
CHAPTER 472

THE WILD BIRDS PROTECTION ACT

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WILD BIRDS PROTECTION

(8th May, 1913.)

3/1913.
S.R.&O. 26/1974.
S.R.&O. 3/1976.

1. This Act may be cited as the Wild Birds Protection Act. Short title.

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Interpretation.

2. In this Act—

Schedules A and B.

“wild birds” means any birds specified in Schedule A and Schedule B.

Enumeration of offences.

3. Any person shall be guilty of an offence against this Act who—

Schedule A.

(1) wilfully kills, wounds or takes any wild bird specified in Schedule A;

(2) takes, removes, injures or destroys any nest or egg of any such bird;

(3) exposes for sale, or knowingly has in his possession, any such wild bird, or any part of such bird, killed, wounded or taken in Antigua and Barbuda, or the nest or eggs of any such bird taken in Antigua and Barbuda.

(4) exports or attempts to export the skin or plumage of any wild bird killed, wounded or taken, or the nest or eggs of any wild bird taken in Antigua and Barbuda.

Close period defined for protection of birds in Schedule B.

4. Any person who, between the first day of February and the fifteenth day of July, both inclusive, in any year, which period is hereinafter called the close season, knowingly kills, wounds or takes any wild bird specified in Schedule B, or takes, removes, injures or destroys any nest or egg of such bird, or knowingly has in his possession, or exposes or offers for sale, or purchases any such bird or any part of any such bird killed, wounded or taken, or the nest or eggs of any such bird, taken during the close season, shall be guilty of an offence.

Onus of proof on person found in possession, &c., of bird, nest or eggs of such bird.

5. Where any person is proceeded against for exposing or offering for sale, or having in his possession or exporting or attempting to export any wild bird or any part of any such bird, or the nest or eggs of any such bird, the proof that the bird was killed, wounded or taken or the nest or eggs taken without Antigua and Barbuda or otherwise than during the close season, as the case may be, shall be on such person.

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6. (1) In the case of an offence against this Act, any person may require the offender to give his name, description and place of abode. **Offender must give name, &c.**

(2) If such an offender does not truly give his name, description and place of abode, he shall be guilty of an offence in addition to that which he shall have been found committing.

7. Every person convicted of an offence against this Act shall be liable to a penalty not exceeding two hundred and fifty dollars. **General penalty.**

8. A complaint for any offence against this Act may be brought before— **Complaint, how brought.**

(1) the Magistrate of the district in which the offence has been committed; or

(2) the Magistrate of the district in which the offender resides.

9. The complainant or informer in any proceedings under this Act shall receive one-half of any penalty imposed on and paid by the offender. **Informer's half.**

10. An offence against this Act committed on the sea coast, or at sea beyond the limits of any district, may be inquired of, heard and determined in any district abutting on such sea coast or adjoining sea. **Offences committed on sea, how heard.**

11. Any bird or any part of any bird or the nest or eggs of any bird in respect of which a conviction takes place, shall be forfeited. **Bird or any part thereof forfeited.**

12. Notwithstanding anything in this Act, the Governor-General may by writing under his hand authorize any person for such time and subject to such conditions as he thinks fit, for scientific or other purposes, to kill, wound, or take any wild bird or to take or remove the nest or eggs of any wild bird. **Authority for scientific purposes, &c.**

13. (1) The Governor-General may with regard to any wild bird specified in Schedule B, and with respect to **Governor-General may vary seasons.**

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the whole or any particular part of Antigua and Barbuda, extend or vary, by proclamation, the prohibited time for killing, wounding, taking, exposing, offering for sale, and purchasing of any wild bird, or for taking, removing, injuring or destroying the nest or eggs of any wild bird.

(2) After such proclamation, the penalties imposed by this Act in respect of such wild bird shall, in Antigua and Barbuda or in any part thereof as the case may be, mentioned in such proclamation, apply only to offences committed during the time specified in such proclamation.

(3) Such proclamation shall be published in the *Gazette* and in a newspaper circulating in Antigua and Barbuda.

(4) A copy of the *Gazette* or newspaper containing any such proclamation shall be evidence in all courts, and for all purposes of the same having been made.

**Governor-General
may amend
Schedules.**

14. The Governor-General may add the name of any bird to, or remove the name of any bird from, either of the two Schedules.

SCHEDULE A

S. 3(1)

BIRDS TO BE PROTECTED

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|------------------------|--------------------------|
| 1. Humming birds. | 10. Barbados black bird. |
| 2. Yellow breast. | 11. Loggerhead. |
| 3. West Indian Canary. | 12. Coo-coo. |
| 4. Banana Bird. | 13. Tern. |
| 5. Pea Whistler. | 14. Crane. |
| 6. Blacksmith. | 15. Kingfisher. |
| 7. West India robin. | 16. Sour sop bird. |
| 8. Chitty birds. | 17. Black witch. |
| 9. Gaudings. | 18. Swan. |
| | 19. Mallard Ducks. |
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SCHEDULE B

S. 4

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|-------------------------|--|
| 1A. White Crown pigeon. | 6. Coots (red and white seal). |
| 1B. Ramier Pigeon. | 7. West Indian thrush. |
| 2. Partridge. | 8A. Whistler (West Indian tree duck). |
| 3. Wood dove. | 8B. All wild ducks, other than Whistler (West Indian tree duck). |
| 4. Ground dove. | 9. Mountain dove. |
| 5. Quail. | |
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