I ASSENT

[L.S.]

BOSWELL WILLIAMS, Acting Governor-General.

19th September, 1980.

SAINT LUCIA

No. 9 of 1980.

An Act to make provision for the protection, conservation and management of wildlife in Saint Lucia.

[19th September, 1980.]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Parliament of Saint Lucia, and by the authority of the same, as follows:—

PRELIMINARY

1. This Act may be cited as the Wildlife Protection Short Title. Act, 1980.

Interpretation.

- 2. In this Act unless the context otherwise requires
 - "alien wildlife" means any species of wildlife not indigenous to Saint Lucia;
 - "close season" means any period declared to be a close season under section 9 of this Act;
 - "court" means a court of summary jurisdiction;
 - "deleterious substance" means any substance which if added to water would endanger the subsistence and maintenance of fish and other aquatic life residing in water;
 - "forest officer" means any person appointed as such under the Forest, Soil and Water Conservation Ordinance, and includes a person so appointed by virtue of his office;
 - "gun" includes an airgun, pellet gun, sling shot and any device capable of propelling shots, bullets or missiles;
 - "hunt" means to seek, stalk, shoot, pursue or to attempt to seek, stalk, shoot or pursue;
 - "Minister" means the Minister responsible for matters relating to wildlife;
 - "officer" means a Wildlife Protection Officer appointed by or under this Act;
 - "open season" means any period during which a specified species or group of species of wildlife may be hunted or taken;
 - "partially protected wildlife" means any species of wildlife specified in the Second Schedule;
 - "protected wildlife" means any species of wildlife specified in the First Schedule;
 - "take" means to kill, capture, snare, trap, net, carry away, or to attempt to kill, capture,

- snare, trap, net, carry away or by any means other than a means specified in section 16 of this Act:
- "territorial sea" means a distance of twelve nautical miles round the shores of Saint Lucia:
- "unprotected wildlife" means any species of wildlife which is specified in the Third Schedule:
- "wildlife" means any species of the following groups living beyond the control of man: —
 - (a) mammals:
 - (b) birds and the eggs thereof;
 - (c) frogs and the eggs thereof;
 - (d) reptiles;
 - (e) fishes, their fry and eggs; and
 - (f) crustaceans:
- "wildlife reserve" means any area declared as such under this Act.

PART I

ADMINISTRATION

3.—(1) There shall be appointed a Chief Wildlife Appointment Protection Officer whose office shall be a public office other Wildlife and who shall be charged with the duties and possess Protection the powers conferred by or under this Act. He shall act under the authority of the Minister and under the general direction of the Permanent Secretary of the Ministry. He shall have supervision of the other wildlife protection officers and may delegate to any of them any of his duties and powers under this Act. In the absence of any other appointment the Chief Agricultural Officer shall be the Chief Wildlife Protection Officer.

(2) There shall be appointed such other public officers to be known as Wildlife Protection Officers as are necessary for the purposes of this Act. In the absence of any other appointment all Forest Officers are hereby appointed Wildlife Protection Officers. Every Wildlife Protection Officer shall perform such duties and possess such powers under this Act as may be assigned to him by the Chief Wildlife Protection Officer.

Duties of Chief Wildlife Protection Officer.

- 4.—(1) The duties and powers of the Chief Wildlife Protection Officer shall be:—
 - (a) To administer and enforce the provisions of this Act and the Rules thereunder;
 - (b) To carry out research or surveys for the protection, control or disposition of wildlife or wildlife products including the establishment of laboratories, zoos, and other related services;
 - (c) To gather, print and circulate information and reports pertaining to wildlife;
 - (d) To enter into contracts with individuals, agencies or companies for the construction of trails, roads, boundary marks, building hatcheries and other works for wildlife;
 - (e) To provide facilities for visitors to wildlife reserves, zoos and other related establishments;
 - (f) To engage in all other activities necessary for the purposes of this Act.
- 5. For the purpose of carrying out the provisions of this Act, every Wildlife Protection Officer shall have the authority, privileges and protection of a police constable conferred or granted by any law in force in Saint Lucia.

Wildlife
Protection
Officers to
have rights
and privileges
of Police
Constables.

PART II

WILDLIFE MANAGEMENT PROTECTION AND CONTROL

6. Wildlife, resident or migratory, indigenous or wildlife alien, found in Saint Lucia, except fish, frogs or crustaceans in private ponds, are the property of the Crown and may be taken or hunted only at such times, in such places and in such manner as is provided by this Act.

- 7. The Minister may:—
 - (a) by Order declare any area of land or water or reserve. the territorial sea to be a wildlife reserve;
 - (b) lease, exchange, buy or sell any property for use as a wildlife reserve.
- 8. Wildlife is hereby divided into three categories, Schedules namely, protected wildlife as specified in the First Classification of wildlife. Schedule, partially protected wildlife as specified in the Second Schedule and Unprotected Wildlife as specified in the Third Schedule.

Minister may declare wildlife

- 9.—(1) The Minister may by statutory instrument:— Power of
 - (a) add to, vary or delete from any of the species of wildlife specified in any of the said Schedules:
 - (b) make provision for the protection or control of any of the species of wildlife listed in any of the said Schedules:
 - (c) declare a close season for any of the species of wildlife specified in the Second Schedule.
- (2) The powers of the Minister under this section shall include the power by statutory instrument as aforesaid to declare, for any period not exceeding three years, a close season in respect of any or all of the species of wildlife specified in the Second Schedule.

Minister to vary Schedules: to provide for protection or control of wildlife: or to declare close season.

PART III

LICENSES AND PERMITS

Power of Minister to issue licences and permits for certain purposes.

- 10.—(1) The Minister may, on application made to him, issue licences for any of the following purposes, namely:—
 - (a) to hunt or to take wildlife in a wildlife reserve;
 - (b) to import or export any wildlife into or from Saint Lucia;
 - (c) to keep any wildlife in captivity.
- (2) A licence issued under the preceding subsection may contain such conditions as the Minister may think fit.
- (3) The Minister may issue permits to any recognized scientific, cultural or educational organization to hunt or to take wildlife. Such permits may specify the wildlife to be hunted or taken, the person authorised to do so and any other condition which the Minister considers necessary or appropriate.
- (4) Except by the authority of a licence or permit issued by the Minister under this section, it shall be an offence against this Act for any person to hunt or to take any wildlife in a wildlife reserve.

Validity and duration of licence.

- 11.—(1) A licence issued under section 10 (1) by this Act shall be valid only for the period during which it is issued and shall in any event expire on 31st December following the date of issue.
- (2) Every such licence shall be valid only in respect of the person to whom it is issued and shall not be transferable.
- (3) Every holder of such licence shall carry it with him when engaged in any activity authorised by it; and he shall show such licence upon the request of any Wildlife Protection Officer.

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12.—(1) The Minister may at any time in his discre- Fees for tion cancel any licence or permit issued under this part.

licences and permits; cancellation.

- (2) Where any licence or permit has been lost, stolen or destroyed a duplicate may be issued by the Minister upon payment of the prescribed fee.
- 13. A licence or permit issued under the provisions of this Act shall not confer upon the holder thereof any right to enter upon any private lands or waters.

Licence does not confer rights to enter upon private property.

PART IV

OFFENCES AND PENALTIES

14. Except by authority of a licence or permit issued Hunting or under section 10 of this Act, any person who:—

taking protected wildlife.

- (a) hunts or takes any protected wildlife or the eggs, fry or young thereof;
- (b) damages or destroys the nest, fry or young of any protected wildlife;
- (c) permits any dog to enter or to be in wildlife reserve;
- (d) carries in a wildlife reserve any gun or weapon or device capable of being used to hunt or to take any protected wildlife;

shall be guilty of an offence under this Act.

15. Any person who during a close season:—

(a) takes or hunts any partially protected wildlife; OI

Taking or hunting partially protected wildlife.

(b) damages or destroys the nest or egg of any partially protected wildlife, shall be guilty of an offence against this Act.

Using electrical or other devices to frighten or injure wildlife; using noxious and other substances to take wildlife.

16. Any person who:—

- (a) sets in any position any electrical device designed to frighten any protected or partially protected wildlife;
- (b) sets in any position any article of any nature and which is likely to cause or is calculated to cause injury to any protected wildlife;
- (c) sets in any place any noxious substance for the purpose of killing, taking, injuring or stupifying or which is likely or calculated to kill, injure or stupify or is otherwise injurious to any protected or partially protected wildlife;
- (d) for the purpose of killing or capturing any protected or partially protected wildlife, uses any live animal or any decoy or appliance whatsoever;
- (e) uses any form of artificial light for the purpose of killing or capturing any protected or partially protected wildlife;
- (f) deposits or permits the deposit of any deleterious substance of any type in water frequented by fish, shrimps or crabs or in any place where such deleterious substance may enter such water:
- (g) constructs or excavates or maintains any pit for the purpose of catching or killing wildlife;
- (h) engaged in logging, lumbering, land clearing or other operation puts or permits to be put or to flow any slash, stumps or other debris into any water frequented by fish, shrimps, or crabs;

shall be guilty of an offence under this Act.

Possession of wildlife.

17. Any person who:—

- (a) except by authority of a licence issued under section 10 of this Act, has in his possession or control any protected wildlife;
- (b) exposes or offers for sale or purchases any

- protected wildlife or any part of such wildlife or the eggs, fry or young thereof;
- (c) has in his possession or control any partially protected wildlife or any part of any such wildlife or the eggs, fry or young thereof during the close season;
- (d) exposes or offers for sale or purchases any partially protected wildlife during the close season or the eggs, fry or young thereof during the close season;
- (e) imports or exports any wildlife into or from Saint Lucia without first having obtained a licence:

shall be guilty of an offence under this Act.

18.—(1) Subject to the provisions of this Act and of any other law, it shall be lawful to hunt or to take any species of wildlife specified in the Third Schedule; but no such species of wildlife shall be kept in captivity without a licence issued by the Minister under section 10 (1) of this Act.

Licence to keep in captivity.

- (2) Any person who keeps in captivity any species of wildlife listed in the Third Schedule without having obtained a licence shall be guilty of an offence under this Act.
- 19. Where protected wildlife is alleged to be causing damage to any crops, land or other private property, the owner or occupier thereof may report the same to the Minister who shall expeditiously take such action as may be considered necessary, including the granting of any licence, to kill any such wildlife.

Action to protect private property.

20.—(1) If any officer has reasonable grounds for suspecting that any person has contravened any of the provision of this Act he may:—

Powers of officers to search and seize.

- (a) stop and search any such person and any vehicle, boat or other conveyance in the possession of such person or in which such person happens to be, and open and search any baggage or other thing in his possession;
- (b) enter and search any tent or land in the occupation of any such person;
- (c) under the authority of a warrant issued by a Magistrate, enter and search any building in the occupation of any such person, and seize any protected or partially protected wildlife in the possession of any such person;
- (d) seize all guns, dogs, boats, vehicles or other equipment which he may have cause reasonably to suspect to have been used by such person in connection with any such contravention.
- (2) When any person is convicted of an offence against this Act, any protected or partially protected wildlife or the nest or eggs thereof or any gun, weapons dog, boat, vehicle or other article in respect of or by means of which the offence was committed shall be forfeited to the Crown. Such forfeiture may be in addition to any other penalty to which such person is liable under this Act.

Arrest of person found committing an offence.

- 21.—(1) Where any person is found committing an offence against this Act, any officer may require any such person to give his name and place of abode; and may arrest any such person if:—
 - (a) such person refuses to give his name or place of abode to the satisfaction of the officer; or
 - (b) gives a name or place of abode which is false.

- (2) Any person required as aforesaid to give his name or place of abode who refuses to do so or who gives a name or place of abode which is false shall be guilty of an offence against this Act.
- 22. Any person who assaults, hinders, obstructs or resists an officer in the execution of his duty under this Act shall be guilty of an offence.

Assault or resisting officer.

- 23.—(1) All complaints for offences against this Act shall be laid in the name of an officer.
- (2) Where an officer makes a complaint against another person for an offence against this Act any other officer may appear on his behalf before the Court hearing the said complaint; and shall have the same privileges as to addressing the Court and as to examining witnessess as if he were the Complainant.

Complaints to be laid by an officer but may be prosecuted by another officer or by Police Officer.

- (3) Any Police Officer may conduct the prosecution of any complaint under this Act notwithstanding that such complaint was not laid by a member of the Police Force.
- (4) In any proceedings before the Court the statement of an officer that the species in issue is one of the species of wildlife listed in any of the Schedules hereunder shall be *prima facie* evidence of that fact.
- 24.—(1) All offences committed against this Act Jurisdiction. shall be tried and punishable by a Court.
- (2) Where an offence against this Act is committed on the sea coast or at sea or within the territorial waters of Saint Lucia, it may be tried by a Court in any district abutting such sea coast or adjoining such sea.
- (3) Where any offence against this Act is committed in or from any water forming the boundary between any two Courts it may be tried in either of such Courts.

Penalties.

25. Any person guilty of an offence against this Act shall be liable on summary conviction to a fine not exceeding five thousand dollars or to a term of imprisonment not exceeding twelve months.

Provisions to 26.—(] make Statutory ment:—

- 26.—(1) The Minister may by statutory instru-
 - (a) prescribe the scale of fees payable for licenses or permits issued under this Act;
 - (b) make provision for the control and administration of any wildlife reserve;
 - (c) make provision for the protection or control of any species of wildlife listed in any of the Schedules to this Act;
 - (d) do all such other things as may be necessary for the fulfilment of the purposes of this Act
- (2) A statutory instrument made under the provisions of the preceding subsection may provide for the imposition of a fine not exceeding two hundred and fifty dollars or imprisonment for three months for contravention of any of the provisions thereof on summary conviction therefor.

Powers of Minister.

- 27.—(1) The Minister may, from time to time by writing under his hand, empower an officer:—
 - (a) to accept from any person who has admitted in writing or in the presence of at least one witness not being an Officer that he has committed an offence against this Act, a sum of money not exceeding five hundred dollars by way of compensation for such offence;
 - (b) when any property has been seized under this Act, to release the same on payment of the value thereof as estimated by such officer.

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- (2) On payment of such sum of money or such value, or both, as the case may be, to such officer, the person so admitting the commission of such offence, if in custody, shall be discharged, the property, if any, shall be released, and no further proceedings shall be taken against such person or property in respect of such offence.
- (3) All monies received by such officer under this section shall be paid promptly into the Treasury by the officer receiving the same.
- 28. The Wild Birds Protection Ordinance is hereby Repeals repealed.

Passed in the House of Assembly this 17th day of June, 1980.

CLARENCE RAMBALLY, Speaker.

Passed in the Senate this 25th day of August, 1980.

CALIXTE GEORGE, President. Local Name

Moisson

Pere Noir

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SCHEDULES

FIRST SCHEDULE

(Section 8 (1)

	PROTECTED WILDLIFE	(Mammals & Reptiles)	
Local Name	English Name	Family Group	Scientific Name
Agouti Couresse Zandoli terre Zandoli Bois Tete Chien Manicou	Agouti Meadow Snake Ground Lizard Iguana Boa Constrictor Oppossum	Rodentia Colubridae Teiidae Iguanidae Boas	Dasiprocta agouti Leimadophis ornatus Cnemidophorus vanzoi Iguana iguana Constrictor Constrictor Orphius Didelphis Marsuplalis

PROTECTED WILDLIFE (Birds)

English Name

Bullfinch

Yellow Grass Finch

Family Group

Scientific Name

Loxigilla noctis

Sicalis luteola

Moisson Pied Blanc Si Si Zebe Gros Bec Merle Babed	St. Lucia Black Finch Black Faced Grass Quit Streaked Saltator Dwarf Cowbird	Fringillidae	Melanospiza richardsoni Tiaris Bicolor Saltator albicollis Molothrus bonariensis
Merle	St. Lucia Grackle	Interidae	Quiscalus lugubris
Carouge	St. Lucia Oriole		Icterus laudabilis
Perruche	Blue-Hooded Euphonia	Thraupidae	Tanagra musica
Sucrier	Panana Quit	Coerebidae	Coereba flaveola
Sucrier Mang Petit Chit Sucrier Babad Chip Pied Blanc No Local Name No Local Name Carougette	Yellow Warbler Cape May Warbler St. Lucia Warbler Black Pool Warbler Semper's Warbler Oven Bird Water Thrush American Redstart	Parulidae	Dendroica petechia D tigrina D adelaidae D breviunguis Leucopeza semperi Seiurus aurocapillus S noveboracensis Setophaga ruticilla
Pegree	Black-Whiskered Vireo	Vireonidae	Vireo altiloquus
Grieve-A-Lunettes	Barre-Eyed Thrush	Turdidae	Turdus nudigenis
Mauvis	St. Lucia Thrush		Cichlherminia l'herminieri
Sifleur Montagne	St. Lucia Solitaire		Myadestes genibarbis
Pied Carreau	Tropical Mockingbird	Mimidae	Mimus gilvus
Grieve	Scaley-Breasted Thrasher		Margarops fuscus
Gros Grieve	Pearly-Eyed Thrasher		M fuscatus
Trembleur	Trembler		Cinclocerthia ruficauda
George Blanc	St. Lucia Thrasher	Troglodytidae	Ramphocinclus brachyurus
Rossignol	St. Lucia Wren		Troglodytes aedon
Hirondelle	Purple Martin	Hirundinidae	Progne subis
Hirondelle Rouge	Barn Swallow		Hirundo rustica
Hirondelle Blanc	Cliff Swallow		Petrochelidon pyrrhonota
Pipirite	Grey Kingbird	Tyrannidae	Tyrannus dominicensis
Gros Tete	St. Lucia Flycatcher		Myiarchus tyrannulus
Gobe Mouche	St. Lucia Peewee		Contopus latirostris

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PROTECTED WILDLIFE (Birds)

Local Name	English Name	Family Group	Scientific Name
Piole Pie Colibri Rouge	Caribbean Elaenie Belted Kingfisher Red-Throated	Alcedinidae	Elaenia martinica Ceryle alcyon
Colibri Vert	Hummingbird Blue-Breasted Hummingbird	Trocnilidae	Eulampis Jugularis Sericotes holosericeus
Fou Fou Hirondelle Hirondelle Montagne Cent-Coup-DeCouteau	Gilt-Crested Hummingbird Lesser-Antillean Swift Black Swift	Apodidae Caprimulgidae	Orthorhyncus Chaetura martinica Cypseloides niger Caprimulgus rufus
Coucou Manioc Merle Corbeau	Mangrove Cuckoo Smooth-Biled Ani	Cuculidae	Coccyzus minor Crotophaga ani
Jacquot Ramier	St. Lucia Parrot Red-Necked Pigeon	Psittacidae	Amazona versicolor Columba squamosa
Pedrix Rouge Pedrix Croissant	Mountain Partridge Bridled Qual Dove	Columbidae	Geotrygon montana G mystacea
Pigeon la Mer Four Carette Thoirour Twaoo No Local Name Fou Mauve Moien Rale Cascambol Poule Dleau No Local Name Peregrin Gri Gri Montagne	Sea Gull Gull-Billed Tern Roseate Tern Bridled Tern Hurricane Bird Least Tern Common Tern Royal Tern Brown Noddy Sora Rail Purple Gallinule Water Fowl Caribbean Coot Duck Hawk Pigeon Hawk	Laridae Rallidae Falconidae	Larus atricilla Gelochelidon milotica Sterna Dougallii S anaethetus S fuscata S albifrons S hirundo Thalasseus maximus Anous stolidus Porzana carolina Porphyrula martinica Gallinula chloropus Fulica caribaca Falco peregrinus F columbarius
Gri Gri Poulet Malfini La Mer	Sparrow Hawk Sea Eagle	Pandionidae	F sparverius Pandion haliaetus
Malfini Crabier Killee-Killee	Chicken Hawk Crab Hawk Marsh Hawk	Accipitridae	Buteo platypterus Buteogallus anthracinus Circus cyaneus
Carnard Bois Sarcelle Canard Sauvage Fuligue Canard Noir Canard Sauvage	Black-Bellied Duck Blue-Winged Teal American Wigeon Ring-Necked Duck Lesser Scaup Ruddy Duck	Anatidae	Dendrocygna autumnalis Anas discors A americana Aythya collaris A affinis Oxyura jamaicensis
Crabier Crabier Blanc Crabier la Nuit Caiallee Craber Nois Grade Boeuf	Great Blue Heron Common Egret Black-Crowned Heron Green Heron Blue Heron Cattle Egret	Ardeidas	Arden herodias Casmerodius albus Nycticorax nycticorax Butorides virescens Florida caerulea Ardeola ibis

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SECOND SCHEDULE

(Section 8 (1))

PARTIALLY PROTECTED WILDLIFE (Birds)

Family Group	Scientific Name
Pelecanidae	Nyetanassa violacea Pelecanus occidentalis
Podicipedidae	Podilymbus podiceps Zenada auriculata
Columbidae	Z aurita
,	Columbigallina passerina Nemenius phaeopus
	Actitis macularia
	Tringa Solitaria T flavipes
	T melanoleuca
	Catoptrophorus
	semipalmatus Calidris fuscicollis
	C minutilla
	C pusilla C melanotos
Scolopacidae	Micropalama himantop
	Bartramia longicauda Crocethia alba
)	Limnodromus griseus
Becurvirostridae	Tryngites subruficollis
1	Himantopus himantopus
)	Charadrius semipalmatus C collaris
	C wilsonia
> Charadriidae	C voicferus
1	Arenaria interpres Pluvialis dominica
·	Squatarola squatarola
F'regatidae	Fregata magnificens magnificiens
Phalacrocoracidae	Phalacrocora auritus
garia.	Sula leucogaster
Sundae	S sula S dactylatra
Phaethantidae	Phaethon aethereus
Filaetholitidae	P lepturus
Procellariidae	Puffinus l'herminieri P gravis
HEDULE	(Section 8 (1))
	Pelecanidae Podicipedidae Columbidae Scolopacidae Recurvirostridae Charadriidae Fregatidae Phalacrocoracidae Sulidae Phaethontidae

UNPROTECTED WILDLIFE

Local Name	English Name	Family Group	Scientific Name
Fer-de-lance	Serpent	Viperidae	Bothrops caribbaeus
Souris Rat	Mice Rats	Rodentia	Musculus—All Rattus —species
Mongoose	Mongoose	-Carnivore	Herpestes auropunctatus

SAINT LUCIA

PRINTED BY THE GOVERNMENT PRINTER AT THE GOVERNMENT PRINTING OFFICE,

CASTRIES. 1980.

[Price \$1.60]