

in association with any other person, possession of or control over the animal or thing, or possession of or control over any vessel, vehicle, container, package, or place in or on which the animal or thing is.

(2) In any proceedings for an offence against this Act or any regulations under this Act, being an offence relating to the possession by the defendant of more than a specified number of animals, then, in any case where the defendant is acting jointly or in association with one or more other persons, the number of animals deemed pursuant to subsection (1) of this section to be in the possession of the defendant for the purposes of those proceedings shall be ascertained by dividing by the number of persons acting jointly or in association the total number of animals found in the possession or under the control of the defendant and the other person or persons or in or on any vessel, vehicle, container, package, or place in the possession or under the control of the defendant and the other person or persons.

(3) In any proceedings for an offence against this Act or any regulations under this Act, being an offence relating to the possession of any animal or thing found in or on any vessel, vehicle, container, package, or place in the possession or under the control of the defendant, alone or jointly or in association with any other person, it shall be a good defence if the defendant satisfies the Court that—

- (a) He did not know and had no reasonable opportunity of knowing that the animal or thing was in or on the vessel, vehicle, container, package, or place; or
- (b) In the case of any animal or thing found in or on any vessel or vehicle or place, 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; or
- (c) In the case of an offence relating to the possession of more than a specified number of animals, he did not know and had no reasonable opportunity of knowing that the number of those animals in or on any vehicle, vessel, container, package, or place exceeded that specified number.

Wildlife Refuges (Previously Known as Sanctuaries)

Wildlife Act 1953, Section 14

(1) Notwithstanding anything to the contrary in the Land Act 1948, the Government Railways Act 1949, the Forests Act 1949, or any other Act affecting lands of the Crown, the Governor-General may from time to time, by Proclamation, declare any area described in the Proclamation and available for the purpose, subject in the case of any land other than unoccupied land of the Crown to the consent of the occupier, to be a wildlife refuge for the purposes of this Act, and may in like manner revoke or amend any such Proclamation.

(1A) Where a wildlife refuge has been declared under subsection (1) of this section, the Governor-General may, by the Proclamation or Order in Council declaring the wildlife refuge, or by a subsequent Proclamation or Order in Council, prohibit or restrict the use of boats (including any launch, boat, canoe, or other similar craft, whether propelled by mechanical power or not) in the wildlife refuge or in any portion thereof, and by any person or classes of persons, as may be specified in the Proclamation or Order in Council.

(1B) Any prohibition or restriction under subsection (1A) of this section may be absolute or conditional, and the Proclamation or Order in Council may authorise the Minister of Internal Affairs or the Secretary to grant exemptions from the prohibition or restriction.

(1C) Every person commits an offence against this Act who does any act that is for the time being prohibited by a Proclamation or Order in Council under subsection (1A) of this section or fails to comply in any respect with any condition imposed in any such Proclamation or Order in Council.

(3) While any Proclamation or Order in Council under subsection (1) of this section remains in force, it shall not be lawful for any person, except as provided in subsection (2) or subsection (2A) of this section or in subsection (2) of section 5 of this Act or pursuant to an authority granted under section 53 or section 54 of this Act, to hunt or kill for any purpose, or molest, capture, disturb, harry, or worry any wildlife in the wildlife refuge, or to take, destroy, or disturb, the nests, eggs, or spawn of any such wildlife, or for any person to bring onto the wildlife refuge or have in his possession or discharge in the wildlife refuge any firearm or explosive, or have in his possession or control in the wildlife refuge any dog or cat, or to do anything likely to cause any wildlife to leave the wildlife refuge.

(5) Every sanctuary constituted at the commencement of this Act by a Warrant under section 6 of the Animals Protection and Game Act 1921-22 shall be deemed to be a wildlife refuge for the purposes of this Act.

Open Season Notifications

Wildlife Act 1953, Section 16

(1) The Minister, in notifying an open season for game, shall specify—

- (a) The particular species or sex of game that may be hunted or killed during that open season:

- (b) The areas (if any) declared to be closed game areas:
- (bb) The number of decoys that may be used by any person for the purposes of hunting or killing any game;
- (c) The number of game that may be taken or killed by any one person on any one day:
- (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:
- (d) Such other conditions (if any) as he thinks fit to impose respecting the hunting or killing during that open season of game or any particular species or sex thereof.

(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.

Feeding of Game Areas Prohibited

Wildlife Act 1953, Section 17

(1) No person shall, with the intention of attracting any game for the purpose of hunting or killing that game,—

- (a) Cast, throw, or place, or cause or permit to be cast, thrown, or placed, or assist in casting, throwing, or placing, in or near the margin of any water (including any river, stream, lake, lagoon, pond, estuary, swamp, or other water, whether natural or artificially constructed) any corn, wheat, barley, maize, or other grain, or any products of grain, or any peas or any other food; or
- (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 any 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 (1) of this section has been cast, thrown, placed, or planted in any place referred to in that subsection within the period of 1 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 upon 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 (2) of this section erected or affixed during that open season or within the period of 1 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, planted, or placed during that open season or within the period of 1 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 1 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 affixed or erected under the provisions of subsection (2) of this section.

(5) Every person commits an offence against this Act who, being an occupier of land and having been served with a written notice under subsection (2) 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 that notice.

Method of Taking Restricted

Wildlife Act 1953, Section 18

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