Commencement: 5 June 1962

CHAPTER 30

WILD BIRD (PROTECTION)

JR 5 of 1962
JR 10 of 1970
JR 13 of 1971

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WILD BIRD (PROTECTION)

To protect wild bird life.

1. Interpretation

In this Act –

"Minister" means the Minister responsible for agriculture.

2. Killing etc. of protected species prohibited without permit

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 Director of Agriculture –

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

3. Killing etc. of protected species prohibited except during permitted months

It shall be unlawful for any person to kill, wound, capture or take the eggs of any of the following species during the 9 months extending from 1 September to 31 May –

Black Duck (also known as Australian Wild Duck) *Anas superciliosa pelewensis*

4. Killing etc. of other protected species prohibited except during permitted months

(1) It shall be unlawful for any person to kill, wound, capture or take the eggs of any of the following species during the 9 months extending from 1 July to 31 March –

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

(2) The Minister may by Order 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.

(3) During the period from 31 March to 1 July in each year, the killing of more than 10 birds of the same species in any 1 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. Sale, purchase and export of protected species prohibited

It shall be unlawful for any person at any time to sell, attempt to sell, buy or export any of the birds the subject of sections 3 and 4.

6. Hunting at night unlawful

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

7. Import of trap, net etc. unlawful without permit

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 Director of Agriculture.

8. Application for permit to hunt or capture protected species

(1) Any person who wishes to obtain a special permit to hunt or capture birds as provided for in sections 2 and 7 shall make written application to the Director of Agriculture.

(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 is proposed to be employed.

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

9. Regulations

The Minister may make regulations for the better carrying out of the provisions of this Act.

10. Penalties

Any person who contravenes any of the provisions of this Act shall be liable to a fine not exceeding VT 10,000 or to a term of imprisonment not exceeding 8 days, or to both such fine and imprisonment.

11. Confiscation of devices used in contravention of Act

Any weapon, trap, net or other device used in contravention of the provisions of this Act may be confiscated and disposed of as the court shall direct.

12. Enforcement

(1) Officers of the Police Force, officers of the Agricultural Department, officers of the Customs Department, and any person expressly appointed a voluntary game warden for this purpose by the Minister, shall be responsible for the enforcement of this Act.

(2) Any person appointed a voluntary game warden for the purposes of this Act, may report the suspected commission of an offence to any member of the other classes of persons responsible for the enforcement of this Act.