

JAMAICA

No. 01 – 2025

I assent,

[L.S.]

Sgd. P. L. Allen
Governor-General.

12th day of March 2025

AN ACT to Amend the Wild Life Protection Act.

[13th day of March 2025]

BE IT ENACTED by the Parliament of Jamaica, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:—

1. This Act may be cited as the Wild Life Protection (Amendment) Act, 2025, and shall be read and construed as one with the Wild Life Protection Act (hereinafter referred to as the principal Act) and all amendments thereto.

Short title
and
construction.

Amendment
of section 2
of principal
Act.

2. Section 2 of the principal Act is amended by deleting the definition of the term “vehicle” and substituting therefor the following—

- (a) “vehicle” includes a motor vehicle as defined in section (2) of the Road Traffic Act;
- (b) “an aircraft” as defined in section (2)(1) of the Civil Aviation Authority Act;
- (c) by inserting in the appropriate alphabetical order, the following definition;

“Exclusive Economic Zone” means the Zone established under section 3 of the Exclusive Economic Zone Act.

Amendment
of principal
Act.

3. The principal Act is amended by deleting the words “shall be guilty of an offence against this Act” wherever they appear, and substituting therefor, in each case, the words “commits an offence”.

Repeal and
replacement
of section 11
of principal
Act.

4. The principal Act is amended by repealing section 11 and substituting therefor the following section—

“Protection
of waters
containing
fish from
trade
effluents.

11. Notwithstanding anything to the contrary, a person who causes or knowingly permits to flow, or puts or knowingly permits to be put, whether directly or indirectly, into any harbour, river, stream, canal, lagoon or estuary, containing fish, any—

- (a) trade effluent;
- (b) industrial waste;
- (c) sewage; or
- (d) noxious or polluting matter,

commits an offence.”.

Amendment
of section 14
of principal
Act.

5. Section 14 of the principal Act is amended—

- (a) in subsection (3), by deleting the words “one hundred thousand dollars and imprisonment for two years” and substituting therefor the words “five million dollars and in default of payment of such fine to imprisonment for a term not exceeding five years”; and

(b) by deleting subsection (4), and substituting therefor the following—

“ (4) The Minister may by Order, subject to affirmative resolution, amend any fine specified in subsection (3)”.

6. Section 15 of the principal Act is amended in subsection (3) by deleting the words “or obstruct”. Amendment of section 15.

7. The principal Act is amended by repealing section 18 and substituting therefor the following section— Repeal and replacement of section 18 of principal Act.

“Persons found offending. 18.—(1) A constable may require a person whose identity is unknown to the constable, to disclose that persons full and correct name (including any alias) and that person’s full and correct address where the constable has reasonable cause to suspect that the person is in the course of committing, has committed or is about to commit an offence under this Act or any regulation made under this Act or can assist in the investigation of any such offence.

(2) A person who contravenes subsection (1) commits an offence.”.

8. The principal Act is amended by repealing section 20 and substituting therefor the following section— Repeal and replacement of section 20 of principal Act.

“Penalties. Fourth Schedule. 20.—(1) A person who commits an offence under any provision specified in Column 1 of the Fourth Schedule and described in Column 2 of that Schedule, is liable, on summary conviction in a Parish Court, to—

(a) a fine not exceeding the amount specified in Column 3 of that Schedule; or

(b) imprisonment for a term not exceeding the term specified in Column 4 of that Schedule.

(2) A body corporate who commits an offence under this Act shall be liable on indictment and conviction in a Circuit Court to a fine.

(3) The Minister may by Order, subject to affirmative resolution, amend any fine imposed under this Act.”.

Insertion of
new Fourth
Schedule in
principal Act.

9. The principal Act is amended by inserting next after the Third Schedule the following Schedule—

FOURTH SCHEDULE (Section 20)			
<i>Offences and Penalties</i>			
Column 1	Column 2	Column 3	Column 4
Section	Description of Offence	Maximum Fine	Maximum Term of Imprisonment
4(1)(a)	Hunting any animal or bird in a Game Sanctuary.	\$3 million	3 years
4(1)(b)	Taking the nest or egg of any bird in a Game Sanctuary.	\$3 million	3 years
4(1)(c)	Being found within a Game Sanctuary under circumstances showing that the person was hunting any animal or bird or taking or intending to take the nest or egg of any bird.	\$3 million	3 years
4(1)(d)	Taking any dog into or knowingly permitting any dog to enter or be in a Game Sanctuary.	\$3 million	3 years
4(1)(e)	Carrying in a Game Sanctuary, any gun, catapult or other weapon.	\$3 million	3 years

<i>Offences and Penalties</i>			
Column 1	Column 2	Column 3	Column 4
Section	Description of Offence	Maximum Fine	Maximum Term of Imprisonment
	capable of being used to hunt animals or birds.		
6(2)	Hunting a protected animal or protected bird.	\$3 million	3 years
6A(a)	Having in possession the whole or any part of any protected animal or protected bird.	\$3 million	3 years
6A(b)	Taking or having in possession the nest or egg of any protected bird.	\$3 million	3 years
7(2)(a)(i)	Hunting any game bird during the close season.	\$3 million	3 years
7(2)(a)(ii)	Hunting any game bird during the shooting season on any day other than the first day of the shooting season or a day prescribed under section 7(1).	\$3 million	3 years
7(2)(b)	Taking or having in possession for sale, hawking, offering for sale, selling or storing in any commercial cold storage any game bird.	\$3 million	3 years

<i>Offences and Penalties</i>			
Column 1	Column 2	Column 3	Column 4
Section	Description of Offence	Maximum Fine	Maximum Term of Imprisonment
8(a)	Taking or attempting to take any turtle eggs.	\$3 million	3 years
8(b)	Selling or having in possession for the purpose of sale, any turtle eggs.	\$3 million	3 years
8A	Hunting any animal or bird in or taking any eggs from the Exclusive Economic Zone without a licence issued under this Act.	\$3 million	3 years
9(1)(a)	Taking or attempting to take fish which is immature.	\$3 million	3 years
9(1)(b)	Knowingly killing or injuring or attempting to kill or injure fish which is immature.	\$3 million	3 years
9(1)(c)	Knowingly buying, selling, exposing for sale or having in possession, fish which is immature.	\$3 million	3 years
10(a)	Using, or causing to be used, dynamite or other explosive substance with intent thereby to take, kill, or injure fish in any water.	\$3 million	3 years

<i>Offences and Penalties</i>			
Column 1	Column 2	Column 3	Column 4
Section	Description of Offence	Maximum Fine	Maximum Term of Imprisonment
10(b)	Placing or causing to be placed any poison, lime or noxious material in any water with intent thereby to take, kill or injure fish that may then be or may thereafter be put therein.	\$3 million	3 years
10(c)	Unlawfully and maliciously cutting through, breaking down or otherwise damaging or destroying any dam, floodgate or sluice with intent thereby to take, kill or injure fish.	\$3 million	3 years
10(d)	Using or causing to be used in any river, stream or canal any trap other than an authorized trap.	\$3 million	3 years
11	Causing or knowingly permitting to flow, or putting or knowingly permitting to be put, whether directly or indirectly, into any harbour, river, stream, canal, lagoon or estuary, containing fish, any— (a) trade effluent; (b) industrial waste;	\$5 million	5 years

<i>Offences and Penalties</i>			
Column 1	Column 2	Column 3	Column 4
Section	Description of Offence	Maximum Fine	Maximum Term of Imprisonment
	(c) sewage; or (d) noxious or polluting matter.		
12	Knowingly buying, selling or having in possession fish taken, killed or injured in contravention of the provisions of this Act or of any regulations made under this Act.	\$3 million	3 years
15(3)(a)	Refusing to admit any Fishery Inspector in the exercise of any of the powers conferred by section 15(1).	\$3 million	3 years
15(3)(b)	Refusing to admit any Game Warden, Fishery Inspector or Constable in the exercise of any of the powers conferred by section 15(2).	\$3 million	3 years
18(2)	Refusing to comply with a requirement under subsection (1).	\$1 million	1 year
19(a)	Assaulting, obstructing, hindering or resisting any Game Warden, Fishery Inspector or Constable in the execution of his duty under this Act.	\$3 million	3 years

Offences and Penalties

Column 1 _____	Column 2 _____	Column 3 _____	Column 4 _____
Section _____	Description of Offence _____	Maximum Fine _____	Maximum Term of Imprisonment _____
19(b)	Aiding, abetting or inciting any other person to assault, obstruct, hinder or resist any Game Warden, Fishery Inspector or Constable in the execution of his duty under this Act.	\$3 million	3 years

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Passed in the House of Representatives this 14th day of January, 2025.

JULIET HOLNESS

Speaker.

Passed in the Honourable Senate this 24th day of January, 2025.

THOMAS TAVARES-FINSON, CD, QC, JP

President.

This printed impression has been carefully compared by me with the authenticated impression of the foregoing Act, and has been found by me to be a true and correct printed copy of the said Act.

Deputy *Sgd. Christopher Cowan*
Clerk to the Houses of Parliament.