**ANIMALS AND BIRDS PROTECTION ACT AMENDMENT BILL 1927**

**House of Assembly, 20 December 1927, pages 2372 to 3273**

Second reading,

**TheCOMMISSIONER of CROWN LANDS**— This Bill is introduced mainly for the purpose of enabling royalties to be charged on the skins and carcases of animals and birds taken in South Australia. This is a practice adopted in all the States of Australia except South Australia. The Government are from time to time requested to grant open seasons with respect to such animals as opossums and it is felt that in the event of such requests being granted and these animals being taken, in most cases for their skins, then royalties should be paid to the Government. At the present time in all the other States royalties are .payable on opossum skins of varying amounts, the highest being 1s. a skin paid in Victoria. Clause 4 therefore provides that there shall be charged and paid in respect of every animal or bird or the skin or carcass of every animal or bird taken in South Australia, a royalty of such rate per centum of the selling value thereof as is fixed by proclamation.

Mr. Shepherd—Will that affect rabbit skins?

 The COMMISSIONER of CROWN LANDS —I think only animals or birds which are wholly or partly protected. I shall look into the matter. Clause 2 gives the Governor the necessary power to make such a proclamation. The selling value of a skin will, in any case where the skin is sold at public auction, be the actual gross price thereof. In all other cases, the selling value will be the amount fixed by the Chief Inspector as the selling value of the skin. The royalty is to be payable by the person who takes the animal or bird, but every person who deals in animals or birds or the skins or carcasses thereof will be liable for payment of the prescribed royalty thereon, unless the royalty shall have been previously paid. New section 13b provides for the appointment of collectors of royalty and also provides that on receipt of the prescribed royalty, the collector is to brand or otherwise mark the animal or bird or skin or carcass thereof with the prescribed brand or mark as evidence of payment of the royalty. This will provide an easy method of identifying the skins or carcasses on which the royalty has been paid. The new section also makes provision for seizing any animal or bird or the skin or carcass thereof on which royalty has not been paid, and gives power to the Minister to sue for and recover any unpaid royalty. New section 13c imposes a penalty not exceeding £50 on any person who evades or attempts to evade payment of royalty, while new section 13d provides for the registration of dealers in skins. This course will be necessary in order to keep a check on skins on which royalty is payable. If any trapper sells any skins or carcasses on which royalty is payable to any person not being the holder of a dealer's licence, without first obtaining the consent of the Chief Inspector to the sale, then both the trapper and the purchaser will be guilty of an offence against the Act. New section 13e gives the Governor power to make the necessary regulations for carrying the sections imposing royalties into effect. The remainder of the Bill makes a number of administrative amendments to the principal Act. Clause 3 enables the Minister to issue a permit to the occupier of any land to take protected animals and birds on the land and sell them in any case where he is satisfied that the occupier is desirous of breeding the animals or birds for sale. Section 14 of the principal Act imposes penalties for such offences as being in possession of the skin of a protected animal. In some cases, however, the defence is raised that the animals in question were taken outside the State. Clause 5 therefore provides that the section is to apply whether the animals or birds were taken within or outside the State. Section 20 of the principal Act provides that any occupier of any garden or cultivated land may take any protected animal or bird for the bona-fide protection of his garden or land, but may not sell the skin, carcass, or feathers thereof. Clause 6 provides that the skin, carcass, or feathers of any such bird may be sold in any case where the consent in writing of the Minister to the sale is first obtained. Subject to certain exemptions in favor of occupiers of land, section 23 imposes penalties on persons using firearms without a gun licence, while section 24 prohibits the use of firearms on Sundays within certain portions of the State. Both sections, however, only have reference to the use of fire arms for the purpose of shooting at any animals or birds for the purpose of sport. It is nearly impossible to prove that the firearms are used for the purpose of sport, as a person with a knowledge of the provisions of the Act almost invariably declares he is shooting for food. Clause 7 therefore deletes these words from the two sections in question. Section 25 of the principal Act deals with game licences. Clause 8amends the section so that game licences of three classes may be issued. These game licences will authorise the holder to take animals and birds and the eggs of birds—(a) throughout the whole of the State; or (b) within any portion or portions of the State specified in the licence; or (c) upon any land specified in the game licence which is occupied by the holder thereof. Fees of varying amounts will be fixed for each class of licence. At the present time fees for game licences and gun licences are fixed by section 26 of the principal Act. Clause 9 amends this section so as to enable these fees to be fixed by regulation. I move the second reading.

Mr. SHEPHERD secured the adjournment of the debate until December 21.