

Serial Number **1953/24**



**THE QUINNAT SALMON REGULATIONS 1940,  
AMENDMENT NO. 4**

C. W. M. NORRIE, Governor-General

**ORDER IN COUNCIL**

At the Government House at Wellington, this 11th day of March 1953

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, hereby makes the following regulations.

**REGULATIONS**

**1.** (1) These regulations may be cited as the Quinnat Salmon Regulations 1940, Amendment No. 4, and shall be read together with and deemed part of the Quinnat Salmon Regulations 1940\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

**2.** Regulation 3 of the principal regulations is hereby amended by adding the following definitions:—

“‘Acclimatization society’ or ‘society’ means an acclimatization society registered under the Animals Protection and Game Act 1921–22; but does not include the Department of Internal Affairs;

“‘Officer’ means a person who for not less than three months has been in the employment of an acclimatization society and who is the holder of a warrant of appointment as an officer for the purposes of Part II of the said Act in the district of that acclimatization society.”

\* Statutory Regulations 1940, Serial number 1940/48, page 120.

Amendment No. 1: Statutory Regulations 1945, Serial number 1945/117, page 290.

Amendment No. 2: Statutory Regulations 1946, Serial number 1946/160, page 438.

Amendment No. 3: Statutory Regulations 1948, Serial number 1948/153, page 483.

Modification Notice: Statutory Regulations 1951, Serial number 1951/7, page 10.

3. The principal regulations are hereby amended by inserting, after Part IV, the following new Part comprising the following heading and regulations:—

“PART IV<sub>A</sub>—SALMON NETTING LICENCES TO  
ACCLIMATIZATION SOCIETIES

“34A. (1) The Secretary for Marine may, on the application of any acclimatization society, issue to the society a salmon netting licence.

“(2) Every such licence shall be issued under the hand of the Secretary for Marine, shall be in a form to be provided for the purpose by him, and shall be issued subject to such terms and conditions as the Secretary for Marine thinks fit.

“(3) Without limiting the general power to impose terms and conditions conferred by subclause (2) of this regulation, the Secretary for Marine in issuing any such licence may impose terms or conditions with respect to—

“(a) The places where the society may net quinnat salmon and the times during which netting may be carried out:

“(b) The manner of netting which may be adopted:

“(c) The quantity and condition of salmon that may be taken:

“(d) The method to be adopted by the society in selling salmon pursuant to regulation 34c of these regulations.

“(4) The Secretary for Marine may revoke any licence issued under this Part of these regulations by giving not less than seven clear days' notice in writing to the Secretary of the society.

“(5) Nothing in Part III or Part IV of these regulations shall apply with respect to any licence issued under this Part of these regulations.

“34B. Netting operations pursuant to a licence issued under this Part of these regulations shall be carried out only by or in the presence of an officer of the society to which the licence has been issued, who for the purposes of regulation 11 of these regulations shall be deemed to be the holder of the licence.

“34c. (1) Notwithstanding anything in regulation 9 or regulation 12 of these regulations, but subject to any conditions expressed in the licence, an acclimatization society may dispose of by way of sale—

“(a) Salmon taken by the society under a salmon netting licence issued under this Part of these regulations:

“(b) Salmon taken by the holder of any licence issued pursuant to the Freshwater Fisheries Regulations 1951.\*

“(2) The proceeds of any such sale shall, after deduction of reasonable expenses incurred by the society, be applied for the development, preservation, or better management of salmon fisheries in such manner as the Secretary for Marine from time to time decides.”

4. (1) The principal regulations are hereby further amended by revoking regulation 35, and substituting the following regulations:—

“35. (1) Notwithstanding anything in these regulations or in any other regulations, no person shall fish with a net for quinnat salmon in the waters of the Waimakariri River except in the tidal portion thereof within 80 yards from the north bank of that river between the two posts on that bank marked respectively ‘upper salmon netting limits’ and ‘lower salmon netting limits’.

\* Statutory Regulations 1951, Serial number 1951/15, page 23.

Amendment No. 1: Statutory Regulations 1951, Serial number 1951/200, page 670.

Amendment No. 2: Statutory Regulations 1952, Serial number 1952/185, page 888.

“(2) Notwithstanding anything in these regulations or in any other regulations, no person shall fish with rod and line for salmon or trout in the tidal portion of the Waimakariri River within 50 yards of the north bank of that river between the posts on that bank marked respectively ‘upper salmon netting limits’ and ‘lower salmon netting limits’ at any time when salmon nets are being used there or when net fishermen with boats and nets are on that bank between those posts.

“35A. (1) No person shall fish for, take, or kill any quinnat salmon in the waters of the tailrace from the Highbank Power Station by any means other than netting.

“(2) For the purpose of this regulation—

“(a) The said tailrace shall be deemed to include all the waters between the point of discharge into that tailrace at the Highbank Power Station and the confluence of the tailrace and the Rakaia River:

“(b) The confluence of the said tailrace from the Highbank Power Station and the Rakaia River shall—

“(i) Between the 1st day of October in any year and the 31st day of January in the next succeeding year (both days inclusive) be deemed to be the point of discharge of the waters of the tailrace from the prepared channel into the flood bed of the Rakaia River, as indicated by a post marked ‘upper angling limit to 31st January’; and

“(ii) Between the 1st day of February and the 30th day of April in any year (both days inclusive) be deemed to be the junction of the watercourse into which the tailrace discharges in the flood bed of the Rakaia River and the first main branch of the Rakaia River which that watercourse enters, as indicated by a post marked ‘upper angling limit after 31st January’.”

(2) Regulation 4 of the Quinnat Salmon Regulations 1940, Amendment No. 3, is hereby revoked.

5. The principal regulations are hereby further amended by inserting, after regulation 36, the following regulation:—

“36A. Notwithstanding anything in these regulations or in any other regulations, no person in fishing for salmon or for trout in any river (except the Clutha River) containing quinnat salmon shall, between the 1st day of January and the 30th day of April in any year (both days inclusive), use—

“(a) With a spoon bait or artificial minnow, any other lure;

“(b) On or in conjunction with any spoon bait, more than one hook or one fixed assembly of hooks;

“(c) On or in conjunction with any spoon bait, minnow, or other lure, any double or treble hook or other fixed multiple assembly of hooks any one hook of which has a greater distance than half an inch between the point and the nearest part of the shank of the hook; or

“(d) Any lead or weight affixed to the trace or line at a distance of less than fifteen inches above the lure.”

6. The Quinnat Salmon Regulations Modification Notice 1951\* is hereby revoked.

T. J. SHERRARD,  
Clerk of the Executive Council.

\* Statutory Regulations 1951, Serial number 1951/7, page 10.

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#### EXPLANATORY NOTE

[*This note is not part of the regulations, but is intended to indicate their general effect.*]

Regulation 3 of these regulations provides for the issue to acclimatization societies of licences to net quinnat salmon. The licences are to be subject to such terms and conditions as the Secretary for Marine prescribes, and are revocable on seven days' notice to the society. The society will be entitled to sell salmon netted by it or caught by anglers, subject to the proceeds of the sale being spent for the benefit of salmon fisheries.

The effect of regulation 4 is to remove the prohibition on salmon netting over weekends, and to modify the former total prohibition of salmon fishing in and below the outfall from the Highbank Power Station to a prohibition of angling in those waters.

Regulation 5 imposes restrictions on methods of angling for salmon or for trout in any river (except the Clutha) containing salmon.

Regulation 6 revokes the Quinnat Salmon Regulations Modification Notice 1951, the effect of which is now provided for in regulations 4 and 5 of these regulations.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 12 March 1953.

These regulations are administered in the Marine Department.