



ST. HELENA

CHAPTER 97

BIRDS PROTECTION ORDINANCE

Non-authoritative Consolidated Text

This is not an authoritative 'revised edition' for the purposes of the Revised Edition of the Laws Ordinance; it has been prepared under the supervision of the Attorney General for the purpose of enabling ready access to the current law, and specifically for the purpose of being made accessible via the internet.

Whilst it is intended that this version accurately reflects the current law, users should refer to the authoritative texts in case of doubt. Enquiries may be addressed to the Attorney General at Essex House, Jamestown [Telephone (+290) 2270; Fax (+290) 2454; email pa.lawofficers@legalandlands.gov.sh]¹

Visit our [LAWS page](#) to understand the St. Helena legal system and the legal status of this version of the Ordinance.

This version contains a consolidation of the following laws—

BIRDS PROTECTION ORDINANCE

Ordinance 8 of 1996 .. in force 29 March 1996

Amended by Ord 1 of 2016

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No Subsidiary Legislation has been made under this Ordinance

¹ These contact details may change during 2011 or early in 2012. In case of difficulty, email shgwebsite@sainthelena.gov.sh or telephone (+290) 2470.

CHAPTER 97
BIRDS PROTECTION ORDINANCE

ARRANGEMENT OF SECTIONS

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CHAPTER 97
BIRDS PROTECTION ORDINANCE

(Ordinances 8 of 1996 and 1 of 2016)

AN ORDINANCE TO PROTECT BIRDS.

Commencement
[29 March 1996]

Short title

1. This Ordinance may be cited as the Birds Protection Ordinance.

Application

- 2.² This Ordinance does not apply to—
 - (a) domesticated birds; or
 - (b) protected birds under the Environmental Protection Ordinance, 2016.

Interpretation

3. (1) In this Ordinance—

“**Committee**” means the Committee charged by the Governor with the responsibility for the administration of this Ordinance;

“**game bird**” means a pheasant or partridge;

“**licence**” means a licence issued by the Committee in accordance with section 5.
- (2) If a penalty is set out at the foot of a section or subsection it indicates that a contravention of the section or subsection, whether by act or omission, is an offence punishable by a fine not exceeding the amount stated.

² Section 2 amended by Ord 1 of 2016 (Corrected by Rectification Notice published as LN 5 of 2016)
This e-version of the text is not authoritative for use in court.

Offences

4. A person, unless authorised to do so by a licence, must not—

(a) take, kill or wilfully injure a bird; or

(b) take or destroy the eggs of a bird.

Penalty: Fine not exceeding £500

Committee may issue licences

5. (1) Subject to the other provisions of this section, the Committee may on payment of any prescribed fee issue a licence authorising a person—

(a) to kill or take birds; or

(b) to take or destroy the eggs of birds.

(2) The Committee must not licence a person—

(a) to kill or take birds indigenous to St. Helena; or

(b) to take or destroy the eggs of such birds,

unless the Committee is satisfied that the birds or eggs are to be taken, killed or destroyed for a reputable scientific purpose.

(3) The Committee must not licence a person—

(a) to kill or take birds (not being birds indigenous to St. Helena or game birds); or

(b) to take or destroy the eggs of such birds,

unless the Committee is satisfied that—

(c) the birds or eggs are to be taken, killed or destroyed for a reputable scientific purpose; or

(d) the birds belong to a species of bird that is a pest or public nuisance.

(4) The Committee must not licence a person—

(a) to kill or take game birds; or

(b) to take or destroy the eggs of such birds,

unless the Committee is satisfied that—

(c) the birds or eggs are to be taken, killed or destroyed for a reputable scientific purpose; or

(d) in the case of a licence to take or kill game birds—the birds may be taken or killed in accordance with the provisions of the licence without adversely affecting the breeding stock of those birds on the Island.

(5) Nothing in this section prejudices the Endangered Species Protection Ordinance.³

Licence to contain details

6. A licence must specify—

(a) the name of the person who is authorised by the licence to take, kill or destroy birds or eggs; and

(b) the type of birds or eggs that the person named in the licence is authorised by the licence to take, kill or destroy; and

(c) the area of the Island where the person named in the licence is authorised by the licence to take, kill or destroy birds or eggs; and

(d) the period during which the person named in the licence is authorised by the licence to take, kill or destroy birds or eggs; and

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- (e) any other condition that the person named in the licence must observe in order to be authorised by the licence to take, kill or destroy birds or eggs.

Regulations

7. The Governor in Council may make regulations necessary or convenient for the purposes of this Ordinance.
