

Hon. Dr. Findlay.

ANIMALS PROTECTION.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p style="text-align: center;"><i>As to Protection of Game.</i></p> <p>3. Time for killing native and imported game.</p> <p>4. Penalties to apply to season as varied.</p> <p>5. Governor may notify in which part of district game not to be killed.</p> <p>6. No game to be trapped.</p> <p>7. Use of metal-patched or metal-cased bullets unlawful.</p> <p>8. Imported game not to be taken or killed without license.</p> <p>9. Licensing officers. Form of license.</p> <p>10. License fee.</p> <p>11. No person to sell imported game without license.</p> <p>12. Forms of licenses may be altered.</p> <p>13. Issue of licenses to sell imported game. Fee. Penalty.</p> <p>14. Not necessary to prove actual importation of game.</p> <p>15. Penalty for killing hen-pheasant or selling dead hen-pheasant.</p> <p>16. Certain lands over which licenses not to extend.</p> <p>17. Penalty for destroying eggs.</p> <p>18. As to killing imported birds, not being game.</p> <p style="text-align: center;"><i>As to Native Game.</i></p> <p>19. Native game not to be sold without license. Form of license.</p> <p>20. Governor may prohibit destruction of any indigenous bird.</p> <p style="text-align: center;"><i>Provisions affecting "Imported Game" and "Native Game."</i></p> <p>21. Register of sales of imported game or native game to be kept. Period of sale limited.</p> <p>22. Penalty for failure to keep register.</p> <p>23. Persons may kill imported game on their own land without license.</p> <p>24. Governor may prohibit sale of imported game or native game in certain cases.</p> <p>25. Governor may declare certain animals and birds protected.</p> <p>26. Close season for imported game and native game.</p> <p>27. Fixing time for killing godwits.</p> <p>28. Governor may declare any animal or bird under the Act or to cease to be under Act.</p> | <p>29. Animals or birds in confinement may be killed or sold.</p> <p>30. When imported game or native game may be sold.</p> <p>31. Imported game or native game not to be exported.</p> <p>32. Authority to take animals or birds for distribution.</p> <p>33. Colonial Secretary to give such authority.</p> <p>34. Authority may be given to destroy injurious animals or birds.</p> <p>35. No game or native game to be had in possession.</p> <p>36. Persons not to use swivel guns.</p> <p>37. Trespasser in pursuit of game liable to penalty.</p> <p>38. Trespassing with dog or gun.</p> <p style="text-align: center;"><i>Miscellaneous Provisions.</i></p> <p>39. No animal, bird, insect, or reptile to be introduced without consent of Minister.</p> <p>40. Landing of snakes, &amp;c., to be prevented.</p> <p>41. Penalty.</p> <p>42. Certain animals or birds not to be introduced.</p> <p>43. Who may demand production of license.</p> <p>44. Rangers may be appointed. Existing appointments temporarily continued.</p> <p>45. Rangers to have powers of constables. Other powers.</p> <p>46. Penalty for assaulting or obstructing Ranger.</p> <p>47. Fees, and fines to be paid into Public Account. Application thereof.</p> <p>48. How penalties recoverable.</p> <p>49. Penalties in cases not provided for.</p> <p>50. Regulations.</p> <p>51. Weasels, &amp;c., may be killed in certain cases.</p> <p style="text-align: center;"><i>As to Acclimatisation Societies.</i></p> <p>52. Registration of acclimatisation societies by deposit of rules. Then to become a body corporate.</p> <p>53. Annual statement of accounts to be forwarded to Colonial Treasurer.</p> <p>54. Provision in case of failure to forward annual statement.</p> <p>55. Property vested in society.</p> <p>56. Society to notify when animals or birds turned out to increase.</p> <p>57. Such animals or birds vested in society.</p> <p>58. Repeal. Schedules.</p> |
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## A BILL INTITULED

Title.

AN ACT to consolidate and amend the Law for the Protection of Animals and for the Encouragement of Acclimatisation Societies.

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

Short Title.

1. This Act may be cited as the Animals Protection Act, 1907.

Interpretation.

1880, No. 18, sec. 2

2. In this Act, if not inconsistent with the context,—

“Close season” means the season or period during which it is not lawful to take or kill imported game or native game, as the case may be :

“District” means such part of New Zealand as the Governor from time to time appoints to be a district under this Act :

And until any such appointment each provincial district shall be deemed to be a district :

“Imported game” means all imported animals and birds mentioned in the *First* Schedule hereto, and any other imported animals and birds declared to come within the provisions of this Act relating to imported game :

“Imported,” as applied to any bird or animal, means imported into any district and turned at large ; and includes the offspring of such bird or animal, and every bird or animal of like species at large in such district :

“Native game” includes all animals and birds mentioned in the *Second* Schedule hereto, and any other animals and birds declared to come within the provisions of this Act relating to native game :

“Notification” means a notice by or under the direction of the Governor, published in the *Gazette* or in any newspaper circulating in the district to which such notification relates :

“Regulations” means regulations made under this Act :

“Sanctuary” means any portion or part of a district notified or set apart by the Governor under this Act or under any Act repealed thereby as a place within which imported game or native game, or both, may not be taken or killed.

“Take or kill,” and all references thereto, include the hunting, taking, shooting, pursuing, or destruction of any bird or animal by any lawful means, whether the animal or bird is actually taken or killed or not.

*As to Protection of Game.*

Time for killing native and imported game.  
1903, No. 46, sec. 1, altered.

3. (1.) The season for taking or killing native and imported game (except deer and godwits) throughout New Zealand shall begin on the first day of May and close on the thirty-first day of July in each year ; but if the first day of May falls on a Sunday in any year, then such season shall not begin till the day following :

1900, No. 45, sec. 2, altered.

Provided that, on the written application of any duly registered acclimatisation society, the Governor may by notification further re-

strict such season in any particular district or portion thereof, but within the respective dates or periods aforesaid, or close such season absolutely within such district or portion thereof. Such notification may apply to all imported or native game or to any particular species,

5 sex, or kind of such game specified therein :

Provided also that, whenever the season is so restricted, the dates fixed for the opening and closing of the season shall be notified in the *Gazette* not less than four months prior to the first day of May of that year, or when the season is to be wholly closed in any year,  
10 then notice to that effect shall be given not later than the tenth day of April in such year.

(2.) The season for shooting deer in each district shall be such as is from time to time prescribed by the Governor by notification.

15 (3.) No person shall take or kill any imported game (other than deer) or native game between the hours of seven in the evening and six in the morning of the following day.

4. The provisions of this Act imposing fines for taking, buying, selling, exposing for sale, or having in possession any imported game,  
20 native game, or protected native birds, except during the times fixed under this Act, shall apply in respect of the said times as the same may be varied or limited hereunder.

Penalties to apply to season as varied. 1881, No. 34, sec. 3

5. The Governor may by notification declare—

Governor may notify in which part of district game not to be killed. 1880, No. 18, sec. 4

25 (a.) That any particular species or sex of imported game or native game may be taken or killed within each district during the game season, and in such case no person shall take or kill any imported game or native game otherwise than in terms of such notification :

30 (b.) In which part or parts of a district imported game or native game shall not be taken or killed, and the particular species or sex of imported game which shall not be so taken or killed :

(c) That any description of imported bird is established in any district, and is to be considered as imported game.

35 6. No imported game or native game shall be trapped or taken by means of traps, or by any other means than by hunting or shooting, nor shall any trap, net, or snare be erected or set for the purpose of such trapping or taking at any time whatever, except by persons duly authorised under section thirty-two hereof.

No game to be trapped. Ibid, sec. 5

40 7. (1.) It shall be unlawful to use for the purpose of taking or killing any deer, moose, elk, or other animal declared to be imported game, any metal-patched or metal-cased bullet :

Use of metal-patched or metal-cased bullets unlawful.

Provided that this provision shall not apply to the use of the bullet known as the expansive or mushroom bullet.

45 (2.) Every person who commits a breach of this section is liable to a fine not exceeding *ten* pounds.

8. (1.) No person shall take or kill, or use any dog or gun for the purpose of taking or killing, any imported game until such person has taken out a license to kill such game under this Act,  
50 and paid the fee hereby made payable therefor.

Imported game not to be taken or killed without license. Ibid, sec. 6

(2.) Every person who commits a breach of this section is liable to a fine not exceeding *twenty* pounds.

55 9. (1.) The Governor shall appoint, by notification or otherwise, a fit person or fit persons in each district to issue licenses to take or kill imported game (other than deer).

Licensing officers. Ibid, sec. 8

Form of license.

(2.) Every such license shall be in the form of the *Third* Schedule hereto, or in such other form as may from time to time be prescribed by regulations, and shall be issued and signed by the person appointed to issue such license, and be dated on the day when the same was actually issued, and be in force during the period specified in the license. 5

License fee.  
1903, No. 46, sec. 5

10. Such license shall be issued upon payment of the fee of *one* pound.

No person to sell imported game without license.  
1880, No. 18, sec. 10

11. (1.) No person shall sell imported game, or dispose thereof for gain or reward, until he has taken out a license for that purpose and paid the fee therefor. 10

(2.) Every such license shall be issued at the discretion of the Colonial Secretary, and shall be in the form of the *Fourth* Schedule hereto, and shall be in force for a period ending on the seventh day after the close of any game season fixed under the powers herein contained. 15

Forms of licenses may be altered.

12. The forms of licenses set forth in the *Third* and *Fourth* Schedules hereto shall be used until the same are altered or revoked by regulations made under this Act.

Issue of licenses to sell imported game.  
Ibid, sec. 11

13. (1.) Licenses to sell imported game shall be signed and issued by the same persons as under this Act are authorised to sign and issue licenses to take or kill game. 20

Fee.

(2.) The fee payable on the issue of a license to sell imported game shall be *two* pounds.

Penalty.  
Ibid, sec. 11

(3.) Every person who sells any imported game without having duly taken out and having in force such license as aforesaid is liable for every such act to a fine not exceeding *twenty* pounds. 25

(4.) No license to sell imported game shall be issued under this Act to any person appearing to be under the age of sixteen years. 30

Not necessary to prove actual importation of game.  
1886, No. 11, sec. 2  
Penalty for killing hen-pheasant or selling dead hen-pheasant.  
1880, No. 18, sec. 13

14. It shall not be necessary in any proceedings under this Act to prove the fact of importation of any imported game into any particular district.

15. (1.) Every person who kills a hen-pheasant, or sells, offers for sale, or exposes for sale, or has in his possession, or in any manner disposes of, any dead hen-pheasant, or any bird protected under this Act, is liable to a fine for every such act not exceeding *ten* pounds. 35

(2.) If such person holds a license to take or kill imported game, or to sell imported game, such license shall on conviction become *ipso facto* void. 40

Certain lands over which licenses not to extend.  
Ibid, sec. 14

16. (1.) Where the chairman of any duly registered acclimatisation society certifies in writing that any lands are actually and exclusively used by such society for acclimatisation purposes, or where any lands are set apart as reserves for native or imported game, then the Governor may by notification direct that such lands shall be excepted from the operation of any licenses issued within the district where such lands are situated respectively. 45

Provided that all national parks shall be exempted from the operation of all or any licenses issued within the district where such lands are situated respectively. 50

(2.) Every person who takes or kills any native or imported game upon any lands so excepted shall be deemed to be an unlicensed person within the provisions of this Act.

17. Every person who unlawfully takes and destroys, or will-  
5 fully destroys, the eggs of any birds mentioned in the *First, Second,*  
or *Fifth* Schedule hereto is liable to a fine not exceeding *ten* pounds.

Penalty for  
destroying eggs.  
1880, No. 18, sec. 13

18. (1.) The Governor may by notification declare that im-  
ported birds, not being game of any kind under this Act, may be  
10 taken or killed in such part or parts of a district as is described in  
such notification.

As to killing  
imported birds, not  
being game.  
Ibid, sec. 16

(2.) No such imported birds shall be taken or killed in any  
district except as hereinbefore mentioned.

(3.) Every person who commits a breach of this section is liable  
to a fine not exceeding *ten* pounds.

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*As to Native Game.*

19. (1.) No person shall sell any native game, or take or kill any  
native game for the purpose of sale, without previously taking out a  
license to sell such game, under a fine not exceeding *ten* pounds.

Native game not to  
be sold without  
license.  
1889, No. 23, sec. 5

(2.) Such license may be issued by the like persons, on like  
20 conditions and on payment of the like fee as in the case of a license  
to sell imported game :

Provided that no person holding a license to sell imported game  
then in force shall be liable, on taking out a license to sell native  
game, to pay any further fee during the currency of such first-  
25 mentioned license.

(3.) Every such license shall be in such form as the Governor  
may prescribe by notification.

Form of license.  
Ibid, sec. 6, altered.

20. The Governor may from time to time by notification pro-  
hibit absolutely, or for such time as he thinks fit, the taking or  
30 killing of any bird indigenous to New Zealand, whether the same is  
native game or not ; and every person who fails to observe all or any  
of the provisions of such notification is liable to a fine not exceeding  
*twenty* pounds and not less than *five* pounds.

Governor may  
prohibit destruction  
of any indigenous  
bird.  
1886, No. 11, sec. 3

*Provisions affecting "Imported Game" and "Native Game."*

35 21. (1.) Every holder of a license to sell imported game or  
native game shall keep a book wherein shall be entered the correct  
name and postal address, and occupation, and number of license (if  
any) of every person from whom such license-holder purchases any  
imported game or native game, specifying the number and description  
40 of imported game or native game purchased from each such person,  
and the locality in which such game or native game was killed or  
taken ; and such book shall be open for inspection at all reasonable  
hours by any constable or Ranger.

Register of sales of  
imported game or  
native game to be  
kept.  
1889, No. 23, sec. 7,  
altered.

(2.) No such dealer shall purchase any imported game or native  
45 game from any person who does not hold a license to sell game.

(3.) No sale of imported game or native game shall take place  
prior to the first day of June or subsequently to the first day of  
August in any year.

Period of sale  
limited.  
Ibid, sec. 6, altered.

50 22. If the person keeping such book as aforesaid fails to  
enter the particulars required by the *last preceding* section, or to  
otherwise observe the provisions thereof, he shall be liable to a fine  
not exceeding *five* pounds.

Penalty for failure  
to keep register.  
Ibid, sec. 7, altered.

23. Any person in *bona fide* occupation of land, or any son or  
daughter of such person, or any one person appointed in writing by  
55 such first-mentioned person, may take or kill imported game upon

Persons may kill  
imported game  
on their own  
land without license.  
1903, No. 46, sec. 4

any lands so occupied by such first-mentioned person within the periods allowed under this Act without being liable to any penalty for so doing.

Governor may prohibit sale of imported game or native game in certain cases.  
1895, No. 13, sec. 5

24. Where it appears to the Governor that any imported game or native game is not sufficiently numerous to warrant the sale thereof in any district or part of a district, he may from time to time, on the recommendation of the Colonial Secretary, by notification prohibit the sale of any such game or native game within such district or part thereof for such period as may be specified in such notification. 5

Governor may declare certain animals and birds protected.

25. (1.) The Governor may from time to time by notification declare that any animal or bird mentioned in the *Fifth* Schedule hereto, or any other animal or bird in addition to those so mentioned, shall be protected absolutely or for a specified time, or that the provisions of this Act or any of them shall apply to such animals or birds, and may limit such notification to any particular district or part of a district specified in such notification. 10 15

(2.) Every person who fails to observe all or any of the provisions of such notification is liable to a fine not exceeding *twenty* pounds and not less than *five* pounds. 20

Close season for imported game and native game.  
Ibid, sec. 7  
1900, No. 45, sec. 4, altered.

26. The year one thousand nine hundred and *ten* and every third year thereafter shall be a close season for imported game (other than deer) and native game :

Provided that the Governor may, on the recommendation of the Colonial Secretary, by notification exclude the Urewera country and other Native districts in New Zealand from the operation of this section so far as the same relates to native game : 25

Provided also that, on petition by any acclimatisation society, the district under the control of such society may also be exempted from the operation of this section wholly or in part, and either as relates to native game or imported game, or both, as the case may be. 30

Fixing time for killing godwits.  
1889, No. 23, sec 9

27. Until otherwise provided by regulations made under this Act, it shall be lawful to kill or take the godwit—known by the native name “kuaka” or “hakakao”—during the months of February, March, and April; but no person shall kill or take any such bird at any other time. 35

Governor may declare any animal or bird under the Act or to cease to be under Act.  
1880, No. 18, secs. 19, 20

28. (1.) The Governor may by notification declare that any animal or bird, in addition to those mentioned in the *First* or *Second* Schedule hereto, shall come within the provisions thereof relating to imported game or native game, as the case may be. 40

(2.) The Governor may by notification declare that any of the animals or birds mentioned in the *First* or *Second* Schedule hereto, or which have been declared to come within the provisions of the Animals Protection Act, 1880, or which may be declared to come within the operation of this Act, or any other animals or birds, shall cease to be within its operation in any district or part of any district. 45

(3.) He may in like manner declare that any of the animals or birds declared by this Act to be imported game or native game, or which have been or are hereafter declared to be imported game as 50

aforesaid, shall cease to be deemed imported game or native game within the provisions of this Act.

29. Nothing in this Act shall prevent the owner of any animal or bird which has been lawfully taken or obtained from keeping the same in confinement or in a domesticated state, or from offering for sale or selling, or from taking or killing, any such animal or bird so kept; and it shall be lawful for any person to buy or offer to buy any such animal or bird.

Animals or birds in confinement may be killed or sold.  
1880, No. 18, sec. 21

30. (1.) No person shall sell or offer for sale, or buy or offer to buy, any imported game or native game except during the periods within which it shall be lawful to sell such game or native game, as the case may be; nor shall any imported game or native game, whether such game or native game is frozen, chilled, or otherwise, be held in possession for a greater period than seven days after the close of the season for taking or killing game as fixed under this Act.

When imported game or native game may be sold.  
Ibid, sec. 22  
1900, No. 45, sec. 3

(2.) Every person who offends against the provisions of this section is liable to a fine not exceeding *five* pounds.

(3.) The provisions of this section shall apply to game of any species (alive or dead) imported into any district and similar to that existing in such district:

Provided that the Colonial Secretary may, subject to the provisions of any regulations made under this Act, exempt from the operation of this section any importation of frozen or chilled game for private use and not for sale.

31. No imported game or native game shall be exported from New Zealand, unless with the written consent of the Colonial Secretary, and every person who exports or attempts to export any such game or native game without such consent is liable to a fine not exceeding *twenty* pounds.

Imported game or native game not to be exported.  
Ibid, sec. 3

32. (1.) The Colonial Secretary may in writing authorise any acclimatisation society, or the officers or servants of any such society, or other persons, to catch or take any acclimatised animals or birds, or the eggs of any such birds, for the purpose of distributing, changing, or turning out the same in some other country or in some other part of New Zealand.

Authority to take animals or birds for distribution.  
1880, No. 18, sec. 23

(2.) Nothing herein shall be deemed to authorise any person to commit a trespass.

33. (1.) No person shall be deemed to be so authorised to catch or to take, or shall catch or take, any animals or birds, or the eggs of such birds, unless he has obtained authority from the Colonial Secretary as before provided.

Colonial Secretary to give such authority.  
Ibid, sec. 24

(2.) No such authority shall in any case have any force or effect for a longer period than three months from the date thereof.

34. The Colonial Secretary may in writing authorise any person, or the servants of any such person, at any time to kill or destroy any animals or birds, whether imported game or native game, found on his property and committing any damage or injury:

Authority may be given to destroy injurious animals or birds.  
1881, No. 34, sec. 7 altered.

Provided that the Colonial Secretary is satisfied that such injury is likely to arise through the presence of such animals or birds.

No imported game or native game to be had in possession.  
1880, No. 18, sec. 25

35. (1.) Except as provided in this Act, no person shall have in his possession any imported game or native game, or the eggs of any birds mentioned in the Schedules hereto, without lawful excuse, the proof whereof shall be on the party charged.

(2.) Any such imported game or native game found in the possession of any person shall be presumed to have been taken or killed by such person contrary to the provisions of this Act, until proof to the contrary is given. 5

Persons not to use swivel guns.  
1889, No. 23, sec. 4, altered.

36. (1.) No person shall kill or destroy any imported game or native game, or shoot at or attempt to shoot at any imported game or native game, with any swivel gun or punt gun, or use any gun other than a shoulder gun. 10

(2.) No gun shall be used for the purposes aforesaid the bore of which is larger than the size known as number ten at the muzzle, nor shall any gun be used which exceeds ten pounds in weight. 15

(3.) Every person who offends against this provision is liable to a fine not exceeding *twenty* pounds and not less than *five* pounds, besides any other penalty he may have incurred.

Trespasser in pursuit of game liable to penalty.  
1880, No. 18, sec. 26

37. If any person at any time commits any trespass by entering or being on private land in the search or pursuit of imported game or native game, he is liable to a fine not exceeding *five* pounds: 20

Provided 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. 25

Trespassing with dog or gun.  
Ibid, sec. 27, altered

38. Any person found trespassing on private land with gun, or dog and gun, shall *prima facie* be deemed to be in pursuit of imported game or native game, as the case may be, and subject to the provisions of this Act.

#### Miscellaneous Provisions. 30

No animal, bird, insect, or reptile to be introduced without consent of Minister.  
1895, No. 13, sec. 2

39. No society, authority, or person shall introduce or import into New Zealand, or turn at large, for the purposes of sport or acclimatisation, or as game, any animal or bird whatever without the consent in writing of the Colonial Secretary; nor shall any noxious animal, bird, insect, or reptile be introduced or imported into New Zealand without such consent as aforesaid. 35

Landing of snakes, &c., to be prevented.  
Ibid, sec. 3

40. It shall be the duty of the master, owner, charterer, and agent of any vessel arriving at any port or place in New Zealand to effectually prevent any snake, scorpion, or other noxious reptile from being landed in New Zealand from such vessel, whether in the cargo or otherwise. 40

Penalty.  
Ibid, sec. 4

41. Every person who offends against or fails to comply with any of the provisions of the *two* last preceding sections is liable to a fine not exceeding *fifty* pounds and not less than *five* pounds.

Certain animals or birds not to be introduced.  
1880, No. 18, sec. 28

42. (1.) No person shall introduce into New Zealand, or liberate or allow to go at large, or have in his possession, any fox, venomous reptile, or any hawk, vulture, or any beast or bird of prey. 45

(2.) Every person who offends against the provisions of this section is liable to a fine not exceeding *two* hundred pounds, and in default of payment to be imprisoned for a period of not more than *six* months. 50



43. (1.) Every person in pursuit of imported game shall produce his license to any authorised person demanding such production; and any person in pursuit of such game who, on or after such demand, fails so to produce such license, or to give his name or place of residence or address, or who gives a false name or place of residence or address, is liable to a fine not exceeding *twenty* pounds.

Who may demand production of license.  
1880, No. 18, sec. 29

(2.) For the purposes of this section "authorised person" includes all Justices and constables, and all Rangers appointed under this Act, the chairman and members of the council or committee of any registered acclimatisation society, the proprietor or occupier of the land on which any person may be found in pursuit of imported game, and all holders of licenses to kill any such game issued under this Act.

(3.) In any district under the control of the Department of Tourist and Health Resorts "authorised person" includes any officer of the said Department acting under the written authority of the General Manager of such Department.

44. (1.) The Governor may appoint one or more fit and proper persons to be Rangers in each district, whose duty it shall be to take care that the provisions of this Act are complied with in the district for which he or they may be appointed.

Rangers may be appointed.  
Ibid, sec. 31

(2.) Any Ranger appointed under any Act hereby repealed, and holding office on the coming into operation of this Act, shall continue in office for a period of *two* months after such coming into operation, but no longer, and during such period shall have and may exercise all the powers of a Ranger appointed under this Act.

Existing appointments temporarily continued.

45. (1.) Any Ranger appointed by the Governor under this Act shall have and may exercise within the district for which he is appointed all the powers of a constable, and, in the exercise of his duties as such Ranger, may seize all imported game or native game illegally taken or had in possession, or which he reasonably believes to be so taken or had in possession, and may also seize all nets, guns, engines, instruments, and devices which are being used or are intended to be used contrary to the provisions of this Act.

Rangers to have powers of constables.  
1884, No. 45, sec. 2

(2.) Any such Ranger may stop *in transitu* any parcel, package, case, bag, or luggage in possession of the owner, or of any carrier or forwarding agent, whether by land or sea respectively, if he has reason to believe or suspect that any breach of this Act has been committed by such owner.

Other powers.

(3.) Such Ranger may, in the presence of such owner or of any forwarding agent, or servant of such carrier or owner, open and search any such parcel, package, case, bag, or luggage; and also may do all such other acts and things as may be necessary in order to see that the provisions of this Act are complied with.

(4.) The production by such Ranger of his appointment under the hand of the Governor shall be a sufficient warrant for his so acting in any of the cases aforesaid.

46. Every person who assaults, resists, or obstructs any Ranger or any person acting by his order or in his aid in the execution of any of the powers conferred on such Ranger by this Act is liable to a fine not exceeding *ten* pounds.

Penalty for assaulting or obstructing Ranger  
Ibid, sec. 3

Fees and fines to be  
paid into Public  
Account.  
1880, No. 18, sec. 32  
Application thereof.

47. All fees paid for licenses, and all fines recovered under this Act, shall be paid into the Public Account, and be applied,—
- (a.) In the first instance, in or towards defraying the salaries and expenses of the Rangers to be appointed as aforesaid, and any other expenses of carrying into effect the provisions of this Act : 5
  - (b.) The balance shall be handed to the treasurer of some registered acclimatisation society in the district in which such fees or fines have been paid or recovered, for the purposes of such society : 10
  - (c.) If there is more than one such society in a district, then such balance shall be divided between all the societies or paid to such one or more of them as the Governor in his discretion directs :
  - (d.) And if there is no such society, such balance shall form part of the Consolidated Fund : 15

Provided, however, that in any district under the control of the Department of Tourist and Health Resorts, all such fees and fines derived from the said district shall be paid and credited to the said Department in the same manner as if it were a registered acclimatisation society. 20

How fines  
recoverable.  
Ibid, sec. 33

48. All fines imposed by this Act shall be recoverable in a summary way, and any part not exceeding one-half of any fine recovered under this Act may be paid to any person instrumental in procuring any such conviction, in such proportion as the convicting Magistrate or Justices specify. 25

Penalties in cases  
not provided for.  
1881, No. 34, sec. 4  
1895, No. 13, sec. 8

49. If any person fails to observe all or any of the provisions of this Act, or does or commits anything contrary to the true intent and meaning thereof, he is liable for every such offence, if no other penalty is provided, to a fine not exceeding *twenty* pounds; and in such cases the minimum fine for breach of any of the provisions of this Act shall be the sum of *one* pound. 30

Regulations.

50. (1.) The Governor may from time to time by notification make regulations for the purposes of this Act not inconsistent therewith— 35

1903, No. 46, sec. 7

- (a.) Prescribing the form of licenses to be issued under this Act, the persons by whom the same shall be issued, and (except where otherwise expressly provided) the fees to be taken therefor in any district, and the mode of issuing such licenses or for refusing the issue of a license : 40
- (b.) Prescribing the duties of Rangers, the mode of appointment to and removal from office, and the control of such officers :
- (c.) Prescribing the mode of registering acclimatisation societies, regulating the formation of any new society within an existing district, the re-registration of any existing society, and the dissolution of societies registered under this Act or any repealed Act : 45
- (d.) Prescribing the mode of keeping books or registers by carrying companies, whether by land or sea, by refrigerating companies or proprietors of freezing-chambers, and forwarding agents, showing the receipt and delivery of all packages or parcels containing imported game or native 50

game; and for the inspection by any Ranger of any such books, registers, or freezing-chambers; and regulating the importation to New Zealand of game in a frozen or chilled state or otherwise, and preventing the sale or keeping in possession thereof otherwise than during the period or periods stated in such regulations:

5 (e.) Prescribing the conditions under which, and the season or times at which, the coursing of hares shall take place, and the license fee to be charged for such coursing in any district: 1903, No. 46, sec. 3

10 (f.) Prohibiting or regulating the coursing, pursuing, or killing of hares in any confined space or enclosure:

(g.) Prescribing the deer-shooting season in each district, and the conditions affecting the same; setting apart areas of land as sanctuaries or reserves for deer, and regulating or prohibiting the carrying of firearms in any such sanctuary or reserve, or the carrying of a rifle in any deer forest or area in which deer may be killed, other than by licensed deer-stalkers during the deer-shooting season; prescribing the form of licenses and the fees payable therefor; and regulating or prohibiting the sale of deer or venison, or stags-heads:

15 (h.) Prescribing the season during which godwits may be killed or taken: Ibid, sec. 7 (e)

25 (i.) Prohibiting the killing or taking of any imported game or native game within any domain or forest reserve or other public reserve:

(j.) Regulating or restricting the number of imported game or native game that may be taken or killed by any person during any season or part of a season, and preventing the use of cylinders or decoys, or of any excessive or unsportsmanlike taking or killing of such game or native game, either generally or in respect of any specified variety of imported game or native game respectively:

30 (k.) Prohibiting or regulating the shooting or killing of pigeons released from any trap, box, or similar contrivance, or in any similar method:

(l.) Prescribing the mode of registering or recording appointments made under section *twenty-three* hereof:

40 m.) Fixing the fines (not exceeding *twenty* pounds in any case) payable in respect of the breach of any such regulations:

(n.) Providing for the forfeiture and disposal of any imported game or native game, or of any birds or animals subject to the provisions of this Act or declared to be protected thereby, which have been unlawfully taken, or of anything lawfully seized under this Act.

(2.) Any such regulations may be so framed as to apply to all districts, or to any particular district or part thereof respectively.

50 51. Notwithstanding anything in sections twenty-eight and twenty-nine of the Rabbit Nuisance Act, 1882, the Governor may from time to time, on the petition of any local authority or acclimatisation society, by Order in Council gazetted, declare that Weasels, &c., may be killed in certain cases. Ibid, sec. 6

weasels, stoats, or any other animal declared under the first-mentioned section to be a natural enemy of the rabbit may be killed within any district defined by such Order; and thereupon, and so long as such Order is in force, the provisions of those sections shall not apply within the district so specified.

5

*As to Acclimatisation Societies.*

Registration of acclimatisation societies by deposit of rules. 1880, No. 18, sec. 34 altered.

52. (1.) Any acclimatisation society may, subject to any regulations made under this Act, register its rules by depositing in the office of the Colonial Secretary a copy of such rules, signed by the chairman of the society and countersigned by three of the members thereof, and stating the district over which the society desires to have control: 10

Provided that no new society shall be registered in respect of any area within a district already assigned to an existing acclimatisation society, except on petition to the Governor and notice given to such existing society in manner provided by regulations made under this Act. 15

(2.) As soon as conveniently may be after such deposit, a notification thereof shall be gazetted, and the date of such *Gazette* shall be deemed to be the date of registration. 20

(3.) No amendment of such rules shall have any force or effect until the same has been registered in like manner.

(4.) The rules so to be registered shall not be repugnant to this Act, or to any of the laws relating to the importation or protection of animals or birds for the time being in force, and shall be subject to the approval of the Governor in Council. 25

Then to become a body corporate.

(5.) Every acclimatisation society registered under this Act shall thereupon become a body corporate by the name or title named in such rules, and shall have perpetual succession and a common seal, and in its corporate name may hold and dispose of real and personal property, and may sue and be sued, and may recover any moneys due to the corporation whether by a member thereof or not. 30

(6.) Any existing acclimatisation society already registered may register its rules under this Act, and thereupon shall be subject to the provisions thereof. 35

Annual statement of accounts to be forwarded to Colonial Treasurer. 1889, No. 23, sec. 10

53. Every acclimatisation society shall, before the twenty-first day of April in each year, forward to the Colonial Treasurer a full statement of accounts, showing in detail the several receipts and items of expenditure of the society as up to the thirty-first day of March preceding, and such statement shall be accompanied by a balance-sheet duly audited, and shall be published once in some newspaper circulating within the district. 40

Provision in case of failure to forward annual statement. bid, sec. 11

54. If any acclimatisation society makes default for the space of three months in forwarding such statement and balance-sheet in manner aforesaid, or fails to publish the same as in this Act directed, such society shall not be entitled to receive, nor shall the Colonial Treasurer pay to such society during such default, any moneys received in respect of fees or fines under this Act; 45

and the Colonial Treasurer shall be at liberty to pay to any other acclimatisation society or societies in the provincial district all moneys which otherwise would be payable to the society so making default.

- 5     **55.** For the purposes of this Act the property in all animals and birds in the possession or under the control of any registered acclimatisation society shall be deemed to be absolutely vested in such society: Provided that in any district administered by the Department of Tourist and Health Resorts the property in all animals and birds in the possession of or under the control of the said Department in such district shall be deemed to be vested in such Department.
- 10     **56.** Where any registered acclimatisation society turns at large any animals or birds, not indigenous, for the purpose of increase, it shall be the duty of the society forthwith to notify the same in writing to the Colonial Secretary.
- 15     **57.** The Governor may by notification declare that the property in every such animal or bird so turned at large and its offspring, and every bird and animal of a like species at large in such district, shall, for the purposes of this Act, be deemed to be vested in the said society absolutely or for any period to be stated in such notification.
- 20     **58.** The Acts mentioned in the *Sixth* Schedule hereto are hereby repealed:
- 25     But all districts constituted under the repealed Acts, and all Proclamations, notifications, licenses, or authorities issued thereunder, and in force on the coming into operation of this Act, shall respectively be deemed to have been made and issued under this Act.

Property vested in society.  
1880, No. 18, sec. 36 altered.

Society to notify when animals or birds turned out to increase.  
Ibid, sec. 37, altered.

Such animals or birds vested in society.  
Ibid, sec. 38, altered.

Repeal.

## SCHEDULES.

### FIRST SCHEDULE.

#### IMPORTED GAME.

Antelope.	Imported wild duck	Ptarmigan.
Black-game.	of any species.	Quail.
Black swan.	Moose.	Snipe.
Deer.	Partridges.	Swans.
Grouse.	Pheasants.	Wild geese.
Hares.	Plover.	

Schedules.

Ibid, Third Schedule.

### SECOND SCHEDULE.

Black stilt plover.	Godwit.	Teal.
Black swan.	Native pigeon.	Wild duck.
Curlew.	Pied stilt plover.	Wild geese.
Dotterell.	Pukeko.	

Ibid, Fourth Schedule.

### THIRD SCHEDULE.

#### LICENSE TO TAKE OR KILL IMPORTED GAME (OTHER THAN DEER).

[Name in full], of [Residence and calling], having this day paid the sum of £ , is hereby authorised to take or kill [Here state the kinds of imported game authorised to be taken or killed] within the District of , from the day of , 19 , to the day of , 19 , both days inclusive, subject to the provisions of the Animals Protection Act, 1907.

Ibid, Second Schedule, altered.

The lands specified in the Schedule hereto are exempted from the operation of this license.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

## SCHEDULE.

## FOURTH SCHEDULE.

## LICENSE TO SELL IMPORTED GAME.

[Name in full], of [Residence and calling], having this day paid the sum of two pounds (£2), is hereby licensed to sell imported game of any of the kinds hereinafter mentioned, within the District of \_\_\_\_\_, during the months of \_\_\_\_\_, and within seven days thereafter, subject to the provisions of the Animals Protection Act, 1907.

The kinds of imported game to which this license applies are

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

## FIFTH SCHEDULE.

## BIRDS, ANIMALS, AND REPTILES TO BE PROTECTED.

## Birds.

Bell-bird, or mocker (makomako), ( <i>Anthornis melanura</i> ).	Morepork (ruru), ( <i>Ninox nova-zealandia</i> ).
Bittern ( <i>Botaurus pœciloptilus</i> ).	Native thrush ( <i>Turnagra tanagra</i> and <i>Turnagra crassirostris</i> ).
Blue heron ( <i>Demigretta sacra</i> ).	Oyster-catcher ( <i>Haematopus longirostris</i> ).
Blue or mountain duck (whio), ( <i>Hymenolæmus malacorhynchus</i> ).	Paradise duck ( <i>Casarca variegata</i> ).
Crested grebe ( <i>Podiceps cristatus</i> ).	Parson-bird (tui), ( <i>Prothemadera nova-zealandia</i> ).
Crow (kokako), ( <i>Glaucopsis</i> ).	Redbill ( <i>Haematopus unicolor</i> ).
Cuckoo (Family <i>Cuculidæ</i> ).	Robin (Genus <i>Miro</i> ).
Fantail ( <i>Rhipidura flabellifera</i> ).	Saddleback (tieke), ( <i>Creedion carunculatus</i> ).
Fernbird ( <i>Sphenæacus punctatus</i> ).	Stitchbird (ihi), ( <i>Pogonornis cincta</i> ).
Ground parrot (kaka), ( <i>Stringops habroptilus</i> ).	Swamprail ( <i>Porzana tabuensis</i> ).
Huia ( <i>Heteralochus acutirostris</i> ).	Tomtit (Genus <i>Petroeca</i> ).
Kaka ( <i>Nestor meridionalis</i> ).	White heron (kotuku), ( <i>Herodias timoriensis</i> ).
Kingfisher ( <i>Halcyon vagans</i> ).	Wren ( <i>Xenicus longipes</i> ).
Kiwi ( <i>Apteryx</i> ).	
Landrail ( <i>Hypotaenidia philippensis</i> ).	

## Animals and Reptiles.

Tuatara lizard.	Opossum ( <i>Phalangista</i> ).
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## SIXTH SCHEDULE.

## ACTS REPEALED.

- 1880, No. 18.—The Animals Protection Act, 1880.  
 1881, No. 34.—The Animals Protection Act Amendment Act, 1881.  
 1884, No. 45.—The Animals Protection Act 1880 Amendment Act, 1884.  
 1886, No. 11.—The Animals Protection Act 1880 Amendment Act, 1886.  
 1889, No. 23.—The Animals Protection Act 1880 Amendment Act, 1889.  
 1895, No. 13.—The Animals Protection Act 1880 Amendment Act, 1895.  
 1900, No. 45.—The Animals Protection Acts Amendment Act, 1900.  
 1903, No. 46.—The Animals Protection Amendment Act, 1903.