

Supplementary Order Paper

HOUSE OF REPRESENTATIVES

Tuesday the 13th Day of October 1959

WILDLIFE AMENDMENT BILL

Proposed Amendments

Clause 2: To add to the proposed subsection (2) the words "or, in the case of any animal or thing found in or on any vessel or vehicle or place, that the animal or thing was in the possession or under the control of some other person in or on that vessel or vehicle or place".

Clause 3: to add the following subclause as subclause (2) thereof:

(2) Section nine of the principal Act is hereby further amended by inserting in the proviso to subsection one, after paragraph (a), the following paragraph:

"(aa) No Proclamation issued under this subsection shall affect any waters of the sea or of any harbour within the meaning of the Harbours Act 1950 unless it is issued on the joint recommendation of the Minister of Internal Affairs and the Minister of Marine:".

Clause 4: To insert, before subclause (1), the following subclause:

(1A) Section fourteen of the principal Act is hereby amended by inserting in the proviso to subsection one, after paragraph (a), the following paragraph:

"(aa) No Proclamation issued under this subsection shall affect any waters of the sea or of any harbour within the meaning of the Harbours Act 1950 unless it is issued on the joint recommendation of the Minister of Internal Affairs and the Minister of Marine:".

To insert in subclause (1), after the words "is hereby" in line 20, the word "further".

Clause 5: To omit this clause, and substitute the following clause:

5. Open-season notifications—(1) Section sixteen of the principal Act is hereby amended by inserting in subsection one, after paragraph (c), the following paragraph:

"(cc) The number of game which may be had in possession by any one person on any one day; but different numbers may, in the Minister's discretion, be so specified in respect of different days in the open season:".

(2) Section sixteen of the principal Act is hereby further amended by repealing subsection two, and substituting the following subsection:

“(2) No person shall hunt or kill game, or during any open season have in his possession any game, otherwise than in terms of such a notification:

“Provided that it shall be lawful for any person to have in his possession a number of game in excess of the number specified in such a notification, if the excess game were taken by some other person or persons and all the game in the possession of the first-mentioned person have affixed or tied thereto a label on which the following particulars are legibly written:

“(a) The names and addresses of the persons by whom the game were taken; and

“(b) The numbers of the licences to hunt or kill game held by those persons; and

“(c) The name of the society by which those licences were issued; and

“(d) The date or dates on which the game were taken:

“Provided also that nothing in this subsection relating to the possession of game shall apply with respect to game placed in any freezing chamber or cool store in accordance with regulations made under this Act.”

Clause 7: To insert, before paragraph (a), the following paragraph:

(aa) By omitting from subparagraph (v) of paragraph (f) of subsection one the word “frightening”, and substituting the words “unduly disturbing, putting to flight”:

EXPLANATORY NOTE

Clause 2: The purpose of this amendment is to enable a person in possession or control of any vessel or vehicle or place who is charged with an offence relating to the possession of any animal or thing found therein or thereon to plead as a defence that the animal or thing was in the possession or control of some other person in or on that vessel or vehicle or place.

Clause 3: The effect of this amendment is that a Proclamation declaring any area of the sea or of any harbour to be a wildlife sanctuary may be made only on the joint recommendation of the Minister of Internal Affairs and the Minister of Marine.

Clause 4: The effect of this amendment is that a Proclamation declaring any area of the sea or of any harbour to be a wildlife refuge may be made only on the joint recommendation of the Minister of Internal Affairs and the Minister of Marine.

Clause 5 replaces clause 5 of the Bill, relating to the power of the Minister, when notifying an open season for game, to specify the number of game which may be had in possession on any one day. The amended clause will enable the Minister to fix different limits for different days in an open season, so as to cover the case of shooters who are out shooting for more days than one and are in possession of the game killed over the whole period.

In addition, the clause makes it lawful for one person to be in possession of game in excess of the limit, if the excess was taken by some other person or persons and all the game are labelled with a label showing the names and addresses of the persons by whom they were taken, the numbers of their game licences and the society by which those licences were issued, and the date or dates on which the game were taken. The provisions as to possession are not to apply to game placed in a freezing chamber or store under regulations made under the principal Act (see Part IV of the Wildlife Regulations 1955, S.R. 1955/28).

Clause 7: Section 18 (1) (f) (v) of the principal Act includes provisions making it an offence for any person to use any vessel for the purpose of frightening any game. This clause omits the word “frightening” from that provision, and makes it an offence to use any vessel for the purpose of unduly disturbing or putting to flight any game.