

New Zealand.

ANNO VICESIMO OCTAVO

V I C T O R I Æ R E G I N Æ.

No. 11.

ANALYSIS.

Title.	4. Trespassers in pursuit of game liable to penalty.
Preamble.	5. Other animals may be protected by Order in Council.
1. Short Title.	6. Operation of Act.
2. Wild ducks protected.	
3. Penalty on persons selling during prohibited times.	

AN ACT to extend certain provisions of the "Protection of Certain Animals Act 1861." [13th December 1864.]

WHEREAS it is expedient further to provide for the Protection of certain Wild Birds of the Colony—

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows:—

I. The Short Title of this Act shall be "The Wild Birds' Protection Act 1864" and it shall be deemed to be a part of the "Protection of Certain Animals' Act 1861."

II. No Wild Duck Paradise Duck or Pigeon indigenous in the Colony shall be hunted taken or killed except during the months of April May June and July in any year.

III. If any person shall sell or expose for sale or purchase any of the aforesaid animals during any part of the time in which by the said Acts or any of them it is rendered unlawful to kill them any such person shall be liable to a penalty not exceeding Twenty nor less than Two Pounds on conviction thereof before a Justice of the Peace.

IV. If any person whatever shall at any time commit any trespass by entering or being upon any land in the search or pursuit of any of the animals which are the subject of the said Acts or any of them such person shall on conviction thereof before a Justice of the Peace forfeit and pay such sum of money not exceeding Two Pounds as to such Justice shall seem meet Provided always that any person charged with any such trespass shall be at liberty to prove by way of defence any matter which would have been a defence to an action at law for such trespass.

V. It shall be lawful for the Governor from time to time by Order in Council to make any other birds or animals subject to protection and to declare the months of the year during which it shall be unlawful to kill pursue sell or expose to sale or purchase the same and upon the publication of any such Order in Council it shall have the same effect as if its provisions had formed part of this Act.

VI. The second section of this Act shall have no force or effect except in such portions of the Colony as shall from time to time be proclaimed by the Governor to come within the operation of such section.

