



**CHAPTER 194.**

**WILD ANIMALS, BIRDS AND FISH  
PRESERVATION.**

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**CHAPTER 194.**

**WILD ANIMALS, BIRDS AND FISH  
PRESERVATION.**

**An Ordinance for the Preservation of Wild Animals, Birds and Fish.**

[20TH NOVEMBER, 1901.]

30 of 1901.  
 6 of 1907.  
 7 of 1914.  
 13 of 1924.  
 27 of 1940.  
 22 of 1948.

WHEREAS the Colony of Sierra Leone is within the zone specified in the first article of a Convention for the preservation of wild animals, birds and fish in Africa, signed at London on the 19th day of May, 1900.

Preamble.

1. This Ordinance may be cited as the Wild Animals, Birds and Fish Preservation Ordinance, and shall apply to the Colony and Protectorate.

Short title.

Interpreta-  
tion.

2. In this Ordinance, and in any rule made thereunder, the expressions "young animal" and "young," in their application to elephants, shall mean an elephant whose tusks weigh less than thirty pounds each, or such other smaller weight as the Governor in Council may prescribe.

Unless the context otherwise requires "Animal" or "Species" means all vertebrates and invertebrates (including non-edible fish) and shall include nests, eggs, egg-shells and plumage.

"Trophy" means any animal, dead or alive, mentioned in any of the Schedules to this Ordinance or anything being part of or produced from any such animal when dead and the nests, eggs, egg-shells or plumage of any bird mentioned therein, but shall not include any trophy or part of a trophy which by a process of *bona fide* manufacture has lost its original identity.

Power of  
Governor in  
Council to  
make rules.

3. The Governor in Council may, from time to time, make rules with respect to—

(1) The prohibition of the hunting and destruction of the animals mentioned in Schedule I hereto, and also of any other animals whose protection, whether owing to their rarity or threatened extermination, may be considered necessary.

(2) The prohibition of the hunting and destruction of young animals of the species mentioned in Schedule II hereto.

(3) The prohibition of the hunting and destruction of the females of the species in Schedule III hereto.

(4) The prohibition, to a certain extent, of the destruction of any females, when they can be recognised as such, with the exception of those of the species mentioned in Schedule V hereto.

(5) The prohibition of the hunting and destruction, except in limited numbers over a limited area, and for a limited period of time, of animals of the species mentioned in Schedule IV hereto.

(6) The protection and preservation of reserves and of the animals therein.

(7) The amendment, the addition or the exclusion of any animal or species, referred to in any of the Schedules to this Ordinance.

(8) The establishment of reserves, within which it shall be unlawful, without the special permission of the Governor, to

hunt, capture or kill any specified wild animals or birds, or to hunt, capture or kill any wild animal or bird, except those which shall be specially exempted from protection.

(9) The establishment of close seasons with the view to facilitate the rearing of young animals.

(10) The issue, forms and terms of licences, the conditions under which licences may be issued, the undertaking to be given by, or which may be required from, an applicant for a licence (including undertakings for the purpose of ensuring the maintenance of satisfactory relations between the licensee and the natives in whose districts he hunts), the fees, if any, payable for licences, the deposits, if any, to be made as security for the observance of such terms and undertakings, and of rules, and the production and registration of licences.

(11) The prohibition of the hunting of wild animals by any persons, except holders of licences issued under this Ordinance.

(12) The methods by which wild animals may be hunted or destroyed.

(13) The imposition of export duties on any trophy.

(14) The regulation and control of the manufacture of articles from trophies.

(15) The prohibition of hunting or killing young elephants, and the prescribing of a weight under which elephants' tusks may not be sold or bartered, or attempted to be sold or bartered, and the confiscation of tusks sold, bartered, or attempted to be sold or bartered, of less than the prescribed weight.

(16) The application of measures for preventing the transmission of contagious diseases from domestic to wild animals.

(17) The application of measures for effecting the sufficient reduction of the numbers of the animals of the species mentioned in Schedule V hereto.

(18) The destruction of the eggs of crocodiles, poisonous snakes and pythons.

(19) Notifications and returns to be made of animals killed, and the persons by whom the same are to be made.

(20) The forfeiture and disposal of any trophy which has been obtained by killing an animal in circumstances which would have constituted a contravention of any rule made

under this Ordinance, had such killing not been in self-defence or unintentional.

(21) Generally for the better carrying into effect the purposes of this Ordinance.

Rules made under this section may apply to the whole area of the Colony and Protectorate, or to such part thereof, and to all or to such classes of persons, as the Governor in Council may prescribe, and for any breach of any such rule he may impose a penalty not exceeding twenty-five pounds, or imprisonment, with or without hard labour, not exceeding six months.

Except in so far as they may be revoked or amended by rules made under this section, the rules contained in Schedule VI to this Ordinance shall be in force, and shall be deemed to have been made under this Ordinance.

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Restrictions upon the export and import of trophies.

4. (1) No person shall export or attempt to export from Sierra Leone any trophy unless he has been granted a certificate permitting the export of the same issued by a District Commissioner. Such certificate shall not issue unless the District Commissioner is satisfied that such trophy has been lawfully imported or otherwise lawfully obtained.

(2) No person shall import into Sierra Leone any trophy which has been exported from any territory which has been notified by the Governor in the *Gazette* as being a territory to which the terms of the International Convention for the Protection of Fauna and Flora made at London on the 8th day of November, 1933, applies, except on production of a certificate of lawful export.

(3) The import or export of any trophy except at places where there is a Customs station is prohibited.

Restrictions upon the export of wild animals. 22 of 1948.

5. (1) No person shall export or attempt to export from Sierra Leone more than two wild animals in any one year unless he has been granted a licence so to do by the Minister, which licence shall specify the number of each species of animals which may be exported thereunder and shall be issued in such form and subject to such conditions as may be prescribed by rules made under section 3 of this Ordinance.

(2) No person other than a licence holder under sub-section (1) hereof shall have captive in his possession more than six

\* The rules contained in Schedule VI are printed in the Volume containing the subsidiary legislation of this Chapter.

wild animals with intent to export them or to sell them for export. The onus of proving that he is not in possession of the animals with intent to export them or to sell them for export shall lie on any person charged under this sub-section.

(3) No person other than a licence holder under sub-section (1) hereof shall advertise in any manner whatsoever for the purchase of wild animals with intent to purchase them for export or resale for export. The onus of proving that he is not advertising with intent to purchase for export or resale for export shall lie on any person charged under this sub-section.

(4) It shall be lawful for the Minister upon the application of a licence holder under sub-section (1) hereof to insert on the licence the names of any persons whom he is satisfied are accredited agents of the licence holder for the purpose of collecting and exporting wild animals under the licence and any such accredited agents shall be deemed to be licence holders for the purposes of sub-section (2) hereof.

6. Notwithstanding any rules made under sub-sections (1), (2), (3), (4), and (8) of section 3 the Governor may, by an Order under his hand, permit the collection of specimens of animals, referred to in such rules, for museums or zoological gardens, or for any other scientific purpose.

Governor may permit collection of specimens of animals for certain purposes.

7. (1) Every trophy consisting of ivory exported in accordance with the provisions of section 4 shall be identified by marks which, together with the weight of the trophy, shall be recorded in the export certificate.

Trophies to be marked.

(2) Every other trophy shall, if possible, be similarly marked and recorded but shall in any event be described in the export certificate so as to identify it with as much certainty as possible.

8. Notwithstanding the provisions of this Ordinance, the Governor may permit the collection of such animals, species or trophies, in such number and during such time and in such area as he may specify, for museums, zoological gardens, or for any other scientific purpose.

Governor may permit collection for certain purposes. 22 of 1948.

9. No person shall use any motor vehicle or aircraft for the purpose of hunting, killing or capturing any animal or in such manner as to drive, stampede or disturb them for any purpose whatsoever, including the making of photographs or cinematograph films.

Prohibition of hunting by motor vehicle or aircraft.

Surrounding  
animals by  
fire pro-  
hibited.

**10.** It shall be unlawful to surround animals by fire for the purposes of hunting them.

Search  
warrant.

**11.** Where the Court has reasonable cause to believe that any person has been guilty of a breach of this Ordinance, the Court may issue a warrant authorising the officer named therein to search any baggage, packages, wagons, tents, buildings, or caravans belonging to such person, and if the officer shall find any animal, whether dead or alive, or any trophy, he shall seize and take the same before the Court to be dealt with according to law.

Penalties.

**12.** Any person guilty of a breach of, or any offence against, this Ordinance for which no special penalty is provided shall be liable on summary conviction in respect of each offence to a fine of fifty pounds or to a term of imprisonment for six months or both such fine and imprisonment, and any trophy in respect of which a conviction shall have been recorded shall be forfeited.

Limitation of  
prosecutions.

**13.** All offences against this Ordinance may, and shall be, prosecuted at any time within one year after the offence shall have been committed.

Disposition of  
forfeitures.

**14.** Any forfeiture incurred under, or by virtue of, this Ordinance may be destroyed, sold, or otherwise disposed of, or dealt with, as the Court may direct.

Reward to  
informers.

**15.** Any informer, prosecuting to conviction under this Ordinance, shall receive out of every penalty recovered in consequence of such prosecution such sum, not exceeding one moiety of such penalty, as the Governor shall determine, and the remainder of such penalty shall be paid into the general revenue of the Colony:

Provided that the Governor may, at any time, at his discretion, disallow any payment under this section to an informer.

Killing  
animals  
injuring  
crops.

**16.** Nothing in this Ordinance shall prevent any person from capturing or killing any animal or bird injuring, or about to injure, crops, cattle, a house, or other property.

SCHEDULES.

I.

Sec. 3 (1).

(SERIES A.)

1. The vulture.
2. The secretary-bird.
3. The owl.
4. The rhinoceros-bird or beef-eater (*buphaga*).

(SERIES B.)

1. The giraffe.
2. The gorilla.
3. The chimpanzee.
4. The mountain zebra.
5. The wild ass.
6. The white-tailed gnu (*connochoetes gnu*).
7. The eland (*taurotragus*).
8. The little Liberian hippopotamus.

II.

Sec. 3 (2).

1. The elephant.
2. The rhinoceros.
3. The hippopotamus.
4. The zebra of the species not referred to in Schedule I.
5. The buffalo.
6. The antelope and gazelle, especially species of the genera *bubalis*, *damaliscus*, *connochoetes*, *cephalophus*, *oreotragus*, *oribia*, *rhaphiceros*, *nesotragus*, *madoqua*, *cobus*, *cervicapra*, *pelea*, *aepyceros*, *antidorcas*, *gazella*, *ammodorcas*, *lithocranius*, *dorcotragus*, *oryx*, *addax*, *hippotragus*, *taurotragus*, *strepsiceros*, *tragelaphus*.
7. The ibex.
8. The chevrotain (*tragulus*).

III.

Sec. 3 (3).

1. The elephant.
2. The rhinoceros.
3. The hippopotamus.
4. The zebra of the species not referred to in Schedule I.
5. The buffalo.
6. The antelope and gazelle, especially species of the genera *bubalis*, *damaliscus*, *connochoetes*, *cephalophus*, *oreotragus*, *oribia*, *rhaphiceros*, *nesotragus*, *madoqua*, *cobus*, *cervicapra*, *pelia*, *aepyceros*, *antidorcas*, *gazella*, *ammodorcas*, *lithocranius*, *dorcotragus*, *oryx*, *addax*, *hippotragus*, *taurotragus*, *strepsiceros*, *tragelaphus*.
7. The ibex.
8. The chevrotain (*tragulus*).

IV.

Sec. 3 (5).

1. The elephant.
2. The rhinoceros.
3. The hippopotamus.
4. The zebra of the species not referred to in Schedule I.
5. The buffalo.

6. The antelope and gazelle, especially species of the genera bubalis, damaliscus, connochoetes, cephalophus, oreotragus, oribia, raphiceros, nesotragus, madoqua, cobus, cervicapra, pelea, aepyceros, antidorcas, gazella, ammodorcas, lithocranius, dorcotragus, oryx, addax, hippotragus, taurotragus, strepsiceros, tragelaphus.

7. The ibex.
8. The chevrotain (tragulus).
9. The various pigs.
10. The colobi and all fur-monkeys.
11. The aard-vark (genus orycteropus).
12. The dugong (genus halicore).
13. The manatee (genus manatus).
14. The small cat.
15. The serval.
16. The cheetah (cynoelurus).
17. The jackal.
18. The ard-wolf (proteles).
19. The small monkey.
20. The ostrich.
21. The marabou.
22. The egret.
23. The bustard.
24. The francolin, guinea-fowl, and other "game birds".
25. The large tortoise.

Sec. 3 (4).

#### V.

1. The lion.
2. The leopard.
3. The hyæna.
4. The hunting dog (lycaon pictus).
5. The otter (lutra).
6. The baboon (cynocephalus) and other harmful monkeys.
7. Large birds of prey, except the vulture, the secretary-bird, and the owl.
8. Poisonous snakes.
9. The python.

#### VI.

(Note. Schedule VI is printed in the Volume containing the subsidiary legislation made under this Chapter.)