

L E G A L.

(Ordinances & Acts)
(Revision of Laws)
SCIENTIFIC.
(Misc.)

C.S.

1943.

No. 165/43.

Legal Adviser.

SUBJECT.

19 43.

16th November.

THE WILD LIFE PROTECTION ORDINANCE

Previous Paper.

MINUTES.

1. Copy of draft Bill.

Hon. Smd. (10/11/43)
" B. Austin Lachis P.B. 18-71-43.
H. Col. the Hon. J.A. Woodgate. P.W. 19.XI.43.
Hon. J.G. Gibbs (19/11/43)

Red (1) circulated, pl.
The Bill will be considered at the next meeting of Ex. Co.

A.H. [Signature]
Cof. C.
16/11/43.

Extract from Minutes of a Meeting of the Executive Council held on the 27th of November, 1943.

"The Bill was withdrawn for further consideration".

A.H. Aldridge
Clerk of the Executive Council.

Note
H.K. does not wish to proceed with this in present circumstances.

K.B.
15/1/45

B.U.
10.12.43.

[Signature]
p.a.

Subsequent Paper.

So far as I can gather
no birds may be killed
except those in the
Schedule.

Snakes & insects?

? Killing of foxes, quennacs
to now permanently
established. - definition

Drafted by
D. R. [unclear]

Draft

1

As ^{Bill} Ordinance to amend and consolidate the Law relating to Wild Animals and Birds.

BE IT ENACTED, etc.

Short title and application.

1. This Ordinance may be cited as the Wild Life Protection Ordinance 194 and shall apply to the Dependencies as well as the Colony.

Definitions.

2. In this Ordinance -

"Colony" includes Colonial waters.
"Dependencies" includes their territorial waters.

"native" applied to an animal or bird means that it is naturally a resident in or a visitor to the Colony.

"animal" means any native mammal other than either a seal, (that is a member of the Sub-Order Pinnipedia), or a whale, (that is a member of the Order Cetacea).

"bird" means any native bird and in South Georgia includes the Upland Goose.

Protection general.

3. Any person who,

- (a) knowingly kills, wounds or captures or attempts to kill, wound or capture any animal or bird; or
- (b) uses any lime, trap, net, snare or other instrument or means for the purpose or with the intention of killing or capturing any animal or bird; or

3. (c)

^(c) ~~any person who~~, on any pole, post, cairn of stones or earth shall affix, place or set any spring, trap, gin or other similar instrument calculated to cause bodily injury to any wild bird coming in contact with it, and any person who shall permit, suffer or cause any such spring, trap, gin, or other instrument to be so affixed, placed or set shall be guilty of an offence; or

Drafted by
D. H. Hamilton
Bill

Draft

1

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with the intention of killing or capturing
any animal or bird; or
- (c) has in his control or possession or exposes
or offers for sale or export or attempts
to export any animal or bird or any part of
any animal or bird shall be guilty of an offence.

Provided that -

- (i) with the exception of the Upland Goose

Addressed to the Wild Life P. Ordinance

(Chloephaga magellanica) in South Georgia any animal or any bird named in the first Schedule may be killed at any time and

Open season.

(ii) any animal or any bird named in the Second Schedule may be killed at any time between March 1st and July 31st of any year, inclusive of both days.

Eggs.

4. (a) Any person who shall take or destroy or permit or cause to be taken or destroyed the eggs of any bird named in the Third Schedule, unless previously licensed to do so by an officer appointed for the purpose by the Governor, shall be guilty of an offence.

~~XXXXX~~

~~XXXXXXXX.~~
Egg
Licences.

(b) The fees payable for licence~~s~~ under this section and the conditions attached to the licences shall be such as may be embodied in regulations made from time to time by the Governor in Council.

Variation in Schedules.

5. (a) The Governor in Council may from time to time, by order published in the Gazette, declare that the name of any animal or bird shall be added to or removed from any Schedule.

Variation in open season.

(b) The Governor in Council may from time to time, by order published in the Gazette, vary the open season established by Section 1 of this Ordinance or by ^{SUCH} order may vary the open season with regard to any animal or bird named in the order.

Variation may be general or limited.

(c) Orders made under sub-sections (a) and (b) of this Section may apply to the Colony and Dependencies or to any area or part of the Colony or Dependencies specified in the order

Introduction of animals or birds which are not native.

? importation?

6. (a) Any person, not previously licensed in accordance with the provisions of this section, who shall wilfully or negligently permit or cause the liberation or escape of either a captive animal or a captive bird not native shall be guilty of an offence.

Spreading introduced animals or birds.

(b) Any person who shall wilfully or negligently permit or cause either an animal or a bird not native to pass or be carried from any place to any other place where the animal or bird is liberated or escapes shall be guilty of a separate offence.

Licences to introduce beneficial animals or birds.

Provided that - nothing in this section shall prohibit the issue by the Governor of a licence for the importation and liberation of any species of either animal or bird the introduction of which has been approved by the Governor in Council, (as being of obvious benefit to the Colony or a Dependency), on such terms as to fees and other conditions of any kind as may be approved on consideration of each application.

? ...

Recapture or destruction of introduced animals or birds.

7. Any person, who before or after the passage of this Ordinance has wilfully or negligently permitted or caused the liberation or escape of either a captive animal or a captive bird not native may be ordered by the Governor in writing to recapture or destroy any such animal or bird or its offspring or descendants before a date fixed by the order and failure to obey the order shall constitute an offence.

La...

Collectors' Licences.

8. Notwithstanding anything contained in this Ordinance

(a) Governor's (general)

(a) the Governor, by writing under his hand and subject to such conditions as he thinks fit, may authorize any person, for a specified purpose, to kill or capture or cause to be killed or captured any animal or bird, or to take any egg and to export any such animal, bird or egg or part of any of them, and

(b) Senior Officer's (Dependencies)

(b) the Senior Government Officer in any Dependency, by writing under his hand and subject to such conditions as he thinks fit, may authorize any person, for a specified purpose, to kill or capture or cause to be killed or captured any animal or bird, or to take any egg and to export any such animal, bird or egg or part of any of them.

Penalties.

9. Any person who commits an offence under this Ordinance shall be liable on summary conviction to a fine not exceeding five pounds for each individual animal or bird in respect to which the offence has been committed and with respect to an offence under section 8 shall be liable to a further fine not exceeding five pounds for each week or part of a week which may elapse between the date fixed by the order and the completion of the recapture or destruction of any animal or bird specified in the order.

Rewards to informers.

10. Upon the conviction of any person of an offence under this Ordinance or under any regulation, the Court before which the charge has been heard may make any order the Court may think fit awarding any amount, not exceeding one half, of the fine imposed, to the person who may have supplied information which led to the conviction of the offender.

Forfeiture.

11. Any animal or bird or egg or part of an animal or bird in respect to which an offence has been committed shall be forfeited and shall be disposed of as the Court may direct.

Regulations
power to
make.

12. The Governor in Council may by order from time to time make regulations for the carrying out of the provisions of this Ordinance and the intent and object of it and may impose penalties not exceeding five pounds for the breach of such regulations.

Repeals.

13. The Wild Animals and Birds Protection (Amendment) Ordinance No. 1 of 1913 and the Penguins Preservations Ordinance No. 9 of 1914 are hereby repealed.

Ordinances
1 of 1913
9 of 1914

PASSED BY ME.

3
Schedule I (Section ~~2~~ ³ Priviliso (i))

Animals and Birds which may be killed at any time.

Rat.

Mouse.

Rabbit.

Common House Sparrow (English Sparrow) (Passer domesticus)

Turkey Buzzard (Cathartes falklandicus)

Carancho (Polyborus ^Rplancus)

Skua (Sea Hen) (Catharacta skua antarctica)

Upland Goose (Chloephaga magellanica)

Brent Goose (Chloephaga rubidiceps)

3
Schedule II (Section ~~2~~ ³ Priviliso (ii))

Animals and Birds which may be killed in the open season.

March 1st to July 31st.

Hare

Common Teal (Nettion flavis ^Rostre)

Pampa Duck (Querquedula versicolor)

Chiloe Duck (Anas cristata)

Pintail Duck, Grey Wigeon, Grey Teal, (Dafila spinicauda)

Winter plover, Dotterel, (Zonibyx modestus)

Snipe (Capella paraguaiiae)

South Georgian Duck, (Nettion georgicum)

4
Schedule III (Section ~~2~~ ⁴)

Penguin (all species)

~~Giant Petrel, "Stinker".~~

? shag + gulls
wild cattle
wild cats