

IN CONFIDENCE

Waikato-Tainui (Waikato River Fisheries) Amendment Regulations 2023

Governor-General

Order in Council

At Wellington this day of 2023

Present:
in Council

These regulations are made under section 186 of the Fisheries Act 1996 and section 93 of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 on the advice and with the consent of the Executive Council.

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Regulations

- 1 Title**
These regulations are the Waikato-Tainui (Waikato River Fisheries) Amendment Regulations 2023.
- 2 Commencement**
These regulations come into force on 6 October 2023.

3 Principal regulations

These regulations amend the Waikato-Tainui (Waikato River Fisheries) Regulations 2011.

4 Regulation 22 amended (Trust may prepare proposed bylaws)

(1) Replace regulation 22(1) with:

- (1) The Trust may prepare proposed bylaws in respect of fisheries resources managed under the Fisheries Act 1996 to restrict or prohibit—
- (a) the taking of fisheries resources from the Waikato-Tainui fisheries area; or
 - (b) the possession of fisheries resources in the Waikato-Tainui fisheries area; or
 - (c) the possession of fisheries resources taken from the Waikato-Tainui fisheries area.

(2) In regulation 22(5)(a), (b), and (c), after “taken”, insert “or possessed”.

5 Regulation 26 amended (Defences)

After regulation 26(2)(c), insert:

- (d) the defence that the defendant proves that the fisheries resources to which the charge relates were lawfully taken from outside the area specified in the bylaws.

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 6 October 2023, amend the Waikato-Tainui (Waikato River Fisheries) Regulations 2011. The amendments provide for bylaws to be made restricting or prohibiting the possession of fisheries resources in the Waikato-Tainui fisheries area, and provide a defence if the defendant proves that the fisheries resources to which the charge relates were lawfully taken from outside the area specified in the bylaws.

Regulatory impact statement

A regulatory impact statement is not required for these regulations.

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*:

These regulations are administered by the Ministry for Primary Industries.