

EXTRAORDINARY



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GOVERNMENT NOTICE.

The following Government Notice is published for general information.

H. D. J. BODENSTEIN,
Secretary to the Prime Minister.

Prime Minister's Office,
Cape Town.

No. 478. 12th April, 1934.

It is notified that His Excellency the Governor-General has been pleased to assent to the following Act which is hereby published for general information:—

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GOEWERMENTSKENNISGEWING.

Onderstaande Goewermentskennisgewing word vir algemene informasie gepubliseer.

H. D. J. BODENSTEIN,
Sekretaris van die Eerste Minister.

Kantoor van die Eerste Minister,
Kaapstad.

No. 478. 12 April 1934.

Hierby word bekendgemaak dat dit Sy Eksellensie die Goewerneur-generaal behaag het om sy goedkeuring te heg aan onderstaande Wet wat hiermee vir algemene informasie gepubliseer word:—

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No. 22, 1934.]

ACT

To protect wild birds.

BE IT ENACTED by the King's Most Excellent Majesty the Senate and the House of Assembly of the Union of South Africa, as follows:—

Capture etc. of
wild birds
prohibited.

1. No person shall capture any wild bird (except for the purpose of immediate destruction at the place of capture) and no person shall, after the expiration of a period of six months as from the commencement of this Act, sell, purchase or barter any live wild bird unless such capture, sale, purchase or barter is effected in accordance with a permit granted in terms of section two.

Permits to capture,
etc., wild birds.

2. (1) The Minister may appoint in writing any particular person or the holder of any office under the Government or under a Provincial Council or an office bearer of any public body or of any association or institution, to grant permits as hereinafter provided for the capture, sale, purchase or barter of wild birds, in any area defined in such appointment.

(2) The Minister may at any time cancel any such appointment.

(3) A person, officer or office bearer appointed as aforesaid may, in his discretion, in respect of the area for which he was appointed, grant to any person a permit for the capture of wild birds whose destruction, capture or disturbance is not prohibited under any law, on land whereon the holder of the permit has the right to capture them or for the sale, purchase or barter of live wild birds in the said area.

(4) Any such permit shall specify—

(a) in the case of a permit for the capture of wild birds—

(i) the name of the particular individual to whom it is granted;

(ii) the particular locality where the birds may be captured;

(iii) the method of capture of the birds;

(b) in the case of a permit for the sale, purchase or barter of live birds, the names of the parties to the intended transaction;

(c) the species of wild birds and the number of each species which may be captured, sold, purchased or bartered thereunder;

(d) the period during which it shall be valid.

Offences and
presumptions.

3. (1) Any person contravening any provision of section one of this Act shall be guilty of an offence and liable on conviction to a fine not exceeding twenty-five pounds.

(2) Any person who conveys any live wild bird over a public road or is in possession or custody of any live wild bird on land whereof he is not the owner or lawful occupier or whereon he does not reside, shall be deemed to have captured or purchased that bird or acquired it by barter in contravention of section one, unless it is proved that he did not capture or purchase that bird or acquire it by barter after the commencement of this Act, or that he captured or purchased it or acquired it by barter by virtue of and in accordance with a permit granted under section two.

(3) Whenever in any proceedings under this Act the question arises as to whether any bird is or was a wild bird, it shall be deemed to be or to have been a wild bird unless the contrary is proved.

Exclusion of par-
ticular species of
wild birds from
operation of Act.

4. The Minister may, by notice in the *Gazette*, exclude from the operation of this Act, any wild birds bred in captivity and in captivity before the commencement of this Act and any species of wild birds mentioned in such notice for a period or periods and in such area or areas as shall be stated in such notice or until further notice.

Definition of terms.

5. In this Act—

“wild bird” means any non-domestic bird of a species which inhabits either permanently or temporarily any part of the Union;

“Minister” means the Minister of Lands or any other Minister acting in his stead or to whom the Governor-General may from time to time assign the administration of this Act.

No. 22, 1934.]

WET

Tot beskerming van wilde voëls.

DIT WORD BEPAAL deur Sy Majesteit die Koning, die Senaat en die Volksraad van die Unie van Suid Afrika, as volg:—

1. Niemand mag 'n wilde voël vang (behalwe om onmiddellik dood te maak op die plek waar hy gevang is) en niemand mag, na verloop van 'n tydperk van ses maande vanaf die inwerking-treding van hierdie Wet, 'n lewendige wilde voël verkoop, koop, of ruil nie, tensy sodanige vangs, verkoop, koop of ruil bewerkstellig word in ooreenstemming met 'n permit inge-
volge artikel twee verleen.

Vang, ens. van wilde voëls word verbied.

2. (1) Die Minister kan 'n bepaalde persoon of die bekleder van 'n betrekking onder die Regering of onder 'n Provinsiale Raad of 'n ampsbekleder van 'n openbare liggaam of van 'n vereniging of inrigting skriftelik aanstel om volgens onderstaande voorskrifte permitte te verleen om in die gebied, in daardie aanstelling omskree, wilde voëls te vang, te verkoop, te koop of te ruil.

Permitte om wilde voëls te vang ens.

(2) Die Minister kan te eniger tyd so 'n aanstelling intrek.

(3) 'n Persoon, amptenaar of ampsbekleder wat as voormeld aangestel is, kan, volgens goeë dunnke, vir die gebied waarvoor hy aangestel is, aan enigeen 'n permit verleen om in daardie gebied wilde voëls, waarvan die doodmaak, vang of molesteer nie deur een of ander wet verbied is nie, te vang op grond waarop die houër van die permit die reg het om hulle te vang, of lewendige wilde voëls te verkoop, te koop of te ruil.

(4) So 'n permit moet vermeld—

(a) as dit 'n permit is om wilde voëls te vang—

(i) die naam van die bepaalde individu aan wie dit verleen is;

(ii) die bepaalde lokaliteit waar die voëls gevang mag word;

(iii) die wyse waarop die voëls gevang mag word;

(b) as dit 'n permit is om lewendige wilde voëls te verkoop, te koop of te ruil, die name van die partye by die voorgename handeling;

(c) die soorte wilde voëls en die aantal van elke soort wat kragtens die permit gevang, verkoop, gekoop of geruil mag word;

(d) sy geldigheidsduur.

3. (1) Elkeen wat 'n bepaling van artikel een van hierdie Wet oortree, is aan 'n misdryf skuldig en by veroordeling strafbaar met 'n boete van hoogstens vyf-en-twintig pond.

Misdrywe en regs-vermoedens.

(2) Elkeen wat 'n lewendige wilde voël oor 'n publieke pad vervoer of op grond waarvan hy nie die eienaar of wettige okkupeerder is of waarop hy nie woon nie, 'n lewendige wilde voël in sy besit of bewaring het, word geag dit in stryd met artikel een te gevang of te gekoop of deur ruil te verkry het, tensy bewys word dat hy daardie voël nie na inwerking-treding van hierdie Wet gevang of gekoop of in ruil verkry het of dat hy dit uit kragte van, en in ooreenstemming met 'n ingevolge artikel twee verleende permit gevang, gekoop of in ruil verkry het.

(3) Wanneer in 'n geding ingevolge hierdie Wet die vraag ontstaan of 'n voël wel 'n wilde voël is of was, word hy, behoudens teenbewys, geag 'n wilde voël te wees of te gewees het.

4. Die Minister kan by kennisgewing in die Staatskoerant verklaar dat hierdie Wet, gedurende 'n tydperk of tydperke en in sodanige gebied of gebiede in daardie kennisgewing vasgestel, of tot latere kennisgewing, nie van toepassing is nie op enige wilde voëls uitgebroei in gevangenskap en in gevangenskap voor die inwerking-treding van hierdie Wet en op een of ander soort wilde voëls wat in daardie kennisgewing vermeld word.

Onttrekking van besondere soorte wilde voëls aan toepassing van Wet.

5. In hierdie Wet beteken—

„wilde voël”, enige soort voël, wat nie 'n huisvoël is nie en hom of voortdurend of tydelik in enige deel van die

Omskrywing van „wilde voël”.

Unie ophou; „Minister”, die Minister van Lande of 'n ander Minister wat namens hom optree of aan wie die Goewerneur-generaal van tyd tot tyd die uitvoering van hierdie Wet mag opdra.

Amendment of Act
No. 8 of 1925.

6. The Wild Birds Export Prohibition Act, 1925, is hereby amended—

- (a) by the deletion from section *one* of the words "of Agriculture (hereinafter referred to as the Minister)";
- (b) by the insertion after section *four* of the following new section:

"Definitions. *4bis*. In this Act—

"wild birds" means any non-domestic birds of any species which inhabit either permanently or temporarily any part of the Union;

"Minister" means the Minister of Lands or any other Minister acting in his stead or to whom the Governor-General may from time to time assign the administration of this Act".

Short title.

7. This Act shall be known as the Wild Birds Protection Act, 1934.

GOVERNMENT NOTICE.

DEPARTMENT OF AGRICULTURE.

The following Government Notice is published for general information.

P. R. VILJOEN,
Secretary for Agriculture.

Department of Agriculture,
Cape Town.

No. 479.]

April 12, 1934.

EXPORT SUBSIDY ON MAIZE EXPORTED TO CANADA.

Whereas maize exported from the Union of South Africa to the Dominion of Canada after the 30th day of April, 1934, will, if such export is subsidized, be subject to a countervailing duty levied by the Government of that Dominion exceeding the export subsidy payable in respect of maize under section *six* of Act No. 49 of 1931, it is hereby notified that the Minister of Agriculture, acting in the stead of the Minister of Finance, will, in terms of sub-section (2) of section *six* of the said Act, withhold payment of the whole of the subsidy on maize exported from the Union of South Africa to the Dominion of Canada after the 30th day of April, 1934.

6. Die „Uitvoer van Wilde Vogels Verbod Wet, 1925”, Wysiging van Wet word hiermee gewysig— No. 6 van 1925.

(a) deur in artikel een die woorde „van Landbou (hieronder genoemd de Minister)” te skrap;

(b) deur die volgende nuwe artikel na artikel vier in te voeg:

„Woordomschrijving.

4 bis. In deze Wet betekent de uitdrukking—

„Wilde vogels”, iedere soort vogels die niet huisvogels zijn en die zich of voortdurend, of tijdelijk in enig deel van de Unie ophouden;

„Minister”, de Minister van Landen of een andere Minister diens namens hem optreedt of aan wie de Gouverneur-generaal van tijd tot tijd de uitvoering van deze Wet mocht opdragen.”

7. Hierdie Wet heet die Wet tot Beskerming van Wilde Kort titel. Voëls, 1934.

GOEWERMENSKENNISGEWING.

DEPARTEMENT VAN LANDBOU.

Onderstaande Goewermentskennisgewing word vir algemene informasie gepubliseer.

P. R. VILJOEN,

Sekretaris vir Landbou.

Departement van Landbou,
Kaapstad.

No. 479.]

12 April 1934.

UITVOERSUBSIDIE OP MIELIES UITGEVOER NA KANADA.

Aangesien, ingeval 'n subsidie daarop betaal word, mielies wat na die 30ste dag van April 1934, vanuit die Unie van Suid-Afrika uitgevoer word na die Dominium van Kanada onderhewig sal wees aan 'n kontrareg gehef deur die Regering van daardie Dominium, wat die uitvoersubsidie betaalbaar ten opsigte van mielies kragtens artikel ses van Wet No. 49 van 1931 sal oortref, word dit hiermee bekendgemaak, dat die Minister van Landbou, optredende in die plek van die Minister van Finansies, ingevolge sub-artikel (2) van artikel ses van bovermelde Wet, die hele subsidie op mielies wat uitgevoer word na die 30ste dag van April 1934 vanuit die Unie van Suid-Afrika na die Dominium van Kanada, nie sal betaal nie.