

JOINT REGULATION

No. 5 of
1962.

To protect wild life.

Joint Regulation No. 5 of 1962 was published in Condominium Gazette No. 215 and is reprinted as amended by the following Joint Regulations—

10 of 1970 Condominium Gazette No. 294

13 of 1971 Condominium Gazette No. 304

MADE by the British and French Resident Commissioners under the provisions of Article 2, Paragraph 2 and Article 7 of the Anglo-French Protocol of 1914.

1. Joint Regulation No. 4 of 1938 is hereby repealed.

2. It shall be unlawful for any person to kill, wound, capture or take the eggs of any bird of the following species without first having obtained a permit to do so from the Chief Condominium Agricultural Officer—

Australian Dabchick	<i>Podiceps novaehollandiae leucosternes</i>
White-browed Rail	<i>Poliolimnas cinereus tannensis</i>
Australian White-eyed Duck	<i>Nyroca australis extima</i>
Barn Owl	<i>Tyto alba interposita</i>
Santa Cruz Ground Pigeon	<i>Gallicolumba sanctaerucis</i>
Green Palm Lorikeet	<i>Vini Palmarium (charmosynopsis)</i>
Chestnut-bellied Kingfisher	<i>Halcyon farquhari</i>
Thicket Warbler	<i>Cichlornis whitneyi</i>
Mountain Starling	<i>Aplonis santovestris</i>
White-bellied Honey-eater	<i>Guadalcanaria notabilis</i>
Blue-faced Parrot-Finch	<i>Erythrura trichroa cyanifrons</i>
Red-headed Parrot-Finch	<i>Erythrura cyanovirens efatensis</i>
Red-headed Parrot-Finch	<i>Erythrura cyanovirens regia</i>
Red-headed Parrot-Finch	<i>Erythrura cyanovirens serena</i>
[<i>Porzana tabuensis</i> (Sooty Rail)	
<i>Neolalage banksiana</i> (Buff-bellied Flycatcher)]	

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3. It shall be unlawful for any person to kill, wound, capture or take the eggs of any of the following species during the nine months extending from 1st September to 31st May—

Black Duck (also known as Australian Wild Duck)

Anas superciliosa pelewensis

[4. (1) It shall be unlawful for any person to kill, wound, capture or take the eggs of any of the following species during the period extending from 1st July to 31st March.

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Pacific Pigeon	} Nautou	<i>Ducula pacifica</i>
Baker's Pigeon		<i>Ducula bakeri</i>
White-throated Pigeon		<i>Columba vitiensis</i>
Red-bellied Fruit Dove		<i>Ptilinopus greyii</i>
Tanna Fruit Dove		<i>Ptilinopus Tannensis</i>
Rufous-brown Pheasant Dove		<i>Macropygia mackinlayi</i>
Green-winged Ground Pigeon		<i>Chalcophaps Indica</i>
Megapode or Incubator Bird		<i>Megapodius Freycinet</i>
[Australian Grey Duck		<i>Anas supercilios</i>
Grey Teal		<i>Anas gibberifons</i>

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(2) The Resident Commissioners may by Joint Rules prohibit the hunting of one or more of these species, on certain islands, for a period long enough to permit the re-establishment of the population of that or those species.

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(3) During the period from 31st March to 1st July in each year, the killing of more than ten birds of the same species in any one day,

- (a) by any one person using any firearm or firearms requiring the issue of a firearms permit; or
- (b) by the use of any firearm requiring the issue of a firearms permit whether used by one person or more than one person

shall be unlawful.]

5. [—————].

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[6. It shall be unlawful for any person at any time to sell, attempt to sell, buy or export any of the birds the subjects of sections 3, 4 and 5 of this Regulation.]

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7. Hunting at night shall be unlawful throughout the Group at all times and in respect of all species of birds.

8. It shall be unlawful for any person to import or purchase any trap, net or other device designed for the capture of birds without first having obtained a permit from the Chief Condominium Agricultural Officer.

9. (1) Any person who wishes to obtain a special permit to hunt or capture birds as provided for in sections 2 and 8 of this Regulation shall make written application to the Chief Condominium Agricultural Officer.

(2) Every such application shall indicate the species chosen, the number of birds in each species, where they are to be sent, the purpose for which it is desired to kill or capture them and the method of capture or slaughter that it is proposed to employ.

(3) A charge shall be made for each specimen killed or captured and the amount of such charge shall be fixed by Joint Rules.

10. The Resident Commissioners may make Joint Rules for the better carrying out of the provisions of this Regulation.

11. Any person who contravenes any of the provisions of this Regulation shall be liable to a fine not exceeding £Stg.50 or its equivalent in francs at the current rate of exchange or to a term of imprisonment not exceeding 8 days or to both such fine and imprisonment.

12. Any weapon, trap, net or other device used in contravention of the said provisions may be confiscated and disposed of as the Court shall direct.

[13. (1) The British and French District Agents, all officers of the British and French Police Forces, officers of the Condominium Agricultural Department, officers of the Customs Department, and any person expressly appointed a voluntary game warden for this purpose by the Resident Commissioners, shall be responsible for the enforcement of this Regulation.

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(2) Any person appointed a voluntary game warden for the purposes of this Regulation, may report the suspected commission of an offence to any member of the other classes of persons responsible for the enforcement of this Regulation, or in accordance with paragraph (a) of Rule 1 of the Rules of Procedure for Courts of First Instance made by the Joint Court on the 29th day of April, 1927.]

14. This Regulation may be cited as the Joint (Wild Bird Protection) Regulation No. 5 of 1962 and shall have effect from the date of signature.

Made at Vila this 5th day of June 1962.

M. DELAUNEY

J. S. RENNIE

The Resident Commissioner
for the French Republic.

Her Britannic Majesty's
Resident Commissioner.