

ANIMALS AND BIRDS PROTECTION.

No. 74 of 1953.

AN ACT to amend the *Animals and Birds Protection Act 1928.* [9 December, 1953.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title and citation.

1—(1) This Act may be cited as the *Animals and Birds Protection Act 1953.*

(2) The *Animals and Birds Protection Act 1928*, as subsequently amended, is in this Act referred to as the Principal Act.

Repeal.

2 Sections thirty-one, thirty-four, thirty-six, thirty-eight, thirty-nine, and forty of the Principal Act are repealed.

General penalty.

3 Section forty-seven of the Principal Act is amended by omitting therefrom the word "fifty" and substituting therefor the words "one hundred".

4 After section forty-eight of the Principal Act the following section is inserted:—

Proceedings to be heard by police magistrates.

"49. All proceedings in respect of an offence against this Act shall be heard and determined by a police magistrate sitting alone."

Consequential amendments.

5 The sections of the Principal Act that are specified in the first column of the schedule to this Act are amended as respectively specified in the second column of that schedule.

THE SCHEDULE.

(Section 5.)

Consequential Amendments.

FIRST COLUMN. Section amended.	SECOND COLUMN. How amended.
Section 18	By omitting paragraph XXIV. of subsection (1).
Section 20	By omitting from paragraph XXIX. of that subsection the word "fifty" (twice occurring) and substituting therefor, in each case, the words "one hundred".
Section 20	By omitting from subsection (2) the word "Fifty" and substituting therefor the words "One hundred".
Section 30	By omitting sub-paragraph (b) of paragraph I.
Section 30	By omitting from paragraph II. the word "forfeiture" and substituting therefor the word "seizure".
Section 30	By omitting paragraph III. and substituting therefor the following paragraph:— " III. Seize an engine or article, or any animal or bird, or the carcase, skin, or egg of any animal or bird, that he has reason to believe to have been used or concerned in or in connection with the commission of an offence against this Act:".
Section 30	By adding at the end thereof the following subsection:— "(2) Where an officer seizes an engine or article, or any animal or bird, or the carcase, skin, or egg of any animal or bird, pursuant to paragraph III. of subsection (1) of this section, the officer may, subject to the directions of the Board, retain it until the determination of any proceedings that may be instituted in respect of an offence against this Act against the person from whom it was seized."
Section 41	By omitting the word "justice" (wherever occurring) and substituting therefor, in each case, the words "police magistrate".
Section 46	By omitting from paragraph VII. the words "forfeited or liable to forfeiture" and substituting therefor the words "liable to be seized".
Section 50	By omitting the words "magistrate or justices" and substituting therefor the words "police magistrate".
Section 51	By omitting the words "magistrate or justices" and substituting therefor the words "police magistrate".