

CHAPTER 194

WILD ANIMALS, BIRDS AND FISH PRESERVATION ACT

SUBSIDIARY LEGISLATION

Wild Animals, Birds and Fish Preservation Regulations

being the Schedule to the Act as subsequently amended

As amended
by
Regulations
3 of 1929,
8 of 1933,
6 of 1937,
15 of 1938,
9 of 1948,
1 of 1961.
L.N.
89 of 1963,
115 of 1963,
33 of 1966.

1. No person shall at any time—

Prohibitions.

- (1) wilfully kill, wound, or take any wild bird specified in Table I hereof;
- (2) take, remove, injure or destroy any nest of any such bird;
- (3) expose for sale, or knowingly have in his possession, any such bird, or any part of such bird, killed, or wounded or taken in The Gambia, or the nest, or egg, or plumage of any such bird taken in The Gambia;
- (4) export, or attempt to export, the skin of any such bird, killed, wounded or taken, or the nest, or egg, or plumage of any such bird taken in The Gambia.

Onus on person charged.	In any prosecution under this section the onus shall be upon the person charged to prove that the bird or part thereof, or the nest, egg, or plumage of such bird forming the subject matter of such charge was not killed, wounded, or taken in The Gambia.
Animals, etc. mentioned in Tables II and III.	2. No person shall at any time hunt, capture, or kill any animal or bird mentioned in Table II hereof, or the young of any animal mentioned in Table III, or the female of any animal in Table III when accompanied by its young.
Hippo- potami.	3. No hippopotamus shall be hunted, captured, wounded or killed when in the River Gambia or its creeks or tributaries.
Animals, etc., mentioned in Table IV.	4. From the 16th June in any year until the 31st December next following (both days included), no person shall hunt, capture, or kill any animal mentioned in Table IV hereof.
Animals mentioned in Table V.	5. From the 1st July in any year until the 31st December next following (both days included), no person shall hunt, capture, or kill any bird mentioned in Table V hereof.
Close season for bush fowl.	6. No person shall hunt, capture or kill between the 1st September in any year and the last day of February following (both days included) the bird mentioned in Table VI.
Birds' eggs.	7. No person shall at any time take out of the nest, or destroy in the nest, the eggs of any bird mentioned in Tables I, II, V and VI hereof.
Licences.	8. No person shall at any time hunt, capture, or kill any animal mentioned in Table III hereof, the hunting, capture, or killing of which is not forbidden by these regulations, without having in force a licence of the kind numbered I in regulation 9 hereof; and no person shall at any time hunt, capture, or kill any animal mentioned in Table IV hereof without having in force one of the licences mentioned in regulation 9 hereof, and issued to him in accordance with these regulations.

9. A licence shall be in whichever of the forms hereinafter set forth shall be appropriate and the following fees shall be payable therefor annually, viz—

Forms and fees for licences.

	£	s.	d.
No. I. General licence to kill big game and small game	5	0	0
No. II. Licence to kill small game by a person licensed to bear an arm of precision	1	0	0
No. III. Licence to kill small game by a person licensed to bear a flint-lock gun or a cap gun ...	0	5	0

10. (1) Licences of the kind numbered I and II in the last preceding regulation shall be annual and shall cease to be in force on the 1st July next following the date of issue. Such licences may be issued by the Accountant-General or by any Commissioner and the fees therefor shall be paid into the general revenue of The Gambia.

Duration and issue of licences.

(2) Licences of the kind numbered III in the last preceding regulation shall remain in force for twelve months from the date of issue. Such licences shall be issued in the City of Bathurst by the Accountant-General, the fees therefor to be paid into the general revenue of The Gambia, and in any other area of The Gambia by the Area Council having jurisdiction therein under the provisions of the Local Government Act, the fees therefor to be paid into the revenue of such Area Council.

Cap. 109.

11. All licences shall be subject to the provisions of these regulations and any other regulations for the time being in force.

Condition of licences.

12. It shall be in the discretion of the officer or the Executive Officer of the Area Council to whom application is made for a licence to refuse to issue the same, subject to appeal to the Minister, whose decision shall be final.

Discretion to refuse licence.

13. If there be any question as to which licence should be granted to any person, the decision of the officer issuing the licence shall be final.

Decision as to kind of licence.

Licence
holders to
render
return.

14. Every holder of a general licence shall on or before the 31st July next following the issue of his licence render to the Accountant-General or to the Commissioner of the district in which the animals shall have been captured or killed, a return of all the animals mentioned in Table III hereof which he shall have captured or killed since the last day of the previous December.

Prevention
of damage to
crops, etc.

15. (1) Notwithstanding anything to the contrary contained in these regulations, any person who, having given satisfactory evidence of the necessity for so doing is authorised by the Commissioner so to do may hunt, capture or kill any animal or bird which is found causing damage to any crops, cattle, land or other property or whose presence in any district is considered likely to result in such damage.

Special
emergency
power to
hunt
marauding
beasts.

(2) Nothing in these regulations shall prevent any person whose crops, cattle, lands or other property are in imminent danger of serious injury by any animals or birds hereinafter mentioned, or any person requested or authorised by him from hunting, capturing or killing such animals or birds in order to prevent such injury:

Provided that the burden of proving that such serious injury was imminent shall rest upon the person hunting, capturing or killing any such animal or bird or requesting or authorising another to do so.

(3) Any person killing any animal or bird under the provisions of this regulation shall not be required to be in possession of any licence under these regulations.

Vultures.

16. It shall be lawful, with the consent of the Minister first obtained, to hunt, capture and kill vultures within the limits of the City of Bathurst.

Use of bright
lamps
prohibited.

17. No person shall hunt any wild animals or birds by using a bright lamp or other portable light for the purpose of dazzling them or otherwise rendering them more easy prey.

- 18.** Every person who shall be found having in his possession without lawful excuse (the proof of which shall lie on such person), a bright lamp or other portable light which, in the opinion of the court, is specially made or adapted for the purpose of hunting wild animals or birds as mentioned in regulation 17 shall be guilty of an offence under these regulations. Possession of bright lamp specially made or adapted for hunting prohibited.
- 19.** No person shall use any motor vehicle or vehicle or aircraft for the purpose of hunting, capturing or killing any wild animals or birds. Prohibition of use of aeroplanes and motor vehicles for hunting animals and birds.
- 20.** No person for the purpose of hunting, capturing or killing shall cause wild animals or birds to be encircled or surrounded by fires. Prohibition of use of encircling fires.
- 21.** No person shall use any poison or explosive for the purpose of catching fish. Prohibition of poison or explosives for catching fish.
- 22.** No person shall use any flare, poison or poisoned weapons for the purpose of hunting or capturing any animal. Prohibition of flares and poison for hunting animals.
- 23.** No person shall use any pit, enclosure, gin, trap, snare, set gun or missile containing explosive for the purpose of hunting or capturing any animal. Prohibition of use of traps.
- 24.** A list of the names of all holders of Nos. I and II licences issued in the preceding month shall be published monthly in the Gazette, and shall be exhibited by the Accountant-General at the Treasury. List of licence holders.
- 25.** Any person contravening the provisions of these regulations shall be liable to a penalty not exceeding twenty-five pounds for each offence or, in default of payment, to imprisonment, with or without hard labour, for a term not exceeding six months. Penalty.

Regulations
1 and 7.

TABLE I

BIRDS WHICH WITH THEIR NESTS, EGGS AND PLUMAGE ARE ABSOLUTELY
PROTECTED

English name	Latin name	Native name
Marabou Storks	<i>Leptoptilus crumeniferus</i>	Jimmu (Mandingo)
Egrets—		
Great White Egret	<i>Egretta alba</i>	Harikoio (Mandingo)
Little Egret	<i>Egretta garzetta</i>	Do.
Cattle Egret "Tickbird" ...	<i>Bubulcus lucidus</i>	Kununkoio (Mandingo)
Golden Cuckoos—		
Emerald Cuckoo	<i>Chrysococcyx</i>	} Folio-tokol (trade and skimmers' name)
	<i>smaragdineus</i>	
Klaas Golden Cuckoo	<i>Chrysococcyx klaasi</i>	
Gilded Cuckoo	<i>Chrysococcyx cupreus</i>	
Rollers (Blue Jays)	<i>Coraciidae</i>	Keer kutarong (Mandingo)
Orioles	<i>Oriolidae</i>	Katchaba (Mandingo)
African Great White Egret...	<i>Casmerodius albus mela-</i> <i>norhynchus</i>	Harikoio (Mandingo)
African Yellow-billed Egret...	<i>Mesophoyx intermedius</i> <i>brachyrhynchus</i>	Do.
White-breasted Guinea Fowl	<i>Agelastes melcagrides</i>	Do.

Regulations
2 and 7.

TABLE II

ANIMALS AND BIRDS ABSOLUTELY PROTECTED

English	Latin	Mandingo
The Giraffe	<i>Giraffa camelopardalis</i> ...	Tero
The West African Eland ...	<i>Taurotragus derbianus</i> ...	Jinki-janko
Owls	<i>Strigiformes</i>	Kikio
The Secretary Bird	<i>Serpentarius gambiensis</i>	—
Vultures	<i>Vulturidae</i>	Doo-o
West African Situtunga ...	<i>Tragelaphus limnotragus</i> <i>gratus</i>	Bato Menango
Manatee	<i>Trichechus senegalensis</i> ...	—
Yellow backed Duiker ...	<i>Cephalophus sylvicultrix</i>	—

TABLE III

Regulations
2, 8 and 14.ANIMALS (BIG GAME) OF WHICH THE YOUNG AND FEMALES WHEN
ACCOMPANIED BY THEIR YOUNG ARE ABSOLUTELY PROTECTED

English	Latin	Mandingo
The Elephant... ..	<i>Elephas africanus</i> ...	Sammo
Hippopotamus	<i>Hippopotamus amphibius</i>	Malo
Buffalo (e.g., Congo Buffalo, Senegambian Buffalo) ...	<i>Bubalus caffer</i>	Sio Wulleng Sio Fing

TABLE IV

Regulations
4 and 8.ANIMALS (SMALL GAME) PROTECTED FROM 16TH JUNE TO THE
31ST DECEMBER NEXT FOLLOWING (BOTH DAYS INCLUDED)

English	Latin	Mandingo
West African Hartebeest ...	<i>Bubalis major</i>	Tangkongo koio
Korrigum Hartebeest ...	<i>Damaliscus korrigum</i> ...	Tangkongo
Red-flanked Duiker	<i>Cephalophus rufilatus</i> ...	Huntango
Maxwell's Duiker	<i>Cephalophus maxwelli</i> ...	Mankero
Crowned Duiker	<i>Cephalophus coronatus</i> ...	Mankero wullengo
Gambian Oribi	<i>Ourebia nigricaudata</i> ...	Mankero koio
Waterbuck	<i>Kobus defassu</i>	Sinsing
Buffon's Kob	<i>Kobus kob</i>	Wanto
Nagor Reedbuck	<i>Cervicapra redunca</i> ...	Kongkotongo
Roan Antelope	<i>Hippotragus equinas</i> ...	Da-koio
Lesser Bushbuck	<i>Tragelaphus scriptus</i> ...	Menango
Red River Hog	<i>Potamochoerus porcus</i>	Seo Wulleng

TABLE V

Regulations
5 and 7.BIRDS PROTECTED FROM THE 1ST JULY TO THE 31ST DECEMBER (BOTH
DAYS INCLUDED), AND OF WHICH THE EGGS ARE PROTECTED AT ALL TIMES

English	Latin	Mandingo
Guinea Fowl	<i>Numididae</i>	Kamo
Crown-birds (Crested Cranes)	<i>Balaericra pavonina</i> ...	Komaro

Regulations
6 and 7.

TABLE VI

BIRD PROTECTED FROM THE 1ST SEPTEMBER TO THE LAST DAY OF FEBRUARY
NEXT ENSUING (BOTH DAYS INCLUDED) AND OF WHICH THE EGGS ARE
PROTECTED AT ALL TIMES

English	Latin	Mandingo
<i>Fringillidae</i> (or Bush Fowl) ...	<i>Fringillidae</i> (all Gambian species)	Wallo

Regulation
9.

FORMS OF LICENCE

FORM A

*No. I. General Licence to kill big game and small game.

*No. II. Licence to kill small game by a person licensed to bear an
arm of precision.

The licence above described is hereby granted to.....
of.....to hunt, capture and kill animals and birds in
The Gambia, subject to the provisions of the Wild Animals, Birds and
Fish Preservation Act and of any Act amending the same and of all
regulations made thereunder.

THIS LICENCE IS NOT TRANSFERABLE AND EXPIRES ON THE 30TH JUNE
NEXT FOLLOWING THE DATE THEREOF.

Dated this.....day of.....,19....

Fee paid £.....

(Signed).....

Accountant-General
(*Commissioner*).

*Strike out alternative inapplicable.

FORM B

No. III. Licence to kill small game by a person licensed to bear a flint-
lock gun or cap gun.

The licence above described is hereby granted to.....
of.....to hunt, capture and kill animals and birds in
The Gambia, subject to the provisions of the Wild Animals, Birds and

Fish Preservation Act and of any Act amending the same and of all regulations made thereunder.

THIS LICENCE IS NOT TRANSFERABLE AND REMAINS IN FORCE FOR TWELVE MONTHS FROM THE DATE THEREOF.

Dated this.....day of.....,19....

Fee paid 5s. 0d.

(Signed).....
Accountant-General
or *Executive Officer*.