

Seychelles

## Birds' Eggs Act

Act 7 of 1933

Legislation as at 30 June 2012

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## Birds' Eggs Act

Act 7 of 1933

Commenced on 13 May 1933

[This is the version of this document at 30 June 2012 and includes any amendments published up to 30 June 2014.]

[Act 7 of 1933; Act [2 of 1934](#); Act [7 of 1940](#); Act [4 of 1956](#); Act [3 of 1957](#); Act [38 of 1961](#); S.I. 95 of 1975; Act [23 of 1976](#)]

### 1. Short title

This Act may be cited as the Birds' Eggs Act.

### 2. Definitions

In this Act unless the context otherwise requires:—

"**birds' eggs**" means the eggs of sea-birds;

"**close season**" means such period or periods as shall be determined by regulations under this Act as a close season for the protection of birds' eggs in relation to any island or place as may be specified in such regulations;

"**quota**" means the quantity of birds' eggs or birds' egg products produced in Seychelles which may be exported during any period in accordance with an order published in the *Gazette* made by the Minister under [section 6](#);

"**prescribed**" means prescribed by regulations under this Act.

### 3. Regulations

(1) It shall be lawful for the Minister from time to time to make regulations:—

- (a) fixing a close season during which the collection of bird's eggs as scheduled in the regulations shall be prohibited in any island or place as may be specified in such regulations;
- (b) for effectually preventing the collecting of such eggs during the close season;
- (c) fixing the period during which the export of birds' eggs and birds' egg products shall be permitted;
- (d) for effectually controlling the export of birds' eggs and birds' egg products;
- (e) for effectually controlling the collection and disposal of birds' eggs;
- (f) providing for the furnishing of returns or the giving of information generally or as may be required by a prescribed authority;
- (g) generally for carrying out or giving effect to the objects and provisions of this Act.

(2) Such regulations may provide that contravention of or failure to comply with any such regulation shall be an offence and any person guilty of any such offence shall on conviction be liable to a fine not exceeding R.1,000 or to imprisonment not exceeding one year or to both such fine and imprisonment.

#### 4. Unlawful possession

Any person found in possession, without sufficient excuse or justification, of birds' eggs collected or gathered in contravention of any regulations made under this Act shall be guilty of an offence and liable to imprisonment not exceeding one month or to a fine not exceeding two hundred rupees or both.

#### 5. Seizure

- (1) Wherever there shall be sufficient grounds to suppose that any boat or any fishing tackle or any other appliance or article whatsoever has been used in the commission of any offence under this Act, it shall be lawful for any officer of the Department of Agriculture or of police to seize such boat, fishing tackle, appliance or article.
- (2) It shall be lawful for the court to order any eggs, the subject matter of any offence under this Act or any boat, fishing tackle or any other appliance or article used in contravention of any of the provisions of this Act to be sold by a sworn auctioneer and the proceeds thereof lodged in the Treasury.
- (3) Any boat, fishing tackle, appliance or article seized under this Act, the sale of which shall not have been ordered by a court as provided for under subsection (2) and not claimed within thirty days from the date of the seizure shall be *ipso facto* forfeited as fully and effectually as if the forfeiture had been pronounced by judgment of a competent court.

#### 6. Fixing of quota

The Minister may fix by an order published in the *Gazette* the quota which may be exported from Seychelles during any period as may be fixed by regulations and also allot to any owner, lessee, contractor or person in charge of any island producing birds' eggs a share of the quota.

#### 7. Share of quota not to be allotted as of right

No owner, lessee, contractor or person in charge of any island producing birds' eggs shall be entitled as of right to any share of the quota or to the renewal of any share allotted to him in the preceding year.