



## WESTERN AUSTRALIA.

ANNO QUADRAGESIMO SECUNDO

## VICTORIÆ REGINÆ.

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No. XXIII.

AN ACT to further amend "The Game Act,  
1874."

[ Assented to, 24th July, 1878. ]

**W**HEREAS the second Schedule to "The Game Act, 1874,"  
contains a period of prohibition with regard to the native  
game therein named, within which by the said Act it is made unlawful  
to wilfully kill or destroy any of such native game, or to use any  
instrument whatever, or any other means for the purpose of killing  
or destroying the same, or to take or destroy the eggs thereof; and  
whereas by section three of "The Game Act, 1874, Amendment  
Act, 1876," it was provided that the schedule to the said Act of  
1876 should be substituted for the said second schedule to the said  
Act of 1874; and whereas the only object of the said Acts is to  
preserve the said native game from molestation or destruction during

Preamble.  
38 Vict., No. 4.

the breeding season, and it is found impracticable, owing to the large extent of the Colony, to fix on any period of the year as the breeding season for native game throughout the Colony, and it is accordingly deemed advisable, instead of so doing, to vest in the Governor power, with the advice of the Executive Council, from time to time by proclamation, to declare what shall be the period of prohibition (within the meaning of the said Act of 1874) within any part of the Colony, to be named in such proclamation, applicable to any bird or animal included under the head of native game; Be it therefore enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:—

- 1** THIS Act may be cited for all purposes as “The Game Act, 1874, Amendment Act, 1878,” and the said Act of 1874 and this Act shall be taken and read together as one Act.
- 2** THIS Act shall come into operation on the first day of January next after its passing.
- 3** THE term “close season,” as applied to any bird or animal included under the head of native game, shall mean the period during which, under the provisions of “The Game Act, 1874,” and of any proclamation issued under the authority of this Act as hereinafter stated, it may be declared unlawful, in any portion of the Colony to be specified in such proclamation, to kill or destroy such bird or animal.
- 4** IT shall be lawful for the Governor, with the advice of the Executive Council, at any time after this Act comes into operation, and from time to time thereafter, by proclamation to be published in the *Government Gazette*, to declare what, in any portion of the Colony to be named in such proclamation, shall be the close season in regard to any bird or animal therein named, included under the head of native game, whether such bird or animal be included in the second schedule to the said Act of 1874, or in the schedule to the said Act of 1876, or be included under that head by the Governor in Executive Council, pursuant to the provisions of section one of the said Act of 1874.
- 5** FROM and after the publication of any such proclamation as aforesaid, the respective periods fixed in the schedule to the said Act of 1876, as the periods of prohibition in regard to the native game therein mentioned, shall cease to be of any force or effect in

Short Title, and incorporation with 38 Vict., No. 4.

Time of coming into operation.

Interpretation “Close Season.”

Power to Governor to proclaim close season.

After such proclamation, schedule to 40 Vict., No. 7, inoperative, and proclamation to take its place.

## 42° VICTORIÆ, No. 23.

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### *Game Acts—Amendment.*

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any part of the Colony; and the close season named in any such proclamation or proclamations as aforesaid shall, within the portion of the Colony to which it is made to apply, and in regard to the several birds or animals therein named, be taken as the period of prohibition in regard to any such bird or animal within the meaning of the said Act of 1874, in the same way to all intents and purposes as if the operative words of any such proclamation or proclamations as aforesaid had formed the second Schedule to the said Act of 1874.

In the name and on behalf of the Queen I hereby assent to  
this Act.

H. ST. GEORGE ORD, Governor.