



**THE FRESH-WATER FISHERIES (SOUTHERN LAKES)
REGULATIONS 1945**

C. L. N. NEWALL, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 12th day of
September, 1945

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Fisheries Act, 1908 His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the Fresh-water Fisheries (Southern Lakes) Regulations 1945.
2. These regulations shall come into force on the 17th day of September, 1945.

PRELIMINARY

3. In these regulations, if not inconsistent with the context,—
“ Under-Secretary or his appointee ” means the Under-Secretary for the time being of the Department of Internal Affairs, or any one authorized in writing by the Under-Secretary to act on his behalf for all the purposes of these regulations or any particular purpose, as the case may be :
“ License ” means a license to fish for trout, salmon, and other acclimatized fish issued under these regulations :
“ Open season ” means—
(a) In respect of Lakes Hawea and Wanaka and all rivers and streams flowing into the said lakes : the 1st day of November in any year to the 31st day of May in the year next following (both days inclusive) ;
(b) In respect of Lakes Te Anau and Manapouri and all rivers and streams flowing into the said lakes and those portions of the Waiau River and all tributaries thereof within the district : the 21st day of October in any year to the 30th day of April in the year next following (both days inclusive) ;
(c) In respect of all other parts of the district : the 1st day of October in any year to the 30th day of April in the year next following (both days inclusive) :

“Close season” means in respect of any part of the district the portion of any year which is not included in the open season as hereby defined :

“The district” means the waters and places described in the First Schedule hereto.

4. These regulations shall have force and effect only in the waters and places described in the First Schedule hereto.

5. In so far as any regulations heretofore made and now in force are inconsistent with or repugnant to these regulations the same shall be deemed to be subject to these regulations.

6. The Trout-fishing (Lakes District) Regulations 1940 are revoked.

ISSUE OF LICENSES

7. The following licenses to fish for trout, salmon, and other acclimatized fish in the district may be issued :—

(a) A whole-season license :

(b) A weekly license :

(c) A day license.

8. Applications for licenses shall be made to the Under-Secretary or his appointee.

9. All licenses shall be issued under the hand of the Under-Secretary or his appointee, and shall be generally in the form set forth in the Second Schedule hereto.

10. The Under-Secretary or his appointee may refuse to issue a license to any person who within the previous two years has been convicted of any breach of the provisions of any Act relating to fishing for trout, salmon, and other acclimatized fish or of any regulation made thereunder.

LICENSE FEES

11. The respective fees for licenses shall be those set out in the following table :—

Class of Person to whom License is issued.	Whole-season License.	Weekly License.	Day License.
	£ s. d.	s. d.	s. d.
Male person sixteen years of age and over ..	1 5 0	10 0	3 6
Women and persons under sixteen years of age ..	0 10 0	5 0	3 6

12. The foregoing fees shall be paid to the Under-Secretary or his appointee prior to the issue of the respective licenses.

13. Every person is guilty of an offence against these regulations who, with a view to obtaining any license for a fee lower than the respective fee payable under Regulation 11 hereof, makes any false representation to the Under-Secretary or his appointee as to the age of himself or of any other person.

RIGHTS AND RESTRICTIONS UNDER LICENSES

14. The holder of a whole-season license may fish for trout, salmon, and other acclimatized fish in any part of the district, except Queenstown Bay as hereinafter defined, at a time being within the

open season in the place where the holder is fishing, and during the currency of the license. Every such license shall be in respect of one licensing period only, and shall expire,—

- (a) In respect of Lakes Hawea and Wanaka and all rivers and streams flowing into the said lakes, on the 31st day of May next following the date of issue thereof :
- (b) In respect of all other parts of the district, on the 30th day of April next following the date of issue thereof.

15. The holder of a weekly or day license may fish for trout, salmon, and other acclimatized fish in any part of the district, except Queenstown Bay as hereinafter defined, at a time being within the open season in the place where the holder is fishing and between the first and last days set out in the license (both days inclusive) or on the day set out in the license, as the case may be.

16. Every license shall be subject always to the special limits and restrictions set out in these regulations or otherwise imposed by law, and, notwithstanding the terms of any license, the holder thereof shall not be authorized to fish in any place during the close season in that place.

17. No license shall confer any right of entry upon the land of any person without his consent.

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

19. Every person taking any trout, salmon, or other acclimatized fish having affixed thereto a metal tag impressed with the letters "I.A." shall forthwith deliver such tag to the Conservator of Fish and Game at Queenstown, or a ranger, together with a statement in writing signed by him setting out—

- (a) The date on which the fish was taken ;
- (b) The place at which it was taken ;
- (c) Its weight in pounds ;
- (d) Its length in inches from nose to tip of tail ; and
- (e) The number marked on the tag.

FISHING WITHOUT A LICENSE

20. No person shall fish for, take, or kill trout, salmon, or other acclimatized fish within the district unless he is the holder of a license issued under these regulations, except as provided by Regulations 21, 42, and 43 hereof

21. Nothing herein contained shall prejudice the provisions of Regulation 6 of the Fresh-water Fisheries Regulations 1936, Amendment No. 5, whereby a whole-season license issued in the Westland Acclimatization District is available in that part of the Southern Lakes Acclimatization District which lies within the Westland Land District.

22. Except as provided by Regulation 6 of the Fresh-water Fisheries Regulations 1936, Amendment No. 5, a general license to fish for trout, salmon, or other acclimatized fish issued pursuant to the Fresh-water Fisheries Regulations 1936 shall not entitle the holder to fish for trout, salmon, or other acclimatized fish in the district ; and a general license as aforesaid shall not be required to entitle a person holding a license under these regulations to fish for, take, or kill trout, salmon, or other acclimatized fish in the district to which these regulations relate.

23. Every person fishing for trout, salmon, or other acclimatized fish or in possession of fishing-gear, shall, on the demand of any ranger, constable, officer of the Department of Internal Affairs, or of any person producing a current license, give his true name and place of residence, and, on the like demand, produce and show to such ranger, constable, officer, or person his license and the contents of his creel or bag and the lure or bait used by him for taking, catching, or killing fish.

FISHING DURING CLOSE SEASON

24. No person shall fish for, take, or kill trout, salmon, or other acclimatized fish or in any way injure or disturb the same in any part of the district during the close season.

RESTRICTIONS ON FISHING

25. No person shall fish for, take, or kill trout, salmon, or other acclimatized fish otherwise than with one rod and line; but a landing-net or gaff may be used to secure any fish caught with such rod and line.

26. No person shall, in fishing for trout, salmon, or other acclimatized fish, use—

- (a) Any lure or bait other than the natural or artificial fly or natural or artificial minnow, or some form of spoon bait, or any small indigenous fish, or natural and artificial insect (imago), or spider the use of which is not otherwise forbidden by these regulations:
- (b) Any artificial fly containing feathers of the matuku (or bittern) or kiwi:
- (c) As a lure or bait the fresh-water crayfish koura, or worms, or the creeper, or the huhu or matai grub, or fish roe or maggots or caterpillars:
- (d) Any lure or bait otherwise than upon a running line attached to a rod and reel:
- (e) With any lure or bait any medicated or chemical preparation whatever, other than any preparation used solely for the purpose of floating a dry artificial fly or, with a bait of natural fish, a chemical preparation in the nature of formalin or other preservative.

27. No person shall fish for, take, or kill trout, salmon, or other acclimatized fish with, or use for the purpose of taking or killing trout, salmon, or other acclimatized fish, any set rod or line; or any net:

Provided that this regulation shall not forbid the use of a landing-net as described in Regulation 25 hereof.

28. No person shall fish for, take, or kill trout, salmon, or other acclimatized fish with, or use for the purpose of taking or killing trout, salmon, or other acclimatized fish, any cross-line or hand-line fishing, stroke-hauling, or any other unsportsmanlike device.

29. No person shall on any one day take or kill—

- (a) In the waters together comprising Lakes Te Anau and Manapouri and all rivers and streams flowing into these lakes, and in those portions of the Waiau River and all tributaries thereof which are within the district, excepting the Eglinton and Upukerora Rivers, more than fifteen fish, whether trout or salmon, or more than ten trout or more than five salmon:

(b) In the waters together comprising the Eglinton and Upukerora Rivers more than thirteen fish, whether trout or salmon, or more than ten trout or more than three salmon :

(c) In the waters included in the remaining portion of the district more than fifteen fish, whether trout or salmon—

and no person shall continue to fish for trout or salmon in any one of the respective areas hereinbefore defined on any day on which he has already taken or killed in that area any limit of trout or salmon specified in paragraphs (a), (b), and (c) hereof applicable to that area, but excluding trout or salmon dealt with pursuant to Regulation 31 hereof.

30. No person shall fish for, take, or kill in any manner whatever or intentionally have in his possession—

(a) Any trout or quinnat salmon which does not exceed 11 in. in length from nose to tip of tail ; or

(b) Any Atlantic salmon which does not exceed 15 in. in length from nose to tip of tail ; or

(c) Any perch which does not exceed 6 in. in length from nose to tip of tail.

31. Every person taking a trout or a quinnat salmon which does not exceed 11 in. in length from nose to tip of tail ; or an Atlantic salmon which does not exceed 15 in. in length from nose to tip of tail ; or a perch which does not exceed 6 in. in length from nose to tip of tail, shall, unless it appears to be affected by disease, immediately return it alive into the water from which it was taken, and if it appears to be affected by disease or is dead when taken shall dispose of it by burial.

32. No person shall take any fish from or in any way interfere with or damage any net, trap, pound-net, or other contrivance used by any officer of the Government for the purpose of catching any fish for the purpose of acclimatization or propagation or for scientific or other purposes.

33. (1) No person shall in fishing for trout, salmon, or other acclimatized fish in any place to which this regulation applies use—

(a) Any lure or bait other than an artificial fly :

(b) Any spinning fly or fly with a spinning attachment, whether such fly be an artificial fly or not :

(c) Any leaden or other weight on or in connection with a line, including a weight embodied in the hook or other part of the fly, but excluding the weight of a lure consisting solely of a metal hook dressed in accordance with accepted practice so as to become an artificial fly.

(2) This regulation shall apply to the following places :—

(a) All rivers and streams flowing into Lake Wakatipu, except the Dart River and the Rees River and the tributaries of the Dart and Rees Rivers.

(b) The Lindis River :

(c) Lake Hayes :

(d) The Upukerora River.

34. (1) No person shall in fishing for trout, salmon, or other acclimatized fish in any place to which this regulation applies fish from any boat unless it is securely anchored or otherwise secured.

(2) This regulation shall apply to the following places :—

(a) That portion of the Clutha River which is within the district :

(b) The Hawea River :

- (c) Those portions of the Waiau River and its tributaries which are within the district :
- (d) Lakes Fergus and Gunn :
- (e) That portion of Lake Te Anau within half a mile of the water's edge commencing at a point half a mile to the west of the mouth of the Clinton River and extending along the eastern and then southern side of the lake to a point half a mile to the west of the outlet (Waiau River) :
- (f) Every stream, spring, and river flowing into Lake Wakatipu, and the waters of such lake lying within a radius of 200 yards shore to shore from the centre of the meeting-line of every such stream, spring, or river and that lake.

35. Nothing herein contained or contained in any license issued under these regulations shall be deemed to authorize any person to fish for, take, or kill trout, salmon, or other acclimatized fish in Queenstown Bay, Lake Wakatipu, inside a straight line drawn from the outermost point of the Tourist Park to the outermost boundary of the Borough Immigration Barracks Reserve.

POLLUTION OF WATERS

36. No person shall cast or throw into any lake, river, stream, or other waters, or shall allow to flow into or place near the bank or margin of any lake, river, stream, or other waters, any sawdust or sawmill refuse, lime, sheep-dip, flaxmill refuse, or any other matter or liquid that is poisonous or harmful to fish :

Provided that nothing herein contained shall extend to prohibit the depositing in any such waters of debris from any mining claim.

37. No person shall cast, throw, or place, or permit to be cast, thrown, or placed, any dead fish or any cleanings, offal, or other parts of fish into or in any water wherein there are trout, salmon, or other acclimatized fish, or leave any fish or the cleanings, offal, or other parts of fish unburied on the bank or margin of any such water.

WRONGFUL POSSESSION AND DEALING

38. (1) Save as provided in clause (2) hereof, no person shall in any part of the district have any trout, salmon, or other acclimatized fish in his possession during the period between the 5th day of June and the 30th day of September (both days inclusive) in any year.

(2) Any license-holder may, at any time during any year until and including the 1st day of June or on or after the 1st day of October, deposit in any freezing-chamber trout, salmon, or other acclimatized fish lawfully taken by the license-holder, and the manager or person in charge of such chamber may have such trout, salmon, or other acclimatized fish in his possession until delivered to the license-holder as hereinafter provided, and the license-holder may thereafter have such trout, salmon, or other acclimatized fish in his possession for a reasonable time for purposes of consumption or export thereof.

(3) Every license-holder placing trout, salmon, or other acclimatized fish in a freezing-chamber as aforesaid shall forthwith deliver to the Conservator of Fish and Game, Queenstown, a written statement of the following particulars :—

- (a) His full name and postal address :
- (b) The number of his license :

- (c) The address and name of the freezing-chamber :
 (d) The date of deposit of the fish :
 (e) The number of fish deposited :
 (f) The average weight of fish deposited.

(4) No license-holder shall deposit trout, salmon, or other acclimatized fish in freezing-chambers so that he has at any one time more than an aggregate weight of 1 cwt. of fish so deposited.

(5) No manager or person in charge of a freezing-chamber shall deliver any trout, salmon, or other acclimatized fish received therein under clause (2) hereof except to the license-holder or to his order, and except upon the written authority of the Conservator of Fish and Game, Queenstown.

(6) Every manager or person in charge of a freezing-chamber in which trout, salmon, or other acclimatized fish are received under clause (2) hereof shall keep on the premises a register thereof in the form set out hereunder, and shall allow any ranger, constable, or officer of the Department of Internal Affairs to inspect the register at all reasonable times and to make copies of any entries therein, and shall make on the day of the deposit of any trout, salmon, or other acclimatized fish appropriate entries in respect thereof in the first five columns of the register, and on the day of delivery of any trout, salmon, or other acclimatized fish an appropriate entry in the sixth column of the register, and shall retain every such register for not less than six months after the making of the last entry therein.

Freezing-chamber Register

Number of Trout, Salmon, or other Acclimatized Fish.	Weight.	No. of Depositor's License.	Name of License-holder	Date of Deposit.	Date of Delivery.	Remarks.

39. No person shall buy, sell, or expose or offer for sale any trout, salmon, or other acclimatized fish or any part thereof or, for the purpose of obtaining for sale, fish for, take, or kill any trout, salmon, or other acclimatized fish.

40. (1) No person shall have in his possession any trout, salmon, or other acclimatized fish or part thereof if the same is received by him for the purpose of being smoked in the course of his business unless he makes in a book kept for that purpose the entries hereinafter mentioned relative to such trout, salmon, or other acclimatized fish, and permits any ranger, constable, or officer of the Department of Internal Affairs to enter any premises where any such trout, salmon, or other acclimatized fish are or are believed to be, and to inspect and copy such book at all reasonable times.

- (2) The entries required to be made as aforesaid shall be—
 (a) Date of receipt of fish :
 (b) Number of fish received :
 (c) Name of owner of fish :
 (d) Address of owner of fish :
 (e) Number of fishing license (if any) of owner of fish :
 (f) Address to which fish are to be delivered or forwarded.

LIBERATION OF FISH

41. No acclimatization society or person shall liberate any fish of any description in any lake, river, stream, or other waters within the district without the written consent of the Under-Secretary of the Department of Internal Affairs having been first obtained.

EXEMPTION

42. These regulations shall be read subject to the exemptions set out in sections 88 and 90 of the Fisheries Act, 1908.

43. Regulations 20, 23, 24, 25, 26, 27, 33, 34, and 38 hereof shall not apply to officers of the Marine Department or to officers of the Department of Internal Affairs taking, fishing for, or catching fish for the purposes of acclimatization or propagation or for scientific or other purposes, nor to any fish in the possession of such officers as aforesaid for any of the said purposes.

PENALTIES

44. The penalty for the breach of any of these regulations shall be a fine not exceeding £50.

45. If any person is convicted of an offence against these regulations, the license (if any) held by the offender shall thereupon become void and shall be returned to the Under-Secretary or his appointee; and every license issued under these regulations shall be deemed to be subject to the condition that such license shall become void on conviction of the licensee of an offence against these regulations.

46. Any fish unlawfully taken and the baskets or other receptacles thereof, and also all nets, gear, tackle, and other apparatus used in any unlawful fishing, whether found on shore or in any vessel or boat, which articles are by section 84 of the Fisheries Act, 1908, declared to be forfeited, may, pending the conviction of any person on a charge of unlawfully taking such fish or a charge of unlawful fishing, be seized and retained by an officer of the Department of Internal Affairs, and upon dismissal of such charge shall be returned to the person last in possession of such articles, and upon conviction of such person on such charge as aforesaid shall be disposed of by delivery to the Under-Secretary or his appointee.

SCHEDULES

FIRST SCHEDULE

ALL that area in the Otago, Southland, and Westland Land Districts, bounded by a line commencing at a point on the sea-coast in Block VII, Bruce Bay Survey District, Westland Land District, in line with the south-western boundary of Reserve No. 780, being a Native reserve, and proceeding due south to the summit of the range between Big Rock Creek and Makawhio River; thence south-easterly generally along the summit of the range between the Makawhio River and the Mana-kai-uaa River to Mount McDonald, and along the summit of the range between the Makawhio River and the Karangarua River, passing through Mount McGloin to Fettes Peak; thence easterly generally along the summit of the range passing through Whitcombe Peak and Mount Townsend to Maunga Ma; thence south-westerly along the summit of the Southern Alps passing through Mount Burns, Mount Hopkins, Mount Williams, and Mount Jackson to Brodrick Pass; thence southerly generally along the summit of the range passing through Mount Huxley and Lindis Pass to Old Man Peak; thence southerly and south-westerly generally along the summit of the Dunstan Mountains passing through Mount Misery, Dunstan Pass, Cloudy Peak, Mount Kamaka, Mount Makariri, and Leaning Rock; thence again south-westerly generally by a right line to Cairnmuir

Hill; thence continuing south-westerly generally along the summit of the range between the Bannockburn and the Hawksburn to and along the summit of the Garvie Mountains, passing through Trigonometrical Stations AA, I, A, D, and H to K; thence westerly by a right line to the summit of Mount Tennyson; thence southerly and south-westerly generally along the summit of the Garvie Mountains, passing through Trigonometrical Station O, Steeple and Trigonometrical Station N to East Dome; thence due west along a right line to the Mataura River; thence northerly generally up the Mataura River to its source on Eyre Peak; thence to the summit of Eyre Peak; thence westerly by a right line to Jane Peak; thence northerly generally along the summit of the range to Round Peaks, passing through Hummock Peak, and Mount Lookup; thence north-westerly generally along the summit to David Peaks; thence southerly generally along the summit of the Livingstone Mountains, passing through Moffat Peak, Countess Peak, Winton Peak, and Mount Richmond to Snowdon; thence south-westerly generally along the summit of the range between the Fredburn and the Upukerora River passing through Trigonometrical Station A in Block II, Te Anau Survey District, and GS to Trigonometrical Station C on The Ramparts, and along The Ramparts to Trigonometrical Station A in Block II, Manapouri Survey District; thence southerly by a right line to Trigonometrical Station U in Block VII, Takitimo Survey District; thence south-westerly by a right line to the summit of Paddock Hill; thence due west by a right line to the eastern boundary of the Fiordland National Park, being a straight line from where the Waiau River leaves Lake Manapouri to the point where the Monowai River leaves Lake Monowai; thence southerly generally along that boundary and the south-eastern shore of Lake Monowai, to a point due north of Goldie's Hill Trigonometrical Station, situated in Hauroko Survey District; thence due south by a right line through the said Trigonometrical Station to the sea in Te Waewae Bay; thence westerly and north-easterly generally along the sea-coast to a point in line with the south-western boundary of Reserve No. 780, being a Native Reserve, the point of commencement, and including adjacent islands.

SECOND SCHEDULE

(CLASS OF PERSON TO WHOM LICENSE IS ISSUED)

(CLASS OF LICENSE ISSUED)

Under the Fisheries Act, 1908, and its amendments, and under the Fresh-water Fisheries (Southern Lakes) Regulations 1945

THE holder of this license [*Name in full*], of [*Address*] [*Calling or Occupation*], having this day paid the sum of, is hereby authorized to fish for trout, salmon, and other acclimatized fish with one rod and line only within the district affected by the above-entitled regulations, except Queenstown Bay (*in respect of a whole-season or weekly license during the portion of the period from the day of, 19.., to the day of, 19.., falling*), (*in respect of a day license on the day of, 19.., where such day falls*) within the open season in the place where the holder is fishing, subject to the above-mentioned Acts and to all regulations made thereunder for the time being in force in the said district.

NOTES.—(a) A general description of the district is set out on the back hereof.

(b) This license does not entitle the holder to fish in any other acclimatization district.

(c) The open seasons in the various portions of the district are as follows:—

- (1) Lakes Hawea and Wanaka and all rivers and streams flowing into the said lakes: 1st November in any year to 31st May in the year next following (both days inclusive).
- (2) Lakes Te Anau and Manapouri and all rivers and streams flowing into the said lakes and those portions of the Waiau River and all tributaries thereof within the district: 21st October in any year to 30th April in the year next following (both days inclusive).
- (3) All other parts of the district: 1st October in any year to 30th April in the year next following (both days inclusive).

C. A. JEFFERY,

Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 13th day of September, 1945.

These regulations are administered in the Department of Internal Affairs.

By Authority: E. V. PAUL, Government Printer, Wellington.—1945.

Price 9d.]

APPEAL TO ANGLERS

The Department of Internal Affairs appeals to anglers to—

Guard against spread of fire:

Preserve the bush and bird life:

Leave camp-sites clean and tidy:

Report any tagged fish caught. (See clause 19 of the regulations.)

J. W. HEENAN,
Under-Secretary.