

**Reprint
as at 1 July 2013**



**Westland National Park Bylaws
1981
(SR 1981/71)**

Pursuant to section 56 of the National Parks Act 1980, the Minister of Lands hereby makes the following bylaws.

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These bylaws are administered by the Department of Conservation.

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Bylaws

1 Title and commencement

- (1) These bylaws may be cited as the Westland National Park Bylaws 1981.
- (2) These bylaws shall come into force on 1 April 1981.

2 Interpretation

In these bylaws, unless the context otherwise requires,—

Act means the National Parks Act 1980

aerodrome means an aerodrome licensed under the Civil Aviation Regulations 1953; and includes any place which is within the park and which is authorised under those regulations for use as an aerodrome

camp includes staying overnight in any vehicle or boat

camping site means any area that has been appropriated as a camping site under section 49(1)(d) of the Act or under section 28(1)(i) of the National Parks Act 1952

hut means a hut, hostel, or other building owned by the Department and available for public accommodation in the park

hut warden means an officer or employee of the Department bearing a written authorisation from the Commissioner empowering him to supervise the activities relating to any hut or huts in the park

official notice means a conspicuous notice publicly displayed containing instructions or directions as to conduct in the park

park means the Westland National Park

road includes all tracks formed for the use of vehicles and all bridges, culverts, and fords forming part of any road.

Other expressions defined in the Act have the meanings so defined.

Bylaw 2 **camp**: substituted, on 2 January 1997, by bylaw 2 of the Westland National Park Bylaws 1981, Amendment No 1 (SR 1996/364).

Bylaw 2 **camping site**: substituted, on 2 January 1997, by bylaw 2 of the Westland National Park Bylaws 1981, Amendment No 1 (SR 1996/364).

3 Pollution of parks

No person shall—

- (a) wilfully or carelessly pollute in any manner the waters of the park; or
- (b) wilfully or carelessly spill or cause to be spilled any petrol, oil, or similar substance in the park.

4 Disposal of refuse

No person shall—

- (a) leave any object or substance introduced into the park by him, or introduced into the park and in his possession, in any part of the park other than in a suitable litter receptacle provided in the park; or
- (b) bury any refuse in the park.

5 Camping

- (1) No person shall, without the prior permission of a ranger or officer or employee of the Department, camp in the park within 200 metres of a formed road.
- (2) Every person who camps on a camping site in the park shall observe any direction—
 - (a) which is—
 - (i) given to him by a ranger or officer or employee of the Department; or
 - (ii) brought to his attention by an official notice; and
 - (b) which relates to the part or parts of the camping site that may be used for camping (including a direction that prohibits camping on any part or parts of the camping site).
- (3) Every person who camps in the park, whether on a camping site or otherwise, shall leave the area on which he camps clean and tidy after use.
- (4) No person shall camp in the park for more than 14 consecutive days without the consent of a ranger or officer of the Department.

5A Conditions on access to certain places

- (1) Any person may have access to—

- (a) the area within 100 metres radius of any hut:
 - (b) any emergency shelter—
subject to the conditions in subclause (2).
- (2) No person shall camp in any place or part of any place listed in subclause (1) unless—
- (a) that place or that part of the place is a camping site; or
 - (b) that place is an emergency shelter and that person is camping in that shelter in an emergency.

Bylaw 5A: inserted, on 2 January 1997, by bylaw 3 of the Westland National Park Bylaws 1981, Amendment No 1 (SR 1996/364).

6 Use of park huts

- (1) Except in an emergency, no person shall use any one hut for more than 2 successive nights without the prior consent of a ranger or officer or employee of the Department.
- (2) Every person who uses a hut shall leave it in a clean and tidy condition after use.
- (3) No person shall remain in any hut after he has been directed to leave by a ranger or hut warden on the grounds that he has acted in a manner likely to offend or annoy other people, or has damaged or appears likely to cause damage to a hut.
- (4) No person shall cause or allow any dog for which he is responsible to enter or be under any hut.

7 Fires

- (1) No person shall light within the park any fire (other than a fire fuelled by gas or vaporised petrol, oil, or similar substance) within 200 metres of any formed road unless the fire is in a camping site or in a permanently constructed fireplace.
- (2) No person shall light a fire within the park in circumstances where it is likely to present a fire hazard.
- (3) No person shall light a fire within the park (except in a permanently constructed fireplace) within 3 metres of any tree or dry vegetation.
- (4) Every person who lights a fire within the park shall keep that fire continuously under supervision until it is completely extinguished.

- (5) No person shall drop, throw, or otherwise place in any combustible material any match, lighted cigarette, or other lighted matter, except for the purpose of lighting a fire as permitted by these bylaws.
- (6) Nothing in this bylaw shall exempt any person from the requirement to obtain an authority or permit to light a fire in the open air within the park pursuant to sections 23 and 24 of the Forest and Rural Fires Act 1977 or any other requirement of that Act and any regulations made or fire control measures taken under the authority of that Act.

8 Vehicles

- (1) Except in an emergency or where the Commissioner considers it necessary for the proper and beneficial management, administration, and control of the park, no person shall drive a vehicle or permit a vehicle under his control to remain in any part of the park that is not a formed road or camping site, or has not been appropriated as a parking place under the Act.
- (2) No person shall drive a vehicle on a formed road (not being a public road) within the park—
 - (a) if the vehicle is of a class excluded by an official notice from that formed road; or
 - (b) if the vehicle is not currently registered or does not display a current warrant of fitness; or
 - (c) if the driver does not hold a current driver's licence for the particular class of vehicle being driven.
- (3) Nothing in this bylaw shall apply to any person who is operating a vehicle in accordance with an express authorisation in any lease or licence granted under any of sections 49 to 51 of the Act or any easement granted under section 54 of the Act.

9 Parking of vehicles

The driver of any vehicle shall ensure—

- (a) that it is parked in accordance with the directions of any ranger or officer or employee of the Department, or the directions contained in any official notice; or
- (b) where no such directions are given, that it is parked in a safe and considerate manner and position.

10 Aircraft

- (1) Except in an emergency or where authorised by a licence or permit issued under the Wild Animal Control Act 1977 or where the Commissioner considers it necessary for the proper and beneficial management, administration, and control of the park—
 - (a) no person shall land an aircraft at or take off from any place within the park that is not an aerodrome:
 - (b) no person shall hover an aircraft over any part of the park.
- (2) The pilot in command of an aircraft which flies in contravention of, or fails to comply with, subclause (1) commits an offence against these bylaws.
- (3) The Commissioner may, by official notice, prohibit persons from entering any part of the park that is likely to be affected by the landing or taking off of aircraft within the park for such a period of time as he considers necessary for the safety of the public.
- (4) Every person commits an offence against these bylaws who wilfully enters or wilfully remains on any part of the park at a time when entry to that part of the park is prohibited by an official notice under subclause (3).
- (5) Nothing in this bylaw shall apply to any person who is operating an aircraft in accordance with an express authorisation in any lease or licence granted under any of sections 49 to 51 of the Act or any easement granted under section 54 of the Act.

11 Competitive sports

- (1) No person shall, without the prior written consent of a ranger or officer or employee of the Department, conduct or engage in any competitive sport or in any organised training for any competitive sport in the park.
- (2) Nothing in this bylaw shall apply to any activity carried out on any land that is being administered under the Tourist and Health Resorts Control Act 1908 or the Tourist Hotel Corporation Act 1974.

12 Use of spotlight for hunting prohibited

No person shall use a spotlight within the park for the purpose of identifying or dazzling prey.

13 Portable generators

- (1) Except in an emergency or where the Commissioner considers it is necessary for the proper and beneficial management, administration, and control of the park, no person shall install or operate a portable electric generator in any part of the park.
- (2) Nothing in this bylaw shall apply to any activity carried out on any land that is being administered under the Tourist and Health Resorts Control Act 1908 or the Tourist Hotel Corporation Act 1974.

14 Public address systems

- (1) No person shall install or operate any public address system in the park unless that system—
 - (a) is installed in a building or vehicle; and
 - (b) cannot be heard outside that building or vehicle.
- (2) Nothing in this bylaw shall prevent the installation or operation of a public address system in the park for the purpose of making announcements relating to the safety of the public.

15 Offences

Every person commits an offence against these bylaws who acts in contravention of or fails to comply in any respect with any of the provisions of these bylaws.

16 Penalties

Every person who commits an offence against these bylaws is liable on conviction—

- (a) in the case of an offence against bylaw 10(2), to a fine not exceeding \$5,000;
- (b) in the case of any other offence against these bylaws, to a fine not exceeding \$500.

Bylaw 16: amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

17 Proceedings under Acts in respect of offences

Nothing in these bylaws shall limit or prevent the taking of proceedings under any Act in respect of any offence committed within the park.

Dated at Wellington this 19th day of March 1981.

V S Young,
Minister of Lands.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 20 March 1981.

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Notes

1 *General*

This is a reprint of the Westland National Park Bylaws 1981. The reprint incorporates all the amendments to the bylaws as at 1 July 2013, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

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

Westland National Park Bylaws 1981, Amendment No 1 (SR 1996/364)
