

## New Zealand.

ANNO TRICESIMO

VICTORIÆ REGINÆ.

No. 56.

ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> <li>1. Short Title.</li> <li>2. What shall be deemed game.</li> <li>3. Game not to be taken or killed without license under a penalty of £20, Exceptions and Exemptions.</li> <li>4. Form of license and license fee.</li> <li>5. No person to sell game unless licensed under this Act.</li> </ol> | <ol style="list-style-type: none"> <li>6. Penalty for selling hen pheasant.</li> <li>7. How penalties recoverable.</li> <li>8. Rangers may be appointed.</li> <li>9. Who may demand production of license.</li> <li>10. Application of fees and fines.</li> <li>11. Coming into force of Act, First Schedule, Second Schedule.</li> </ol> |
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### AN ACT to amend "The Protection of Certain Animals Act 1865."

[8th October 1866.]

**BE IT ENACTED** by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows—

I. The Short Title of this Act shall be "The Protection of Certain Animals Act Amendment Act 1866." Short Title.

II. The word "game" for all the purposes of this Act shall be deemed to include deer of any kind swan wild goose or wild duck of any imported species whatever hares pheasants partridges grouse English plover quail heath or moor game black game and bustards and such word shall also mean any animals or birds which shall have been or shall be proclaimed to come under the operation of any of the provisions of "The Protection of Certain Animals Act 1865." What shall be deemed game.

III. Every person before he shall in New Zealand take kill or pursue or aid or assist in any manner in the taking killing or pursuing by any means whatsoever or use any dog gun net or other engine for the purpose of taking killing or pursuing any game shall take out a proper license to kill game under this Act and pay the duty hereby made payable thereon and if any person shall do any Act as hereinbefore mentioned in New Zealand without having duly taken out and having in force such license as aforesaid he shall forfeit a sum not exceeding twenty pounds and not less than five pounds Provided that nothing herein contained shall prevent the proprietor of any enclosed land from taking killing and pursuing game on such enclosed land or subject him to any penalty for so doing. Game not to be taken or killed without license under a penalty of £20.

The following exceptions and exemptions from the duties and provisions of this Act are hereby made and granted (that is to say)— Exceptions and Exemptions.

1. The taking or destroying of hares by the proprietor of any enclosed ground whatever or by the tenant of lands either by himself or by his direction or permission upon such ground or lands.

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2. The pursuing and killing of hares respectively by coursing by greyhounds or by hunting with beagles or other hounds.
3. The pursuing and killing of deer by hunting with hounds.
4. The taking and killing of deer in any enclosed lands by any owner or occupier of such lands or by his direction or permission.

Form of license and license fee.

IV. Every license to any person to take kill or pursue game shall be in the form in the first Schedule to this Act and shall be issued by the Superintendent of the Province in which such person shall reside or desire to exercise such license upon payment of the sum of five pounds to the Treasurer of the Province in which such person shall reside or desire to exercise such license shall be signed by the Superintendent of the Province and dated on the day when the same was actually issued and shall be in force from the day of the date until the first day of January next following the date thereof and any such license may be issued at any date subsequent to the thirtieth day of June in any year upon payment of the sum of three pounds.

No person to sell game unless licensed under this Act.

V. Every person before he shall sell game in New Zealand shall take out a license which shall be in the form in the second Schedule to this Act and be signed by the Superintendent of the Province and shall be in force for a period ending on the thirty-first day of December next following and shall in respect of every such license or renewal of license pay to the Treasurer of the Province in which such license shall be issued the sum of five pounds and if any person shall sell any game without having duly taken out and having in force such license as aforesaid he shall for every such act forfeit and pay the sum of twenty pounds.

Penalty for selling hen pheasant.

VI. Every person who shall within three years from the passing of this Act sell offer for sale or expose for sale a dead hen pheasant shall forfeit and pay for every such act a sum not exceeding twenty pounds and not less than five pounds Provided that nothing in this Act contained shall affect the provisions of Section XI. of "The Protection of Certain Animals Act 1865."

How penalties recoverable.

VII. All penalties created by this Act shall be recoverable in the manner directed by any Act for the time being in force for the regulation of summary proceedings before Justices of the Peace.

Rangers may be appointed.

VIII. It shall be lawful for the Superintendent from time to time to appoint one or more fit and proper persons to be and be styled Rangers whose duty shall be to observe and take care that the provisions of this Act be complied with in the Province or district for which they may be appointed and to lay informations against such persons as may offend against the same and any such Ranger to discharge as the Superintendent shall think fit.

Who may demand production of license.

IX. If any person shall be discovered doing any act whatever in respect whereof a license to kill game shall be required under this Act by any Ranger Revenue officer or by any person having duly taken out a license to kill game under this Act or by the owner landlord lessee or occupier of the land on which such person shall then be it shall be lawful for such Ranger Revenue officer or other person as aforesaid to demand and require from the person so acting the production of a license to kill game issued to him and the person so acting is hereby required to produce such license to the person so demanding the production thereof and to permit him to read the same and (if he shall think fit) to take a copy thereof or of any part thereof and in case no such license shall be produced to the person demanding the same as aforesaid then it shall be lawful for the person having

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made such demand to require the person so acting forthwith to declare to him his christian and surname and place of residence and the place at which he shall have taken out such license and if such person shall after such demand made wilfully refuse to produce and show a license to kill game issued to him or in default thereof to give to the person so demanding the same his christian and surname and place of residence and the place at which he shall have taken out such license or if he shall produce any false or fictitious license or give any false or fictitious name or place or if he shall refuse to permit any license which he may produce to be read or a copy thereof or of any part thereof to be taken he shall forfeit a sum not exceeding twenty pounds and not less than five pounds.

X. All fees for licenses fines and penalties arising and which may be received and recovered by virtue of the provisions of this Act shall be applied in the first instance in or towards defraying the salaries and expenses of the Ranger or Rangers to be appointed as aforesaid and subject thereto the balance if any shall be handed to the Treasurer of the Acclimatisation Society if any in the Province in which such fees or fines shall have been paid or recovered for the purposes of such Society and if there shall be no such Society shall be carried to the credit of the revenue of such Province.

Application of fees and fines.

XI. This Act shall not come into force in any Province until proclaimed by the Governor in the *New Zealand Gazette* and in the *Gazette* of the Province in which it shall be designed that it shall be brought into force and only from a date to be fixed therein.

Coming into force of Act.

## FIRST SCHEDULE.

## LICENSE TO KILL GAME.

[*Name in full*] of [*residence and description of person licensed*] having this day paid the sum of £5 (five pounds) pursuant to "The Protection of Certain Animals Act 1866" is hereby licensed to kill game within the Province of \_\_\_\_\_ during the year \_\_\_\_\_ from the \_\_\_\_\_ day of \_\_\_\_\_ 186\_\_\_\_\_ to the \_\_\_\_\_ day of \_\_\_\_\_ 186\_\_\_\_\_ both days inclusive.

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ 186\_\_\_\_\_ .  
Signed \_\_\_\_\_

## SECOND SCHEDULE.

## LICENSE TO SELL GAME.

[*Name in full*] of [*residence and description of person licensed*] having this day paid the sum of £5 (five pounds) pursuant to "The Protection of Certain Animals Act 1866" is hereby licensed to sell game within the Province of \_\_\_\_\_ during the year \_\_\_\_\_ ending the \_\_\_\_\_ day of \_\_\_\_\_ 186\_\_\_\_\_ .

Dated at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 186\_\_\_\_\_ .

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