

Wild Birds Protection Act [Cap 45]

LAWS OF SOLOMON ISLANDS

[Revised Edition 1996]

CHAPTER 45

WILD BIRDS PROTECTION

6 of 1914
7 of 1930
LN 46A of 1978

AN ACT TO MAKE PROVISION FOR THE PROTECTION OF CERTAIN WILD BIRDS.

[25th April 1914]

Short title

1. This Act may be cited as the Wild Birds Protection Act.

Interpretation

2. In this Act, unless the context otherwise requires -

"wild bird" means any bird specified in the Schedules issued under this Act.

Offences in respect of specified birds

LN 46A of 1978

3. Any person shall be guilty of an offence against this Act who -

- (a) wilfully kills, wounds, or takes any wild bird specified in the Schedule of birds issued from time to time by the Minister for the purposes of this section under section 15;
- (b) takes, removes, injures or destroys any nest or egg of any such bird;
- (c) exposes for sale or knowingly has in his possession any such wild bird, or any part of such bird killed, wounded or taken in Solomon Islands after the commencement of this Act, or the nest or eggs of any such bird taken in Solomon Islands after the commencement of this Act;
- (d) exports or attempts to export the skin or plumage of any such wild bird, killed, wounded or taken, or the nest or eggs of any such wild bird taken in Solomon Islands after the commencement of this Act.

Close period for protection of birds

LN 46A of 1978

4. Any person who, between the dates both inclusive in any year specified in a Schedule issued for the purposes of this section by the Minister under section 15, which period is hereinafter called the Close Season, knowingly kills, wounds or takes any wild bird specified in the said Schedule or takes, removes, injures or destroys any nest or egg of such bird, or knowingly has in his possession or exposes or offers for sale, or purchases, or exports, or attempts to export, any such bird or any part of any such bird killed, wounded, or taken, or the nest or eggs of any such bird, taken during the close season shall be guilty of an offence.

Onus of proof on person found in possession, etc., of bird, nest or eggs of such bird

LN 46A of 1978

5. Where any person is proceeded against for exposing or offering for sale, or having in his possession, or exporting or attempting to export any wild bird or any part of such bird or the nest or eggs of any such bird, the proof that the bird was killed, wounded or taken, or the nest or eggs taken without Solomon Islands or before the commencement of this Act, or otherwise than during the close season, as the case may be, shall be on such person.

Offender must give name, etc.

6.- (1) In the case of an offence against this Act any person may require the offender to give his name, description and place of abode.

(2) If such offender does not truly give his name, description and place of abode he shall be guilty of an offence in addition to that which he shall have been found committing.

General penalty

7. Every person convicted of an offence against this Act shall be liable to a penalty of ten dollars.

Complaint how brought

8. A complaint for any offence against this Act may be brought before a Magistrate -

(a) in the province in which the offence has been committed; or

(b) in the province which the offender resides.

Informer's half

9. The complainant or informer in any proceedings under this Act shall receive one half of any penalty imposed on and paid by the offender.

Offences committed on sea how heard

10. An offence against this Act committed on the sea coast, or at sea beyond the limits of any province, may be inquired of, heard and determined in any province abutting on such sea coast or adjoining sea.

Bird or any part thereof forfeited

11. Any bird or any part of any bird or the nest or eggs of any bird in respect of which a conviction takes place shall be forfeited.

Authority for scientific purposes, etc

LN 46A of 1978

12. Notwithstanding anything in this Act, the Minister may by writing under his hand authorise any person for such time and subject to such conditions as he thinks fit, for scientific or other purposes, to kill, wound or take any wild bird, or to take or remove the nest or eggs of any wild bird.

Minister may vary seasons

LN 46A of 1978

13.- (1) The Minister may, with regard to any wild bird specified in a Schedule under section 4 and with respect to the whole or any particular part of Solomon Islands, extend or vary, by proclamation the prohibited time for killing, wounding, taking, exposing, offering for sale, and purchasing of any wild bird, or for taking, removing, injuring or destroying the nest or eggs of any wild bird.

(2) After such proclamation, the penalties imposed by this Act in respect of such wild bird shall in Solomon Islands or in any part thereof as the case may be, mentioned in such proclamation, apply only to offences committed during the time specified in such proclamation.

(3) Such proclamation shall be published in the Gazette.

Declaration of sanctuaries

LN 46A of 1978

14. The Minister may from time to time by proclamation published in the Gazette declare any island or islands or any part or parts of any island or any province in Solomon Islands to be a sanctuary for birds, and any person who knowingly kills, wounds or takes, or attempts to kill, wound or take, or procures, assists and abets or knowingly causes the killing, wounding or taking of any bird in any such sanctuary for birds, or who takes, removes or knowingly interferes with, injures or destroys, or attempts to injure or destroy, or procures, assists, abets or knowingly causes the injury or destruction of any nest or egg of any bird in any such sanctuary for birds, shall be guilty of an offence against this Act.

Schedules

LN 46A of 1978

15. The Minister may from time to time issue a Schedule of birds for the purposes of section 3 and a Schedule of birds and dates for the purposes of section 4.

WILD BIRDS PROTECTION

Subsidiary Legislation

BIRD SANCTUARIES

(Section 14.)

Proclamation

dated

10-11-1930 Island of Tulagi;
17-10-1931 Oema Island and Oema Atoll;
1-10-1937 Island of Mandolianna;

Island of Dalakalau;

5-6- 1954 Island of Dalakalonga.

The following areas -

8-8-1962

(1 of 1962)

LN 47/1962

(a) In the Malaita Province an area of 243.5 acres, be the same more or less, situated at or near Dala and known as the Dala cocoa experimental station, and registered in the Land Registry in the Register of Native Leases Volume C at folio 11, all of which area is more particularly delineated on Plan No. 2259A deposited in and available for inspection at the office of the Commissioner of Lands Province.

(b) In the Western Province the islands known as Nusaivili, Patumati, Tangatanga, Kerukeru, Panipaga, Kasalo, Sagararumbe, Lioroa, Nusanone, Batusimbo, Bimbilusi all lying off the eastern coast of Gizo Island and more particularly delineated on Plan No. 774 deposited in and available for inspection at the office of the Commissioner of Lands.

SCHEDULES OF PROTECTED BIRDS AND CLOSE SEASONS.

(Section 15.)

PROTECTED BIRDS

(Section 3.)

English Name	Scientific Name.	<i>Proclamation dated</i>
Woodford's Crow	<i>Macrocorax Woodfordi</i> (Grant)	14-2-1935
Great Glossy Starling	<i>Lamprocorax Grandis</i> (Salvad)	8-8-1962
Santa Cruz Starling	<i>Apolonis Maxwelli</i> (Forbes).	<i>(2 of 1962)</i>
White Eyes	<i>Zosteropidæ</i>	<i>LN 48/1962</i>
Flower Peckers	<i>Dicaeidaæ.</i>	<i>LN 51/1993</i>
Sun-birds	<i>Nectariniidæ.</i>	

Shrikes	<i>Laniidæ.</i>	
Fly-catchers	<i>Muscipidæ.</i>	
Ant Thrushes	<i>Pitta Anerythra</i> (Rothsch). <i>Pitta Pallida.</i>	
Vanicoro Thrush	<i>Turdus Vanicorensis</i> (Quey and Gaim).	
Vanicoro Thickhead	<i>Pachycephala Vanicorensis</i> (Oustal.)	
Edible Swiftlet	<i>Collocalia Fuciphaga</i> (Thunb).	
Cuckoos	<i>Cuculidæ.</i>	
Roller	<i>Eurystomus Slomonensis</i> (Sharpe).	
Kingfishers	<i>Alcedinidæ.</i>	
Osprey	-	
Owls	<i>Bubonidæ.</i>	
Brown-bodied white-headed Hawk	-	
Papuan Hornbill	<i>Rhyticeros plicatus.</i>	
Grant's Hawk Owl	<i>Ninox Granti</i> (Sharpe).	
Hérons and Egrets	<i>Ardeidæ.</i>	
Cranes	<i>Grus sp.</i>	
Solomon Islands Pheasant tailed pigeon	<i>Macropygia Rufocastanea</i> (Ramsay).	
Meeks Crowned Pigeon	<i>Microgoura Meeki</i> (Rosthsch).	
Ground Doves	<i>Pholgoenas.</i>	
Plover	<i>Charadrius sp.</i>	
Megapode	<i>Megapodiida.</i>	
Scrub Turkey (Pukaki)	<i>Phorphirium.</i>	
Quail	-	
Whimbrel	-	
Greater Frigate Bird	<i>Fregata Aquila</i> (Linn.).	27-10-1952
Pelican	<i>Pelecanus conspicillatus.</i>	(163/261/1952)

CLOSE SEASONS
(Section 4.)

11-11-1938

Name of Bird.

Period for which protected.

Wild Duck

1st May to 31st July.

Wild Pigeon

1st November to 31st January.
