



ANNO DECIMO

GEORGII V REGIS.

A.D. 1919.

No. 1365.

An Act to provide for the Protection of Wild Animals and Birds, and to Regulate the Use of Firearms for the purpose of Sport, and for other purposes.

[Assented to, October 16th, 1919.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as the "Animals and Birds Protection Act, 1919." Short title.
2. The Acts mentioned in the First Schedule hereto are hereby repealed. Repeal of certain Acts.
3. In this Act, except where the context otherwise requires or some other meaning is clearly intended— Interpretation. Cf. 1106, 1912, s. 3.
 - "Animal" means any wild mammalian animal of any kind, whether native or introduced:
 - "Carcass" means the carcass of an animal or bird, and includes any part of the carcass of an animal or bird:
 - "Close season" means, with regard to an animal or bird of any kind, the period of time during which animals or birds of that kind are protected:
 - "Closed area" means any area declared under this Act to be a closed area: No. 1199 of 1915.
 - "Crown lands" means Crown lands as defined in the Crown Lands Act, 1915, or lands reserved for or dedicated to any public purpose: "Gun"

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“Gun” includes a firearm of any description, and any air-gun, and any kind of gun from which any shot, bullet, or other missile can be discharged :

“Inspector” means an Inspector appointed under this Act, and includes the Chief Inspector, and any member of the Police Force :

“Minister” means the Minister of Industry or other the Minister of the Crown to whom the administration of this Act is for the time being committed by the Governor :

“Protected” means protected by this Act :

“Skin” means the skin of an animal, and includes any part of the skin of an animal :

“Take” includes any act of hunting, catching, destroying, killing, or injuring, or of attempting or assisting to hunt, catch, destroy, kill, or injure :

“This Act” includes proclamations made under this Act.

The verb to sell includes—

- i. to sell, barter, or exchange ;
- ii. to agree to sell, barter, or exchange ;
- iii. to offer, expose, store, have in possession, send, consign, or deliver for or on sale ;
- iv. to receive for sale ;
- v. to cause or suffer to be sold, bartered, or exchanged, or to be agreed to be sold, bartered, or exchanged ;
- vi. to cause or suffer to be offered, exposed, stored, had in possession, sent, consigned, or delivered for on sale ;
- vii. to cause or suffer to be received for sale ; and
- viii. to attempt to do any of such acts or things ;

and the word “sale” shall be construed accordingly.

The verb to buy includes to buy, to receive or accept under an agreement to sell, and to offer to receive or accept or cause or suffer to be received or accepted under an agreement to sell.

Application of the Act.
Cf. *ibid.*, s. 4.

Appointment of officers.
Cf. *ibid.*, s. 5.

4. Unless otherwise prescribed, the provisions of this Act shall apply throughout the whole of the State of South Australia.

5. (1) The Governor shall appoint the Chief Inspector of Fisheries to be the Chief Inspector under this Act, and may appoint such Inspectors and other officers as he thinks fit to carry out the provisions of this Act.

(2) Every member of the Police Force shall, by virtue of his office, be an Inspector under this Act.

*Animals and Birds Protection Act.—1919.**Protection of Animals and Birds.*

- 6.** (1) The animals and birds mentioned in the Second Schedule are hereby wholly protected. Animals protected wholly
Cf. *ibid.*, s. 6.
- (2) The animals and birds mentioned in the Third Schedule are hereby partly protected. Partly protected.
- (3) The animals and birds mentioned in the Fourth Schedule are unprotected. Unprotected.
- 7.** (1) Wholly protected animals and wholly protected birds are protected animals and protected birds at all times. Close season.
Cf. *ibid.*, s. 7.
- (2) Partly protected animals and partly protected birds are protected animals and protected birds during the period specified in the Third Schedule, or during such other period as is prescribed.
- 8.** The Governor may from time to time, by proclamation— Powers of the Governor.
- (a) transfer any animal or bird from the Second, Third, or Fourth Schedules to either of the other Schedules: Cf. *ibid.*, s. 8.
- (b) prescribe a close season for any partly protected animal or partly protected bird, either in substitution for the period specified in the Third Schedule or otherwise:
- (c) prescribe any area within which the provisions of this Act shall or shall not apply with respect to animals or birds generally, or to any particular kind of animal or bird:
- (d) declare any Crown lands, or any other land with the consent of the owner and the occupier of such other land, to be a closed area with respect to animals and birds generally, or to any particular kind of animal or bird:
- (e) with respect to any kind of animal or bird mentioned in the Third Schedule, fix the maximum number of animals or birds of that kind which may be taken by any one person on any day on which such animals or birds may lawfully be taken: Provided that no proclamation under this subdivision shall apply to the holder of a game licence.
- 9.** (1) All animals and birds with respect to which a closed area has been declared shall, within such closed area, be deemed to be wholly protected animals and wholly protected birds, notwithstanding that they are elsewhere only partly protected or are unprotected. Closed areas.
Cf. *ibid.*, s. 9.
- (2) Any dog found trespassing upon any closed area may be destroyed, and the destruction thereof shall not confer any right to compensation upon any person.
- 10.** (1) The Minister may grant permits for the taking, on Crown lands or on any other land with the consent of the occupier of such land, for scientific purposes, of any protected animals or birds, or Permits to take animals and birds for scientific purposes or domestic pets.
Cf. *ibid.*, s. 10.
the

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the eggs of any protected birds, or for the taking, on Crown lands or on any other land with such consent as aforesaid, of any protected animals or birds for the purpose of the same being kept in confinement or in a domesticated state.

(2) The Minister may also grant permits to sell any protected animals or birds which have been bred in captivity, or any protected animals or birds which have been lawfully taken for the purpose of the same being kept in confinement or in a domesticated state.

(3) Every permit granted hereunder may be issued subject to such restrictions and upon such terms as the Minister thinks fit: Provided that—

- i. every permit shall be liable to revocation by the Minister;
- ii. every permit shall specify a period during which the same will remain in force unless revoked before the expiration of such period; and
- iii. in no case shall such period exceed twelve months.

Special powers of
the Minister.

11. In addition to all other things which he is by this Act empowered or required to do, the Minister may—

- (a) appoint persons (in addition to the persons appointed by this Act) to issue game and gun licences under this Act;
- (b) direct the manner in which any forfeited property may be disposed of;
- (c) revoke any game or gun licence issued under this Act; and
- (d) do all things which may be necessary or convenient for carrying into effect the provisions and objects of this Act.

Powers of Inspectors.
Cf. *ibid.*, s. 11.

12. Every Inspector may, at any time, without any warrant other than this Act—

- (a) apprehend any person offending against the provision of this Act who refuses on demand to give his name and address, or who in the opinion of the Inspector gives a false name or address;
- (b) enter and search any premises or place where there is, or he suspects there is, any animal, or the carcass or skin of any animal, or any bird, or the carcass or any feathers of any bird, or any eggs, taken, or which he suspects to have been taken, in contravention of the provisions of this Act, or where any animal, or the carcass or skin of any animal, or any bird, or the carcass or any feathers of any bird, is or are on sale, or in which he believes the same to be on sale:

(c) search

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- (c) search any vehicle or boat or vessel, or any box, receptacle, or package, and open any box, receptacle, or package containing, or which he suspects to contain, any animal or bird or any eggs, feathers, carcass, or skin taken, or which he suspects to have been taken, in contravention of the provisions of this Act, and examine any such animal or bird or feathers, eggs, carcass or skin:
- (d) seize any property forfeited by, or which he has reason to believe to be liable to forfeiture under, this Act:
- (e) demand the production of any licence or permit issued under this Act:
- (f) demand the name and address of any person whom he has reason to suspect of any offence against the provisions of this Act: and
- (g) do any other thing prescribed, or which may be necessary for enforcing the provisions of this Act, or for detecting offences against this Act.

13. Every animal or bird taken and the carcass and skin of every animal taken and the carcass and feathers of every bird taken, and all eggs taken in contravention of any provision of this Act are hereby forfeited to His Majesty and shall be disposed of as directed by the Minister, and the forfeiture and disposal thereof shall not confer any right to compensation upon any person.

Forfeiture.

Cf. *ibid.*, s. 12.

14. Every person shall be guilty of an offence against this Act who—

Offences.

Ibid., s. 13;
745, 1900, 4.

- (a) takes any protected animal or bird or the eggs of any protected bird;
- (b) not being the holder of a game licence under this Act, takes on any one day on which such animals or birds may lawfully be taken a greater number of any kind of animal or bird mentioned in the Third Schedule than is prescribed;
- (c) has any protected animal or bird, or the carcass or skin of any protected animal or the carcass or any eggs or feathers of any protected bird, in his possession or under his control;
- (d) buys or sells any protected animal or bird or the carcass or skin of any protected animal or the carcass or any eggs or feathers of any protected bird, or any article wholly or partially made from the skin of any protected animal or bird or the feathers of any protected bird;
- (e) exports, or keeps for the purpose of export, any protected animal or bird or the carcass or skin of any protected animal or the carcass or any eggs or feathers of any protected bird;

(f) enters,

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- (*f*) enters, or is upon, any closed area with any gun, net, trap, or other instrument capable of being used for the purpose of taking any animal or bird: Provided that this subdivision shall not apply to any person so acting under authority from the Minister, or from any person or body, corporate or otherwise, in whom the control of such closed area is vested;
- (*g*) uses, discharges, carries, keeps, or has in his possession for the purpose of shooting at any animals or birds any gun the bore of which is greater than No. 10: Provided that, during the period of five years next following the date of the passing of this Act, the holder of a game licence may, for such purpose, use any gun the bore of which is not greater than No. 8;
- (*h*) refuses to give his name or address, or to produce any licence or permit, when lawfully demanded under this Act;
- (*i*) refuses to deliver up to any Inspector any property forfeited by, or liable to forfeiture under, this Act; or
- (*j*) resists, or in any way way interferes with or hinders, any Inspector in the execution of his duty.

Presumption as to carcasses of partly protected animals and birds.

1106, 1912. s. 14.

15. In the case of partly protected animals and partly protected birds, any carcass or skin and any eggs or feathers as to which during the close season any question arises shall be deemed to be and to have been the carcass or skin of a protected animal or the carcass or eggs or feathers of a protected bird, as the case may require, unless it is proved that the animal or bird or eggs or feathers were in fact taken before the commencement of such close season.

Use of artificial light for taking opossums an offence.

Cf. *ibid.*, s. 15.

16. Every person who uses any artificial light for the purpose of taking any opossum shall be guilty of an offence against this Act.

Scaring away birds from soaks in Coorong, &c., prohibited.

17. Every person who erects or places near any water or soak in those portions of the State known as the Coorong, and Lakes Alexandrina and Albert, any scare-crow or other device for the purpose of scaring away birds from such water or soak shall be guilty of an offence against this Act.

Trespasser to give name, &c., and quit when required.

Cf. *ibid.*, s. 16.

18. The owner or occupier of any land, or the servant or agent of such owner or occupier, may demand the name and address of any person trespassing upon such land whom he suspects of any offence against this Act, and may require any such trespasser to quit such land.

Offences by trespasser.

Cf. *ibid.*, s. 17.

19. (1) Every person shall be guilty of an offence against this Act who—

- (*a*) enters or is upon any land, other than Crown lands, for the purpose of taking any animal or bird or any eggs of any bird without the permission of the owner or occupier of such land;

(*b*) refuses

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- (b) refuses to give his name and address, or gives a false name or address, when lawfully demanded under section 18 ;
- (c) refuses to quit any land when lawfully required under section 18 ; or
- (d) re-enters upon any land after having been lawfully required under section 18 to quit the same.

(2) In any proceedings for any offence under this section the onus of proving the permission of the owner or occupier shall lie upon the defendant.

(3) In any proceedings for any offence under subdivision (a) of subsection (1) of this section, proof that any person who was on any such land as therein referred to had with him or in his possession any dog, gun, net, trap, or other instrument capable of being used for the purpose of taking any animal or bird shall be *prima facie* evidence that such person entered or was upon such land for the purpose of taking some animal or bird.

20. Notwithstanding anything in this Act, it shall be lawful for—

- (a) any aboriginal inhabitant of this State to take any animal or bird or any eggs of any bird upon any Crown lands (other than a closed area), or upon any other land with the consent of the occupier of such land, sufficient only for food for himself or his family, but not for sale : Exemption in certain cases.
Cf. *ibid.*, s. 18.
Aboriginal may take for food.
- (b) any person to keep any animal or bird as a domestic pet : Domestic pets.
- (c) any person being the owner or occupier of any garden, plantation, or cultivated land, or any person authorised by such owner or occupier, to take any animal or bird therein for the *bonâ fide* protection of such garden, plantation, or cultivated land, or anything growing, planted, or sown therein: Provided that no carcass or skin of any protected animal so taken, and no carcass or feathers of any protected bird so taken, shall be sold. Protection of cultivated lands.

21. Notwithstanding anything contained in this Act, the Governor may, if he is satisfied that any of the privileges conferred by this Act upon any aboriginal inhabitants of this State have been or are being abused, by regulation curtail such privileges in such manner and for such period and in such part or parts of this State as he thinks proper. Power to curtail privileges of aboriginals.

22. Nothing in this Act—

- (a) shall render unlawful anything done by any person to whom a permit has been granted by the Minister to take any animals or birds or the eggs of any birds for scientific purposes, or to take any animals or birds for the purpose of the same being kept in confinement or in a domesticated state or to sell any animals or birds: Provided that such thing is within the authority conferred by such permit ; or Exemption to permittees to take animals or birds for scientific purposes or for domestic pets.
Cf. *ibid.*, s. 19.
- (b) shall

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- (b) shall render unlawful the buying of protected animals or birds from any person to whom a permit has been granted by the Minister to sell such animals or birds: Provided that the sale is within the authority conferred by such permit; or
- (c) shall render unlawful anything done by any person who is the holder of a game licence under this Act: Provided that such thing is within the authority conferred by such licence; or
- (d) shall apply in respect of any animal or bird taken for or kept by the South Australian Zoological and Acclimatisation Society, Incorporated, or the Board of Governors of the Public Library, Museum, and Art Gallery of South Australia.

Use of Firearms for Sport.

Persons using firearms for sport to be licensed.

Cf. 6, 1875, s. 1.

23. Any person not being the holder of a licence in that behalf under this Act (in this Act called a "gun licence") who uses, discharges, carries, keeps, or has in his possession any gun for the purpose of shooting at any animals or birds for the purpose of sport shall be guilty of an offence against this Act:

Provided that this section shall not apply—

- I. to any occupier of any land, or any employee or member of the household of any such occupier, using, discharging, carrying, keeping, or having in his possession any gun (not being a gun the bore of which is greater than No 10) for the sole purpose of shooting as aforesaid on such land; nor
- II. to any aboriginal inhabitant of this State.

Shooting by holders of gun licences on Sundays an offence.

Cf. *ibid.*, s. 3.

24. No gun licence issued under this Act shall have any operation or effect on any Sunday, and the holder of any such licence who on any Sunday uses, discharges, carries, or has in his possession any gun for the purpose of shooting at any animals or birds for the purpose of sport shall be guilty of an offence against this Act: Provided that this section shall not apply in any part or parts of the State which are declared by proclamation to be exempted from the operation thereof, nor to any holder of a gun licence carrying or having in his possession outside any such exempted part of the State any gun for the purpose of the same being lawfully used within such exempted part.

Persons taking animals or birds for sale to be licensed.

25. (1) Any person not being the holder of a licence in that behalf under this Act (in this Act called a "game licence") who at any time when the same may lawfully be taken, takes any animal or bird of any of the kinds mentioned in the Third Schedule or the eggs of any such bird for the purposes of sale shall be guilty of an offence against this Act.

(2) Every person who is the holder of a game licence shall be deemed to be also the holder of a gun licence under this Act.

26. (1) Gun

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26. (1) Gun licences and game licences under this Act shall be issued in the prescribed form and upon payment of a fee of Two Shillings and Sixpence in the case of a gun licence and One Pound in the case of a game licence.

Gun and game licences.

(2) Such licences shall be yearly licences, and may be issued at any time: Provided that every licence shall expire on the last day of December next after the same is issued.

Cf. Fisheries Act, 1917, s. 13.

(3) All fees payable for gun licences and game licences shall, when received, be paid by the person receiving the same to the Treasurer for the purposes of the General Revenue of the State.

27. (a) The Chief Inspector and every member of the Police Force who is for the time being in charge of any Police Station is hereby appointed and authorised to issue gun licences, and

Issue of licences.
Cf. *ibid.*, s. 15.

(b) the Chief Inspector is hereby authorised and appointed to issue game licences

and to receive the prescribed fees therefor: Provided that no such licence shall be issued to any person under the age of fifteen years: Provided also that no game licence shall be issued to any person who does not satisfy the Chief Inspector that he is *bona fide* engaged in the business of taking animals or birds for sale.

Cf. 6, 1875,
s. 2, proviso.

28. In any proceedings for an offence against section 23 or section 25 the onus shall be on the defendant to prove that he is the holder of a gun licence or a game licence, as the case may be, under this Act.

Onus on defendant to prove he is licensed.
Cf. *ibid.*, s. 5.

29. In all proceedings against the holder of a gun licence or a game licence under this Act for an offence against any provision of section 14, 19, or 24, such holder shall produce his licence to the Special Magistrate or Justices hearing the case.

Licensee to produce his licence on prosecution.

30. The Special Magistrate or Justices before whom the holder of a gun licence or a game licence under this Act is convicted of an offence against section 14, 19, or 24 may, in addition to imposing a penalty for the offence, cancel the licence by indorsing thereon a memorandum of such conviction; and in such case the licence shall be surrendered to the Clerk of the Court, who shall forward or deliver it to the Chief Inspector.

Cancellation of licence on conviction.

31. (1) Every holder of a gun licence or a game licence under this Act shall carry such licence with him at all times whilst engaged in the doing of anything for the lawful doing of which the authority of such licence is required, and shall produce such licence and also furnish his name and address to any person demanding the same at any such time.

Gun and game licences to be carried and produced on demand.
Cf. *ibid.*, s. 6.

(2) If any holder of a gun licence or a game licence under this Act fails to comply with any requirement of this section, he shall be guilty of an offence against this Act.

32. The

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Governor may make regulations.

32. The Governor may make any regulations which may be necessary or convenient for carrying out or giving effect to the provisions or objects of this Act, including regulations prescribing the payment of fees, and imposing penalties not exceeding Ten Pounds for any breach of the same or any other regulation.

Penalties.
Cf. *ibid.*, s. 21.

33. Every person who is guilty of an offence against this Act, shall, except where otherwise prescribed, be liable—

- (a) for the first offence to a penalty of not less than One Pound nor more than Five Pounds;
- (b) for a second or subsequent offence to a penalty of not less than Two Pounds nor more than Twenty Pounds; and
- (c) in the case of any offence against subdivision (a), (c), (d), or (e) of section 14, to pay, in addition to the penalty imposed for the offence, the value of every animal or bird, carcass, or skin improperly taken, held, or dealt with. Such value shall be deemed to be Five Pounds if the subject matter of the offence is a wholly protected animal or the carcass or skin of a wholly protected animal or a wholly protected bird or the carcass of a wholly protected bird, and in all other cases shall be deemed to be Two Pounds.

Appropriation of penalties.

34. All moneys received for or on account of penalties imposed for offences against this Act shall be paid to the Treasurer for the public uses of the State, except moneys received in respect of an offence committed within the limits of a Municipality or a District Council District, when the information for such offence is laid by an officer of the Municipality or District, which shall be paid over to and for the use of the Corporation or District Council.

Summary proceedings for offences.

35. All proceedings in respect of offences against this Act shall be disposed of summarily.

Appeal.

36. There shall be an appeal in respect of proceedings in respect of offences against this Act.

Special case.

37. In the event of an appeal in respect of proceedings in respect of offences against this Act, a special case may be stated.

Protection to officers.
Cf. *ibid.*, s. 25.

38. No action shall be brought against any Inspector or other person for or on account of any matter or thing done or committed by him in the execution, or intended execution, of his duty or office under this Act, unless such action is commenced within six months after the cause of action arises.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

H. L. GALWAY, Governor.

SCHEDULES.

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SCHEDULES.

THE FIRST SCHEDULE.

Sec. 2.

ACTS REPEALED.

Reference to Act.	Title or Short Title of Act.
No. 6 of 1875	An Act to regulate the use of Guns and Firearms in certain cases.
No. 508 of 1891	An Act to Reduce the Fee Payable under the Act No. 6 of 1875, intituled an Act to Regulate the Use of Guns and Firearms in certain cases.
No. 745 of 1900	The Birds Protection Act.
No. 828 of 1903	The Birds Protection Act Amendment Act, 1903.
No. 1106 of 1912	The Animals Protection Act, 1912.

SECOND SCHEDULE.

Sec. 6 (1).

PART I.

ANIMALS WHOLLY PROTECTED.

Common Name.	Scientific Generic or Specific Name.
Bandicoot	Peramelis fasciata and P. obesula, Peragale lagotis
Banded Ant-eater	Myrmecobius fasciatus
Duck-billed Platypus ..	Ornithorhynchus anatinus
Dormouse Opossum.....	Dromicia concinna
Flying Squirrel	Acrobates pygmæus
Native Bear	Phascolarctus cinereus
Native Porcupine.....	Echidna aculeata
Opossum	Trichosurus vulpecula and Pseudochirus peregrinus
Rock Wallaby	Petrogale xanthopus and P. lateralis
Seals (Fur and Hair) ..	Otaria and Euotaria, within St. Vincent's Gulf and Spencer's Gulf north of a line from Cape Catastrophe to Cape Borda, thence to Cape Hart, and from Cape Hart to the mouth of the River Murray.

PART II.

BIRDS WHOLLY PROTECTED.

Common Name.	Scientific Generic or Specific Name.	Species Number for Reference.
Albatross	Diomedea (all species)	57 to 63
Avocet	Recurvirostra novae-hollandiæ ..	92
Bee-eater	Merops ornatus	224

SECOND

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Common Name.	Scientific Generic or Specific Name.	Species Number for Reference.
Babblers	Pomatorhinus (all species)	273 to 275
Bell Bird	Oreoica cristata	321
Black Cockatoo	Calyptorhynchus funereus	188
Banksian Cockatoo	Calyptorhynchus banksi	189
Bittern	Botaurus pœciloptilus	125
Black Magpie	Streperidæ (all species)	392 to 395
Blue Crane	Notophox novæ-hollandiæ	119
Blue Wrens	Malurus (all species)	300 to 303
Bower Bird	Chlamydera maculata	386
Bristle Bird	Sphenura broadbenti	307
Bush Lark	Mirafra horsfieldi	377
Butcher Bird	Cracticus destructor	319
Bustard (or Wild Turkey)	Eupodotis australis	110
Cape Barren Goose	Cereopsis novæ-hollandiæ	128
Chough	Corcorax melanorhamphus	391
Caterpillar-eater	Campophaga (all species)	264, 265
Cuckoos	Coccyges (all species)	229 to 236
Coot (Australian)	Fulica australis	28
Cuckoo Shrike	Graucalus melanops	262
Chats	Epthianura (all species)	281 to 283
Diamond Birds	Pardalotus (all species)	337 to 341
Dotterels	Charadriiformes (all species)	76 to 89
Doves	Geopelia placida and G. cunata	13, 14
Egret	Mesophox plumifera and Herodias timoriensis	117, 118
Emu	Dromaius novæ-hollandiæ	1
Emu Wren	Stipiturus malachurus	304
Field Wrens	Calamanthus (all species)	276 to 277A
Fantails or Flycatchers	Muscicapidæ (all species)	254 to 260
Frogmouth	Podargus strigoides	217
Gang Gang Cockatoo	Callocephalum galeatum	191
Glossy Cockatoo	Calyptorhynchus viridis	190
Grass Wrens	Amytornis (all species)	308, 309
Grass Parrots	Neophema (all species)	207 to 216
Grass Parrot (Red-backed)	Psephotus hæmatonotus	206
Ground Cuckoo Shrike	Pteropodocys phasianella	261
Grebes	Podicipedidæ (all species)	29 to 31
Honey-eaters (excepting Wattle Birds)	Meliphagidæ (all species)	342 to 375 (excepting 368)
Ibis (White)	Ibis molucca	112
Ibis (Straw-necked)	Carphibis spinicollis	113
Ibis (Glossy)	Plegadis falcinellus	114
Kestrel	Cerchneis cenchroides	173
Kingfishers	Alcedinidæ (all species)	220 to 222
Lark	Anthus australis	376
Laughing Jackass	Dacelo gigas	221
Lorikeet (Purple-crowned)	Glossopsittacus porphyrocephalus	186
Lorikeet (Little)	Glossopsittacus pusillus	187
Marten (Tree)	Petrochelidon nigricans	240

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Common Name.	Scientific Generic or Specific Name.	Species Number for Reference.
Marten (Fairy).....	<i>Petrochelidon ariel</i>	241
Magpies.....	<i>Gymnorhina</i> (two species)	316, 317
Magpie Lark	<i>Grallina picata</i>	314
Mallee Hen	<i>Leipoa ocellata</i>	2
Mistletoe Bird	<i>Dicaeum hirundenaceum</i>	336
Mopoke (or Boobook)	<i>Ninox boobook</i>	175
Moor Hen	<i>Gallinula tenebrosa</i>	26
Native Companion	<i>Antigone australasiana</i>	111
Native Tit Warblers	<i>Acanthiza</i> (all species)	288 to 295
Night Curlew, or Stone Plover ..	<i>Burhinus grallarius</i>	109
Night Heron	<i>Nycticorax caledonicus</i>	123
Nightjar	<i>Aegotheles novæ-hollandiæ</i>	218
Nightjar (white-throated)	<i>Eurostopus mystacalis</i>	Mathews, p. 151
Owl (Screech and Barn)	<i>Strix delicatula</i>	179
Oyster-catcher (Pied)	<i>Hæmatopus longirostris</i>	77
Oyster-catcher (Black)	<i>Hæmatopus fuliginosus</i>	78
Petrels (excepting Mutton Birds) .	<i>Procellariidæ</i>	35 to 56, excepting 42
Penguin	<i>Eudyptula minor</i>	33
Pigeons (Native)	<i>Columbidæ</i> (all species)	12 to 19
Plover (Spurwing).....	<i>Lobivanellus lobatus</i>	80
Plover (Black-breasted).....	<i>Zonifer tricolor</i>	81
Pratincole	<i>Stiltia isabella</i>	108
Reed Warbler	<i>Acrocephalus australis</i>	284
Rails and Crakes	<i>Rallidæ</i> (all species)	20 to 25
Robins	<i>Muscicapidæ</i> (all species)	242 to 250
Rock Pebbler Parrot.....	<i>Polytelis melanura</i>	198
Sharp-tailed Sandpiper	<i>Heteropygia aurita</i>	102
Sandpiper (Curlew)	<i>Ancylochilus subarquatus</i>	103
Seagulls	<i>Larus novæ-hollandiæ</i> and <i>Ghi- anus pacificus</i>	72, 73
Scrub Robins	<i>Drymodes brunneipygius</i>	269
Scrub Wrens	<i>Sylviidæ</i> (all species)	295 to 299
Shrike Tit	<i>Falcunculus frontatus</i>	320
Song Lark (Black-breasted)	<i>Cincloramphus cruralis</i>	278
Song Lark (Rufous)	<i>Cincloramphus rufescens</i>	279
Spoonbill (Royal)	<i>Platalea regia</i>	115
Spoonbill (Yellow-billed)	<i>Platibis flavipes</i>	116
Skua (Southern)	<i>Megalestris antarctica</i>	74
Skua (Arctic)	<i>Stercorarius crepidatus</i>	75
Stilt (White-headed).....	<i>Himantopus leucocephalus</i>	90
Stilt (Banded)	<i>Cladorhynchus leucocephalus</i> ..	91
Swift	<i>Cypselus pacificus</i>	228
Swallow (Welcome)	<i>Hirundo neoxena</i>	238
Swallow (White-backed)	<i>Cheramœca leucosternum</i>	239
Swans	<i>Chenopsis artrata</i>	126
Terns (Sea Swallows)	<i>Laridæ</i> (all species).....	64 to 71
Thickheads and Shrike Robin ...	<i>Pachycephala</i> and <i>Eopsaltri</i> ...	322 to 326
Thrush (Harmonious)	<i>Colluricincla harmonica</i>	315
Thrush (Rufous vented)	<i>Colluricincla rufiventris</i>	—

*Animals and Birds Protection Act.—1919.*SECOND SCHEDULE—*continued.*PART II.—*continued.*BIRDS WHOLLY PROTECTED—*continued.*

Common Name.	Scientific Generic or Specific Name.	Species Number for Reference.
Thrush (Ground)	Cinclosoma (all species)	266, 267
Tintac. <i>See</i> Chats		
Thrush (Mountain)	Oreocichla lunulata	280
Tree Creepers	Climacteris (all species)	330 to 333
Tree-runner	Neositta (two species)	328, 329
Wood Swallows	Artamidæ (all species)	310 to 313
Whiteface	Aphelocephala (all species)	327
Wild Geese (not Cape Barren Geese)	Anseranas semipalmata	—
Wild Turkey	<i>See</i> Bustard.	
Wedgebill	Sphenostoma cristatum	Mathews, p. 247
White-necked Crane	Notophoxyx pacifica	120
White Crane	<i>See</i> Egret.	

NOTE.—The scientific generic and specific names are taken from Dr. Leach's "Australian Bird Book," except where otherwise indicated, and the species numbers are those given in the same book to the species included in this list. The reference to Mathews is to his "List of the Birds of Australia, 1913."

Sec. 6 (2).

THIRD SCHEDULE.

PART I.

ANIMALS PARTLY PROTECTED.

Kind of Animal.	Close Season.
Deer (Fallow), <i>Cervus dama</i>	} From 1st July to 31st December, both dates inclusive.
Kangaroos, <i>Macropus</i> (all species)	
Kangaroo Rats, <i>Bettongia</i> (all species).....	
Wallaby (except Rock Wallaby), <i>Macropus</i> (all species).....	
Wombats, <i>Phascolomys</i> (all species)	

All other animals, whether indigenous or imported, except those mentioned in the Second and Fourth Schedules, are protected from 1st July to 31st January (both dates included).

PART II.

BIRDS PARTLY PROTECTED.

Maned Goose or Wood Duck	} From 1st July to 31st January, both dates included.
Ducks of all species	
Quail of all species	} From 1st August to 31st January, both dates included.

All other wild birds, whether indigenous or imported, except those mentioned in the Second and Fourth Schedules are protected from 1st July to 31st January (both dates included).

FOURTH

Animals and Birds Protection Act.—1919.

FOURTH SCHEDULE.

Sec. 6 (3).

PART I.

ANIMALS UNPROTECTED.

Foxes (<i>Canis vulpis</i>)	Rats and Mice (<i>Mus</i>)
Hares (<i>Lepus europæus</i>)	Rabbits (<i>Lepus cuniculus</i>)
Domestic Cats run wild (<i>Felis catus</i>)	Seals, Fur and Hair (<i>Otaria</i> and <i>Euotaria</i>), except as provided in the Second Schedule.
Wild Dogs (<i>Canis dingo</i>)	

And all other animals introduced into Australia, excepting only those included in the Second and Third Schedules.

PART II.

BIRDS UNPROTECTED.

Common Name.	Scientific Generic or Specific Name.	Species Number for Reference.
Blackbird	<i>Merula merula</i>	279A
Crow	<i>Corone australis</i>	389
Cormorant	<i>Phalacrocorax</i>	142 to 146
English Chaffinch	<i>Fringilla cœlebs</i>	—
English House Sparrow	<i>Passer domesticus</i>	377D
English Starling	<i>Sturnus vulgaris</i>	382A
Eagle Hawk	<i>Uroætus audax</i>	158
Goldfinch	<i>Carduelis carduelis</i>	377B
Goshawk	<i>Astur fasciatus</i>	155
Greenfinch	<i>Ligurinus chloris</i>	377A
Rosella Parrot	<i>Platycercus eximius</i> and <i>P. adelaidæ</i>	202
Silver-Eye	<i>Zosterops cœrulescens</i>	334
Sulphur-crested Cockatoo	<i>Cacatua galerita</i>	192

And all other birds introduced into Australia, excepting only those included in the Second and Third Schedules.

NOTE.—The scientific generic and specific names are taken from Dr. Leach's "Australian Bird Book," and the species numbers are those given in the same book to the species included in this list.