

CHAPTER 139.

MONGOOSE.

*Ordinance
No. 8 of 1918.*

AN ORDINANCE RELATING TO THE IMPORTATION AND DESTRUCTION OF MONGOOSE.

[27th April, 1918.]

Short title.

1. This Ordinance may be cited as the Mongoose Ordinance.

Mongoose not to be imported.

2. (1) No person shall import or cause to be imported into the Colony any live animal of the description known as Mongoose.

(2) Any person contravening the provisions of this section shall be liable, on summary conviction before a Magistrate, to a penalty not exceeding twenty pounds.

Power of Customs officer.

3. Any officer of Customs finding a live Mongoose among any goods or baggage entering the Colony shall forthwith seize the same and destroy or cause the same to be destroyed.

Mongoose not to be kept.

4. (1) No person shall keep or have in his possession any live Mongoose.

(2) Any person contravening the provisions of this section shall be liable, on summary conviction before a Magistrate, to a penalty not exceeding twenty pounds.

(3) The convicting Magistrate shall order any Mongoose in respect of which an offence under this section has been committed to be destroyed.

Search warrant.

5. (1) Any Magistrate or Justice who is satisfied by proof on oath that there is reasonable cause for believing that there is in any house, building, premises, or other place any Mongoose, may issue a warrant under his hand authorizing some member of the Constabulary Force named therein to enter and search such house, building, premises, or other place for such Mongoose.

(2) Every such warrant may be issued and executed on a Sunday.

6. (1) It shall be lawful for—

(a) the Director or Assistant Director of Agriculture; or

(b) the Chief Inspector or an Inspector appointed under the Plant Protection Ordinance; or

(c) any person authorized in writing by the Director of Agriculture,

Entry on land by certain persons in order to destroy Mongoose.

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to enter with such assistants as may be necessary upon any land and search for, capture, and destroy Mongoose.

(2) The occupier, or if there is no occupier the owner, of any such land shall pay to the Director of Agriculture the sum of one shilling for every Mongoose destroyed under the provisions of this section.

(3) If a Mongoose is destroyed by or under the direction of any person named in sub-section (1) (a) and (b) of this section, any amount received in respect of such destruction shall be paid into the Treasury, otherwise such amount shall be paid by the Director of Agriculture, when received, to the person by whom or under whose direction any Mongoose is destroyed.

7. (1) The Director of Agriculture may issue an order in writing in the Form in the Schedule to this Ordinance to the occupier, or if there be no occupier to the owner, of any land, directing him to take, within a definite time from the service upon him of such order to be specified therein, all such measures as may be necessary for the destruction of Mongoose on his land.

Order on owner or occupier of land to destroy Mongoose.

(2) If there is no occupier on any land, service of any order under this Ordinance may be made by affixing the same in some conspicuous part of the land.

8. If any owner or occupier shall fail to comply with the directions contained in any order, any Inspector authorized either generally or in a special case by the Director of Agriculture may, with or without assistants, enter upon such lands and take such steps as may be necessary for properly and effectively carrying such order into execution.

Non-compliance with order.

Expenses and charges.

9. All payments directed to be made to the Director of Agriculture under section 6 of this Ordinance and all expenses incurred by or under the direction of the Director of Agriculture in carrying into effect any order made under section 7 of this Ordinance shall be a first charge on the land affected by the order, and payment thereof may be enforced forthwith in the manner provided by the Lands and Buildings Taxes Ordinance.

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Protection of persons acting under this Ordinance

10. (1) No person authorized under the provisions of this Ordinance shall be deemed a trespasser by reason of any entry or destruction or action taken or thing done under this Ordinance, or be liable for any damages occasioned by carrying out any of the provisions of this Ordinance, unless the same were occasioned maliciously and without reasonable and probable cause.

(2) Proceedings taken under this Ordinance shall not be rendered void by reason of any informality in any order or notice made or given.

SCHEDULE.

THE MONGOOSE ORDINANCE.

ORDER.

(Section 7.)

To _____, occupier (or owner) of _____ situate at _____ in the Ward of _____

In pursuance of the powers vested in me by the Mongoose Ordinance, I hereby direct you, within _____ days of the service upon you of this Order, to take all such measures as may be necessary for the destruction of Mongoose on the following land, namely, (here describe the land)

Dated this _____ day of _____ 19 _____

A. B., Director of Agriculture.