

LAWS OF SEYCHELLES

WILD ANIMALS AND BIRDS PROTECTION ACT

CHAPTER 247

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BY

CHAPTER 247

WILD ANIMALS AND BIRDS PROTECTION ACT Act 37 of 1961.
S.I. 95 of 1975.
[14th April, 1961] Act 23 of 1976.
Act 09 of 2001

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. The Minister may make regulations for protection of wild animals and birds.
3. Penalties.
4. Saving.
5. Chapter 16 and regulations unaffected.

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| Short title.
3/23/1976. | 1. This Act may be cited as the Wild Animals and Birds Protection Act. |
| The Minister may make regulations for protection of wild animals and birds.
S.I. 95/1975.
Act 09/2001 | <p>2.(1) The Minister may make regulations for the protection of wild animals and birds.</p> <p>(2) Without prejudice to the generality of the foregoing power such regulations may -</p> <ol style="list-style-type: none"> (a) prohibit the shooting, killing, or taking of any wild animal or bird; (b) prohibit the possession, purchase, sale or exhibition for sale of any wild animal or bird, or of any part of a wild animal or bird or any wild birds' eggs; (c) prohibit the taking or destroying of or tampering with any wild bird's eggs or nest; (d) prohibit the exportation of any wild bird or of the plumage or skin thereof; (e) provide that contravention of or failure to comply with any regulations shall be an offence; (f) prescribe, subject to section 3, the penalty for an offence against a regulation made under this Act. <p>(3) Any such regulation may be made to apply or not to apply -</p> <ol style="list-style-type: none"> (i) to any wild animal or bird specifically described in such regulation or to any class of wild animals or birds with or without exception or to all wild animals or birds with or without exception; (ii) to the whole or to any part of Seychelles; |

- (iii) at all times or for a specified period or specified periods in any year or years.

2A.(1) Where a police officer has reason to believe that a person has committed an offence against a regulation made under this Act, he may, without a warrant, seize and detain any boat or other vessel or motor vehicle or aircraft which, he has reason to believe, has been used in the commission of that offence.

(2) Any boat or other vessel or motor vehicle or aircraft seized under subsection (1) shall be delivered into the custody of the Magistrates' Court and shall be dealt with according to the provisions of subsection (3) or subsection (4).

(3) Where, upon the conviction of the person for an offence under this Act, a fine is imposed on such boat or other vessel or motor vehicle or aircraft shall be held until the whole fine is paid, and if within sixty days following the imposition of a fine any part of the fine remains unpaid such boat or other vessel or motor vehicle or aircraft may be sold and the proceeds applied towards the payment of the fine.

(4) Where subsection (3) does not apply, or where a satisfactory bond or other security for the value of such boat or other vessel or motor vehicle or aircraft is given at anytime, the Court shall order its release.

Penalties
3/23/1976.
Act 9/2001

3.(1) Any person guilty of an offence against any regulation made under this Act shall, on conviction be liable to the penalty prescribed by regulation, or where no such penalty is so prescribed, to a fine not less than R5000 and not exceeding R.500,000 or to a term of imprisonment not exceeding two years.

(2) Where a penalty is prescribed by regulation, it shall not exceed the maximum fine and imprisonment referred to in sub-regulation (1).

(3) On convicting any person for an offence against any regulation, the Court in addition to any penalty imposed may cancel any licence issued to that person to operate any boat or vessel or motor vehicle or aircraft which is proved to have been used in the commission of the offence.

Saving.
S.I. 95/1975.
3/23/1976.

4. Notwithstanding the provisions of any regulation made under this Act it shall be lawful for any person, with leave previously obtained from the Minister, to shoot, kill, or take any wild animal or bird or to take the eggs of any wild bird or to export any wild bird or the plumage or skin thereof.

Chapter
and regula-
tions
unaffected.
Cap. 16
3/23/1976.

5 Nothing in this Act shall be deemed to affect the provisions of the Birds' Eggs Act and of any regulations made under that Act.
