



Taupo Fishery Amendment Regulations 2016

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 18th day of April 2016

Present:

His Excellency the Governor-General in Council

These regulations are made under sections 48 and 48A of the Conservation Act 1987 and section 14 of the Maori Land Amendment and Maori Land Claims Adjustment Act 1926 on the advice and with the consent of the Executive Council.

Contents

	Page
1 Title	2
2 Commencement	2
3 Principal regulations	2
4 Regulation 4 amended (Interpretation)	2
5 Cross-heading above regulation 5 replaced	2
<i>Restrictions on fishing</i>	
6 Regulation 5 revoked (Fishing prohibited in certain waters)	2
7 Regulation 8 replaced (Issue of licences)	2
8 Issue of licences	2
8 Regulation 9 amended (Licence to be signed by licence holder)	3
9 Regulation 11 replaced (Replacement of lost or damaged licences)	3
11 Replacement of licences	3
10 Regulation 13 replaced (Unauthorised amendment of licences prohibited)	3
13 Unauthorised amendment of licences prohibited	3
11 Regulation 14 replaced (Rights to fish conferred by licences)	3

	14	Licence conditions	3
12		Regulation 17 amended (Operator not to permit unlicensed persons to fish for trout from commercial vessel)	4
13		Regulation 18 revoked (Prohibitions relating to trout fishing)	4
14		Regulations 20 to 22 revoked	4
15		Regulation 24 and cross-heading revoked	4
16		Regulation 29 amended (Offences and penalties)	4
17		Schedule 1 revoked	4

Regulations

1 Title

These regulations are the Taupo Fishery Amendment Regulations 2016.

2 Commencement

These regulations come into force on 1 July 2016.

3 Principal regulations

These regulations amend the Taupo Fishery Regulations 2004 (the **principal regulations**).

4 Regulation 4 amended (Interpretation)

In regulation 4(1), revoke the definitions of **artificial fly**, **artificial lure**, **boat**, **fly fishing**, **foulhook**, **landmark**, **length**, **lure**, **natural fly**, **open season**, and **strike indicator**.

5 Cross-heading above regulation 5 replaced

Replace the cross-heading above regulation 5 with:

Restrictions on fishing

6 Regulation 5 revoked (Fishing prohibited in certain waters)

Revoke regulation 5.

7 Regulation 8 replaced (Issue of licences)

Replace regulation 8 with:

8 Issue of licences

- (1) Licences may be issued only by persons authorised in writing by the Director-General.
- (2) Licences may be issued in electronic or non-electronic form.
- (3) An applicant for a licence must provide his or her full name, date of birth, and usual address to the person issuing the licence.

- (4) A person issuing licences must, when required by the Director-General, do any or all of the following:
- (a) return all unissued licences;
 - (b) return the butts of all issued licences;
 - (c) remit, to the Director-General, any licence fees not already remitted.
- (5) Subclause 4(a) and (b) does not apply to licences issued in an electronic form.

8 Regulation 9 amended (Licence to be signed by licence holder)

In regulation 9, insert as subclause (2):

- (2) Subclause (1) does not apply to licences issued in an electronic form.

9 Regulation 11 replaced (Replacement of lost or damaged licences)

Replace regulation 11 with:

11 Replacement of licences

A holder of a whole-season licence may, at any time during the period specified in the licence, obtain from the Director-General a replacement licence free of charge if he or she proves to the satisfaction of the Director-General that,—

- (a) in relation to a licence issued in an electronic form, the licence has been deleted or has otherwise become no longer usable for subsequent reference;
- (b) in relation to a licence issued in a non-electronic form, the licence has been lost or mutilated or become illegible.

10 Regulation 13 replaced (Unauthorised amendment of licences prohibited)

Replace regulation 13 with:

13 Unauthorised amendment of licences prohibited

- (1) A person, except an issuing officer, must not amend a licence.
- (2) A person must not intentionally falsify or intentionally omit any information that may, under these regulations, be specified in a licence.

11 Regulation 14 replaced (Rights to fish conferred by licences)

Replace regulation 14 with:

14 Licence conditions

The right to take trout under a licence is limited to—

- (a) the period specified in the licence; and
- (b) the part of the Taupo District specified in the licence; and
- (c) the boat (if any) specified in the licence.

- 12 Regulation 17 amended (Operator not to permit unlicensed persons to fish for trout from commercial vessel)**
In regulation 17(1), replace “holds an appropriate current licence to fish” with “has the right to take trout under a licence”.
- 13 Regulation 18 revoked (Prohibitions relating to trout fishing)**
Revoke regulation 18.
- 14 Regulations 20 to 22 revoked**
Revoke regulations 20 to 22.
- 15 Regulation 24 and cross-heading revoked**
Revoke regulation 24 and the cross-heading above regulation 24.
- 16 Regulation 29 amended (Offences and penalties)**
In regulation 29(2)(b), replace “regulation 6, 18, 23, 24, 25, 26, or 39” with “regulation 6, 23, 25, 26, or 39”.
- 17 Schedule 1 revoked**
Revoke Schedule 1.

Michael Webster,
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, which come into force on 1 July 2016, amend the Taupo Fishery Regulations 2004 (the **principal regulations**).

The main purpose of these regulations is to remove provisions that set fishing conditions (such as open and closed seasons and bag and size limits) from the principal regulations. This will enable fishing conditions to be set instead in a Taupo District Anglers Notice made under the Conservation Act 1987.

These regulations also amend the principal regulations to clarify that licences may be issued electronically.

Regulatory impact statement

The Department of Conservation produced a regulatory impact statement on 18 August 2015 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at <http://www.doc.govt.nz/about-us/our-role/legislation/regulatory-impact-statements/>

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 21 April 2016.

These regulations are administered by the Department of Conservation.