

MIGRATORY

BIRDS ACT

1980

[Consolidated as at 31 March 1995
on the authority of the Administrator
and in accordance with
the *Enactments Reprinting Act 1980*]

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Schedule 2

Birds of a species in danger of extinction

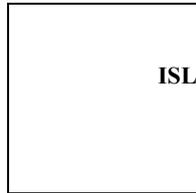
Schedule 3

Migratory Birds

Schedule 4

Application for Review of a Decision of the Executive
Member

NORFOLK



ISLAND

Migratory Birds Act

1980

An Act relating to the protection of migratory birds

Short title

1. This Act may be cited as the *Migratory Birds Act 1980*.

Commencement

2. This Act shall come into operation on a date fixed by the Administrator by notice published in the Gazette.

Interpretation

3. In this Act, unless the contrary intention appears —

“bird of a species in danger of extinction” means a bird, alive or dead, of a species or sub-species specified in Schedule 2, and includes —

- (a) eggs or parts of eggs; and
- (b) the skin, feathers or any other part, of such a bird;

“inspector” means —

- (a) a person appointed as an inspector under section 18; or
- (b) a person referred to in section 19;

“migratory bird” means a bird, alive or dead, of a species or sub-species specified in Schedule 3, and includes —

- (a) eggs or parts of eggs; and
- (b) the skin, feathers or any other part, of such a bird;

“permit” means a permit in force under this Act;

“police force” means Police Force of Norfolk Island;

“sell” includes exchange;

“take” means take, catch, capture or keep and includes, in relation to a live bird, kill or injure (whether or not for the purpose of taking);

Permit to take birds

4. (1) A person may apply in writing to the executive member for the grant to him of a permit to take —

- (a) migratory birds of a species or sub-species specified in the application; or
- (b) birds of a species in danger of extinction, being birds of a species or sub-species specified in the application.

(2) The application shall state the purpose for which birds of a species or sub-species to which the application relates are proposed to be taken under the permit, being one of the following purposes:

- (a) keeping for a scientific purpose;
- (b) keeping for an educational purpose;
- (c) keeping for a purpose related to propagation;
- (d) keeping for purposes related to the protection of persons or property from damage, interference or nuisance caused by birds;
- (e) keeping for a purpose prescribed by the regulations.

(3) Subject to section 16, the executive member may grant a permit to the applicant to take birds of a species or sub-species in the application.

(4) The executive member shall specify in the permit the purposes for which birds of the species or sub-species to which the permit relates may be taken under the permit, being the purpose specified, in accordance with subsection 4(2), in the application.

Permit to take birds to be issued subject to conditions

5. A permit under section 4 is subject to —

- (a) the condition that the holder of the permit shall not take birds of the species or sub-species to which the permit relates otherwise than for the purpose specified in the permit; and
- (b) such other conditions, being conditions of any of the following kinds, as the executive member specifies in the permit:

- (i) the number of birds that may be taken alive;
- (ii) the number of birds that may be taken dead;
- (iii) the number of eggs that may be taken;
- (iv) the parts of eggs that may be taken;
- (v) the parts of birds of particular descriptions and in particular quantities that may be taken;
- (vi) the age and sex of birds that may be taken;
- (vii) the condition of birds that may be taken;
- (viii) the periods, and times of day, during which birds may be taken;
- (ix) the periods, and times of day, during which eggs may be taken;
- (x) the numbers of birds that may be taken in particular periods at particular times of the day in relation to the sex, age and condition of the birds;
- (xi) the places at which birds may be taken in relation to the age, sex and condition of the birds;
- (xii) the places at which eggs may be taken;
- (xiii) the methods by which birds may be taken;
- (xiv) the contrivances that may be used for taking birds;
- (xv) the furnishing to the executive member of information in relation to birds taken.

Open seasons

6. (1) Subject to section 16, the executive member may, by notice published in the Gazette, declare in relation to migratory birds of a species or sub-species specified in the notice, that a period specified in the notice shall be an open season in respect of birds of that species or sub-species.

(2) Where it is desirable to do so for the protection or conservation of a species or sub-species of bird in respect of which an open season has been declared by notice under subsection 6(1), the executive member may, by instrument published in the Gazette, revoke the notice.

Permit for sale of birds

7. (1) A person may apply in writing to the executive member

for the grant to him of a permit to sell —

- (a) migratory birds of a species or sub-species specified in the application; or
- (b) birds of a species in danger of extinction, being birds of a species or sub-species specified in the application.

(2) Subject to section 16, the executive member may grant a permit to the applicant to sell birds of a species or sub-species specified in the application.

Permit to sell birds to be issued subject to conditions

8. A permit under section 7 is subject to such conditions, as the executive member specifies in the permit, being conditions relating to any of the following:

- (a) the number of birds that may be sold alive;
- (b) the number of birds that may be sold dead;
- (c) the number of eggs that may be sold;
- (d) the parts of eggs that may be sold;
- (e) the parts of birds of particular descriptions and in particular quantities that may be sold;
- (f) the age and sex of birds that may be sold;
- (g) the condition of birds that may be sold;
- (h) the periods, and times of day, during which birds may be sold;
- (i) the class of persons to which birds may be sold;
- (j) the manner in which birds may be offered for sale;
- (k) the manner in which birds may be kept for the purposes of sale;
- (l) the furnishing to the executive member of information in relation to birds sold.

Permit for purchase of birds

9. (1) A person may apply in writing to the executive member for the grant to him of a permit to purchase —

- (a) migratory birds of a species or sub-species specified in the application; or
- (b) birds of a species in danger of extinction, being birds of a species or sub-species specified in the application.

(2) The application shall state the purpose for which birds of the species or sub-species to which the application relates are proposed to be purchased, being one of the following purposes:

- (a) keeping for a scientific purpose;
- (b) keeping for an educational purpose;
- (c) keeping for a purpose related to propagation;
- (d) keeping for a purpose prescribed by the Regulations.

(3) Subject to section 16, the executive member may grant a permit to the applicant to purchase birds of a species or sub-species specified in the application.

(4) The executive member shall specify in the permit the purpose for which birds of a species or sub-species to which the permit relates may be purchased under the permit, being the purpose specified, in accordance with subsection 9(2), in the application.

Permit to purchase birds to be issued subject to conditions

10. A permit granted under section 9 is subject to —

- (a) the condition that the holder of the permit shall not purchase birds of the species or sub-species to which the permit relates otherwise than for the purpose specified in the permit in accordance with subsection 9(4); and
- (b) such other conditions as the executive member specifies in the permit, being conditions relating to any of the following:
 - (i) the number of birds that may be purchased alive;
 - (ii) the number of birds that may be purchased dead;
 - (iii) the number of eggs that may be purchased;
 - (iv) the parts of eggs that may be purchased;
 - (v) the parts of birds of particular descriptions and in particular quantities that may be purchased;
 - (vi) the age and sex of birds that may be purchased;
 - (vii) the condition of birds that may be purchased;
 - (viii) the periods, and times of day, during which birds may be purchased;
 - (ix) the class of persons from which birds may be purchased;

- (x) the manner in which an offer to purchase birds may be made;
- (xi) the manner in which birds purchased may be kept;
- (xii) the furnishing to the executive member of information in relation to birds purchased.

Birds not to be taken otherwise than in accordance with a permit

11. (1) A person shall not take a migratory bird otherwise than—

- (a) in pursuance of a permit granted under section 4; and
- (b) in accordance with the conditions to which the permit is subject.

Penalty: 10 penalty units.

(2) A person shall not take a bird of a species in danger of extinction otherwise than —

- (a) in pursuance of a permit granted under section 4; and
- (b) in accordance with the conditions to which the permit is subject.

Penalty: 10 penalty units.

(3) Subsection 11(1) does not apply in relation to the taking of a bird species or of a sub-species where the bird is taken —

- (a) by a person ordinarily resident in the Territory; and
- (b) during a period that is declared by notice under section 6 to be an open season in respect of birds of that species or sub-species.

(4) Subsections 11(1) and 11(2) do not apply in relation to the keeping of a bird where the bird is kept —

- (a) in pursuance of a permit granted under section 7 or 9; and
- (b) in accordance with the conditions to which the permit is subject.

Persons not to sell birds otherwise than in accordance with a permit

12. A person shall not sell, offer for sale or keep for the purpose of sale, a migratory bird, or bird of a species in danger of extinction, otherwise than —

- (a) in pursuance of a permit granted under section 7; and

- (b) in accordance with the conditions to which the permit is subject.

Penalty: 10 penalty units.

Persons not to purchase birds otherwise than in accordance with a permit

13. (1) A person shall not purchase or offer to purchase, a migratory bird, or a bird of a species in danger of extinction, otherwise than in pursuance of a permit granted under section 9.

Penalty: 10 penalty units.

(2) A person who has purchased a migratory bird or a bird of a species in danger of extinction shall not keep the bird otherwise than in accordance with the conditions to which a permit granted to him under section 9 is subject.

Penalty: 10 penalty units.

(3) If a person is convicted in relation to the same bird of more than one offence under this section, the Court may impose one penalty in respect of all the offences but the penalty shall not exceed the sum of the maximum penalties that could be imposed if a penalty were imposed in respect of each offence separately.

Inspector may require production of permit, etc.

14. (1) An inspector may —

- (a) require a person whom he finds committing or reasonably suspects of having committed an offence against this Act to state his full name and usual place of residence and to state whether he holds a permit; and
- (b) require a person who holds a permit to produce the permit or evidence of the existence and contents of the permit.

(2) A person shall not, without reasonable excuse, fail to comply with such a requirement made of him under subsection 14(1).

Penalty: 1 penalty unit.

(3) Where an inspector (other than a member of the police force who is in uniform) makes a requirement of a person under subsection 14(1), he shall —

- (a) in the case of a member of the police force - produce, for inspection by that person, written evidence of the fact that he is a member of the police force; or

(b) in any other case - produce, for inspection by that person, written evidence of the fact that he is an inspector, and, if he fails to do so, that person is not obliged to comply with the requirement.

Suspension and cancellation of permit

15. (1) Where —

- (a) the holder of a permit is charged with an offence under section 11, 12 or 13 in relation to the permit; and
- (b) the executive member considers that the circumstances are of such seriousness that the permit should be suspended pending the determination of the charge,

the executive member may suspend the permit.

(2) Where, upon the hearing of a charge in respect of which a permit has been suspended under subsection 15(1) —

- (a) the charge is found to be proved (whether or not a conviction is recorded) - the executive member may cancel the permit; or
- (b) the charge is otherwise disposed of - the executive member shall forthwith remove the suspension of the permit.

Restrictions on issue of permit, etc.

16. (1) The executive member shall not in any year commencing on 1 July —

- (a) grant a permit to a person to take, sell or purchase a migratory bird or a bird of a species in danger of extinction; or
- (b) declare, in relation to a species or sub-species of migratory bird, that a period shall be an open season in respect of birds of that species or sub-species,

unless he is satisfied that —

- (c) the birds that may be taken in that year under that permit or under that declaration and under all other permits or declarations under this Act will be replaced in the immediately succeeding breeding season by natural reproduction; and

- (d) the variety of species and the balance of the natural ecological systems existing in Norfolk Island will be maintained.

Duration of permit

17. Subject to section 15, a permit has effect for a period of 1 year, from and including the date on which it is granted.

Appointment of inspector

18. The executive member may, by instrument in writing, appoint a person to be an inspector.

Inspector *ex officio*

19. By force of this section, any member of the police force is an inspector.

Delegation

20. (1) The executive member may, either generally or as otherwise provided by the instrument of delegation, by writing signed by him, delegate to a person any of his powers under this Act other than this power of delegation and the power to suspend or cancel a permit.

(2) A power so delegated, when exercised by the delegate, shall, for the purpose of this Act, be deemed to have been exercised by the executive member.

(3) A delegation under this section is revocable at will and does not prevent the exercise of a power by the executive member.

Reviews

21. (1) Where the executive member makes a decision —

- (a) to refuse an application for a permit under this Act;
- (b) to suspend a permit under subsection 15(1); or
- (c) to cancel a permit under paragraph 15(2)(a),

he shall give the person affected by the decision notice in writing of the decision and shall specify in that notice the reasons for the decision.

(2) The person may, within 28 days, after receipt of that notice, or within such period as the Court, whether before or after the expiration of that period, allows, apply to the Court in accordance with the form in Schedule 4, for a review of the decision of the executive member.

(3) The executive member shall be the respondent to the proceedings.

(4) A copy of the application shall be served on the executive member within 7 days after the making of the application.

(5) The review shall be in the nature of a re-hearing.

(6) The Court, upon hearing and determining an application under subsection 21(2) shall —

- (a) confirm the decision;
- (b) revoke the decision; or
- (c) vary the decision,

and may make such other order as justice requires.

(7) A decision by the Court under subsection 21(6) is final and conclusive and has the same force and effect as a decision of the executive member.

(8) In this section, “Court” means the Court of Petty Sessions.

Forfeited birds

22. A bird of a species in danger of extinction or a migratory bird with respect to which an offence has been committed under this Act is forfeited to the Administration.

Fees

23. A fee of 2 fee units is payable in respect of the grant of a permit.

Regulations

24. (1) The Administrator may make Regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) The Regulations shall not prescribe a purpose in respect of any provision of this Act unless the Minister considers that the purpose is consistent with international agreements as in force from time to time to which Australia is a party relating to the protection of migratory birds, birds in danger of extinction or their environment.

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SCHEDULE 2

Section 3

BIRDS OF A SPECIES IN DANGER OF EXTINCTION

Column 1 Item	Column 2 Common name	Column 3 Scientific name (species or sub-species)	Column 4 Local Common Name	
1	King Island Emu	<i>Dromaius minor</i>		
2	Kangaroo Island Emu	<i>Dromaius baudinianus</i>		
3	Short-tailed Albatross (Japan)	<i>Diomedea albatrus</i>		
4	Gould's Petrel	<i>Pterodroma leucoptera</i>		
5	Abbott's Booby	<i>Sula abbotti</i>		
6	Red-faced Cormorant (Japan)	<i>Phalacrocorax urile</i>		
7	Oriental White Stork (Japan)	<i>Ciconia ciconia boyciana</i>		
8	Japanese Crested Ibis (Japan)	<i>Nipponia nippon</i>		
9	Aleutian Canada Goose (Japan)	<i>Branta leucopareia canadensis</i>		
10	White-tailed Sea Eagle (Japan)	<i>Haliaeetus albicilla</i>		
11	Steller's Sea Eagle (Japan)	<i>Haliaeetus pelagicus</i>		
12	Goshawk (Japan)	<i>Accipiter gentilis fugiyamae</i>		
13	Bonin Buzzard (Japan)	<i>Buteo buteo toyoshimai</i>		
14	Daito Island Buzzard (Japan)	<i>Buteo buteo oshiroi</i>		
15	Hodgson's Hawk Eagle (Japan)	<i>Spizaetus orientalis nipalens</i>		

Column 1 Item	Column 2 Common name	Column 3 Scientific name (species or sub-species)	Column 4 Local Common Name
16	Japanese Golden Eagle (Japan)	<i>Aquila chrysaetos japonica</i>	
17	Ryukyu Serpent Eagle (Japan)	<i>Spilornis cheela perplexus</i>	
18	Peale's Peregrine Falcon (Japan)	<i>Falco peregrinus pealei</i>	
19	Siberian Peregrine Falcon (Japan)	<i>Falco peregrinus harterti</i>	
20	Volcano Islands Peregrine Falcon (Japan)	<i>Falco peregrinus fruitii</i>	
21	Japanese Peregrine Falcon (Japan)	<i>Falco peregrinus japonesis</i>	
22	Japanese Ptarmigan (Japan)	<i>Lagopus mutus japonicus</i>	
23	Malleefowl	<i>Leipoa ocellata</i>	
24	Okinawa Rail (Japan)	<i>Rallus okinawae</i>	
25	Lewin's Water Rail (Western race)	<i>Rallus pectoralis clelandi</i>	
26	Macquarie Island Rail	<i>Rallus philippensis maquariensis</i>	
27	Japanese Crane (Japan)	<i>Grus japonensis</i>	
28	White Gallinule	<i>Notornis alba</i>	
29	Nordmann's Greenshank (Japan)	<i>Tringa guttifer</i>	
30	Amami Woodcock (Japan)	<i>Scolopax mira</i>	
31	Little Tern	<i>Sterna albifrons</i>	

Column 1 Item	Column 2 Common name	Column 3 Scientific name (species or sub-species)	Column 4 Local Common Name
32	Common Murre, Guillemot (Japan)	<i>Uria aalge inornata</i>	
33	Tufted Puffin (Japan)	<i>Lunda cirrhata</i>	
34	Stejneger's Wood Pigeon (Japan)	<i>Columba</i> <i>janthina</i> <i>stejnegeri</i>	
35	Red-headed Wood Pigeon (Japan)	<i>Columba janthina nitens</i>	
36	Lord Howe Pigeon	<i>Columba</i> <i>vitiensis</i> <i>godmanae</i>	
37	Emerald Dove (Japan)	<i>Chalcophaps</i> <i>indica</i> <i>yamashinai</i>	
38	Norfolk Island Ground- dove	<i>Gallicolumba norfolciensis</i>	
39	New Zealand Pigeon (Norfolk Island Race)	<i>Hemiphaga</i> <i>novaezeelandiae spadicea</i>	
40	Western Partridge Pidgeon	<i>Petrophassa smithii blaawi</i>	
41	Western Long-billed Corella	<i>Cacatua</i> <i>pastinator</i> <i>pastinator</i>	
42	South-eastern Red- tailed Black Cockatoo	<i>Calyptorhynchus</i> <i>baudinii</i> <i>graptogyne</i>	
43	Norfolk Island Kaka	<i>Nestor productus</i>	
44	Norfolk Island Parrot (Green Parrot)	<i>Cyanoramphus</i> <i>novaezeelandiae cookii</i>	
45	Lord Howe Parakeet	<i>Cyanoramphus</i> <i>novaezeelandiae</i> <i>subflavescens</i>	

Column 1 Item	Column 2 Common name	Column 3 Scientific name (species or sub-species)	Column 4 Local Common Name	
46	Macquarie Island Parakeet	<i>Cyanoramphus novaeseelandiae erythrotis</i>		
47	Coxen's Fig-parrot	<i>Psittaculirostris diophthalma coxeni</i>		
48	Paradise Parrot	<i>Psephotus pulcherrimus</i>		
49	Night Parrot	<i>Geopsittacus occidentalis</i>		
50	Orange-bellied Parrot	<i>Neophema chrysogaster</i>		
51	Golden-shouldered Parrot	<i>Psephotus chrysopterygius</i>		
52	Western Ground Parrot	<i>Pezoporus flaviventris wallicus</i>		
53	Lord Howe Boobook Owl	<i>Ninox albaria novaeseelandiae</i>		
54	Norfolk Island Boobook Owl	<i>Ninox undulata novaeseelandiae</i>	Morepork	
55	Blakiston's Fish-owl (Japan)	<i>Ketupa blakistoni blakistoni</i>		
56	Pryer's Woodpecker or Okinawa Woodpecker (Japan)	<i>Sapheopipo noguchii</i>		
57	Owston's White-backed Woodpecker (Japan)	<i>Dendrocopus owstoni leucotos</i>		
58	Inoue's Three-toed Woodpecker (Japan)	<i>Picoides tridactylus inouyei</i>		
59	Fairy Pitta (Japan)	<i>Pitta brachyura nympha</i>		
60	Norfolk Island Long-tailed Triller	<i>Lalage leucopyga leucopyga</i>		

Column 1 Item	Column 2 Common name	Column 3 Scientific name (species or sub-species)	Column 4 Local Common Name
61	Melville Cicadabird	<i>Coracina tenuirostris melvillensis</i>	
62	Lesser Chinese Bulbul (Japan)	<i>Pycnonotus sinensis orii</i>	
63	Borodino Wren (Japan)	<i>Troglodytes troglodytes orii</i>	
64	Ryukyu Robin (Japan)	<i>Erithacus komadori</i>	
65	Stejneger's Ryukyu Robin (Japan)	<i>Erithacus namiyei</i>	
66	Yaeyama Ryukyu Robin (Japan)	<i>Erithacus subrufus</i>	
67	Roper River Scrub-robin	<i>Drymodes colcloughi</i>	
68	Derby White-browed Robin	<i>Poecilodryas superciliosa cerviniventris</i>	
69	Kimberley Crested Shriketit	<i>Falcunculus whitei frontatus</i>	
70	Lord Howe Fantail	<i>Rhipidura cervina</i>	
71	Amami Ground Thrush (Japan)	<i>Turdus dauma amami</i>	
72	Lord Howe Island Vinous-tinted Thrush	<i>Turdus vinitinctus xanthopus</i>	
73	Norfolk Island Thrush	<i>Turdus poliocephalus poliocephalus</i>	Guava bird; Grey-headed blackbird
74	Torishima Bushwarbler (Japan)	<i>Cettia panafidinicus</i>	

Column 1 Item	Column 2 Common name	Column 3 Scientific name (species or sub-species)	Column 4 Local Common Name
75	Japanese Swampwarbler (Japan)	<i>Megalurus pryeri pryeri</i>	
76	Mount Lofty Southern Emu-wren	<i>Stipiturus malachurus intermedius</i>	
77	Lord Howe Warbler	<i>Gerygone insularis</i>	
78	South-western Rufous Bristlebird	<i>Dasyornis broadbenti littoralis</i>	
79	Black-eared Miner	<i>Manorina melanotis</i>	
80	Regent Honeyeater	<i>Xanthomyza phrygia</i>	
81	Helmeted Honeyeater	<i>Lichenostomus melanops cassidix</i>	
82	Hahajima Honeyeater (Japan)	<i>Apalopteron familiare hahasima</i>	
83	Forty-spotted Pardalote	<i>Pardalotus quadragintus</i>	
84	Robust White-eye	<i>Zosterops strenua</i>	
85	Norfolk Island Silvereye	<i>Zosterops albogularis</i>	White-breasted White-eye; Grinnell
86	Bonin Islands Greenfinch (Japan)	Japanese <i>Carduelis sinica kittlitzi</i>	
87	Gouldian Finch	<i>Erythrura gouldiae</i>	
88	Norfolk Island Starling	<i>Aplonis fusca</i>	
89	Lidth's Jay (Japan)	<i>Garrulus lidthi</i>	

SCHEDULE 3
MIGRATORY BIRDS

Section 3

Column 1 Item	Column 2 Common name	Column 3 Scientific name (species or sub-species)
1	Wandering Albatross	<i>Diomedea exulans</i>
2	Providence Petrel	<i>Pterodroma solandri</i>
3	Streaked Shearwater	<i>Calonectris leucomelas (Puffinus leucomelas)</i>
4	Wedge-tailed Shearwater	<i>Puffinus pacificus</i>
5	Flesh-footed Shearwater	<i>Puffinus carneipes</i>
6	Sooty Shearwater	<i>Puffinus griseus</i>
7	Short-tailed Shearwater	<i>Puffinus tenuirostris</i>
8	Wilson's Storm-petrel	<i>Oceanites oceanicus</i>
9	Leach's Storm-petrel	<i>Oceanodroma leucorhoa</i>
10	White-tailed Tropicbird	<i>Phaethon lepturus</i>
11	Brown Booby	<i>Sula leucogaster</i>
12	Masked Booby	<i>Sula dactylatra</i>
13	Red-footed Booby	<i>Sula sula</i>
14	Great Frigatebird	<i>Fregata minor</i>
15	Least Frigatebird	<i>Fregata ariel</i>
16	Cattle Egret	<i>Ardeola ibis (Bubulcus ibis)</i>
17	Great Egret	<i>Egretta alba</i>

Column 1	Column 2	Column 3
Item	Common name	Scientific name (species or sub-species)
18	Northern Shoveler	<i>Anas clypeata</i>
19	Garganey	<i>Anas querquedula</i>
20	Ringed Plover	<i>Charadrius hiaticula</i>
21	Mongolian Plover	<i>Charadrius mongolus</i>
22	Large Sand Plover	<i>Charadrius leschenaultii</i>
23	Oriental Plover	<i>Charadrius veredus</i>
24	Lesser Golden Plover	<i>Pluvialis dominica</i>
25	Grey Plover	<i>Pluvialis squatarola</i>
26	Ruddy Turnstone	<i>Arenaria interpres</i>
27	Western Sandpiper	<i>Calidris mauri</i>
28	Red-necked Stint	<i>Calidris ruticollis</i>
29	Long-toed Stint	<i>Calidris subminuta</i>
30	Baird's Sandpiper	<i>Calidris bairdii</i>
31	Pectoral Sandpiper	<i>Calidris melanotos</i>
32	Sharp-tailed Sandpiper	<i>Calidris acuminata</i>
33	Curlew Sandpiper	<i>Calidris ferruginea</i>
34	Red Knot	<i>Calidris canutus</i>
35	Great Knot	<i>Calidris tenuirostris</i>

Column 1	Column 2	Column 3
Item	Common name	Scientific name (species or sub-species)
36	Sanderling	<i>Calidris alba (Crocethia alba)</i>
37	Ruff	<i>Philomachus pugnax</i>
38	Buff-breasted Sandpiper	<i>Tryngites subruficollis</i>
39	Broad-billed Sandpiper	<i>Limicola falcinellus</i>
40	Asian Dowitcher	<i>Limnodromus semipalmatus</i>
41	Marsh Sandpiper	<i>Tringa stagnatilis</i>
42	Greenshank	<i>Tringa nebularia</i>
43	Wood Sandpiper	<i>Tringa glareola</i>
44	Grey-tailed Tattler	<i>Tringa brevipes</i>
45	Wandering Tattler	<i>Tringa incana</i>
46	Common Sandpiper	<i>Tringa hypoleucos</i>
47	Terek Sandpiper	<i>Tringa terek (Xenus cinereus)</i>
48	Black-tailed Godwit	<i>Limosa limosa</i>
49	Bar-tailed Godwit	<i>Limosa lapponica</i>
50	Eastern Curlew	<i>Numenius madagascariensis</i>
51	Whimbrel	<i>Numenius phaeopus</i>
52	Little Curlew	<i>Numenius minutus (Numenius borealis)</i>
53	Pin-tailed Snipe	<i>Gallinago stenura (Capella stenura)</i>

Column 1	Column 2	Column 3
Item	Common name	Scientific name (species or sub-species)
54	Swinhoe's Snipe	<i>Gallinago megala (Capella megala)</i>
55	Latham's Snipe	<i>Gallinago hardwickii (Capella hardwickii)</i>
56	Grey Phalarope	<i>Phalaropus fulicarius</i>
57	Red-necked Phalarope	<i>Phalaropus lobatus</i>
58	Oriental Pratincole	<i>Glareola maldivarum</i>
59	South Polar Skua	<i>Stercorarius maccormicki</i>
60	Pomarine Jaeger	<i>Stercorarius pomarinus</i>
61	Arctic Jaeger	<i>Stercorarius parasiticus</i>
62	Long-tailed Jaeger	<i>Stercorarius longicauda</i>
63	White-winged Tern	<i>Chlidonias leucoptera</i>
64	Black Tern	<i>Chlidonias niger</i>
65	Caspian Tern	<i>Hydroprogne caspia (Hydroprogne tschegrava)</i>
66	Common Tern	<i>Sterna hirundo</i>
67	Black-naped Tern	<i>Sterna sumatrana</i>
68	Bridled Tern	<i>Sterna anaethetus</i>
69	Little Tern	<i>Sterna albifrons</i>
70	Common Noddy	<i>Anous stolidus</i>
71	Oriental Cuckoo	<i>Cuculus saturatus</i>

Column 1	Column 2	Column 3
Item	Common name	Scientific name (species or sub-species)
72	White-throated Needletail	<i>Hirundapus caudacutus</i>
73	Rainbow Bee-eater	<i>Merops ornatus</i>
74	Fork-tailed Swift	<i>Apus pacificus</i>
75	Barn Swallow	<i>Hirundo rustica</i>
76	Yellow Wagtail	<i>Motacilla flava</i>
77	Eastern Reef Egret	<i>Egretta sacra</i>
78	Yellow Bittern	<i>Ixobrychus sinensis</i>
79	Glossy Ibis	<i>Plegadis falcinellus</i>
80	White-bellied Sea-eagle	<i>Haliaeetus leucogaster</i>
81	Sarus Crane	<i>Grus antigone</i>
82	Red-legged Crake	<i>Rallina fasciata</i>
83	Corncrake	<i>Crex crex</i>
84	Pheasant-tailed Jacana	<i>Hydrophasianus chirurgus</i>
85	Painted Snipe	<i>Rostratula benghalensis</i>
86	Little Ringed Plover	<i>Charadrius dubius</i>
87	Eurasian Curlew	<i>Numenius arquata</i>
88	Redshank	<i>Tringa totanus</i>
89	Dunlin	<i>Calidris alpina</i>

Column 1 Item	Column 2 Common name	Column 3 Scientific name (species or sub-species)
90	Lesser Crested Tern	<i>Thalasseus bengalensis (Sterna bengalensis)</i>
91	Greater Striated Swallow	<i>Hirundo striolata</i>
92	Yellow-headed Wagtail	<i>Motacilla citreola</i>
93	Grey Wagtail	<i>Motacilla cinerea</i>
94	White Wagtail	<i>Motacilla alba</i>
95	Great Reed-warbler	<i>Acrocephalus arundinaceus</i>
96	Arctic Willow Warbler	<i>Phylloscopus borealis</i>
97	Andrew's Frigatebird	<i>Fregata andrewsi</i>
98	Caspian Plover	<i>Charadrius asiaticus</i>

SCHEDULE 4

Section 21

NORFOLK ISLAND

*Migratory Birds Act 1980***APPLICATION FOR REVIEW OF A DECISION OF THE EXECUTIVE MEMBER**

In the Court of Petty Sessions

Applicant: (Here insert full name and address of the applicant)

Respondent: (Here insert full name and address of the respondent)

The applicant applies to the Court in pursuance of the *Migratory Birds Act 1980* for a review by the Court of the following decision of the executive member of which notice was given to the applicant on (here insert the date on which notice was given to the applicant):

(Here set out the terms of the decision of the executive member)

Dated this day of 20 .

(Signature of the applicant)

NOTES

The *Migratory Birds Act 1980* as shown in this consolidation comprises Act No. 23 of 1980 and amendments as indicated in the Tables below.

Enactment	Number and year	Date of commencement	Application saving or transitional provision
<i>Migratory Birds Act 1980</i>	23, 1980	15.10.80	-
<i>Statute Law Revision (Penalties and Fees) Act 1984</i>	9, 1985	13.5.85	-
<i>Migratory Birds Amendment Act 1988</i>	13, 1988	14.7.88	-
<i>Statute Law Revision (Self-Government) No. 4 Act 1991</i>	17, 1991	1.11.91	-
<i>Migratory Birds Amendment Act 1993</i>	17, 1993	29.7.93	-

Table of Amendments

ad = added or am = amended rep = repealed rs = repealed and substituted
inserted

Provisions affected	How affected	
3	am	13, 1988
3(2)	rep	13, 1988
4	am	17, 1991
5	am	17, 1991
6	am	17, 1991
7	am	17, 1991
8	am	17, 1991
9	am	17, 1991
10	am	17, 1991
11	am	9, 1985
12	am	9, 1985
13	am	9, 1985
14	am	9, 1985

ad = added or am = amended rep = repealed rs = repealed and
 inserted substituted

Provisions affected		How affected
15	am	17, 1991
16	am	13, 1988; 17, 1991
18	am	17, 1991
20	am	17, 1991
21	am	13, 1988; 17, 1991
22	am	13, 1988
23	am	9, 1985
24(1)	am	17, 1991
24(2)	rs	13, 1988
Schedule 1	rep	13, 1988
Schedule 2	rs	13, 1988; 17, 1993
Schedule 3	rs	13, 1988

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