stream:</p> <p>(c) Within 100 m of the Tokaanu Wharf:</p> <p>(d) Within a radius of 300 m from the sandy point located approximately 780 m south of the mouth of the Kuratau River and marked by a landmark.</p>	<p>Natural fly, or artificial fly. Except as provided in the definition of "artificial fly" in regulation 2 (1) of these regulations, no spinning attachment, nor anything made from lead, glass, plastic, or other material to facilitate casting or to increase the sinking of the line shall be added to the cast, line, or fly.</p>
<p>2. All waters not specified above.</p>	<p>Natural fly, artificial fly, or artificial minnow.</p>

Reg. 53

FOURTH SCHEDULE
SPECIES OF NOXIOUS FISH

Scientific Name	Common Name
<i>Clarias batrachus</i>	Walking catfish
<i>Cyprinus carpio</i>	European carp, Japanese koi
<i>Esox lucius</i>	Pike
<i>Pygocentrus</i> spp.	Piranha
<i>Rooseveltiella</i> spp.	Piranha
<i>Serrasalmus</i> spp.	Piranha
<i>Scardinius erythrophthalmus</i>	Rudd
<i>Tilapia</i> spp.	Tilapia
<i>Sarotherodon</i> spp.	Tilapia

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 repeal, with minor amendment, provisions relating to trout fishing in the Taupo District previously contained in the Rotorua and Taupo Trout Fishing Regulations 1980 and revoked under the Fisheries Act 1983.

The regulations are expressed to come into force on 1 January 1984.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 21 December 1983.

These regulations are administered in the Department of Internal Affairs.