

## No. 18 of 1886.

### An Ordinance relating to the Protection of Wild Birds.

Preamble.

**W**HEREAS it is expedient to provide for the protection of wild birds in this island : Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Short title.

1 This Ordinance may for all purposes be cited as "The Wild Birds Protection Ordinance, 1886."

Interpretation clause.

2 The words "wild birds" shall, for all the purposes of this Ordinance, be deemed to mean all wild birds.

Government agent may declare close season or seasons in his province, or in any district or districts thereof.

3 It shall be lawful for the government agent of each province to declare, by notification in the *Government Gazette*, and by such other means as to him shall seem expedient for giving due publicity thereto, what shall be observed as the close season, during which wild birds shall not in anywise be destroyed in such province. And it shall be lawful for the government agent, by such notification, either to specify different close seasons for different species of wild birds, or to declare one close season for all wild birds excepting any particular species thereof ; and the government agent may, by the said notification, limit such close season or close seasons aforesaid to any particular district or districts of his province.

Penalties for shooting, taking, or possessing wild birds, or their feathers or skins.

4 Any person who during the close season in any year after the passing of this Ordinance shall knowingly and wilfully shoot, or attempt to shoot, or shall use any boat for the purpose of shooting or causing to be shot, any wild bird in respect of which such close season shall have been declared, or shall use any lime, trap, snare, net, or other instrument for the purpose of taking such wild bird, or shall expose or offer for sale, or shall have in his control or possession

*Wild Birds.*

during the close season such wild bird recently killed or taken, or the feathers or skin of such wild bird recently killed or taken, shall be guilty of an offence, and punished by a fine not exceeding ten rupees.

Provided that a person shall not be liable to be convicted of exposing or offering for sale, or having the control or possession of such wild bird recently killed or taken, or the feathers or skin of such wild bird recently killed or taken, if he satisfies the court before whom he is charged either—

Proviso.

- (a) That the killing or taking of such wild bird, if in a place to which this Ordinance applies, was lawful at the time when it was killed or taken ; or
- (b) That such wild bird was killed or taken in some place to which this Ordinance does not apply, and the fact that the wild bird was imported from some place to which this Ordinance does not apply shall, until the contrary is proved, be evidence that the bird was killed or taken in some place to which this Ordinance does not apply ; or
- (c) That he came into possession of such feathers or skin at a time when the killing or taking of the bird from which such feathers or skin were taken was lawful.

5 Where any person shall be found offending against this Ordinance, it shall be lawful for any person to require the person so offending to give his name and place of abode, and in case the person so offending shall, after being so required, refuse to give his real name or place of abode, or give an untrue name or place of abode, he shall be guilty of an offence, and punished by a fine not exceeding ten rupees.

Penalty for refusing to give name and place of abode.

6 All offences under this Ordinance may be prosecuted before a police court or village tribunal having in other respects jurisdiction ; and it shall be lawful for such court or tribunal to award to the informer in any case any sum not exceeding a moiety of the fine actually recovered and realized.

Offences to be prosecuted before a police court or village tribunal.

7 The Governor may, by order under his hand, extend or vary any close season or seasons appointed under section 3, and such extended or varied close season may, by the said order, be limited to any particular district or districts of any province, and to any particular species of wild birds, after the making of which order the punishments imposed by this Ordinance in respect of such wild birds shall in such district or districts apply only to offences committed during the time specified in such order. Every such order as aforesaid shall be published in the *Government Gazette*, and a copy of the *Government Gazette* containing any order made under this section shall be evidence of the same having been made.

Governor may extend or vary the close season, and make the same applicable to particular species of birds.

8 This Ordinance shall come into operation on the first day of January, 1887.

Commencement.

23rd December, 1886.