

CAP. 65.

CYPRUS

GAME AND WILD BIRDS

CHAPTER 65 OF THE LAWS

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1959

CHAPTER 65.

GAME AND WILD BIRDS.

ARRANGEMENT OF SECTIONS.

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A LAW TO AMEND AND CONSOLIDATE THE LAW RELATING
TO THE PRESERVATION AND PROTECTION OF GAME
AND WILD BIRDS.

1949 Cap. 98.
23 of 50.
3 of 53.
57 of 55.

Short title.

[19th January, 1934.]

1. This Law may be cited as the Game and Wild Birds Protection Law.

2. In this Law—

Interpreta-
tion.
2 of 18/49.

“close season” means the period between the 1st February and the 30th September, both days inclusive, in every year or any other period as may be prescribed by the Governor in Council, under the provisions of this Law, to be a close season;

“ Commissioner ” means the Commissioner of the District;

“ dealer in game ” means a person licensed to deal in game under the provisions of this Law;

“ game ” means hares and game birds;

“ game bird ” means francolin, pheasant and partridge;

“ game licence ” means a licence granted under section 5 of this Law;

“ wild bird ” means any undomesticated bird other than a game bird.

3. The Governor in Council may, by Order to be published in the Gazette, prescribe any period in any year to be a close season and such period as may be specified in the Order shall, during the continuance of such Order, be deemed to be the close season for the purposes of this Law.

Power to Governor in Council to prescribe other period of close season.
3 of 18/49.

4. (1) Subject to the provisions of section 12 of this Law no person shall by any means whatsoever shoot, kill, take or pursue any game or wild bird unless he is the holder of a game licence.

Shooting of game, etc., prohibited without a game licence.
4 of 18/49.

(2) Any person who acts in contravention of subsection (1) of this section shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding twenty-five pounds or to both.

(3) Any person who is found doing any act in respect whereof a game licence is required or who is reasonably suspected of being about to do any such act, may be called upon by any peace officer, rural constable, gamekeeper, forest guard or holder of a game licence to produce for inspection his game licence and if such person refuses or fails to produce the same or in default thereof refuses to give on demand his true name and address or gives a false name or address he shall be guilty of an offence under this Law.

5. (1) A Game Licence shall be in the Form A in the First Schedule hereto and may be granted by the Commissioner to any person who—

Game Licence.
2 of 23/50.
First Schedule.
Cap. 57.

(a) is the holder of a firearms licence under the Firearms Law :

Provided that, with regard to an air-gun or air-rifle, a Game Licence may be issued to the holder of a certificate of registration in respect

thereof, notwithstanding that a firearms licence is not issued in respect thereof ; and

2 (a) of 3/53.

(b) satisfies the Commissioner that he has, during the period preceding the 31st day of July of the year for which the Game Licence is to be issued, killed or caused to be killed such number, if any, of crows, magpies, ravens or foxes (hereinafter referred to as "vermin"), or pays such amount, if any, in lieu thereof or such amount, if any, for every vermin short of such number, as the Governor may by Order in each year direct:

2 (a) and (b) of 57/55.

Provided that this paragraph shall not apply—

2 (c) of 57/55.

(i) to any person who is on a temporary visit to Cyprus or who applies for a Game Licence for the first time or during a season immediately following the making of an Order by the Governor under paragraph (a) of subsection (1) of section 7 of this Law which does not exempt vermin from its operation or who either was not the holder of a Game Licence or was absent from the Colony during the season, not being a close season, immediately preceding;

2 (a) of 57/55.

(ii) to any person applying for a Game Licence in respect of an air-gun or air-rifle:

Provided further that the Governor may, at any time by notice in the Gazette, suspend the operation of this paragraph for such time as may be specified in the notice.

(2) There shall be payable in respect of a Game Licence a fee of five hundred mils:

Provided that the Governors in Council may, by Order published in the Gazette, increase the fee to a total not exceeding two pounds.

(3) Every Game Licence shall expire on the 31st July next following the date of issue.

2 (b) of 3/53.

(4) If a person to whom a Game Licence has been granted satisfies the Commissioner that his licence has been lost or stolen or has become so defaced that the material particulars are illegible, the Commissioner may issue a duplicate of such licence on payment of a fee of fifty mils and such duplicate shall have the same force and effect as the original Game Licence.

6. (1) No person shall shoot, kill, take, pursue or sell any game or wild bird during a close season :

Shooting of game, etc., during a close season. 6 of 18/49.

Provided that—

(a) the Governor in Council may by Order to be published in the Gazette authorise the holder of a game licence to shoot, kill, take or pursue within any area specified in such Order, any wild bird during the whole or part of a close season and to sell the same;

(b) a Commissioner may in his discretion authorise the holder of a game licence by endorsement thereon to shoot, kill, take, pursue or sell wild birds in general or such wild birds as may be specified in the endorsement, during any period of a close season. Every such endorsement shall specify the period during which and the area within which the person so authorised may shoot, kill, take or pursue such birds.

(2) Any person who acts in contravention of subsection (1) of this section shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding twenty-five pounds or to both.

6 of 18/49.

7. (1) The Governor, by Order to be published in the Gazette, may—

Power to the Governor to prohibit shooting, etc., of game and wild bird. 3 of 19/47.

(a) in addition to the close season as in this Law provided, prohibit in every five years the shooting, killing, taking, pursuing or selling of any game or wild bird during any period as may be specified in such Order and any such period shall be deemed to be a close season for all purposes of this Law ;

(b) prohibit, at any time, the shooting, killing, taking, pursuing or selling of any particular type of game for such time as may be specified in the Order.

(2) Any person who acts in contravention of any Order made under subsection (1) of this section shall be guilty of an offence and shall be liable to imprisonment not exceeding six months or to a fine not exceeding fifty pounds or to both.

8. (1) No holder of a game licence shall sell any game except to a dealer in game, unless he is himself a dealer in game.

Restrictions of sale of game by holders of a game licence. 7 of 18/49.

(2) Any person who acts in contravention of subsection (1) of this section shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding twenty-five pounds or to both.

No sale of game to the public except by dealers in game.

7 of 18/49.

9. (1) Subject to the provisions of section 8 of this Law, no person shall sell or otherwise dispose of any game to any member of the public, unless he is the holder of a licence as a dealer in game.

(2) Any person who acts in contravention of subsection (1) of this section shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding twenty-five pounds or to both.

Dealers in game to be licensed and keep book.

3 of 23/50.

First Schedule.

10. (1) Any person who wishes to obtain a licence as a dealer in game shall apply to the Commissioner specifying his name and residence and the place or premises at which he proposes to sell or dispose of game and the Commissioner may at his discretion grant to him a licence to be a dealer in game in the form B in the First Schedule hereto.

Every such licence shall be exhibited by the holder in a conspicuous place, in the place or premises specified therein for the sale or disposal of game and a fee of two hundred and fifty mils shall be paid therefor.

(2) Every dealer in game shall keep a book wherein he shall enter or cause to be entered true and accurate particulars on the several matters set out in the Second Schedule hereto.

Second Schedule.

(3) Any dealer in game who acts in contravention of subsection (1) or (2) of this section shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding twenty-five pounds or to both.

Prohibition of serving, etc., game or wild bird in hotels, etc.

4 of 23/50.

11. (1) No game or wild bird shall be cooked, sold or served in, and no name or any description whatsoever of game or wild bird shall appear on the bill of fare or any other list of, any establishment or in connection with any establishment.

(2) Any person who, in any establishment or in connection with any establishment—

- (a) cooks, sells or serves any game or wild bird ;
- (b) allows or suffers any game or wild bird to be cooked, sold or served ;

- (c) uses or allows or suffers the use of any bill of fare or any other list, on which appears the name or any other description of game or wild bird,

shall be guilty of an offence and shall be liable to imprisonment not exceeding three months or to a fine not exceeding twenty-five pounds or to both.

(3) Any police officer may enter without warrant any establishment or any part thereof wherein he has reason to believe that any game or wild bird is cooked, sold or served in contravention of this Law and seize and carry away any such game or wild bird and, thereupon, such game or wild bird shall be forfeited.

(4) For the purposes of this section the proprietor or the person in charge of an establishment or of the part of the establishment where any game or wild bird is cooked, sold or served shall be deemed to have committed an offence under this section, together with the person who actually commits the offence, unless he proves, to the satisfaction of the Court, that he took all reasonable means and precautions to prevent the commission of the offence.

(5) In this section—

“ establishment ” means any hotel, boarding house, restaurant, coffee-house, bar or any other place or premises of similar kind, not being a private dwelling house, where any cooked food is sold or served or is prepared for sale or serving, for human consumption.

(6) Nothing in this section shall apply to beccaficos, commonly known as “ ambelopoulia.”

12. Notwithstanding anything in this Law contained it shall be lawful for the owner or occupier of any plantation, vineyard, garden, or other cultivated land at all times by himself or through any other person authorised by him—

Trapping, etc., of hares and wild birds by owners of land.

(a) to trap, snare, or scare any hares found therein;

(b) to trap, snare, or scare any wild bird found therein which is damaging or may reasonably be supposed to be likely to damage any crop growing thereon.

13. Subject to the provisions of section 6 of this Law, any person who is found in possession of freshly killed game or wild birds at any time during a close season shall be guilty of an offence under this Law.

Possession of freshly killed game, etc., during close season prohibited.

Shooting,
etc., of
moufflon
without a
special
permit
prohibited.

14. (1) No person shall shoot, kill, take or pursue moufflon except under a special permit from the Governor and subject to any conditions contained in such permit.

(2) Any person who acts in contravention of subsection (1) of this section shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding six months or to a fine not exceeding fifty pounds or to both.

(3) Any person, other than a person who is the holder of a special permit from the Governor granted under subsection (1) of this section and subsisting for the time being, who is found in possession—

(a) of the fresh carcass of a moufflon,

(b) of any fresh part of a dead moufflon,

2 of 23/38.

shall be guilty of an offence and shall be liable to imprisonment not exceeding six months or to a fine not exceeding fifty pounds or to both.

Certain
practices in
shooting,
etc., game
prohibited.
3 of 57/55.

15. No person shall shoot, kill, take or pursue any game or wild bird—

(a) between sunset and sunrise ;

(b) by making use of a decoy or shelter ;

(c) by making use of any motor vehicle whatsoever for the purpose of shooting therefrom ;

(d) by employing or causing to be employed the method, or engage or take part in the practice commonly known as “ pantima ” or any other method or practice having effect similar to that of “ pantima ” ;

and any person who acts in contravention of this section shall be guilty of an offence :

Provided that the Governor may, subject to such conditions as he may therein see fit to impose, and by order to be published in the, Gazette, suspend the operation of paragraph (a) or paragraph (b) hereof in respect of such wild birds and within such areas as may be specified therein,

Shooting,
etc., of
certain
species of
wild birds
prohibited.

16. (1) No person shall at any time shoot, kill, take, pursue, sell or expose for sale any of the following wild birds, that is to say—

Cyprian wren (*Anorthura cypristes*).

Cyprian water-ousel or dipper (*Cinclus olympicus*).

Cyprian wheatear or chat (*Saxicola cyprica*).

Cyprian coal titmouse (*Parus cypriotes*).
 Cyprian tree creeper (*Certhia Harterti*).
 Cyprian crossbill (*Loxia guillermardi*).
 Cyprian scops owl (*Scops cypria*).

(2) Any person who acts in contravention of subsection (1) of this section shall be guilty of an offence under this Law:

Provided that no offence shall be deemed to have been committed if any such wild bird is accidentally shot or taken on birdlime.

17. (1) No person shall at any time destroy, take, sell or expose for sale or have in his possession the eggs of any game bird. Eggs of game birds protected.

(2) Any person convicted of an offence under this section shall be liable to be imprisoned for a term not exceeding three months and shall in addition be ordered to pay a fine of fifty mils for each egg in respect of which the offence has been committed.

18. (1) No person shall at any time destroy, take, sell or expose for sale or have in his possession the eggs of any wild bird:— Eggs of wild birds protected.

Provided that—

- (a) this section shall not apply to the eggs of doves, pigeons, crows, jackdaws, magpies, ravens, hawks and sparrows ;
- (b) the Governor may at any time issue a permit authorising any person in the interests of science to obtain specimens of the eggs of any wild bird and to export the same.

(2) Any person convicted of an offence under this section shall be liable to be imprisoned for a term not exceeding three months and shall in addition be ordered to pay a fine of fifty mils for each egg in respect of which the offence has been committed.

19. (1) The Governor in Council may by Order to be published in the Gazette declare any area to be a game reserve and may in like manner revoke any such Order and may alter the limits of any Game reserve : Game reserves.

Provided that—

- (a) not more than two game reserves shall be created in any District ;

3 of 23/38.

(b) save in the Nicosia District and in the Paphos District, no game reserve shall exceed twenty square miles in extent ;

5 of 23/50.

(c) the Administrative Secretary may, in his discretion, authorize the holder of a Game Licence by endorsement thereon to shoot, kill, take or pursue within any Game Reserve as may be specified in the endorsement, during such period including a Close Season, as may be specified therein and subject to such conditions as he may deem fit to impose, wild birds in general or such wild birds as may be specified in the endorsement.

(2) Any area prescribed to be a permanent reserved area under the Game and Wild Birds Protection Laws, 1922 to 1933, shall be deemed to be a game reserve within the meaning of this section.

Temporary
game
reserves.

20. (1) The Governor in Council may by Order to be published in the Gazette declare any area to be a temporary game reserve for such period not exceeding three years as may be prescribed in the Order :

Provided that—

- (a) no temporary game reserve shall exceed sixty square miles in extent ;
- (b) the total area of the temporary game reserves in a District shall not exceed one-third of the total area of such District ;
- (c) an area which has been declared a temporary game reserve shall not, after the expiration of the period during which it has been a temporary game reserve, be again declared a temporary game reserve until at least one year thereafter.

(2) The Governor in Council may by Order at any time revoke any Order made under this section.

(3) Any area prescribed to be a reserved area under the Game and Wild Birds Protection Laws, 1922 to 1933, shall be deemed to be a temporary game reserve within the meaning of this section.

Shooting,
etc., in game
reserve or
temporary
game
reserve
prohibited.
6 of 23/50.

21. Subject to the provisions of paragraph (c) of the proviso to section 19 (1), any person who—

- (a) shoots, kills, takes or pursues any game or wild bird in a game reserve or a temporary game reserve or who is found within a game reserve

or a temporary game reserve in circumstances indicating that he was unlawfully in pursuit of game or wild birds;

- (b) not being a peace officer carries a firearm in a game reserve or a temporary game reserve except under a permit in writing from the Commissioner,

shall be guilty of an offence under this Law.

22. No person shall use as wadding any cloth or waste rag whilst shooting within any state forest or any Government or municipal plantation, and any person who acts in contravention of this section shall be guilty of an offence under this Law.

Use of cloth, etc., as wadding in certain areas prohibited.

23. The export of game is hereby prohibited and any person who acts in contravention of this section shall be guilty of an offence under this Law :

Export of game prohibited.
4 of 23/38.

Provided that the Governor may at any time issue a permit authorising any person in the interests of science to export game.

24. The export of the skin of any game bird or wild bird is hereby prohibited and any person who acts in contravention of this section shall be guilty of an offence under this Law :

Export of skin without a special permit prohibited.

Provided that the Governor may at any time issue a permit authorising any person in the interests of science to export the skin of any game bird or wild bird.

25. If any person attempts to commit an offence under this Law or aids, abets or procures any other person to commit an offence under this Law, he shall be guilty of an offence and shall be liable to the same punishment and forfeiture as if he had committed an offence under this Law.

Attempt to commit an offence under this Law.

26. Any person who commits an offence under this Law for which no specific penalty has been otherwise provided shall on summary conviction be liable to a fine not exceeding twenty pounds.

Penalties.
8 of 18/49.

27. Where any person is convicted of an offence under this Law—

Consequences following conviction.

- (a) he shall in addition to any other penalty be prohibited from carrying a gun for a period of not

9 of 18/49.

less than twelve months or more than five years ;

7 of 23/50.

(b) any gun in respect of which the offence has been committed shall be forfeited ;

(c) any licence granted to such person under this Law shall be forfeited.

Sealing
of guns.
8 of 23/50.

28. (1) The Governor in Council, with a view to preventing the use of guns during a Close Season, may by Order direct that during such season or any part thereof, all guns shall, on such date or dates as may be specified in the Order, be presented to such authority or person as may be specified therein for sealing up or for being otherwise immobilised in such manner as may be specified in the Order and that no person shall have in his possession or under his control a gun which is not sealed up or otherwise immobilised in accordance with the Order :

Provided that an Order made under this section may make provision exempting from its operation holders of Game Licences who are authorised to shoot, kill, take or pursue wild birds under the provisions of section 6 or 19, subject to such terms and conditions as may be specified in the Order.

(2) Whilst an Order under subsection (1) is in force and with a view to ensuring that such Order is being complied with, every person having a gun in his possession or under his control shall, upon the request of a peace officer, produce the gun to such officer.

(3) Whilst an Order under subsection (1) is in force, notwithstanding anything in this Law contained, the Commissioner may, before granting a Game Licence to any person, require the production of the gun in respect of which the Licence is required.

(4) Any person who, whilst an Order under subsection (1) is in force—

(a) fails to comply with, or acts in contravention of, the provisions of such Order ;

(b) fails to comply with the provisions of subsection (2) ;

(c) except with the written authority of a police officer not below the rank of sergeant, breaks, destroys or in any way interferes with any sealing effected, or interferes with any other manner of immobilisation adopted, for the purposes of subsection (1),

shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding twenty-five pounds or to both.

29. Where any person upon conviction has been sentenced to pay a fine for any offence against this Law the Governor may grant a reward not exceeding one-half of any such fine when recovered to any person whose information has, in his opinion, led to such conviction. Reward to informers.

FIRST SCHEDULE.

FORM A.

(Section 5.)

The Game and Wild Birds Protection Law.

GAME LICENCE.

No. _____ of _____ is hereby licensed to shoot, kill, take or pursue game and wild birds.

This licence is, subject to the provisions of the Game and Wild Birds Protection Law, valid up to 31st July, 19 ____ .
Fee paid 250 mils.

Dated _____

Commissioner of _____

FORM B.

(Section 10.)

The Game and Wild Birds Protection Law.

DEALER IN GAME.

LICENCE.

No. _____

This is to certify that _____ of _____, is licensed as a dealer in game to sell or otherwise dispose of game at _____ .
Fee paid 250 mils.

Dated _____

Commissioner of _____

10 of 18/49,

11 of 18/49,

SECOND SCHEDULE.

(Section 10 (2).)

PARTICULARS TO BE SET OUT IN BOOK OF DEALERS IN GAME.

| Date of purchase of game. | Kind of game. | From whom game purchased and No. of game licence. | Date of sale/disposal of game. | Persons to whom game was sold/disposed. |
|---------------------------|---------------|---------------------------------------------------|--------------------------------|-----------------------------------------|
| | | | | |