

A BILL INTITULED

AN ACT to amend "The Protection of Animals Act 1867."

WHEREAS it is expedient to amend "The Protection of Animals Act 1867" hereinafter referred to as the said Act

Preamble.

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

1. The Short Title of this Act shall be "The Protection of Animals Act Amendment Act 1868."

Short Title.

2. So much of the eleventh section of the said Act as enacts that—
No native game shall be hunted shot taken or killed in any part of the Colony except during the months of April May June and July in each year is hereby repealed and in lieu thereof it is enacted that—
No native game shall be hunted shot taken or killed in any part of the Colony except during such months as the Governor shall from time to time by proclamation appoint in reference to the respective descriptions of native game within the districts mentioned in any such proclamation and that the Governor may from time to time as he may think fit by proclamation in like manner alter vary or annul any such proclamation.

Amendment in section eleven of "The Protection of Animals Act 1867."

3. The twelfth section of the said Act is hereby repealed and in lieu thereof it is enacted that—
It shall be lawful for the Governor from time to time by proclamation published in the *New Zealand Gazette* to declare that all or any of the provisions of the said Act or of this Act relating to native game shall be in force in such parts of the Colony only as he shall in and by such proclamation define and from time to time as he may think fit by proclamation in like manner to alter vary or annul any such proclamation.

Proviso in lieu of section twelve.

4. The sixteenth section of the said Act is hereby repealed.

Repeal of section sixteen.

5. The seventeenth section of the said Act is hereby repealed and in lieu thereof it is enacted as follows—
No game shall be poisoned

Section seventeen amended.

trapped or taken by means of traps nets springes or by any other means than hunting or shooting at any time whatsoever nor shall any trap net or snare be made erected or set up either wholly or in part for the purpose of such trapping or taking except by occupiers on their own land or by persons duly authorized pursuant to the twenty-fifth section of the said Act as altered and amended by this Act. 5

Section eighteen amended.

6. The eighteenth section of the said Act shall be read and taken to be subject to the following provisoes that is to say—Provided always that nothing in the said last-mentioned section contained shall prevent any person in *bona fide* occupation of any land or his sons or any of them from pursuing taking or killing game on such land or subject him or them or any of them to any penalty for so doing Provided nevertheless that such person or occupier for himself and each of his sons who shall so pursue take or kill game shall have taken out a license to kill game under this Act upon such land and every such license may be in the form in the Schedule to this Act and shall be issued by the Superintendent of the Province in which the person requiring the same shall reside or in which the land on which he shall desire to exercise such license shall be situated upon payment of the sum of one shilling to the Treasurer of such Province and shall be signed by the Superintendent or Treasurer and dated on the day when the same was actually issued and shall be in force from the day of the date thereof until the thirty-first day of July then next ensuing. 10 15 20

Section twenty amended.

7. The fee payable in respect of a license to sell game under the said Act shall be the sum of two pounds in lieu of the sum of five pounds as provided by the twentieth section of the said Act. 25

Section twenty-two amended.

8. The twenty-second section of the said Act is hereby repealed and in lieu thereof it is enacted that—Any person who shall except upon land in his own occupation take or wilfully destroy the eggs of any game birds shall be liable to a penalty not exceeding five pounds. 30

Section twenty-five amended.

9. The twenty-fifth section of the said Act shall be read as follows—It shall be lawful for the Governor to authorize any person or persons to catch or take any such animals or birds or the eggs of any such birds for scientific purposes or for the purpose of distributing changing or turning out such animals or birds or the birds to be produced from any such eggs either in some other part of this Colony or in some other country Provided that nothing herein contained shall be deemed to authorize any person or persons to commit a trespass And provided further that no person or persons shall be deemed to be so authorized to catch or to take or shall catch or take any animals or birds or the eggs of such birds unless he or they can show a license so to do under the hand of the Governor and no such license shall in any case have any force or effect for a longer period than twelve calendar months from the date of such license. 35 40 45

Section thirty-one amended.

10. In addition to the persons in the thirty-first section of the said Act expressed to be authorized to demand production of the license of any person in pursuit of game all holders of licenses under the said Act or under this Act shall be deemed to be “authorized persons” within the meaning of the thirty-first section of the said Act. 50

Section thirty-five amended.

11. The thirty-fifth section of the said Act is hereby repealed and in lieu thereof it is enacted that—No person under the age of fifteen years who may be convicted under this Act shall be liable to imprisonment anything in the said Act to the contrary notwithstanding but any such person may upon a second conviction in default of payment of any fine inflicted under the authority of the said Act be privately whipped if so ordered by the convicting justice or justices such whipping to take place in the presence of the convicting justice or justices. 55

Act to be read with “The Protection of Animals Act 1867.”

12. This Act shall be read with “The Protection of Animals Act 1867” referred to as the said Act and the provisions of the said Act 60

for the definition of terms and expressions for the application of fees and fines for the recovery of penalties and for the delegation by the Governor in Council of any powers vested in the Governor or the Governor in Council and all other the provisions of the said Act not hereby repealed shall be construed and taken to apply to this Act in the same manner as if the provisions of this Act were incorporated in and formed part of the said Act.

13. The fifth Schedule of the said Act shall be read as if the words "wood pigeon" had been omitted therefrom. Amendment in Schedule V.

SCHEDULE.

LICENSE TO KILL GAME ON LAND IN THE OCCUPATION OF LICENSEE OR HIS FATHER.
[Name in full residence and occupation of licensee] having this day paid to the Provincial Treasurer the sum of one shilling pursuant to "The Protection of Animals Act 1868" is hereby licensed to kill game on the land in [his occupation] or [the occupation of the father of the said] situate at bounded [here insert boundaries and description of the land in respect of which the license is issued] from the day of until the thirty-first day of July 18 .

Signed
