

Bill No. 19 of 1962 (L.A.)

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No. 155

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WILD BIRDS PROTECTION (AMENDMENT) BILL, 1962.

Arrangement of Sections

Section

1. Short title.
2. Amendment of section 3 of Chapter 260.
3. Insertion of section 3A in Chapter 260.
4. Repeal and re-enactment of section 4 of Chapter 260.
5. Amendment of section 6 of Chapter 260.
6. Amendment of section 7 of Chapter 260.

A BILL

Intituled

AN ORDINANCE to amend the Wild Birds Protection Ordinance.

Enacted by the Legislature of British Guiana:—

A.D. 1962.

1. This Ordinance may be cited as the Wild Birds Protection (Amendment) Ordinance, 1962, and shall be construed and read with the Wild Birds Protection Ordinance, hereinafter referred to as the Principal Ordinance, and any Ordinance amending the same.

Short title.
Cap. 260.

2. Section 3 of the Principal Ordinance is hereby amended—

Amendment
of section 3
of Chapter
260.

- (a) by the deletion of the word "captures," in paragraph (a) thereof; and
- (b) by the deletion of the words "or knowingly has in his possession," in paragraph (b) thereof.

3. The Principal Ordinance is hereby amended by the insertion therein after section 3 of the following section—

Insertion of
section 3A in
Chapter 260."Protection
of captive
birds.

3A. (1) If any person keeps or confines any bird whatsoever in any cage or other receptacle which is not sufficient in height, length and breadth to permit the bird to stretch its wings freely, he shall be guilty of an offence, and on conviction thereof shall be liable to a penalty not exceeding twenty-four dollars:

Provided that this subsection shall not apply to poultry, or to the keeping or confining of any bird—

- (a) while that bird is in course of conveyance, whether by land, air or water; or
- (b) while that bird is being shown for the purposes of any public exhibition or competition if the time during which the bird is kept or confined for those purposes does not in the aggregate exceed seventy-two hours; or
- (c) while that bird is undergoing treatment by a registered veterinary surgeon.

(2) Every person who promotes, arranges, conducts, assists in, receives money for, or takes part in, any event whatsoever at or in the course of which captive birds are liberated by hand or by any other means whatsoever for the purpose of being shot immediately after their liberation, or who, being the owner or occupier of any land, permits that land to be used for the purposes of such an event, shall be guilty of an offence, and on conviction thereof shall be liable to a penalty not exceeding twenty-four dollars."

Repeal and re-enactment of section 4 of Chapter 260.

4. Section 4 of the Principal Ordinance is hereby repealed and the following substituted therefor—

“Onus of proof on charge of wild bird. First schedule

4. Where anyone is prosecuted for exporting or attempting to export any wild bird or any part of it, specified in the first schedule, the proof that the wild bird to which the part belonged was captured, wounded, or killed without the limits or the Colony or before the commencement of this Ordinance shall be on that person.”

Amendment of section 6 of Chapter 260.

5. Subsection (1) of section 6 of the Principal Ordinance is hereby amended by the deletion of the words “capturing,” and “captured,” appearing in the second and fifth lines respectively thereof.

Amendment of section 7 of Chapter 260.

6. Section 7 of the Principal Ordinance is hereby amended by the deletion of the words “to capture or” appearing therein.

OBJECTS AND REASONS

Under the provisions of the Wild Birds Protection Ordinance, Chapter 260, it is illegal to capture or keep in captivity any wild bird specified in the Ordinance.

This Bill seeks to provide that any such bird may be captured and kept in captivity, but that no unnecessary suffering should be caused it.

B. H. BENN,
Minister of Natural Resources.

(M.P. AGR 2/3/7 11).
(Bill 19/1962 (L.A.))