



ST HELENA

REVISED EDITION OF THE LAWS, 2017

ENVIRONMENT AND NATURAL RESOURCES

BIRDS PROTECTION ORDINANCE, 1996¹

*Ordinance 8 of 1996
In force 29 March 1996*

Amended by Ordinance 1 of 2016

No subsidiary legislation to 1 November 2017

BIRDS PROTECTION ORDINANCE, 1996

ARRANGEMENT OF SECTIONS

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AN ORDINANCE to protect birds.

Short title

1. This Ordinance may be cited as the Birds Protection Ordinance, 1996.

Application

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—

¹ Under section 10 of the Revised Edition of the Laws Ordinance, 1999 this text is authoritative and is the sole authentic edition in respect of the law contained in it as at 1 November 2017.

“**Committee**” means the Council 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) *Omitted*

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: A fine of £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 license a person to—

- (a) kill or take birds indigenous to St Helena; or
- (b) 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 license a person to—

- (a) kill or take birds (not being birds indigenous to St Helena or game birds); or
- (b) take or destroy the eggs of such birds,

unless the Committee is satisfied that—

- (i) the birds or eggs are to be taken, killed or destroyed for a reputable scientific purpose; or
- (ii) the birds belong to a species of bird that is a pest or public nuisance.

(4) The Committee must not license 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—

- (i) the birds or eggs are to be taken, killed or destroyed for a reputable scientific purpose; or
- (ii) 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) This section does not affect the provisions of the Environmental Protection Ordinance, 2016

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