

(b) Plant or place in or on any land any corn, wheat, barley, maize, or other grain, or any products of grain, or any peas or other food and thereafter flood that land to form an artificial lake, lagoon, or pond.

(2) Where any society has reason to believe that food of any of the kinds referred to in subsection one of this section has been cast, thrown, placed, or planted in any place referred to in that subsection within the period of one month immediately preceding an open season for game in that place, the society, with the consent of the occupier, may erect or affix a notice in, or in the near vicinity of, that place to the effect that food has been so cast, thrown, placed, or planted, and on any such notice there shall be displayed the date of the erection or affixing of that notice. If the occupier does not consent to the erection or affixing of any such notice, the society may serve written notice upon him requiring him to inform all persons entering on his land for the purpose of hunting or killing game that food has been cast, thrown, placed or planted in that place.

(3) Every person commits an offence against this Act who during any open season hunts or kills game in any place—

(a) In which, or in the near vicinity of which, there is a notice under subsection two of this section erected or affixed during that open season or within the period of one month immediately preceding that open season; or

(b) In which the occupier of the land has informed him that any such food has been cast, thrown, placed, or planted during that open season or within the period of one month immediately preceding that open season; or

(c) In which he otherwise knows any such food has been cast, thrown, placed, or planted during that open season or within the period of one month immediately preceding that open season.

(4) Every person commits an offence against this Act who destroys, defaces, or in any way tampers with any notice erected or affixed under the provisions of subsection two of this section.

(5) Every person commits an offence against this Act who, being an occupier of land and having been served with a notice under subsection two of this section requiring him to inform other persons that food has been cast, thrown, placed, or planted in any place on that land, fails to comply with the terms of the notice.

METHOD OF TAKING RESTRICTED

Wildlife Act 1953, Section 18

(1) Save as otherwise expressly provided in this Act, no person shall—

(a) Trap game in any manner whatever or take any game by means of traps or by any means other than by shooting with a shotgun:

Provided that a dog may be used in conjunction with a shotgun for the purpose of finding, flushing, or retrieving any game:

(b) Erect or set any trap, net, snare, or other device for the purpose of taking any game—

(c) Hunt or kill any game with—

(i) Any swivel gun or punt gun; or

(ii) Any rifle; or

(iii) Any automatic, auto-loading, or repeating shotgun, unless the magazine has been so adjusted in accordance with regulations under this Act that the gun is incapable of holding more than two shells; or

(iv) Any shotgun other than a shoulder gun; or

(v) Any shotgun the gauge of which is greater than that known as twelve gauge:

(d) Use with any shotgun used for the purpose of hunting or killing game—

(i) Any apparatus used for the purpose of silencing the report of a shotgun; or

(ii) Any cartridge of a length exceeding two and three quarter inches:

(e) In hunting or killing any game from any stand, hide, shelter, maimai, mudhole, boat, louvre, or other contrivance, use more than one shotgun:

Provided that any person so engaged may have one, and not more than one, further shotgun in a condition not immediately suitable for use and held for use only in the event of the first shotgun becoming damaged or otherwise unfit for use:

(f) For the purpose of hunting or killing any game use—

(i) Any live decoy; or

(ii) More than ten decoys; or

(iii) Any cylinder or mudhole or similar device in any lake, lagoon, pond, river, estuary, or other open water, whether natural or artificially constructed, unless the sides of the cylinder or mudhole or device project not less than two feet above the surface of water; or

(iv) Any aircraft, motor vehicle, or other vehicle propelled by mechanical power.

Provided that nothing in this subparagraph shall be deemed to prevent any person from using any aircraft or vehicle for the purpose of travelling generally or to any place where he intends to hunt or kill game or of returning from any such place; or

(v) On any lake, lagoon, pond, river, estuary, or other water (whether natural or artificially constructed), any vessel (other than a rowboat) in driving, chasing, unduly disturbing, putting to flight, or stalking any game, whether by himself or by any other person;

Provided that nothing in this subparagraph shall be deemed to prevent any person from using any vessel for camping purposes or for the purpose of travelling generally or to any place where he intends to kill or hunt game or of returning from any such place, or, subject to the foregoing provisions of this paragraph and to the provisions of subparagraph (vi) of this paragraph, to prohibit shooting from a moored vessel or to prohibit the use of any vessel for the purpose of retrieving game that has been killed or wounded:

(vi) Any unmoored floating stand, hide, shelter, maimai, or louvre, or any unmoored boat artificially dressed or covered in any way:

(g) By any means spread oil on any water for the purpose of hunting or killing any game or for the purpose of preventing game from alighting on that water or any part thereof:

(h) Use any light for the purpose of hunting or killing any game.

(2) For the purposes of paragraph (f) of subsection one of this section—

“Decoy” includes any dead game that is so placed or arranged as to simulate the appearance of live game:

“Row boat” means any vessel that for the time being is wholly propelled by oars or paddles or poles:

“Vessel” includes any launch, boat, canoe, punt, or other similar craft, whether propelled by mechanical power or not.

LICENCES

Wildlife Act 1953, Section 19

(1) No person shall hunt or kill game of any species during an open season in any district unless he is the holder of a licence under this Act to hunt or kill game of that species available in that district during that season.

(2) Except as provided in subsection three of this section, every person commits an offence against this Act who, not being the holder of such a licence, hunts or kills any game during any open season.

(3) Notwithstanding anything in the foregoing provisions of this section, the occupier of any land, and the wife or husband and any one son or daughter of the occupier, may, during an open season, hunt or kill on that land without a licence (but subject to all other restrictions imposed by or under this Act) any game that may lawfully be hunted or killed under a licence in the district within the boundaries of which that land is situated.

Wildlife Act 1953, Section 20

Nothing in any licence to hunt or kill game shall authorise the holder to hunt or kill game on any land actually and exclusively used by any society for the purposes of this Act or on any wildlife sanctuary, wildlife refuge, or closed game area or on any public domain or recreation reserve within the meaning of the Reserves and Domains Act 1953 or on any reserve within the meaning of Part IV of the Reserves and Domains Act 1953.

Wildlife Act 1953, Section 21

Except as otherwise expressly provided in this Act, nothing in any licence or other authority under this Act shall entitle the holder to enter upon any land without the consent of the occupier of the land.

SHOOTING OF GAME NOT IN FLIGHT PROHIBITED

Wildlife Act 1953, Section 22

(1) Subject to the provisions of sections fifty-three and fifty-four of this Act, no person shall shoot at or attempt to shoot at any game bird not in flight:

Provided that nothing in this section shall prohibit the killing by shooting when not in flight of any game bird already wounded by shooting.

(2) For the purposes of this section—

(a) A bird shall be deemed to be not in flight at any time when it is alighting on or rising from any water or land or any vegetation or structure in or on any water or on any land and any part of the bird is in contact with the water or land or vegetation or structure:

(b) Subject to paragraph (a) of this subsection, a bird shall be deemed to be in flight at all times when it is airborne including times when it is soaring or banking or swooping, and whether its wings are in motion or not.

(Sections 53 and 54 of the Act referred to in (1) above empowers the Secretary to, among other things, authorise the taking or killing of game for certain purposes during the period when it is not otherwise permitted.)

SALE OF GAME OR EGGS OF GAME PROHIBITED

Wildlife Act 1953, Section 23

(1) Except with the prior consent of the Secretary, no person shall—

(a) Buy or sell any game or the eggs of any game:

(b) For sale or for hire, gain, or reward, or hope thereof, hunt or kill any game or have any game or the eggs of any game in his possession:

(c) Induce any other person to hunt or kill game for the purposes of sale or have any game or the eggs of any game in his possession for the purposes of sale.

Provided that it shall be lawful for any person, pursuant to the prior written authority of the Secretary, and subject to such conditions as may be prescribed therein, to propagate game or to buy or sell game held for the purpose of propagating game or reared pursuant to any such authority, or to take and sell or to buy the eggs of any game to which any such authority relates.