

CHAPTER 113.
WILD BIRDS PROTECTION.

(14th December, 1912.)

3/1912

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| <p>1. This Ordinance may be cited as the Wild Birds Protection Ordinance.</p> | <p>Short title.</p> |
| <p>2. In this Ordinance—
“wild birds” means any birds specified in Schedule A and Schedule B.</p> | <p>Interpretation
Schedules A and B.</p> |
| <p>3. Any person shall be guilty of an offence against this Ordinance who—</p> <p style="padding-left: 40px;">(a) wilfully kills, wounds or takes any wild bird specified in Schedule A;</p> <p style="padding-left: 40px;">(b) takes, removes, injures or destroys any nest or egg of any such bird;</p> <p style="padding-left: 40px;">(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 the Colony, or the nest or eggs of any such bird taken in the Colony;</p> <p style="padding-left: 40px;">(d) exports or attempts to export the skin or plumage of any wild bird killed, wounded or taken, or the nest or eggs of any wild bird taken in the Colony.</p> | <p>Enumeration of offences for protection of birds in Schedule A.</p> |
| <p>4. Any person who, between the first day of February and the fifteenth day of July, both inclusive, in any year, which period is hereinafter called the “close season”, knowingly kills, wounds or takes any wild bird specified in Schedule B, 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 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.</p> | <p>Close season defined for protection of birds in Schedule B.</p> |

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

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 any 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 the Colony or otherwise than during the close season, as the case may be, shall be on such person.

Offender must give name, &c.

6. (1) In the case of an offence against this Ordinance, 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.

Penalty on conviction.

7. Every person convicted of an offence against this Ordinance shall be liable to a penalty not exceeding twenty-four dollars.

Complaint, how brought.

8. A complaint for any offence against this Ordinance may be brought before—

(1) the Magistrate of the district in which the offence has been committed; or

(2) the Magistrate of the district in which the offender resides.

Informer to receive half the penalty.

9. The complainant or informer in any proceedings under this Ordinance 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 Ordinance committed on the sea coast, or at sea beyond the limits of any district, may be inquired of, heard and determined in any district abutting on such sea coast or adjoining sea.

Forfeiture on conviction.

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, &c.

12. Notwithstanding anything in this Ordinance, the Administrator may by writing under his hand authorize 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.

13. The Administrator may with regard to any wild bird specified in Schedule B, and with respect to the whole or any particular part of the Colony, 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.

Administrator may vary seasons.
Schedule B.

(2) After such proclamation, the penalties imposed by this Ordinance in respect of such wild bird shall, in the Colony 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* and in a newspaper circulating in the Colony.

(4) A copy of the *Gazette* or newspaper containing any such proclamation shall be evidence in all courts, and for all purposes of the same having been made.

14. The Administrator in Council may add the name of any bird to, or remove the name of any bird from, either of the two Schedules.

Administrator in Council may amend Schedules.

SCHEDULE A.

S. 3 (1).

BIRDS TO BE PROTECTED.

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| 1. Humming birds. | 12. Coo-coo. |
| 2. Yellow breast. | 13. Tern. |
| 3. West Indian Canary. | 14. Crane. |
| 4. Banana bird. | 15. Kingfisher. |
| 5. Pea whistler. | 16. Sour sop bird. |
| 6. Blacksmith. | 17. Pelican. |
| 7. West India robin. | 18. Man o' War. |
| 8. Chitty birds. | 19. Booby. |
| 9. Gaudings. | 20. Water Witch. |
| 10. Barbados black bird. | 21. Egret. |
| 11. Loggerhead. | 22. Tropic Bird. |

SCHEDULE B.

SS.4 & 13(17).

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| 1. Wild pigeon. | 6. Coots (red and white seal). |
| 2. Partridge. | 7. West Indian thrush. |
| 3. Wood dove. | 8. Wild duck. |
| 4. Ground dove. | 9. Mountain dove. |
| 5. Quail. | |