

CHAPTER 36.

GRENADA.

AN ORDINANCE FOR THE PROTECTION OF WILD BIRDS AND OTHER
WILD LIFE INCLUDING FISH, TURTLE AND OYSTERS. Ordinance
No. 26 of 1956.

[26th January, 1957.]

1. This Ordinance may be cited as the Short title.

**BIRDS AND OTHER WILD LIFE (PROTECTION OF)
ORDINANCE.**

2. In this Ordinance unless the context otherwise Interpreta-
tion. requires, "wild birds" means the birds specified in the First and Second Schedules to this Ordinance.

3. (1) Any person who kills, wounds or takes any wild Absolute
protection
for wild
birds in
First
Schedule. bird or the eggs or nest of any wild bird specified in the First Schedule to this Ordinance, or who has in his possession any such bird killed, wounded or taken, or any part thereof, or the eggs or nest of any such bird taken after the passing of this Ordinance, shall be guilty of an offence against this Ordinance.

(2) The exportation of any wild bird specified in the First Schedule to this Ordinance, or any part of such bird is absolutely prohibited.

4. (1) There shall be a close season for each of the wild Close season
for birds in
Second
Schedule
and for
turtle and
oysters. birds enumerated in the Second Schedule to this Ordinance and also for turtle and oysters.

(2) Such season shall, until another is appointed in lieu thereof in manner hereinafter provided, be as follows —

(a) for all such birds from 1st March to 31st August ;

(b) for oysters from 1st May to 30th September ;

(c) for turtle from 1st June to 30th September :

Provided that the Governor may from time to time by notice in the *Gazette* appoint some other period or periods in lieu of the periods fixed as aforesaid, and after any such appointment the periods so appointed shall be the close season for the purposes of this Ordinance.

Governor
may alter
the Second
Schedule.

5. The Governor may from time to time by notice in the *Gazette* declare that, as to any of the wild birds enumerated in the Second Schedule the provisions of section 4 shall cease to apply, and may from time to time vary or cancel any such alterations; and thereupon the provisions of the said section shall cease to apply, or shall again apply (as the case may be), with such variation as by the declaration may be provided; and the Governor may also, by notice as aforesaid, declare as to any bird not enumerated in the said schedule that it shall from the date of the notice be deemed to be included in the said Schedule for such close season as may be named in the notice as applicable to it, and may from time to time alter or amend the notice in the same way as if the bird had been enumerated in the Schedule; and thereupon the bird shall to all intents and purposes be deemed to be included in the Schedule for the close season assigned to it in the said notice.

Killing &c.,
of birds,
fish &c.,
during the
close season
therefor, an
offence.

6. Except as hereinafter mentioned, any person who shall —

(a) kill, wound or take, or attempt to kill, wound or take, any of the wild birds enumerated in the Second Schedule to this Ordinance or any turtle or oysters, during the close season for the same; or

(b) take the eggs or nest of any such bird during the close season for the same, or have in his possession any such bird killed or wounded or taken or any eggs or nest taken during the said season; or

(c) have in his possession any turtle, the eggs of any turtle or any oysters, during the close season for the same,

shall be guilty of an offence against this Ordinance.

7. Any person who shall take or destroy any turtle or the eggs of any turtle on land, or shall have in his possession any such turtle or the eggs of any turtle taken as aforesaid, shall be guilty of an offence against this Ordinance.

Absolute protection on land of turtle and the eggs of any turtle.

8. Where any person shall —

Onus of proof in certain cases to be on defendant.

(a) have in his possession any wild bird, or any part of a wild bird, or the eggs of any wild bird, specified in the First Schedule to this Ordinance, or of any turtle; or

(b) in any year after the third day after the commencement and before the end of the close season for any wild bird enumerated in the Second Schedule to this Ordinance, or for turtle or oysters have in his possession any such bird, turtle, oysters, or any part thereof or the eggs of any such bird,

it shall be on him to show, in answer to any charge made against him under this Ordinance —

(i) that the wild bird (being one of those specified in the First Schedule) was killed, wounded or taken or that the eggs of any such wild bird or of any turtle were taken outside the limits of the Colony; or

(ii) that such bird (being one of those specified in the Second Schedule) or the eggs of any such bird or any turtle or oysters was or were killed, wounded or taken either outside the limits of the Colony or before the commencement of the close season or any part thereof,

when he has in his possession the wild bird or the eggs of any such bird, turtle, or oysters.

9. Any person who shall take, kill, sell, purchase or have in his possession a turtle of less weight than twenty-five pounds shall be guilty of an offence against this Ordinance.

Taking turtle of less than twenty-five pounds weight.

10. Any person who shall use any method of poisoning, stupefying or intoxicating fish, or who shall destroy fish —

Poisoning streams, &c.

(a) by the explosion of dynamite, gunpowder or other explosive substance, in any harbour, bay, creek, pond, river or stream or within three miles of the coast of the Colony; or

(b) who by the processing of manioc or the washing of containers or the discharge of any noxious substance, causes destruction of fish or crayfish in any pond, river, stream, creek or bay.

shall be guilty of an offence against this Ordinance.

Penalty for offences.

11. Every offence against this Ordinance shall be punishable on summary conviction and every person guilty of an offence for which no punishment is provided shall be liable to a fine not exceeding one hundred dollars.

Offences committed on water forming boundary of districts where to be heard.

12. Any offence against this Ordinance committed in or upon any water forming the boundary between any two Magisterial districts may be inquired of, heard and determined in either of such districts.

Forfeiture of bird, &c., in respect of which a conviction takes place.

13. Any wild bird, fish, oyster, turtle, or any part thereof, or the eggs of any turtle in respect of which a conviction takes place under this Ordinance shall be forfeited to Her Majesty, and also all guns, slings, traps, nets, fishpots and fishing tackle used in committing the offence.

Fishery or other officer may seize traps, nets, &c.

14. A Fishery Officer, any Officer or Constable of Police or any Revenue Officer may seize any traps, nets or tackle capable of being used for taking turtle, found on the sea-shore or in the coastal waters of the Colony at any time during the close season for turtles, and the articles so seized shall be liable to forfeiture and shall be delivered as soon as conveniently may be to the Harbour Master who shall direct whether or not they shall be forfeited.

Governor may authorize killing of birds for scientific purposes.

15. Notwithstanding anything in this Ordinance, the Governor may by writing under his hand, for such time and subject to such conditions as he thinks fit, authorize —

(a) any person for scientific purposes to kill or take any wild bird enumerated in either of the Schedules

to this Ordinance, or the eggs or nest of any such bird, or any turtle or the eggs of any turtle or any oyster ;

(b) the establishment of any hatchery or conservation work which may appear scientifically or commercially justifiable.

FIRST SCHEDULE.

(Section 2).

All wild birds with the exception of those enumerated in the Second Schedule hereto, and not including poultry, goose, turkey, pea-fowl, guinea-fowl or any other domestic fowl.

SECOND SCHEDULE.

(Sections 2 and 4.)

| | | | |
|-----|------------------------------|------|--|
| 1. | Anas p. platyrhynchus | | Mallard Duck. |
| 2. | Anas discors | | Blue-winged Teal. |
| 3. | Anas crecca carolinensis | | Green-winged Teal. |
| 4. | Anas americana | | American Widgeon or Baldpate. |
| 5. | Spatula clypeata | | Shoveller Duck or Suet. |
| 6. | Aythya affinis | | Lesser Scaup Duck. |
| 7. | Gallinula chloropus cerceris | | Florida Gallinule or Waterhen or Waterfowl or Red-head Waterfowl or Red-Seal Coot. |
| 8. | Fulca caribaea | | Caribbean Coot or Waterfowl or White-head Waterfowl or White-seal Coot. |
| 9. | Numenius phaeopus hudsonicus | | Hudsonian Curlew or Whimbrel. |
| 10. | Tringa melanoleuca | | Greater Yellow legs. |

| | |
|--|--|
| 11. <i>Catoptrophorus s. semipalmatus</i> | Willet, or Tell-bill-willy or Becasse. |
| 12. <i>Capella gallinago delicata</i> | Wilson's Snipe, or Com- mon Snipe or Becas- sine. |
| 13. <i>Columba squamosa</i> | Ramier or Red-necked Pigeon or Blue Pigeon or Scaly-necked Pigeon. |
| 14. <i>Zenaida auriculata stenura</i> | Violet-eared Dove or Trinidad Ground Dove. |
| 15. <i>Zenaida a. aurita</i> | Zenaida Dove or Mourn- ing Dove or Mountain Dove or Seaside Dove or Pea Dove or Turtle Dove or Wood Dove or Perdrix or Tourterelle. |
| 16. <i>Buteo platypterus antillarum</i> | Broad-winged Hawk or Chicken-hawk or Gree- gree. |
| 17. <i>Falco peregrinus anatum</i> | Peregrine Falcon or Duck-hawk. |
| 18. <i>Molothrus bonariensis minimus</i> | Glossy Cow Bird. |
| 19. <i>Quiscalus lugubris luminosus</i> | Lesser Antillean Grackle or Blackbird or Merle or Bequa-sweet. |
