

No. 3 OF 1934.

A.D. 1934. A LAW TO AMEND AND CONSOLIDATE THE LAW RELATING TO THE PRESERVATION AND PROTECTION OF GAME AND WILD BIRDS.

3 of 1934.

Amended by Law 23/38 24/41 19/47

H. R. PALMER,] Governor.

[18th January, 1934.

BE it enacted :—

Short title.

1. This Law may be cited as the Game and Wild Birds Law, 1934.

Interpretation.

2. In this Law, unless the context otherwise requires— 1st Feb. "Close Season" means the period between the 21st January and 30th September, both days inclusive, in any year or any other period prescribed by the Governor to be a close season under section 6 of this Law.

"Commissioner" means the Commissioner of the District.

"Game" means hares and game birds.

"Game bird" means francolin, pheasant and partridge.

"Game Licence" means a licence granted under section 4 of this Law.

"Wild bird" means any undomesticated bird other than a game bird.

Shooting of game, etc., prohibited without a Game Licence.

3.—(1) Subject to the provisions of section 7 of this Law no person shall by any means whatsoever shoot, kill, take or pursue any game or wild bird unless he is the holder of a Game Licence. Any person who acts in contravention of this sub-section shall be guilty of an offence under this Law.

(2) Any person who is found doing any act in respect whereof a Game Licence is required or who is reasonably suspected of being about to do any such act, may be called upon by any peace officer, rural constable, gamekeeper, forest guard or holder of a Game Licence to produce for inspection his Game Licence and if such person refuses or fails to produce the same or in default thereof refuses to give on demand his true name and address or gives a false name or address he shall be guilty of an offence under this Law.

Game Licence.

4.—(1) A Game Licence shall be in the Form A in the First Schedule hereto and may be granted by the Commissioner to any person who is the holder of a Firearms Licence issued under the Firearms Law, 1933, or any Law amending the same.

(2) There shall be payable in respect of a Game Licence a fee of ~~five~~ ^{ten} shillings.

(3) Every Game Licence shall expire on the 31st July next following the date of issue.

5.—(1) No person shall shoot, kill, take, pursue or sell any game or wild bird during a Close Season :

Shooting of game, etc., prohibited during a Close Season.

Provided that—

(a) the Governor in Council may by Order to be published in the *Cyprus Gazette* authorize the holder of a Game Licence to shoot, kill, take or pursue within any area specified in such Order, any wild bird during the whole or part of a Close Season and to sell the same.

(b) a Commissioner may in his discretion authorize the holder of a Game Licence by endorsement thereon to shoot, kill, take, pursue or sell sparrows, thrushes, blackbirds, larks, beccaficos, doves, pigeons, starlings, crows, jackdaws, ravens, magpies and hawks during any period of a Close Season. Every such endorsement shall specify the period during which and the area within which the person so authorized may shoot, kill, take or pursue such birds.

(2) Any person who acts in contravention of sub-section (1) of this section shall be guilty of an offence under this Law.

6. The Governor in Council may from time to time by Order to be published in the *Cyprus Gazette* prescribe any period in any year to be a Close Season and thereafter such period as may be specified in the Order shall, during the continuance of such Order, be deemed to be the Close Season for the purposes of this Law.

Replaced
3/19/47
Power to the Governor in Council to prescribe Close Season.

7. Notwithstanding anything in this Law contained it shall be lawful for the owner or occupier of any plantation, vineyard, garden, or other cultivated land at all times by himself or through any other person authorized by him—

Trapping, etc., of hares and wild birds by owners of land.

(a) to trap, snare, or scare any hares found therein ;

(b) to trap, snare, or scare any wild bird found therein which is damaging or may reasonably be supposed to be likely to damage any crop growing thereon.

8. Subject to the provisions of section 5 of this Law, any person who is found in possession of freshly killed game or wild birds at any time during a Close Season shall be guilty of an offence under this Law.

Possession of freshly killed game, etc., during Close Season prohibited.

Shooting,
etc., of
moufflon
without a
special
permit
prohibited.

9.—(1) No person shall shoot, kill, take or pursue moufflon except under a special permit from the Governor and subject to any conditions contained in such permit.

(2) Any person who acts in contravention of sub-section (1) of this section shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding six months or to a fine not exceeding fifty pounds or to both.

Use of
decoys,
shelters and
motor cars
prohibited.

10. No person shall make use of—

(a) a decoy or shelter for the purpose of shooting, killing or taking game ;

(b) a motor car at night time for the purpose of shooting game therefrom, or shall in any way use a motor car or motor-cycle at night time for the purpose of attracting and shooting game ;

and any person who acts in contravention of this section shall be guilty of an offence under this Law.

Shooting,
etc., of
certain
species of
wild birds
prohibited.

11.—(1) No person shall at any time shoot, kill, take, pursue, sell or expose for sale any of the following wild birds, that is to say—

Cyprian Wren (*Anorthura cypriones*).

Cyprian Water-ousel or Dipper (*Cinclus olympicus*).

Cyprian Wheatear or Chat (*Saxicola cyprica*).

Cyprian Coal Titmouse (*Parus cypriones*).

Cyprian Tree Creeper (*Certhia Harterti*).

Cyprian Crossbill (*Loxia guillermardi*).

Cyprian Scops Owl (*Scops cyprica*).

(2) Any person who acts in contravention of sub-section (1) of this section shall be guilty of an offence under this Law :

Provided that no offence shall be deemed to have been committed if any such wild bird is accidentally shot or taken on birdlime.

Eggs of
game birds
protected.

12.—(1) No person shall at any time destroy, take, sell or expose for sale or have in his possession the eggs of any game bird.

(2) Any person convicted of an offence under this section shall be liable to be imprisoned for a term not exceeding three months and shall in addition be ordered to pay a fine of one shilling for each egg in respect of which the offence has been committed.

13.—(1) No person shall at any time destroy, take, sell or expose for sale or have in his possession the eggs of any wild bird : Eggs of wild birds protected

Provided that—

(a) this section shall not apply to the eggs of doves, pigeons, crows, jackdaws, magpies, ravens, hawks and sparrows ;

(b) the Governor may at any time issue a permit authorizing any person in the interests of science to obtain specimens of the eggs of any wild bird and to export the same.

(2) Any person convicted of an offence under this section shall be liable to be imprisoned for a term not exceeding three months and shall in addition be ordered to pay a fine of one shilling for each egg in respect of which the offence has been committed.

14.—(1) The Governor in Council may by Order to be published in the *Cyprus Gazette* declare any area to be a Game Reserve and may in like manner revoke any such Order and may alter the limits of any Game Reserve : Game Reserves.

Provided that—

(a) not more than two Game Reserves shall be created in any District ;

(b) no Game Reserve shall exceed twenty square miles in extent. (b) amended

(2) Any area prescribed to be a permanent reserved area under the Game and Wild Birds Protection Laws, 1922 to 1933, shall be deemed to be a Game Reserve within the meaning of this section.

15.—(1) The Governor in Council may by Order to be published in the *Cyprus Gazette* declare any area to be a Temporary Game Reserve for such period not exceeding three years as may be prescribed in the Order : Temporary Game Reserves.

Provided that—

(a) no Temporary Game Reserve shall exceed sixty square miles in extent ;

(b) the total area of the Temporary Game Reserves in a District shall not exceed one-third of the total area of such District ;

(c) an area which has been declared a Temporary Game Reserve shall not, after the expiration of the period during which it has been a Temporary Game Reserve, be again declared a Temporary Game Reserve until at least one year thereafter.

(2) The Governor in Council may by Order at any time revoke any Order made under this section.

(3) Any area prescribed to be a reserved area under the Game and Wild Birds Protection Laws, 1922 to 1933, shall be deemed to be a Temporary Game Reserve within the meaning of this section.

Shooting,
etc., in Game
Reserve or
Temporary
Game
Reserve
prohibited.

16. Any person who—

- (a) shoots, kills, takes or pursues any game or wild bird in a Game Reserve or a Temporary Game Reserve or who is found within a Game Reserve or a Temporary Game Reserve in circumstances indicating that he was unlawfully in pursuit of game or wild birds ;
- (b) not being a peace officer carries a firearm in a Game Reserve or a Temporary Game Reserve except under a permit in writing from the Commissioner,

shall be guilty of an offence under this Law.

Use of cloth,
etc., as
wadding in
certain areas
prohibited.

17. No person shall use as wadding any cloth or waste rag whilst shooting within any State Forest or any Government or municipal plantation, and any person who acts in contravention of this section shall be guilty of an offence under this Law.

Export of
game
prohibited.

18. The export of game is hereby prohibited and any person who acts in contravention of this section shall be guilty of an offence under this Law.

Proviso to sec. 18
added.

Export of
skin without
a special
permit
prohibited.

19. The export of the skin of any game bird or wild bird is hereby prohibited and any person who acts in contravention of this section shall be guilty of an offence under this Law :

Provided that the Governor may at any time issue a permit authorizing any person in the interests of science to export the skin of any game bird or wild bird.

Attempt to
commit an
offence under
this Law.

20. If any person attempts to commit an offence under this Law or aids, abets or procures any other person to commit an offence under this Law, he shall be guilty of an offence and shall be liable to the same punishment and forfeiture as if he had committed an offence under this Law.

Penalties.

21. Any person who commits an offence under this Law for which no specific penalty has been otherwise provided shall on summary conviction be liable to a fine not exceeding twenty pounds and shall in addition be prohibited from carrying a gun for a period of not less than twelve months or more than five years.

22. Where any person is convicted of an offence under this Law, any gun in respect of which such offence has been committed, being the property of such person, and any licence granted to such person under this Law shall be forfeited.

Forfeiture of
licence and
of gun.

23. Where any person upon conviction has been sentenced to pay a fine for any offence against this Law the Governor may grant a reward not exceeding one-half of any such fine when recovered to any person whose information has, in his opinion, led to such conviction.

Reward to
informers.

24. The enactments set forth in the Second Schedule hereto are hereby repealed :

Repeal and
saving.

Provided that any licence issued under the provisions of any of the enactments hereby repealed and in force at the date of the coming into operation of this Law, shall be deemed to be a licence issued under the provisions of this Law and to expire on the 31st July, 1934.

FIRST SCHEDULE.

FORM A.

(Section 4.)

THE GAME AND WILD BIRDS LAW, 1934.

GAME LICENCE.

No.

of

is hereby licensed to shoot, kill, take or pursue game and wild birds.

This licence is, subject to the provisions of the Game and Wild Birds Law, 1934, valid up to 31st July, 19

Fee paid 5s.

Commissioner of

Dated

SECOND SCHEDULE.

(Section 24.)

ENACTMENTS REPEALED.

The Game and Wild Birds Protection Law, 1922, (No. 38 of 1922).

The Game and Wild Birds Protection (Amendment) Law, 1925, (No. 6 of 1925).

The Game and Wild Birds Protection (Amendment) Law, 1927, (No. 2 of 1927).

The Game and Wild Birds Protection (Amendment) Law, 1933, (No. 32 of 1933).

This Law came into operation on 19th January, 1934.