

CHAPTER 194.

WILD ANIMALS, BIRDS AND FISH PRESERVATION.

WILD GAME RULES

being the Rules contained in the sixth Schedule to the Ordinance.

Rules
12 of 1927.
2 of 1929.
1 of 1933.
P.N.
131 of 1940.

Citation and
application.

1. These rules may be cited as the Wild Game Rules and shall apply to the Colony and the Protectorate.

Interpreta-
tion.

2. In these rules—

“ native ” in the application of these rules to the Colony, means any person born or domiciled in the Colony or in the Protectorate, and, in their application to the Protectorate, means any person born or domiciled in the Protectorate;

“ hunt ” includes killing or capturing by any methods, and all attempts to kill or capture.

“ wild animal ” means any of the animals mentioned in schedules I to IV of the Wild Animals, Birds and Fish Preservation Ordinance, except francolin, guinea fowl and other game birds.

“ Government officer ” includes an officer of Her Majesty's Regular Forces serving in Sierra Leone.

“ young elephant ” means an elephant whose tusks weigh less than twenty-five pounds each.

LICENCES TO NON-NATIVES.

Licence
required to
hunt wild
animals.

3. (1) No non-native shall hunt any wild animal without having a licence from the Governor in one of the Forms A, B, C, or D, set out herein, or as provided by rule 9 hereof.

(2) For such a licence the applicant shall pay the fee herein specified:

Providing that the Governor may, whenever he deems it expedient to do so, grant to any person, without the payment of a fee, a Governor's licence subject to such conditions as may be specified therein to hunt any animal included in Schedules I to V to the Ordinance. Such licence may exempt the holder thereof from all or any of the restrictions and prohibitions imposed by these rules.

4. Any non-native hunting any wild animal without a licence, or contrary to the terms of his licence, shall be guilty of an offence.

Hunting wild animals without a licence an offence.

5. The Governor before issuing a licence may, in his discretion require the applicant to—

Power of Governor to impose conditions on grant of a licence.

(1) sign an agreement containing the following conditions—

(a) Native rights are to be observed in the killing of all wild animals, viz., a fore-quarter of the animal killed shall be given to the chief or headman of the town at which the licensee is residing. If in camp, away from a town, this condition does not apply.

(b) During the residence of any hunting expedition in the (*name of districts to be inserted*) districts, every licensee shall apply to the chief or headman of the town for the necessary accommodation for himself and his followers, if such accommodation is required, each house being paid for at the rate of 1s. per day.

All such payments are to be made to the owner of the house.

(2) deposit £100, or such less amount as the Governor may determine, as security for his compliance with the terms of the licence and of any such agreement.

If the licensee shall contravene the terms of any such agreement he shall be guilty of an offence.

6. It shall be lawful for the Governor, before issuing a licence, to modify such licence in any one or more of the following ways—

Power of Governor to modify licence.

(1) By prohibiting the killing or capturing of more than one of the wild animals permitted by a licence to be hunted.

(2) By prohibiting the hunting of any wild animal mentioned in any licence.

(3) By adding to the list of wild animals in any licence prohibited to be hunted, the names of any other wild animals.

7. Every non-native on being granted a full licence shall receive, free of charge, from the Accountant General a copy of the Ordinances and rules relating to the preservation of wild animals in force for the time being.

Certain licensees to receive copy of Ordinances and rules.

Registration
of licence.

8. Every non-native licensee, before he begins hunting, shall register his licence in the office of the District Commissioner in whose district he intends to hunt.

A licensee who fails to comply with this rule shall be guilty of an offence.

Loss of
licence.

9. If a licence is lost or destroyed, the licensee may, on payment of such fee not exceeding one-fifth of the original fee as the Governor may determine, obtain a fresh licence for the remainder of the term for which his former licence was available.

LICENCES TO NON-NATIVES WHICH PERMIT THE HUNTING OF ELEPHANTS.

Conditions
on which
licences which
permit the
hunting of
elephants
may be
issued to
non-natives.

10. Licences, other than a Governor's licence, which permit hunting of elephants shall be issued to non-natives only upon the following conditions—

(1) The applicant, therefor, shall produce a certificate signed, in the case of a military officer by his commanding officer, and in case of other persons by the Commissioner of Police or a District Commissioner, that he is in possession of a rifle which will fire a charge of not less than seventy grains of cordite or other explosive of equivalent force, and a bullet of not less than 480 grains of weight, and that he is in possession of a licence to carry the said rifle.

(2) The applicant shall sign an agreement containing the following conditions—

(a) The licensee shall, under no circumstances, in the first instance fire at any elephant with any weapon which shall fire a lesser charge of explosive or a lighter bullet than those hereinbefore described.

(b) The licensee shall not employ any person to hunt elephants on his behalf.

(c) The licensee shall report the killing of every elephant by him to the District Commissioner of the District in which such elephant is killed, within thirty days from the date of the killing of such elephant, and the licensee shall at the same time furnish to the District Commissioner the name of the chiefdom in which such elephant is killed.

(d) The licensee shall give a present of £2 for each elephant killed by him to the Paramount Chief of the chiefdom in which such elephant is killed.

11. To provide for the payments mentioned in sub-rule 2 (d) of rule 10, every non-native licensee may, on his arrival in any district, be required by the District Commissioner of such district to deposit the sum of £4 by way of security for the proper carrying out of the last mentioned condition; and the District Commissioner is hereby authorised to pay to the Paramount Chief of the chiefdom in which the elephants are killed, from the amount of £4 deposited with him as aforesaid, a sum not exceeding £2 for each elephant killed. If the licensee does not kill any elephant, the amount of £4 deposited by him shall be returned to him, or if he kills only one elephant, £2 of the amount deposited shall be returned to him.

Power of District Commissioner to require non-native licensee to deposit £4.

12. If any licensee shall refuse to make such deposit of £4, when required so to do, or if he contravenes any of the conditions mentioned in rule 10, he shall be guilty of an offence.

Offences.

LICENCES TO NATIVES TO HUNT ELEPHANTS.

13. (1) No native shall hunt any elephant without having a licence so to do, granted by the District Commissioner in whose district he intends to hunt.

Licences to natives to hunt elephants.

(2) A District Commissioner shall not issue such licence except on the recommendation of a Paramount Chief that the applicant is a proper person to receive the same, and that the weapon which he proposes to use is suitable.

(3) Such licences shall, so far as circumstances may permit, be in accordance with the Form E herein, and shall be issued free of charge.

HUNTING OF ELEPHANTS. TRADE IN ELEPHANTS' TUSKS.

14. All areas which are, or may be hereafter, constituted forest reserves under the Forestry Ordinance shall be reserves within which it shall be unlawful to hunt any elephant without the special permission of the Governor.

Forests reserves to be elephant reserves. Cap. 189.

15. Any person, whether native or non-native, who shall hunt—

Offences.

(a) any cow-elephant or young elephant, except when such elephant is injuring, or is about to injure, crops, cattle, a house, or other property; or

(b) any elephant by any other means than shooting; or

(c) any elephant without having a licence so to do, or in contravention of such licence; or

Cap. 189.

(d) any elephant within the limits of a forest reserve constituted under the Forestry Ordinance, without the special permission of the Governor, shall be guilty of an offence.

Elephant's tusk weighing less than 25 lb. not to be sold.

16. An elephant's tusk which weighs less than twenty-five pounds shall not be sold or bartered, or attempted to be sold or bartered, and any person selling or bartering, or attempting to sell or barter, any such tusk, shall be guilty of an offence, and every such tusk sold or bartered, or attempted to be sold or bartered, shall be forfeited to Her Majesty.

This rule shall apply to all persons, whether natives or non-natives.

PROHIBITED METHODS OF HUNTING.

Use of bright lamps prohibited.

17. No person shall hunt any wild animals by using a bright lamp or other portable light for the purpose of dazzling them or otherwise rendering them more easy prey.

Possession of bright lamps specially made or adapted for hunting prohibited.

18. Every person who shall be found having in his possession, without lawful excuse (the proof of which shall lie on such person), a bright lamp or other portable light which, in the opinion of the Court, is specially made or adapted for the purpose of hunting wild animals as mentioned in rule 17, shall be guilty of an offence under these rules.

NOTIFICATIONS AND RETURNS.

Notification of killing of elephants by natives.

19. (1) Every native to whom a licence may be granted to hunt elephants shall, within thirty days of killing an elephant in any chiefdom, inform the Paramount Chief of such chiefdom.

(2) Every Paramount Chief shall, as soon as possible, report to the District Commissioner the killing by any native of any elephant in his chiefdom, and shall give the name of such native.

(3) Any failure to comply with the provisions of this rule shall constitute an offence.

Returns by District Commissioners of elephants killed.

20. Every District Commissioner shall enter such particulars as he may be able of the killing of any elephant in his district in a register which he shall keep for that purpose, and shall, in the month of January of each year, send to the Provincial Commissioner the particulars so entered in respect of the previous year.

21. Every Provincial Commissioner shall, in the month of January in each year, send to the Minister a return of all the elephants which he may know to have been killed in his Province during the previous year.

Returns by Provincial Commissioners of elephants killed.

22. Every licensee shall, within one month after the expiration of any licence held by him, or, should he leave Sierra Leone (that is to say the Colony and the Protectorate) not intending to return before the expiration of such licence, then before he so leaves Sierra Leone, furnish the Minister with an accurate return of all wild animals killed by him during the period of such licence.

Return by non-native licensees.

Any licensee who fails to comply with the requirements of this rule shall be guilty of an offence.

This rule shall not apply to natives.

BANDED DUIKER AND COBUS ANTELOPE.

23. Any native or non-native who kills or captures a banded duiker shall be guilty of an offence under these rules.

Killing or capturing of a banded duiker forbidden.

24. (1) No native shall hunt any cobus antelope without having a licence so to do, granted by the District Commissioner in whose district he intends to hunt. Such licence shall prohibit the killing or capturing of any female and of more than two male cobus antelopes, and shall be issued free of charge. It shall, so far as circumstances may permit, be in accordance with the Form F set out herein.

No native to hunt cobus antelope without licence or contrary to its terms.

(2) Any native hunting a cobus antelope without a licence or contrary to the terms of his licence shall be guilty of an offence under these rules.

25. Every licence granted to a non-native by the Governor under rule 3 of these rules shall prohibit the killing or capturing of any female or of more than two male cobus antelopes.

No non-native to hunt cobus antelope except in accordance with his licences.

PENALTIES.

26. (1) Any person who is guilty of any offence under these rules shall be liable, on summary conviction thereof, to a fine not exceeding twenty-five pounds, or to imprisonment, with or without hard labour, for a term not exceeding six months.

Penalties.

(2) It shall be lawful for a Magistrate to order the forfeiture of any tusk, hide, horn, pad, tail, or other trophy which has

been obtained by killing an animal in circumstances which would have constituted an offence under these rules, had such killing not been in self-defence or unintentional, and the trophy so confiscated shall be sold by public auction, and the proceeds of such sale shall form part of the general revenue of the Colony.

Rules 3 and
13.

SCHEDULE

FORM A.

Qualified Licence to Government Officers—Fee, 10s.

(1) Name
of officer.
(2) Insert
office.

Licence is hereby granted to (1).....(2).....to hunt any wild animal except elephants, rhinoceroses, and hippopotami for one year from the date hereof, provided the said (1).....is, during the year, an officer serving in the Colony or Protectorate.

Dated at.....this.....day of.....19.....

.....
Governor.

This licence is not transferable.

Rule 3.

FORM B.

Full licence to Government Officer—Fee, £5.

(1) Name of
officer.
(2) Insert
office.

Licence is hereby granted to (1).....(2).....to hunt any wild animal: Provided that this licence shall not authorise the killing or capturing of more than two of each of the following animals, namely, elephants, rhinoceroses, or hippopotami, nor the hunting of any cow-elephant or young elephant.

This licence shall be in force for a period of one year from the date hereof: Provided that the said (1).....is during such period an officer serving in the Colony or Protectorate.

Dated at.....this.....day of.....19.....

.....
Governor.

This licence is not transferable.

Rule 3.

FORM C.

Qualified General Licence—Fee, £3.

Licence is hereby granted to.....of.....to hunt any wild animal except elephants, rhinoceroses and hippopotami for one year from the date hereof.

Dated at.....this.....day of.....19.....

.....
Governor.

This licence is not transferable.

FORM D.

Rule 3.

Full General Licence—Fee, £25.

Licence is hereby granted to.....of.....to hunt any wild animal: Provided that this licence shall not authorise the killing or capturing of more than two of each of the following animals, namely, elephants, rhinoceroses, or hippopotami, nor the hunting of any cow-elephant or young elephant.

This licence shall be in force for the period of one year from the date hereof.

Dated at.....this.....day of.....19.....

.....
Governor.

This licence is not transferable.

FORM E.

Rule 13.

Free Elephant Licence to Native.

Licence is hereby granted to.....of.....in the.....
Chieftdom to hunt elephants.

This licence shall be in force for the period of one year from the date hereof.

Dated at.....this.....day of.....19.....

.....
District Commissioner.

This licence is not transferable.

FORM F.

Rule 24 (1).

Free Cobus Antelope Licence to Native.

Licence is hereby granted to.....of.....in the.....
Chieftdom to hunt cobus antelope for the period of one year from the date hereof. Provided that this licence shall not authorise the killing or capturing of any female or of more than two male cobus antelopes.

Dated at.....this.....day of.....19.....

.....
District Commissioner.

This licence is not transferable.

WILD ANIMALS (EXPORT) RULES

made by the Governor in Council under section 3.

P.N.
46 of 1950.

1. These Rules may be cited as the Wild Animals (Export) Rules. Citation.

2. All licences issued under section 5 of the Wild Animals, Birds and Fish Preservation Ordinance shall be subject to these Rules and any breach thereof in respect of an animal in captivity for export under a licence shall be deemed to be an offence committed by the licence-holder.

Port for
export.

3. No animal shall be exported from Sierra Leone except through Freetown.

Containers
for transport.

4. (1) All animals collected for export during their transport from the place of collection to Freetown whether by railway or motor transport and when placed on board ship for export shall be housed in containers which—

(a) are of sufficient size to allow freedom of movement to prevent cramping;

(b) have adequate ventilation;

(c) protect the animals from excessive exposure to sun, wind and rain;

(d) are so constructed as to prevent the animals from escaping;

(e) are so constructed as to minimise the risk of injury to the animal through its attempting to escape, and

(f) are so constructed that persons having to handle the containers may do so without risk of injury from the animals.

(2) No animal shall be put into a container except under the supervision of the licence-holder or an accredited agent whose name has been inserted on the licence.

Premises for
detention
pending
export.

5. During any period in which any animals are detained in Freetown pending export, they shall be kept in premises to be approved by the Medical Officer of Health under such conditions as he may from time to time notify in writing to the owner or manager of the premises. Any person permitting the detention of animals intended for export in premises which have not been so approved or under conditions contrary to those notified by the Medical Officer of Health shall be guilty of an offence against these Rules.

Power of
inspection.

6. At all times after capture, animals shall be subject to inspection by any Medical Officer, Veterinary Officer, District Commissioner, or Police Officer not below the rank of Inspector.

7. At all times between capture and export, adequate provisions shall be made for the watering, feeding, and sanitary conditions of the animals. The person in charge of animals shall also carry out any instructions in this respect which may be given to him by a Medical Officer or a Veterinary Officer.

Watering,
feeding,
etc.

8. (1) No diseased animals shall be exported.

Diseased
animals.

(2) Any animal certified as being diseased by a Medical Officer or a Veterinary Officer shall be immediately removed and destroyed under his directions.

9. No animal in captivity pending export shall be allowed in any place to which the public have access unless a notice in red lettering warning the public of the danger of approach thereto is placed in a conspicuous position.

Notice of
warning
to public.

10. Any person committing a breach of these rules shall be guilty of an offence and liable on conviction to a penalty not exceeding twenty-five pounds or to six months imprisonment.

Offence
and
penalty.