

No. 12—1941.

Wild Animals and Birds (Protection).AN ORDINANCE to amend the Wild Animals and Birds
(Protection) Ordinance, Ch. 25. No. 7.

Commencement.

[13th June, 1941.]

Short title.
Construction.

Ch. 25. No. 7.

Section 2 of the
Principal
Ordinance
amended.

1. This Ordinance may be cited as the Wild Animals and Birds (Protection) (Amendment) Ordinance, 1941, and shall be construed as one with the Wild Animals and Birds (Protection) Ordinance, hereinafter referred to as the Principal Ordinance.

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

(a) by inserting the following as the first definition therein—

“animal” means mammal ;

(b) by deleting the definition of “Crown lands” and substituting therefor the following—

“Crown lands” means the waste or vacant land of the Crown in the Colony exclusive of land which is included in a Game Reserve or a Forest Reserve ;

(c) by deleting the definition of “hunt” and substituting therefor the following—

“hunt” includes killing, wounding, pursuing, capturing, or molesting, by any method, any animal or bird, and also attempting to do any of such things, and for the purposes of this definition the taking of the nest or egg of any bird shall be deemed to be a molesting of such bird.

3. Sections 4, 5 and 6 of the Principal Ordinance are hereby repealed and replaced by the following sections:—

Restrictions
on hunting in
Game
Reserves.

4. (1) Save as hereafter provided, any person who hunts any animal or bird in a Game Reserve, or is a member of a party engaged in hunting animals or birds in a Game Reserve, shall be guilty of an offence against this Ordinance: Provided that the Governor may, by Order published in the *Royal Gazette*, except any specified class or description of animal or bird either absolutely or conditionally and either indefinitely or for a stated period from the protection of this section, and any licence holder may hunt, or be a member of a party engaged in hunting, any animal or bird so excepted so long as all conditions attached to the exception and all regulations under this Ordinance are duly observed and obeyed.

Sections 4, 5
and 6 of the
Principal
Ordinance
repealed and
replaced.

(2) Any person found in a Game Reserve in possession of any animal or bird or any part of any animal or bird or any bird's nest or egg shall be deemed until the contrary is proved to have hunted, or been a member of a party engaged in hunting, such animal or bird in such Game Reserve.

(3) The provisions of this section shall not apply to any animal or bird kept in a domesticated state.

5. (1) No person shall hunt, or be a member of a party engaged in hunting, any protected animal or bird in any place other than a Game Reserve.

Other restric-
tions on the
hunting of
animals and
birds.

(2) No person shall hunt, or be a member of a party engaged in hunting, any animal or bird specified in the Second Schedule hereto in any Forest Reserve or Crown lands unless he is a licence holder or otherwise than in accordance with any regulations under this Ordinance.

(3) Any person who contravenes the provisions of this section shall be guilty of an offence against this Ordinance.

(4) Any person found in any Forest Reserve or Crown lands in possession of any animal or bird or any part of an animal or bird or any bird's nest or egg shall be deemed until the contrary is proved to have hunted, or been a member of a party engaged in hunting, such animal or bird in such Forest Reserve or Crown lands.

Penalty.

6. Any person who shall be convicted of any such offence as is described in sections 4 or 5 of this Ordinance shall be liable to a fine of twenty-four dollars and on a second conviction for any such offence to a fine of one hundred and twenty dollars.

Possession of protected animal or bird, nest or egg

6A. Any person found in possession of any protected animal or bird or any part of a protected animal or bird or any nest or egg of a protected animal or bird shall be guilty of an offence against this Ordinance unless he proves that such protected animal or bird was not hunted in contravention of this Ordinance and shall be liable in respect of each such animal or bird or part thereof or nest or egg to a fine of twenty-four dollars.

Restrictions as to guns, dogs, &c.

6B. (1) No person other than a licence holder shall—

- (a) in any Game Reserve, Forest Reserve or Crown lands, carry or have in his possession any gun, spear or other hunting instrument or appliance, or have with him or under his control any dog, or
- (b) take any dog into, or allow any dog under his control to stray into, any Game Reserve, Forest Reserve or Crown lands,

unless in any such case he has the written permission of a Game Warden thereunto: Provided that a public road passing through a Game Reserve, Forest Reserve or Crown lands shall not, for the purposes of this section, be deemed to be part of such Game Reserve, Forest Reserve or Crown lands.

(2) Any person who shall contravene the provisions of this section shall be guilty of an offence against this Ordinance.

4. Section 7 of the Principal Ordinance is hereby amended by adding at the end of subsection (3) thereof the words "and in default thereof shall be guilty of an offence against this Ordinance". Section 7 of the Principal Ordinance amended.

5. Section 8 of the Principal Ordinance is hereby amended by renumbering it as section 8 (1) and by adding the following thereto as subsections (2) and (3): — Section 8 of the Principal Ordinance amended.

Power to seize guns, dogs and other equipment.

(2) Whenever as aforesaid there is any suspected contravention of the provisions of this Ordinance, it shall be lawful for any Game Warden or constable to seize all guns, dogs, boats, vehicles and other equipment which he may have good cause to suspect to have been used in that connection.

Guns, dogs, &c., liable to forfeiture.

(3) When any person is convicted of an offence against the provisions of this Ordinance, all guns, dogs, boats, vehicles and other equipment used in the commission of such offence shall be liable to be forfeited to His Majesty by order of the convicting Magistrate or to be otherwise dealt with as to the Magistrate may seem just. Such forfeiture may be in addition to any other penalty or compensation prescribed for such offence.

6. The Principal Ordinance is hereby further amended by inserting immediately after section 10 thereof a new section numbered 10A as follows: — New section 10A of the Principal Ordinance.

Punishment for assaulting or resisting Game Wardens.

10A. Every person who assaults obstructs or resists any Game Warden in the execution of his duty or aids or incites any other person so to assault obstruct or resist any Game Warden in the execution of his duty shall be liable to a fine of two hundred and forty dollars or to imprisonment for three months.

Section 19 of the Principal Ordinance repealed and replaced.

7. Section 19 of the Principal Ordinance is hereby repealed and replaced by the following section:—

Establishment of Wild Birds Fund.

19. Subject to the provisions of section 17 of this Ordinance, all penalties, compensation and other moneys recovered under this Ordinance and all fees received in respect of licences issued under this Ordinance shall be paid to the Accountant General who shall establish therewith a Fund to be called the Wild Birds Fund and all moneys standing to the credit of such Fund shall be applied in such manner as may be prescribed.

Section 21 of the Principal Ordinance amended.

8. Section 21 of the Principal Ordinance is hereby amended—

(a) by deleting paragraph (b) and by substituting therefor the following—

(b) prescribe conditions as to the numbers or sex of any animals or birds which may be hunted by licence holders in Forest Reserves or Crown lands generally or in any particular Forest Reserve or Crown lands.

(b) by deleting in paragraph (h) the words "the moneys" and by substituting therefor the word "moneys";

(c) by relettering the present paragraph (j) as (k) and by inserting a new paragraph (j) as follows:—

(j) prohibit the sale of the meat of any animal or bird.

Proclamations revoked.

9. Proclamations No. 87 of 1935 and No. 32 of 1940 are hereby revoked.

Schedules of the Principal Ordinance repealed and replaced.

10. The Schedules of the Principal Ordinance are hereby repealed and replaced by the following Schedules:—

(Section 3.)

FIRST SCHEDULE.

GAME RESERVES.

I. Northern Range Game Reserve.

Portion B.—The Boundaries are those of Portion B of the Northern Range Reserve, as proclaimed in *Royal Gazette*, Proclamation No. 8 of 1922, dated February 2nd, 1922.

2. Valencia Game Reserve.

Boundaries—

- N.—Valencia Road.
- E.—Oropouche River, exclusive of alienated land to the west thereof.
- S.—Quare River, exclusive of alienated land to the north thereof.
- W.—Oropouche Vega Road, exclusive of alienated lands to the east thereof.

3. Central Range Game Reserve.

Boundaries—

- N.—Boundary of Central Range Reserve from pillar 4A to Cumuto Road.
- E.—Cumuto Road and Brasso Tamana Road.
- S.—Brasso Tamana Road.
- W.—Boundary of Central Range Reserve from pillar 4A to Brasso Tamana Road.

4. Trinity Hills Game Reserve.

Boundaries—

- N.—Northern boundary of the Moruga Reserve eastwards to the private road of the Trinidad Leaseholds Limited.
- E.—Trinidad Leaseholds Limited private road from where it enters Moruga Reserve until it reaches the eastern boundary of the Trinity Hills Reserve, thence the Reserve boundary to the sea.
- S.—The sea.
- W.—The eastern boundary of Cats Hill Reserve, from the northern boundary of the Moruga Reserve, a line joining the South-eastern corner of the Reserve to the north-western corner of the Trinity Hills Reserve, thence the western boundary of the Trinity Hills Reserve and its prolongation to the sea.

5. Southern Watershed Game Reserve.

Boundaries—

- N.—The northern boundary of the Southern Watershed Reserve.
- E.—The Morne Diablo Road and its continuation to the sea.
- S.—The sea.
- W.—The Quinam Road and its continuation to the sea.

6. Little Tobago Game Reserve.

The whole island.

7. Saut d'Eau Game Reserve.

The whole island of Saut d'Eau, also called Maravaca, situate near the North Coast of Trinidad.

8. Soldado Rock Game Reserve in the Serpent's Mouth off Icacos Point.

9. Caroni Swamp Game Reserve, bounded on the North by the Laventille Estate, East and South by private lands, West by the sea,

10. Kronstadt Island Game Reserve.

The whole island.

(Section 5).

SECOND SCHEDULE.

Complete lists of Animals and Birds that may be hunted except in the "close season" prescribed by Regulations:—

Animals:

Agouti, Armadillo (Tattoo). Bats, Deer, Lappe, Manicou, Mongoose, Quenk (Peccary or Wild Hog), Rats and Mice, Squirrels.

Birds:

All birds belonging to the Family *Charadriidae*, or Plovers (including Petit Collier, Gros Collier, Pluviers).

All birds belonging to the Family *Scolopacidae* or Snipes and Sandpipers (Snipes, Curlews Sandpipers, White-wings, Yellow-legs, Godwits, Sanderlings).

Stilts (*Becasse-la-mort*, *Himantopus*).

Common Town Corbeau (*Coragyps*).

Cocrico (*Ortalis ruficauda*).

Ramier ginga (*Columba speciosa*).

Ramier mangle (*Columba rufina*).

Green woodpecker or Charpentier a tete bleu (*Chloronerpes rubiginosus*).

Blackcrowned Night Heron or Crabier Batali (*Nycticorax nycticorax*).

Yellowcrowned Night Heron or Crabier a Croissant (*Nyctanassa violacea*).

Boatbilled Heron or Crabier Bec Plat (*Cochlearius*).

Scarlet Ibis or Flamant (*Guara rubra*).

Wild ducks of every kind.

Ostinops decumanus (yellow tail).

All birds belonging to the Family *Rallidae* (Coots, Rails, Waterfowl and their allies).

R.G. 25.10.41.

In the Wards of La Brea, Cedros, Erin, Guayaguayare, Moruga, Siparia and Trinity only:

Amazona Amazonica Amazonica, Linn: or Common Amazon Parrot.

(Section 21).

Citation.

1. These Regulations may be cited as the Wild Animals and Birds (Protection) Regulations.

Form of licence.

2. Licences under the Wild Animals and Birds (Protection) Ordinance, (hereinafter referred to as "the Ordinance") shall be in the form in Schedule A to these Regulations and shall be issued by Game Wardens authorised by the Governor for the purpose.

Fees.

3. Subject to the provisions of section 7 of the Ordinance, there shall be paid for each licence issued under the aforesaid section 7, the sum of one dollar and twenty cents.

Close season.

4. Except as hereinafter provided no animals or birds mentioned or specified in Schedule B to these Regulations shall be hunted.

Exceptions:

- (1) The animals mentioned or specified in the 1st Part of Schedule B to these Regulations may only be hunted on or between the 1st day of October and the 31st day of December in any year.
- (2) The birds mentioned or specified in the 2nd Part of Schedule B to these Regulations may only be hunted on or between the 1st day of July and the 31st day of December in any year.
- (3) The birds mentioned or specified in the 3rd Part of Schedule B to these Regulations may only be hunted on or between the 1st day of November and the 31st day of March in any year.

SCHEDULE A.

(Reg. 2.)

FORM OF LICENCE.

COLONY OF TRINIDAD AND TOBAGO.

The Wild Animals and Birds (Protection) Ordinance.

Licence is hereby granted to.....of.....
to hunt animals and birds in Game Reserves, Forest
 Reserves, and Crown lands (vacant or waste lands only) subject to the
 provisions of the Wild Animals and Birds (Protection) Ordinance, and
 regulations made thereunder.

This Licence is not transferable and expires on the 31st day of December
 following the date of issue.

Dated this.....day of....., 19.....

.....
 Game Warden.

Fee payable \$1.20.

- Note :—(a) No animals or birds may be hunted in a Game Reserve unless
 excepted from the protection of the Ordinance by order of
 the Governor under section 4 and then only in accordance
 with conditions laid down in the Governor's order.
- (b) The animals and birds specified in the 2nd Schedule to the
 Ordinance may be hunted anywhere (subject to Note (a)
 above) provided that animals or birds specified in Schedule B
 to the Wild Animals and Birds (Protection) Regulations,
 may only be hunted during the periods allowed by the Schedule.
- (c) All members of a hunting party must have a licence.

SCHEDULE B.

(Reg. 4.)

CLOSE SEASONS.

1st Part.

Animals that may not be hunted on or between the 1st January and
 the 30th September :—

Lappe, Quenk (Peccary or Wild Hog), Armadillo (Tattoo).

2nd Part.

Birds that may not be hunted on or between the 1st January and
 30th June :—

Ramier of all kinds.

Cocrico.

3rd Part.

Birds that may not be hunted on or between the 1st April and the
 31st October :—

All birds belonging to the family *Scolopacidae* or Snipes and Sandpipers,
 (Snipes, Curlews, Sandpipers, White-wings, Yellow-legs, Godwits,
 Sanderlings).

Blackcrowned Night Heron.

Yellowcrowned Night Heron.

Boatbilled Heron.

Scarlet Ibis.

Wild duck of every kind.

Water fowl.