

Taupo Fishery Regulations 2004

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 24th day of May 2004

Present:

The Right Hon Helen Clark presiding in Council

Pursuant to sections 48 and 48A of the Conservation Act 1987 and section 14 of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

1 Title

These regulations are the Taupo Fishery Regulations 2004.

2 Commencement

These regulations come into force on 1 July 2004.

3 Application

(1) These regulations apply only in the Taupo District.

(2) These regulations apply subject to the provisions about the issue of licences in section 14(9)(c) of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926.

4 Interpretation

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

artificial fly includes any lure of feather, fur, wool, or other material used in the making of artificial flies

artificial lure means any artificial lure other than an artificial fly

boat includes---

(a) a ship, launch, or other vessel; and

(b) any canoe, punt, or raft; and

(c) any aircraft or hovercraft on the surface of the water

commercial freezing chamber means any freezing chamber (including any cool store, refrigeration works, or freezing or cooling device)---

(a) situated in or on any plant or premises (not being a private dwellinghouse); and

(b) in which trout are or have been in the preceding 6 months frozen or otherwise preserved, treated, or stored

commercial smokehouse means any smokehouse (including any fish preparation room, salting room, or drying room adjacent to or forming part of the smokehouse)---

(a) situated in or on any plant or premises (not being a private dwellinghouse); and

(b) in which trout are or have been in the preceding 6 months smoked, preserved, treated, or stored

Committee means the Taupo Fishery Advisory Committee continued under regulation 30

day means a day computed from midnight to midnight

Department means the Department of Conservation

Director-General means the Director-General of Conservation

fly fishing means fishing for sports fish with a fly rod and fly reel, fly line, and a natural or artificial fly

foulhook, in relation to a trout, means to take the trout with a hook otherwise than through the mouth

issuing officer means a person authorised to issue licences under these regulations

landmark means a white, black, and yellow ringed post or buoy

length, in relation to a fish, means the total length from the tip of the snout to the fork of the tail of the fish

licence means a licence to take trout issued in accordance with these regulations

lure means any artificial or natural fly, and any artificial lure

Minister means the Minister of Conservation

natural fly---

(a) includes spiders and insects; but

(b) does not include anything the use of which is prohibited by regulation 21(1)(b)

officer means a warranted officer within the meaning of the Conservation Act 1987

open season, in relation to the Taupo District, means---

(a) 1 December in any year to 31 May in the following year (both days inclusive) in respect of the following waters:

(i) that portion of the Tongariro River between Poutu intake at map reference NZMS 260 T19 539268 and a point being the normal site of a

landmark that is 500 m, more or less, upstream of the point where the river is joined by the Whiti kau Stream:

(ii) that portion of the Waiotaka River between its source and the north-western boundary of Kaimanawa Forest Park at map reference NZMS 260 T19 609357:

(iii) that portion of the Waimarino River between its source and the point known as Korohe Crossing at map reference NZMS 260 T19 597451:

(iv) that portion of the Tauranga-Taupo River between its source and its junction with the Mangakowhitiwhiti Stream at map reference NZMS 260 T19 638472:

(v) the Hinemaiaia Stream between its source and the lower hydro-electric supply dam at map reference NZMS 260 U18 749548:

(vi) the Hinemaiaia Stream downstream from a point being the normal site of a sign at map reference NZMS 260 U18 747557 situated approximately 300 m downstream from the powerhouse of the lower 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 at map reference NZMS 260 U18 785602:

(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 and that portion of the Waihaha River upstream of Tieke Falls:

(x) all tributaries of the rivers and streams and portions of rivers and streams specified in this paragraph:

(b) 1 October in any year to 30 June in the following year (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 Tongariro River upstream of Poutu intake:

(iii) the Waihaha River upstream of Tieke Falls:

(iv) the Whanganui River and those portions of the upper tributaries of that river that lie within the Taupo District:

(c) 1 October in any year to 31 May in the following year (both days inclusive) in relation to the following waters:

(i) Lake Otamangakau and Lake Te Whaiiau; and

(ii) the Wairehu canal and Te Whaiiau canal:

(d) 1 July in any year to 30 June in the following year (both days inclusive) in relation to all other waters in the Taupo District  
strike indicator---

(a) means any synthetic or natural yarn, and its means of attachment to the line or cast, used by the person fishing as an aid to detect a strike; but

(b) does not include---

(i) any other material or any object attached to the line or cast; or

(ii) any synthetic or natural yarn to which has been added any material or chemical (other than a colour dye or surfactant line floatant preparation)

take includes---

(a) taking, fishing for, catching, killing, or pursuing by any means or device; and

(b) attempting to take

Taupo District means the district described in the Taupo District Order 1983

trout includes---

(a) char of any species; and

(b) any hybrid of any trout or char; and

(c) any trout whether alive or dead, and any part of a trout.

(2) For the purposes of these regulations, a person who is fishing is to be treated as fishing---

(a) at the place from where he or she is fishing; and

(b) at any place reached by his or her line and lure.

#### Prohibitions and restrictions on fishing

##### 5 Fishing prohibited in certain waters

(1) A person must not 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 specified in paragraphs (a) to (f):

(h) that portion of the Hinemaiaia Stream which lies between the lower hydro-electric supply dam and a point being the normal site of a sign situated approximately 300 m downstream from the powerhouse of the dam:

(i) all rivers and streams (including the Poutu Aqueduct) 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:

(q) all tributaries of the Waitahanui River, except the Mangamutu Stream:

(r) all tributaries of the Mangamutu Stream:

(s) that portion of the Waiotaka River that lies wholly within the boundaries of the Tongariro-Rangipo Prison between map references NZMS 260 T19 566422 (approximately 2 km upstream of the Hautu Ford on Waiotaka Road) and 609357 (the north-western boundary of Kaimanawa Forest Park):

(t) all tributaries of the Waiotaka River:

(u) all tributaries of the Whanganui Stream:

(v) the Tutaeuaua Stream:

(w) the Otutira Stream:

(x) the Otaketake Stream:

(y) the Waitotara Stream:

(z) the Waipehi Stream:

(za) Te Whaiiau Stream and its tributaries, including the Whanganui River diversion outfall.

(2) A person must not take trout from---

(a) the Taupo Wharf or Taupo boat jetties:

(b) the control gates bridge over the Waikato River at Taupo:

(c) the bridge over the Tokaanu Tailrace which carries State Highway 41.

(3) A person must not take trout from---

(a) any waters in which trout are held in captivity for display, hatching, or other purposes; or

(b) within a distance of 80 m from those waters.

(4) However, subclause (3) does not apply to fishing events held in the grounds of the Tongariro National Trout Centre by the Department for educational purposes.

#### 6 Restriction on taking fish from or near control apparatus

A person must not take any fish in or from any water which is within 100 m of any net, trap, pound net, electrical device, or other contrivance---

(a) erected or placed for the purpose of preventing or controlling the movement of fish; and

(b) used by any person for---

(i) the purposes of the protection, management, enhancement, or conservation of fish; or

(ii) other authorised purposes.

### Licences

#### 7 Classes and forms of licences

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

#### 8 Issue of licences

(1) Licences must be issued only by persons authorised in writing in that behalf by the Director-General.

(2) An applicant for a licence must furnish his or her full name, date of birth, and usual address to the person issuing the licence.

(3) A person issuing licences must, when required to do so by the Director-General, return all unissued licences and the butts of all issued licences and any licence fees not already remitted.

#### 9 Licence to be signed by licence holder

A licence does not take effect until the holder has signed his or her usual signature in the space provided for the purpose on the licence.

#### 10 Licence fees

(1) The fees fixed by notice in the Gazette for a licence must be paid and received for the licence.

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

(3) Every person commits an offence against these regulations who, with the intention of obtaining a licence for a fee lower than the fee set by notice in the Gazette, makes any false representation to an issuing officer as to the age of himself or herself or of any other person or as to whether or not he or she or any other person is attending school full time as a pupil.

(4) Despite subclause (1), the Director-General may issue a licence to a person either for no fee or for a reduced fee that the Director-General approves.

#### 11 Replacement of lost or damaged licences

If any person to whom a whole-season licence has been issued proves to the satisfaction of the Director-General, by such evidence that the Director-General requires, that the licence has been lost or mutilated or become illegible, he or she may at any time during the currency of the licence obtain from the Director-General a replacement licence free of charge.

#### 12 Licences not transferable

A licence is not transferable to a person who is not named in the licence to take trout.

#### 13 Unauthorised amendment of licences prohibited

(1) A person, except an issuing officer, must not amend anything appearing on the face of a licence.

(2) A person must not intentionally falsify or intentionally omit any information that is required by these regulations to be specified on the face of a licence.

#### 14 Rights to fish conferred by licences

(1) The holder of a current licence may, subject to these regulations, 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) In addition to the rights conferred on the holder of a current licence under these regulations, if the holder of the licence is the holder of a permit issued under Part I of the Maori Purposes Act 1959, the holder is also entitled to take trout in the waters to which the Rotoaira Trout Fishing Regulations 1979 apply in accordance with and subject to the conditions specified in those regulations.

#### 15 Right of way over land

Every licence issued in respect of the Taupo District is to be treated as

if it were a special licence within the meaning of section 14(4) (b) of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926, and the provisions of section 14 of that Act apply accordingly.

16 Licence not otherwise to confer right of entry on land

(1) A licence does not confer any right of entry upon the land of any person without his or her consent.

(2) This regulation applies subject to regulation 15.

17 Operator not to permit unlicensed persons to fish for trout from commercial vessel

(1) A person who operates a commercial ship on Lake Taupo, or who causes or permits a ship to be operated on Lake Taupo, must not permit any other person to fish for trout from the ship unless the other person holds an appropriate current licence to fish.

(2) In this regulation, commercial ship has the same meaning as in the Maritime Transport Act 1994.

Circumstances under which fishing is authorised

18 Prohibitions relating to trout fishing  
A person must not take trout---

- (a) during the period between the hours of 12 midnight and 5 am; or
- (b) from any waters, except during the open season for those waters.

19 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 must, if required to do so by an officer,---

(a) give his or her full name and place of residence, and, if also required to do so by the officer, produce and show to the officer his or her licence and the contents of his or her creel or container and any lure or bait in his or her 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 9.

20 Restrictions on methods of fishing

(1) A person must not---

(a) take trout by any means other than with one rod and running line; or

(b) use for the purpose of taking trout---

- (i) any gaff; or
- (ii) any spear or similar implement, or speargun; or
- (iii) any hook which has a distance greater than 14 mm between the point and the shank; or
- (iv) any lure having attached to it more than one hook or a hook that is not a single-pointed or single-barbed hook; or
- (v) any net, trap, wire netting, or similar device; or
- (vi) more than 3 lures; or
- (vii) any fish-attracting electronic device; or
- (viii) any downrigger, paravane, or similar device; or
- (ix) any line incorporating or containing wire, lead, or any other metal except as provided in subclause (3).

(2) This regulation does not prohibit the use of a landing net to secure any trout lawfully taken.

(3) This regulation does not prohibit the use of lines incorporating or containing wire, lead, or any other metal in any part of Lake Taupo not specified in clause 1 of column 1 of Schedule 1.

(4) Subclause (1)(b)(viii) does not prohibit the use of a downrigger, paravane, or a similar device, if---

(a) the downrigger, paravane, or other device does not contain more than 40 m of attachment line or cable; and

(b) the fishing line used in conjunction with the downrigger, paravane, or other device does not contain any wire, lead, or other metal; and

(c) No device that increases the weight of that fishing line, or of any lure attached to that line, is attached to that line or that lure.

(5) A person must not---

(a) foulhook or attempt to foulhook any trout:

(b) in waters reserved only for natural fly or artificial fly fishing, add to or attach to the cast, line, or fly---

(i) any spinning attachment; or

(ii) anything made from lead, glass, plastic, or other material to facilitate casting or to increase the buoyancy of the line.

(6) Subclause (5)(b) does not prohibit the use of a strike indicator.

## 21 Restriction on lures

(1) A person fishing for trout must not use---

(a) with any lure, any medicated or chemical preparation other than a preparation used solely for the purpose of floating an artificial dry fly;  
or

(b) any mollusc, or the freshwater crayfish (koura), or worms, or the creeper, or the huhu or matai grub, or fish roe, or fish, but the shell of any mollusc may be used in the preparation of an artificial lure.

(2) However, a person fishing for trout must not use in any water specified in column 1 of Schedule 1 any lures other than those specified for the water in column 2 of that schedule.

## 22 Restriction on use of boats

(1) A person must not 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) that portion of the Tongariro River upstream from a position at the head of that stretch of water known as Downs Pool, which is the normal site of a landmark:

(c) 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 Lake Taupo (except the mouths of the Tongariro and Tauranga-Taupo Rivers and the Waikino, Otupoto, Waipahihi, Waitotara, Tokaanu, Rotomoho, Te Awaroa, Otauanga, Tutaewaeroa, Kotukutuku, Tutaehuaua, Otutira, Omoho, Te Mapu, and Okaia streams and the Rotongaio outlet):

(d) that portion of the Hinemaiaia River which lies downstream from the lower hydro-electric dam:

(e) that part of Te Whaiiau Canal, Lake Otamangakau, upstream of the normal site of a landmark, and that portion of the Wairehu Canal downstream of the normal site of a landmark.

(2) A person must not take trout from any boat in---

(a) the Tokaanu Tailrace; or

(b) waters that are reserved for natural fly or artificial fly fishing.

(3) Subclause (2)(b) applies subject to the exceptions in subclause (1)(c).

(4) However, subclause (2) does not apply if the boat is securely anchored parallel to the river flow with not more than 2 anchors.

## 23 Tagged trout

A person must not, except with the prior written authority of the Director-General, mark any living trout by---

- (a) attaching to it a tag or other distinguishing device; or
- (b) clipping or removing a fin or fins.

#### Bag and size limits

##### 24 Bag and size limits

(1) A person must not on any one day take and keep more than 3 trout; and a person must not continue to fish on any day on which he or she has already taken 3 trout.

(2) A person must not have any trout in his or her possession which,---

(a) in the case of trout taken from the Kuratau River upstream from the hydro-electric supply dam, does not exceed 30 cm in length; or

(b) in the case of trout taken from the Waikato River between the control gates bridge at Taupo and the Huka Falls, does not exceed 35 cm in length;  
or

(c) in any other case, does not exceed 45 cm in length.

(3) A person taking a trout of a length less than that specified in subclause (2) must, whether it is alive or dead, immediately return it into the water from which it was taken.

(4) For the purpose of subclause (1), any person who takes a trout and fails to return that trout immediately to the water from which it is taken is to be treated as having taken and kept that trout.

(5) The restrictions in---

(a) subclause (1) do not apply in relation to Lake Kuratau:

(b) subclauses (1) and (2) do not apply in relation to Lake Moawhango, the Waipakihi River upstream of the Rangipo Dam, and the children's pond at the Tongariro National Trout Centre.

#### Storage and smoking of trout

##### 25 Register for trout

(1) A manager or person in charge of any commercial freezing chamber or commercial smokehouse must not receive any trout for any purpose or have any trout in those premises unless---

(a) on the day of and at the time of deposit he or she makes or causes to be made correctly in a book kept on the premises for that purpose the entries in respect of the trout specified in subclause (2); and

(b) he or she permits any officer to enter those premises at all reasonable times and to inspect any fish in the premises and to inspect and copy any entries from that book.

(2) The entries to be made in accordance with subclause (1) are as follows:

(a) the date and time of deposit of the fish on the premises:

(b) the number of fish:

(c) the name and address of the owner of the fish:

(d) the address (if any) to which the fish are to be forwarded or the name and address of the person taking delivery of the fish.

(3) A book kept under this regulation must be retained for at least 6 months after the last entry is made in it.

#### 26 Details to be attached to trout

A person must not place or permit to be placed or kept in any commercial freezing chamber or commercial smokehouse any trout unless there is affixed or tied to the trout a label on which is legibly written---

(a) the name and address of the owner of the fish; and

(b) the date on which the fish were deposited on the premises.

#### 27 No gifts of trout

A person must not give, and a manager or person in charge of any commercial freezing chamber or commercial smokehouse must not 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 number of trout

A person must not deposit, and a manager or person in charge of any commercial freezing chamber or commercial smokehouse must not accept for deposit, in those premises, trout if the person already has a total of 12 trout deposited in the premises.

### Offences and penalties

#### 29 Offences and penalties

(1) Every person commits an offence who does any act in contravention of, or fails to comply with, these regulations.

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

(a) to a fine not exceeding \$5,000 in respect of any offence; and

(b) in the case of an offence against regulation 6, 18, 23, 24, 25, 26, or 39, to a further fine not exceeding \$10 for each fish in respect of which the offence was committed.

30 Taupo Fishery Advisory Committee continued

(1) This regulation continues the advisory user group known as under the Taupo Fishing Regulations 1984.

(2) The Taupo Fishery Advisory Committee consists of the following members:

(a) 8 members appointed by the Minister from persons nominated by the organisations specified in Schedule 3:

(b) 1 member to represent the Tuwharetoa Maori Trust Board and to be appointed by the Minister on advice from the Board:

(c) 1 member appointed by the Minister to represent national angling interests:

(d) 1 member to represent the New Zealand Fish and Game Council and to be appointed by the Minister on advice from the Council:

(e) 1 member appointed by the Minister to represent the appropriate Conservator of the Department.

(3) The members appointed under subclause (2) (a), (b), and (c) have voting rights at meetings of the Committee, and the other members of the Committee are entitled to speak at meetings of the Committee but are not entitled to vote on any question.

31 Functions of Committee

The functions of the Committee are---

(a) to advocate Taupo sport fishing interests:

(b) to facilitate communication between the Department and anglers:

(c) to keep anglers informed on matters affecting their interests:

(d) to foster ethical standards of angling behaviour:

(e) to consider and advise the Department on freshwater and sport fishing matters within the Taupo District:

(f) to make any representations that it sees fit to the Minister, or to the Department or any other Government agency or other organisation, on matters affecting the Taupo Fishery, including national and regional policy statements, management strategies, and management plans:

(g) to liaise with the New Zealand Fish and Game Council on matters of mutual interest relating to sports fish.

32 Members to hold office at pleasure

Members of the Committee hold office at the pleasure of the Minister.

33 Chairperson of Committee

(1) The members of the Committee must elect one of their number to be Chairperson of the Committee for the term that the members think fit.

(2) The Chairperson must preside at all meetings of the Committee at which he or she is present.

(3) If the Chairperson is absent from any meeting of the Committee, the members present must appoint one of their number to be the Chairperson of that meeting.

#### 34 Meetings

(1) Meetings of the Committee must be held at least 3 times a year at the times and places that the Committee or the Chairperson appoints and the first meeting in each financial year must be called the annual general meeting of the Committee.

(2) The Chairperson may at any time call a special meeting of the Committee, and must call a special meeting if requested in writing by any 3 or more voting members to do so.

(3) At any meeting of the Committee, 4 of the voting members constitute a quorum and no business is to be transacted at any meeting unless a quorum is present.

(4) Every question before the Committee must be decided by a majority of the voting members present and proper minutes must be kept of proceedings.

(5) At any meeting of the Committee, the Chairperson has a deliberative vote, and, in the case of an equality of votes, also has a casting vote.

(6) Subject to these regulations, the Committee may regulate its procedure in the manner that it thinks fit.

#### 35 Other persons who may attend meetings

(1) The Committee may allow persons who are not members of the Committee to attend meetings of the Committee.

(2) The Conservator of the Tongariro-Taupo Conservancy of the Department is entitled to attend and speak at any meeting of the Committee, but is not entitled to vote on any question.

(3) Not more than 4 persons representing the Tuwharetoa Maori Trust Board are entitled to attend and speak at meetings of the Committee to provide support for the member representing the Board, but are not entitled to vote on any question.

#### 36 Servicing of Committee

The Department must provide secretarial services to the Committee.

#### 37 Travelling allowances and expenses

(1) The Director-General must reimburse---

(a) the actual and reasonable travelling and accommodation expenses incurred by voting members of the Committee in respect of their service as members of the Committee:

(b) half of the actual and reasonable travelling and accommodation expenses incurred by the member representing the New Zealand Fish and Game Council in respect of his or her service as a member of the Committee.

(2) No member of the Committee is entitled to any remuneration in respect of his or her service as a member of the Committee.

#### General provisions

##### 38 Taking of fish for piscicultural, scientific, or other purposes

(1) Despite anything to the contrary in these regulations, the persons specified in subclause (2) may, for the purposes of pisciculture, scientific investigation, acclimatisation or propagation, or any other purposes,---

(a) take by any means any fish from any waters in the Taupo District at any time; and

(b) have in his or her possession fish taken for those purposes.

(2) The persons are---

(a) any person with the prior written authority of the Director-General or his or her appointee; or

(b) any officer of the Department acting in the course of his or her official duties.

(3) The Director-General or his or her appointee may authorise persons who are disabled (within the meaning of the Disabled Persons Employment Promotion Act 1960) for the purposes of recreation to take sports fish by any means that would otherwise be unlawful.

##### 39 Keeping live trout in captivity

A person must not obtain or keep in captivity any live trout for any purpose, unless the person---

(a) has the prior written authority of the Director-General; and

(b) complies with any conditions that the Director-General may impose.

##### 40 Taking, possession, or sale of indigenous fish and smelt

(1) A person must not take, possess, or sell---

(a) any crustacean of the genus *Paranephrops* (commonly called freshwater crayfish or koura); or

(b) any other fish indigenous to New Zealand (except any fish of the genus *Galaxias* (whitebait), any lamprey, and eel); or

(c) smelt; or

(d) the ova, young, or fry of the fish specified in paragraphs (a) to (c).

(2) However,---

(a) 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; and

(b) any member of the Tuwharetoa tribe may fish for, and catch for his or her own use, smelt in Lake Taupo and the Tokaanu Tailrace during the smelt fishing season, subject to any conditions set down by the Director-General under section 26ZL of the Conservation Act 1987, if the Tuwharetoa Maori Trust Board authorises that member to fish for smelt during that smelt fishing season.

(3) If the Tuwharetoa Maori Trust Board authorises a member of the Tuwharetoa tribe under subclause (2)(b), it must inform that member that the authorisation---

(a) is subject to any conditions set down by the Director-General under section 26ZL of the Conservation Act 1987; and

(b) applies to a specified smelt fishing season; and

(c) expires at the end of that specified smelt fishing season.

(4) An authorisation given to a member of the Tuwharetoa tribe under subclause (2)(b) takes effect when the Tuwharetoa Maori Trust Board advises the Director-General, in writing, of the particulars of that authorisation, including, but not limited to,---

(a) the name, birth date, address, phone number (if any), and email address (if any) of that member:

(b) any conditions, restrictions, or limitations on that authorisation.

#### 41 Control of noxious fish

(1) A person must not have in his or her possession or under his or her control, or rear, raise, hatch, or consign any of the species (including subspecies, hybrids, and variations of those species) specified in Schedule 2 (noxious fish).

(2) However, the Director-General may authorise in writing any person to have in his or her possession any noxious fish. An authorisation may contain any conditions that the Director-General considers necessary, and the 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, on revocation, the species of noxious fish that are 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 any manner that the Director-General may direct.

Miscellaneous

42 Fishing competitions

(1) A person must not promote, organise, or participate in a fishing competition where an entry fee is charged or where a total prize value exceeding \$5,000 is offered unless the competition has been approved in writing by the Director-General.

(2) An approval given under subclause (1) may be given subject to any conditions that the Director-General considers appropriate to protect the sustainability of the trout populations and overall angling values.

43 Revocation

The Taupo Fishing Regulations 1984 (SR 1984/347) are revoked.

Schedule 1

rr 20(3),

21(2)

Restrictions on lures

Description of waters

Lures permitted

1 All rivers and streams within the Taupo District, and all tributaries of those rivers and streams---  
Natural fly or artificial fly

(a) including---

(i) that portion of the Hinemaiaia Stream up to the lower hydro-electric supply dam; and

(ii) that portion of the Kuratau River up to the Kuratau hydro-electric dam; and

(iii) that portion of the Tongariro River up to the Waikato Falls, and the Poutu Stream; but

(b) excluding---

(i) those portions of the Hinemaiaia Stream, the Kuratau River, and the Tongariro River, not specified in paragraph (a); and

(ii) the Waikato River from the outlet of Lake Taupo to the Huka Falls

2 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 Lake Taupo except the mouths of the Tokaanu Tailrace, Waikino, Otupoto, Waipahihi, Waitotara, Tokaanu, Rotomoho, Te Awaroa, Otuaunga, Tutaewaeroa, Kotukutuku, Tutaehuaua, Otutira, Omoho, Te Mapu, and Okaia Streams and the Rotongaio outlet Natural fly or artificial fly

3 Within a radius of 300 m from

Te Rae Point located approximately 780 m south of the mouth of the Kuratau River and marked by a landmark Natural fly or artificial fly

4 All waters not specified in paragraphs 1 to 3 Natural fly, artificial fly, or artificial lure

Schedule 2

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41

Species of noxious fish

Scientific name  
Common name

Clarias batrachus  
Walking catfish

Cyprinus carpio  
European carp, Japanese koi

Esox lucius  
Pike

Pygocentrus spp.  
Piranha

Rooseveltiella spp.  
Piranha

Sarotherodon spp.  
Tilapia

Scardinius erythrophthalmus  
Rudd

Serrasalmus spp.  
Piranha

Tilapia spp.  
Tilapia

Schedule 3  
Angling organisations

r 30(2) (a)

Advocates for the Tongariro River Inc  
Motuoapa Fishing and Boating Club  
New Zealand Professional Fishing Guides' Association  
Taupo Commercial Launchmen's Association  
Taupo Fishing Club  
Tongariro & Lake Taupo Anglers' Club  
Tongariro National Trout Centre Society  
Waitahanui Angling Improvement Association

Diane Morcom,  
Clerk of the Executive Council.