

T A S M A N I A

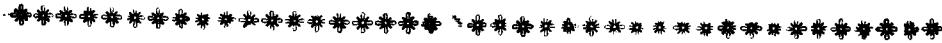


1902.

ANNO SECUNDO

EDWARDI VII. REGIS,

No. 21.



AN ACT to further amend "The Game Protection Act, 1895." [5 December, 1902.] A.D. 1902.

BE it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

1 This Act may be cited as "The Game Protection Amendment Act, 1902." Short title.

2 In this Act—

"The said Act" shall mean "The Game Protection Act, 1895." Interpretation.
"Mutton Bird" shall mean the short-tailed Petrel (*Puffinus tenuirostris*.) 59 Vict. No. 26

3 The following words "ii. Prescribing the purposes for which the eggs of the Mutton Bird may be taken," in Section Sixteen of the said Act, are hereby repealed. Repeal.

4 If any person takes or wilfully destroys the eggs of any Mutton Bird, every person so offending shall forfeit and pay a penalty not exceeding Twenty Shillings for every such egg taken or wilfully destroyed as aforesaid. Penalty for taking or destroying eggs of Mutton Birds.

4d.]

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No person to take Mutton Birds unless he holds a licence.

5 No person shall kill, take, or capture any Mutton Bird unless such person is the holder of a licence for that purpose; and any person who acts contrary to this provision shall be liable to a penalty not exceeding Five Pounds.

Nothing in this Act contained shall be deemed to authorise any person holding such licence to go upon the lands occupied by or belonging to any other person, without the consent of such person, for the purpose of killing, taking, or capturing any Mutton Bird.

Mode of issuing and duration of licence.

6 Every licence authorised to be granted under the provisions of this Act may be issued by any person authorised by the Commissioner of Crown Lands to issue such licences to such person as he sees fit, and such licence shall be in force in the District named or described in such licence and not elsewhere, for the period therein named.

Licensed person upon demand to produce licence.

7 Every person shall, upon the demand of any constable, or of the occupier of any land, or his servant or agent, whereon such person shall be killing, taking, or capturing, or attempting to kill, take, or capture Mutton Birds, produce and show a licence issued to such person under this Act, and in default thereof shall, upon conviction, forfeit and pay a penalty not exceeding Five Pounds.

Fee for licence.

8 There shall be paid upon the issue of any such licence, as is hereinbefore mentioned, such fees as may be prescribed by Regulations to be made by the Governor for such purpose; and all sums of money received for licences shall form part of the Consolidated Revenue Fund.

Appropriation of fees.

Licence not to authorise holder to take Mutton Birds during close season.

9 Nothing in this Act contained shall be deemed to authorise any person holding any licence issued under this Act to kill, take, or capture Mutton Birds, except during the time prescribed during which Mutton Birds may be killed, taken, or captured.

Governor may make Regulations for issuing licences.

10 In addition to the power of making Regulations conferred by Section Sixteen of the said Act, the Governor may make Regulations for the following purposes, or any of them—

- I. Prescribing the form of licence to be issued under the provisions of this Act :
- II. Prescribing the time during which such licences may be issued, and the time during which they shall be in force :
- III. Prescribing the fees to be paid upon the issue of such licences :
- IV. For any other purpose for the more effectual execution of this Act.

And similar procedure shall be adopted in making any such Regulations as in making any Regulations under the provisions of the said Act.

Penalty for hunting Opossum for Two years.

11 Every person who, within the period of Two years from the passing of this Act, in any manner hunts or is found in possession, either on his own land or elsewhere, of any Opossum, whether alive or

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dead, or any skin or carcase thereof, shall, for every Opossum so hunted or found in his possession, and for every skin or carcase thereof so found in his possession, forfeit every such skin or carcase, which shall thereupon become the property of the Crown, and forfeit and pay a penalty not exceeding Five Pounds.

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Nothing herein contained shall prevent any person from having or keeping any Opossum in a state of confinement, provided the same is taken or captured before the Twentieth day of *November*, One thousand nine hundred.

No person prosecuted for being found in possession of any Opossum, or the skin and carcase thereof, contrary to this Section, shall be liable to any penalty if such person proves to the satisfaction of the adjudicating Justices that such Opossum, or that the Opossum from which such skin or carcase was taken, was hunted and taken before the Twentieth day of *November*, One thousand nine hundred.

12 This Act and the said Act, and every Act amending the same, shall be read and construed together as one and the same Act.

Acts to be
read together.

