

No. 3 of 2014.

Fauna (Protection and Control) (Amendment) Act 2014.

Certified on : 07 APR 2014



No. of 2014.

Fauna (Protection and Control) (Amendment) Act 2014.

ARRANGEMENT OF SECTIONS.

1. Interpretation (Amendment of Section 1).
2. Repeal of Section 2.
3. Repeal and replacement of Section 4.
4. Amendment of Sections 6, 11 and 13.
5. Protected fauna vested in the State (Amendment of Section 7).
6. Killing, etc., protected fauna (Amendment of Section 8).
7. Declaration of Wildlife Management Areas (Amendment of Section 15).
8. Establishment of Wildlife Management Committees (Amendment of Section 16).
9. Rules for Wildlife Management Areas (Amendment of Section 17).
10. Repeal of Section 23.
11. Amendment of Sections 24 and 27.
12. Repeal and replacement of Section 26.
13. Repeal of Section 29.



No. of 2014.

AN ACT

entitled

Fauna (Protection and Control) (Amendment) Act 2014,

Being an Act to amend the *Fauna (Protection and Control) Act* (Chapter 154),

MADE by the National Parliament to come into operation on the same day as the *Conservation and Environment Protection Authority Act 2014* comes into operation.

1. INTERPRETATION (AMENDMENT OF SECTION 1).

Section (1) of the Principal Act is amended -

- (a) by inserting after the definition of “approved organisation” the following new definitions:

“Authority” means the Conservation and Environment Protection Authority;
“Conservation and Environment Protection Authority” means the Conservation and Environment Protection Authority established by the *Conservation and Environment Protection Authority Act 2014*;” and

- (b) by inserting in the definition of “this Act” immediately after the word “regulations” the words “and rules”.

2. REPEAL OF SECTION 2.

Section 2 of the Principal Act is repealed.

3. REPEAL AND REPLACEMENT OF SECTION 4.

Section 4 of the Principal Act is repealed and replaced with the following new section:

“4. CONSERVATOR OF FAUNA.

The Managing Director of the Conservation and Environment Protection Authority is the Conservator of Fauna.”.

4. AMENDMENT OF SECTIONS 6, 11 AND 13.

The Principal Act is amended in Sections 6, 11 and 13 by inserting after the words “The Minister”, the expression “, acting on the advice of the Authority,” whenever they appear.

5. PROTECTED FAUNA VESTED IN THE STATE (AMENDMENT OF SECTION 7).

Section 7 of the Principal Act is amended by repealing the expression “Subject to the regulations,”.

6. KILLING, ETC., PROTECTED FAUNA (AMENDMENT OF SECTION 8).

Section 8 of the Principal Act is amended -

- (a) in Subsection (1) -

- (i) by repealing the expression “Subject to this Act,”; and

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- (ii) by inserting immediately before the words, “is guilty of an offence”, the expression “, otherwise than in accordance with this Act,”; and
- (b) in Subsection (2) -
 - (i) by repealing the expression “Subject to this Act,”; and
 - (ii) by inserting, immediately before the words “is guilty of an offence” the expression “, otherwise than in accordance with this Act,”.

7. DECLARATION OF WILDLIFE MANAGEMENT AREAS (AMENDMENT OF SECTION 15).

Section 15 of the Principal Act is amended -

- (a) in Subsection (1), by inserting immediately after the words “the Minister”, the expression “, acting on the advice of the Authority,”; and
- (b) in Subsection (2), by repealing the expression “Where the Minister intends to declare an area to be a Wildlife Management Area, he shall -”, and replacing them with “Where the Authority intends to advise the Minister to declare an area to be a Wildlife Management Area under Subsection (1), the Conservator shall - ”; and
- (c) in Subsection (2)(b), by repealing the words “that he intends to declare” and replacing them with the words “is intended to be declared”; and
- (d) in Subsection (3) by repealing the word “Minister” and replacing it with the word “Conservator”.

8. ESTABLISHMENT OF WILDLIFE MANAGEMENT COMMITTEES (AMENDMENT OF SECTION 16).

Section 16 of the Principal Act is amended by repealing the expression “the Minister may, in his discretion -” and replacing it with “the Minister, acting on the advice of the Authority, may -”.

9. RULES FOR WILDLIFE MANAGEMENT AREAS (AMENDMENT OF SECTION 17).

Section 17 of the Principal Act is amended in Subsections (1), (2) and (4) by repealing the word “Minister” whenever it appears and replacing it with the word “Conservator”.

10. REPEAL OF SECTION 23.

Section 23 of the Principal Act is repealed.

11. AMENDMENT OF SECTIONS 24 AND 27.

The Principal Act is amended in Sections 24 (1) and 27 (1) by inserting after the word “Minister” whenever it appears, the expression “, acting on the advice of the Conservator,”.

12. REPEAL AND REPLACEMENT OF SECTION 26.

Section 26 of the Principal Act is repealed and replaced with the following new section:

“26. APPEAL FROM ACT OR DECISION OF CONSERVATOR.


A person aggrieved by an act or decision of the Conservator under this Act (including a decision under Section 25) may appeal to a court of competent jurisdiction.”.

13. REPEAL OF SECTION 29.


Section 29 of the Principal Act is repealed.

Fauna (Protection and Control) (Amendment)

I hereby certify that the above is a fair print of the *Fauna (Protection and Control) (Amendment) Act 2014* which has been made by the National Parliament.


Clerk of the National Parliament.
07 APR 2014

I hereby certify that the *Fauna (Protection and Control) (Amendment) Act 2014* was made by the National Parliament on 19 February 2014.


Speaker of the National Parliament.
07 APR 2014