

THE TERRITORY FOR THE SEAT OF GOVERNMENT.

No. 1 of 1913.

AN ORDINANCE

For the Protection of Animals and Birds.

BE it ordained by the Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act* 1909 and the *Seat of Government (Administration) Act* 1910, as follows :—

1. This Ordinance may be cited as the *Animals and Birds Protection Ordinance* 1912. Short title.

2. In this Ordinance—

“Animal or Bird” does not include a domestic animal or bird; Definitions.

“Protected Bird or Animal” means an animal or bird protected by this Ordinance, and includes the eggs of a protected bird.

“The *Gazette*” means the *Commonwealth Gazette*.

“The Minister” means the Minister of State for Home Affairs.

“The Territory” means the Territory for the Seat of Government.

3. The whole of the animals and birds within the Territory, except those named in the Schedule to this Ordinance, are absolutely protected from the commencement of this Ordinance until the 31st day of December, 1915. Protection of animals and birds.

4. The Minister may, by notice in the *Gazette*, vary, extend, or reduce the period of absolute protection in respect of any animal or bird. Minister may extend or reduce period of protection.

5. The Minister may, by notice in the *Gazette*, add to or remove from the Schedule the name of any animal or bird. Minister may add to or remove from Schedule.

6. Any person who kills, captures, or injures any protected animal or bird shall be guilty of an offence, and shall be liable, on summary conviction, to a penalty not exceeding Five pounds. Penalty for killing, &c., protected birds.

C.8577.

Penalty for
having
protected
animals or
birds in
possession.

7.—(1.) Subject to sub-section two of this section, any person who sells, offers for sale, or has in his control or possession any protected animal or bird, or the skin of a protected animal or bird, or any part of a protected animal or bird, shall be guilty of an offence, and shall be liable, on summary conviction, to a penalty not exceeding Five pounds.

(2.) A person shall not be convicted for an offence against this section if he proves to the satisfaction of the court that the animal, bird, or skin was killed, captured, taken, bought, or received from outside the Territory, or that the animal, bird, or skin was killed captured, taken, bought, or received by him before the commencement of this Ordinance.

Penalty for
refusing to give
name and
place of abode.

8.—(1.) A constable or any person authorized by the Minister may require any person reasonably suspected to be offending against any of the provisions of this Ordinance to give his name in full, and place of abode.

(2.) Any person who, after being so required, and on production of the necessary authority, refuses to give his real name or place of abode, or gives a false or fictitious name or place of abode, may be at once arrested, and taken before a justice of the peace, and shall be liable to a penalty of not exceeding Five pounds.

Proceedings for
offences.

9. All prosecutions and proceedings for offences against this Act may be made and instituted by an officer or constable of police of the Commonwealth or a State or any person authorized by the Minister, and may be heard and determined in a summary way by a police or stipendiary magistrate, or two or more justices of the peace sitting as a court of summary jurisdiction.

Exemptions.

10.—(1.) The Minister may grant a permit (in writing), subject to such conditions and restrictions as he thinks fit to impose, to any person to collect natural history specimens for any special investigation, or for any scientific institution or museum, or for any purpose specified in the permit.

(2.) Subject to the conditions and restrictions contained in the permit being complied with, the provisions of this Ordinance shall not apply to the killing, capturing, taking, or possession of any protected animal or bird by the person named in the permit.

Attempts.

11. Any attempt to commit an offence against this Ordinance shall be an offence punishable as if the offence had been committed.

Aiders and
abettors.

12. Every person who aids, abets, counsels, or procures the commission of any offence against this Ordinance shall be liable to the same punishment as if he actually committed the offence.

THE SCHEDULE.

ANIMALS.

Rabbits,
Native Dogs,
Foxes,
Tiger Cats,
Native Cats,
Flying Foxes,
Venomous Snakes,
All domestic pests and parasites.

BIRDS.

Sparrows,
Starlings,
Lorikeets (including all fruit-eating parakeets)
Crows,
Silvereyes,
Cormorants.

Dated this first day of February, 1913.

DENMAN,
Governor-General.

By His Excellency's Command,
KING O'MALLEY,
Minister of State for Home Affairs.