

No. 18 OF 1949.

A LAW TO AMEND THE GAME AND WILD BIRDS LAWS,
1934 TO 1947.

R. E. TURNBULL,]

[28th March, 1949.

Officer Administering the Government.

BE it enacted by His Excellency the Officer Administering the Government and Commander-in-Chief of the Colony of Cyprus as follows:—

1. This Law may be cited as the Game and Wild Birds (Amendment) Law, 1949, and shall be read as one with the Game and Wild Birds Laws, 1934 to 1947 (hereinafter referred to as “ the principal Law ”), and the principal Law and this Law may together be cited as the Game and Wild Birds Laws, 1934 to 1949.

Short title.

3 of 1934

23 of 1938

24 of 1941

19 of 1947

Amend-
ment of
section 2 of
the principal
Law.

2. Section 2 of the principal Law is hereby amended as follows :—

- (a) by the deletion therefrom of the definition “ Close Season ” (as set out in Law 19 of 1947) and the substitution therefor of the following definition :—

“ ‘ Close Season ’ means the period between the 1st February and the 30th September, both days inclusive, in every year or any other period as may be prescribed by the Governor in Council, under the provisions of this Law, to be a Close Season.”;

- (b) by the insertion therein in its proper alphabetical order of the following definition :—

“ ‘ Dealer in Game ’ means a person licensed to deal in game under the provisions of this Law ;”.

Insertion of
new section
2A in the
principal
Law.

3. The principal Law is hereby amended by the insertion therein, immediately after section 2, of the following section :—

“ Power to
Governor in
Council to
prescribe
other period
of Close
Season.

2A. The Governor in Council may, by order to be published in the *Gazette*, prescribe any period in any year to be a Close Season and 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.”

Amend-
ment of
section 3
of the
principal
Law.

4. Section 3 of the principal Law is hereby amended as follows :—

- (a) by the deletion in sub-section (1) of the words “ Any person who acts in contravention of this sub-section shall be guilty of an offence under this Law.” ;

- (b) by the insertion therein, immediately after sub-section (1), of the following sub-section :—

“ (1A) 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 three months or to a fine not exceeding twenty-five pounds or to both.”

5. Sub-section (1) of section 4 of the principal Law is hereby deleted and the following sub-section substituted therefor :—

Deletion of section 4 (1) and substitution of new sub-section.

First
Schedule.

Form A.

31 of 1933

5 of 1934

11 of 1934

17 of 1937

19 of 1942

“(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—

(a) is the holder of a Firearms Licence under the Firearms Laws, 1933 to 1942; and

(b) being the holder of a Game Licence during the immediately preceding season, satisfies the Commissioner that, during such season, he has killed not less than six crows or magpies :

Provided that paragraph (b) of this sub-section shall not apply—

(i) to any Game Licence to be granted to any person before the 1st day of August, 1950, or to be granted after that date to any person who is on a temporary visit to Cyprus ;

(ii) to any person who applies for a Game Licence for the first time or during a season immediately following the making of an order by the Governor under paragraph (a) of section 6 (1) of this Law which does not exempt crows and magpies from its operation or who was absent from the Colony during the season, not being a Close Season, immediately preceding :

Provided further that the Governor may, at any time by notice in the *Gazette*, suspend the operation of paragraph (b) of this sub-section for such time as may be specified in the notice.”

6. Section 5 of the principal Law is hereby amended as follows :—

Amendment of section 5 of the principal Law.

(a) by the deletion in paragraph (b) of the proviso to sub-section (1) thereof of the words “sparrows, thrushes, blackbirds, larks, beccaficos, doves, pigeons, starlings, crows, jackdaws, ravens, magpies and hawks” (lines 3, 4 and 5) and the substitution therefor of the words “wild birds in general or such wild birds as may be specified in the endorsement,”;

(b) by the deletion therefrom of sub-section (2) and the substitution therefor of the following sub-section :—

“(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 three months or to a fine not exceeding twenty-five pounds or to both.”

Insertion of new sections 6A, 6B and 6C in the principal Law.

7. The principal Law is hereby amended by the insertion therein, immediately after section 6, of the following sections :—

“Restrictions of sale of game by holders of a Game Licence.

6A.—(1) No holder of a Game Licence shall sell any game except to a Dealer in Game, unless he is himself a Dealer in Game.

(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 three months or to a fine not exceeding twenty-five pounds or to both.

No sale of game to the public except by Dealers in Game.

6B.—(1) Subject to the provisions of section 6A of this Law, no person shall sell or otherwise dispose of any game to any member of the public, unless he is the holder of a licence as a Dealer in Game.

(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 three months or to a fine not exceeding twenty-five pounds or to both.

Dealers in Game to be licensed and keep book.

6C.—(1) Any person who wishes to obtain a licence as a Dealer in Game shall apply to the Commissioner specifying his name and residence and the place or premises at which he proposes to sell or dispose of game and the Commissioner, upon the payment of a fee of five shillings, shall grant to him a licence to be a Dealer in Game in the Form B in the First Schedule hereto and such licence shall be exhibited by the holder in a conspicuous place, in the place or premises at which he proposes to sell or dispose of game:

First Schedule. Form B.

Provided that the Commissioner may refuse to grant a licence to any person to be a Dealer in Game if such person is convicted for an offence under the provisions of this section.

Second
Schedule.

(2) Every Dealer in Game shall keep a book wherein he shall enter or cause to be entered true and accurate particulars on the several matters set out in the Second Schedule hereto.

(3) Any Dealer in Game who acts in contravention of sub-section (1) or (2) of this section shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding twenty-five pounds or to both."

8. Section 21 of the principal Law is hereby amended by the deletion therefrom of the words "and shall in addition be prohibited from carrying a gun for a period of not less than twelve months or more than five years" (lines 4, 5 and 6). Amendment of section 21 of the principal Law.

9. Section 22 of the principal Law is hereby repealed and the following section substituted therefor:— Repeal of section 22 of the principal Law and substitution of new section.

"Consequences following conviction.

22. Where any person is convicted of an offence under this Law—

- (a) he shall in addition to any other penalty be prohibited from carrying a gun for a period of not less than twelve months or more than five years;
- (b) any gun in respect of which the offence has been committed, being the property of such person, shall be forfeited;
- (c) any licence granted to such person under this Law shall be forfeited."

10. The First Schedule to the principal Law is hereby amended by the insertion therein of the following Form B:— Amendment of the First Schedule to the principal Law.

"FORM B.—(Section 6B.)

The Game and Wild Birds Laws, 1934 to 1949.

DEALER IN GAME.

LICENCE.

No.....

This is to certify that....., of....., is licensed as a Dealer in Game to sell or otherwise dispose of game at.....

Fee paid 5s.

Dated..... Commissioner of....."

Insertion
of new
Second
Schedule
in the
principal
Law.

11. The principal Law is hereby amended by the insertion therein, immediately after the First Schedule, of the following Second Schedule, the Second Schedule therein being re-numbered as Third Schedule :—

“ SECOND SCHEDULE.—(Section 6C (2).)

PARTICULARS TO BE SET OUT IN BOOK OF DEALERS IN GAME.

Date of purchase of game	Kind of game	From whom game purchased and No. of Game Licence	Date of sale/disposal of game	Persons to whom game was sold/disposed

28th March, 1949.

H. G. RICHARDS,
Acting Colonial Secretary.