



THE GAMBIA

No 1 OF 1977

Assented to by The President
this Fourteenth day of February.
1977.

LS

D. K. JAWARA
President.

AN ACT to provide for the conservation and rational management of
wildlife in The Gambia and for matters connected therewith and
incidental thereto.

WILDLIFE CONSERVATION ACT, 1977

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Date of
commence-
ment.

[By Order]

PART I—PRELIMINARY

Enactment.

ENACTED by the Parliament of The Gambia.

Short title
and extent

1.—THIS ACT may be cited as the Wildlife Conservation Act, 1977, and shall come into force on such day or dates as the Minister notice in the Gazette, appoint.

Interpretation

2. In this Act, unless the context otherwise requires:—

“animal” means any vertebrate animal, including any mammal, bird, reptile, and amphibian, and the egg or young thereof, but does not include any fish;

“authorized officer” means any wildlife officer, any police officer, any forestry inspectorate officer, and any other officer authorized by the Director to carry out the provisions of this Act or any regulations made thereunder;

“bird licence” means a hunting licence issued by any licensing officer under this Act, authorizing the hunting of any specified wild birds;

“commercial business” means any shop, store, restaurant, or other fixed place of business open to the public for the purpose of supplying for reward any prepared food or other item of sale;

“Director” means the Director of Wildlife Conservation and Management;

“export” includes export of any wild animal, meat, or trophy of any wild animal that has been previously imported;

“general licence” means a hunting licence issued by any licensing officer under this Act, authorizing the hunting of any wild animal specified therein;

“hunt” means:—

(a) kill, wound, capture, or shoot at;

(b) wilfully disturb, molest, or take by any method a nest or eggs of any wild animal;

(c) follow, lie in wait for, or search for with the intent to kill, wound, capture, or shoot at;

(d) doing any other act immediately directed at killing, wounding, or capturing any wild animal;

“land” includes land covered by sea or other water;

“licensing officer” means the Director, and any other person authorized by him in writing to issue licences under this Act;

“local sanctuary” means any area of land set aside in accordance with the provisions of section 6 of this Act, for the protection of characteristic wildlife and especially bird communities, or for the protection of particularly threatened animal or plant species, together with the habitats essential for their survival;

“meat” means the fat, blood, flesh or tissue of any wild animal, whether fresh or dried, pickled or otherwise preserved or processed;

“Minister” means the Minister for the time being responsible for wildlife matters;

“national park” means any area of land set aside in accordance with the provisions of section 5 of this Act, for the propagation, protection, conservation and management of vegetation and wild animals as well as for the protection of sites, land-scapes or geological formations of particular scientific or aesthetic value, for the benefit and enjoyment of the general public, and in which hunting of wild animals, destruction or collection of plants, human settlements and certain other human activities disruptive of wildlife and the natural environment are prohibited or strictly controlled in accordance with the provisions of Part III of this Act;

“national reserve” means any area of land set aside in accordance with the provisions of section 6 of this Act, for the propagation, protection, conservation and management of vegetation or wild animals, and the associated habitats, and in which hunting and certain other human activities shall be prohibited in accordance with Part III of this Act;

“open-season” means any period of time declared as such by the Minister under section 13 of this Act;

“protected area” means any area of land set aside by the Government for purposes of preserving and managing the habitat and ecology thereof, including any forest park or protected forest, any national park, national reserve, or local sanctuary, and Abuko Nature Reserve;

“sell” means sell, barter, exchange, offer or expose for sale, or transfer;

“trophy” means any wild animal, whether alive or dead, or any durable portion whether processed, added to or changed, which is recognizable as a durable portion, and any nest, egg, or eggshell;

“vermin” means any animal which is declared by the Minister to be vermin for purposes of section 27 of this Act;

“wild animal” means any animal that is not a domesticated animal;

“wildlife officer” means any officer appointed under section 3 of this Act.

PART II—ADMINISTRATION

3. (1) The Public Service Commission may appoint a Director of ~~Director and Wildlife Conservation and Management~~ and such other wildlife officers as ~~other wild-~~ may be necessary to carry into effect the purposes and provisions of this ~~life officers~~ Act.

(2) The Director may, in writing, delegate or assign any of his functions under this Act to such other authorized officers as he may think fit.

(3) The Director shall, subject to the provisions of this Act and to any general or specific directions of the Minister, have the general superintendence of all matters within the province of this Act.

Wildlife management plans

4. (1) The Director shall develop and keep under continual review plans for the rational management of wildlife in The Gambia, taking into account national, regional, and international aspects of wildlife management.

(2) Each wildlife management plan shall be designed to ensure that wildlife is rationally managed and conserved so as to yield to The Gambia in general, and to individual areas in particular, optimum returns in terms of ecological, cultural, aesthetic and scientific gains as well as such economic gains as are incident to proper wildlife management.

PART III—NATIONAL PARKS, NATIONAL RESERVES, AND LOCAL SANCTUARIES

Establishment of national parks

5. (1) The Minister may undertake surveys of areas of great natural beauty or of major importance for wildlife resources, and may, if he considers it to be in the national interest, propose the establishment of national parks in such areas.

(2) The declaration of any area to be a national park shall be Order of the Minister to be approved by Parliament.

(3) No national park shall be abolished or alienated, whether in whole or in part, nor shall its boundaries be altered in any way except by Order of the Minister to be approved by Parliament.

Establishment of national reserves and local sanctuaries

6. (1) The Minister may, by Order published in the Gazette, declare any area to be a national reserve or local sanctuary.

(2) No national reserve or local sanctuary shall be abolished or alienated, whether in whole or in part, nor shall its boundaries be altered in any way except by Order of the Minister published in the Gazette.

Hunting prohibited

7. (1) No person shall hunt any animal in any national park, or national reserve, or within such area adjacent to any national park or national reserve as the Director may designate.

(2) No person shall bring into any national park or national reserve any weapon, ammunition, explosive, trap, snare, or poison, or be in possession of any such article within any national park or national reserve.

Power to regulate

8. The Minister may, under section 58, make regulations generally for the efficient control and management of any national park, national reserve, or local sanctuary, and may in particular and without prejudice to the generality of the foregoing, make regulations for all or any of the following matters:—

The Wildlife Conservation Act, 1977

- (a) conditions under which any person, motor vehicle, boat aircraft, or other craft or conveyance, or animal may enter into, travel through or be kept within any national park, national reserve, or local sanctuary;
- (b) fees to be paid for entry into or for any services or amenities provided by any national park, national reserve, or local sanctuary;
- (c) prohibition or strict control over hunting in or near any local sanctuary;
- (d) prohibition or control on cutting, clearing, burning, or otherwise damaging or removing any tree, bush, plant, or other vegetation or any part thereof from any national park, national reserve, or local sanctuary;
- (e) prohibition or control of setting fires within any national park, national reserve, or local sanctuary;
- (f) prohibition of human settlements and certain other human activities disruptive of wildlife and the natural environment in any national park, national reserve, or local sanctuary.

9. (1) The Director shall control, manage and maintain all national parks, national reserves, and local sanctuaries. Management responsibilities

(2) The Director may prescribe such conditions, in addition to those prescribed by regulation by the Minister, as may be necessary to carry out his responsibilities under this section.

10. The establishment or extension of any national park, national reserve, or local sanctuary shall be deemed to be a public purpose within the meaning of the Lands (Banjul and Kombo Saint Mary) Act and the Lands (Provinces) Act, and the procedures specified in those Acts shall be followed for acquisition of land or any interest therein and for settlement of claims in connection with such establishment or extension. Acquisition of land

11. The area of land described in Schedule I attached hereto, and commonly known by the name of Abuko Nature Reserve, is hereby declared to be a national reserve. Abuko Reserve

PART IV—CONTROL OF HUNTING

12. Save as otherwise provided under this Act, any wild animal found in The Gambia, whether or not originating in The Gambia, shall be a protected animal. Wild animals protected

13. (1) The Minister may, where he is satisfied that pursuant to any wildlife management plan developed under section 4 of this Act it is desirable so to do, declare an open season during which it may be lawful to hunt any species of wild animal specified in such declaration. Power to declare open seasons

(2) Any declaration made under this section shall be by notice in the Gazette, and may make different provision in respect of different areas and different species of wild animals:

Provided that no open season shall apply to any protected area.

Hunting licences required

14. Save as is otherwise provided under this Act, no person shall hunt any wild animal except under and in accordance with the conditions of a valid hunting licence issued pursuant to this Part.

Classes of hunting licences

15. The following classes of hunting licences may be issued under this Part:—
(a) general licence;
(b) bird licence.

Form and conditions of licences

16. (1) The Minister shall, by regulation, prescribe the form of and the terms and conditions attaching to each class of hunting licence.

(2) Any hunting licence issued under this Part shall be subject to:—

(a) such conditions as may be prescribed by regulation under this section; and

(b) such other conditions as the Director may prescribe:

Provided that nothing in this Part shall be taken as authorizing the hunting of any wild animal in any protected area.

(3) Any conditions prescribed under this section shall include, but shall not be limited to, conditions concerning:—

(a) the species, or variety of species of the sex of wild animal which may be hunted under each class of licence;

(b) the method of hunting to be employed with each licence;

(c) the number of wild animals of each prescribed species, variety, or sex which may be hunted;

(d) the area or areas in which each licence shall be valid;

(e) the time or times of the year during which any specified species, variety or sex of wild animal may be hunted;

(f) the appropriate fee payable in respect of each class of licence.

Applications for licences

17. Applications for licences shall be made in the prescribed form to the appropriate licensing officer.

Power to refuse to issue licence

18. (1) Any licensing officer may, if he thinks fit and without assigning any reason therefor, refuse to issue to any person a hunting licence for which application has been made.

(2) No hunting licence in which the use of firearms for hunting is authorized shall be issued to any person who is not the holder of a valid licence issued under the Arms and Ammunition Act, authorizing such person to possess firearms, and the officer issuing any hunting licence may require such firearms licence to be produced at the time of issuing any hunting licence.

(3) No hunting licence shall be issued to any person unless the licensing officer is satisfied that such person is in possession of, or will at the time of hunting under such licence be in possession of, a suitable firearm, and is competent and responsible in the use of such firearm, and the licensing officer may require such person to undergo any shooting or other tests in order to ascertain whether such person is so competent and responsible.

19. In the event that any licensing officer refuses to issue any hunting licence under section 18 of this Act, the applicant may within one month after the date of the refusal appeal to the Minister, whose decision will be final.

Appeals for refusal of licence

20. The Director may, if he thinks fit and without assigning any reason therefor, suspend or cancel any hunting licence issued under this Part.

Power to cancel or suspend licence

21. In the event that the Director suspends or cancels any licence under section 20 of this Act, the licence holder may within one month of the date of such suspension or cancellation appeal to the Minister, whose decision will be final.

Appeals for cancellation or suspension

22. (1) No person shall transfer any hunting licence to any other person, and no person, except the person to whom it is issued, shall hunt under any such licence.

General provisions for hunting licences

(2) Each licence holder shall carry the licence with him at all times when engaged in any activity authorized by the licence, and shall produce it on request to any authorized officer.

(3) Subject to the provisions of section 20 relating to suspension and cancellation of licences, any hunting licence shall be valid for the period specified in such licence.

23. (1) Nothing in this Act shall make it an offence for any person to take such measures as may be reasonably necessary to defend his person or any other persons, or to protect any livestock, crops, or other property which he has a duty to protect or a legitimate interest in protecting, from a direct and immediate attack by any wild animal:—

Defence of life or property

Provided that:—

- (a) shooting shall be resorted to only where no other alternative is possible or feasible; and
- (b) this section shall not exonerate any person who, at the time of the attack, was committing an offence against this Act or was knowingly acting under circumstances amounting to deliberate provocation or enticement of the wild animal.

(2) Where any wild animal is killed or wounded in accordance with the provisions of this section, the fact and circumstances shall be reported immediately to the nearest authorized officer, and such animal shall become the property of the Government to be handed over to the nearest authorized officer for disposal in such manner as the Director may think fit.

(3) The burden of proving that any wild animal has been killed or wounded in accordance with the provisions of this section shall lie upon the person who has killed or wounded such animal.

Duty to seek assistance

24. Except where there is a direct and immediate attack upon life or property, where any wild animal threatens injury or otherwise becomes a pest to life, livestock, crops or other property, such fact shall be reported to the nearest authorized officer at the earliest practicable moment and assistance shall be sought from such officer to deal with the wild animal as the Director may think fit.

Wounded animals

25. Any person who, in any circumstances whatsoever, wounds any wild animal or observes any wounded wild animal where such animal could become dangerous, shall as soon as practicable thereafter make a report of the facts and circumstances to the Director, or nearest authorized officer.

Hunting by authorized officers

26. Nothing in this Act shall make it an offence for the Director or any duly authorized officer under the direction of the Director to hunt or possess any wild animal, in any area of The Gambia, including any protected area, at any time and by any method, for the purposes of:—

- (a) education or scientific research;
- (b) conservation and proper wildlife management and administration;
- (c) public safety or the protection of livestock, crops or other property;
- (d) prevention of undue suffering by any such animal.

Vermin

27. (1) The Director may, by notice in the Gazette, declare any wild animal to be vermin, either generally or in any specified area for any specified period of time.

(2) It shall not be an offence for any person to hunt without a licence any wild animal declared to be vermin in such area and under such conditions as may be specified in the notice:

Provided that nothing in this section shall be taken as authorizing the hunting of such animals in any protected area.

Penalty for illegal hunting

28. Any person who hunts any wild animal in contravention of the provisions of this Part shall be guilty of an offence and shall be liable to a fine not exceeding 750 Dalasis or to imprisonment for a term not exceeding 1 year, or to both.

PART V—PROHIBITED METHODS OF HUNTING

29. (1) No person shall hunt any wild animal that is obviously immature or is a female accompanied by its young. Prohibited methods of hunting, general provisions

(2) No person shall, in connection with hunting, make, use, or have in his possession any of the following:—

- (a) any firearm capable of firing more than one missile as a result of one pressure of the trigger;
- (b) any explosive, other than the propellant charge in firearms cartridges, or any missile containing explosive;
- (c) any fixed stake or similar sharp instrument;
- (d) any set-gun, pitfall, game-pit, trench or similar excavation;
- (e) any net, fence or enclosure, or similar trap, or any mist net, snare, or similar contrivance capable of killing or capturing any wild animal;
- (g) any drugs, poisons, poisoned weapons, or poisoned baits;
- (h) any other methods of hunting which may be prohibited in any regulations made under this Act.

30. No person shall, in connection with hunting, cause any fire or drive or surround any wild animal with fire. Use of fire prohibited

31. (1) No person shall, during the hours of darkness, hunt any wild animal, or use any dazzling light for the purpose of hunting any wild animal. Hunting at night prohibited

(2) For purposes of this section, "hours of darkness" means the period between one-half hour after sunset and one half-hour before sunrise.

32. No person shall drive any wild animal into water for the purpose of hunting such animal. Driving animals into water

33. (1) No person shall:— Restriction on use of vehicles

- (a) use a motor vehicle, aircraft, boat, or other craft or conveyance for purposes of hunting any wild animal;
- (b) discharge a firearm or other weapon at any wild animal from inside or a point within two hundred yards of any motor vehicle, aircraft, boat, or other craft or conveyance.

(2) Any firearm which is located in or upon any motor vehicle, aircraft, boat, or other craft or conveyance shall, at all times, be unloaded and inside a cover or gun case.

Power to sus-
pense or fur-
ther prohibit

34. The Minister may, by notice in the Gazette:—

- (a) impose such additional conditions or restrictions in respect of the use of any specified methods of hunting as he may think fit;
- (b) suspend the operation of any section of this Part in respect of any specified wild animal, for any period of time and for any specified area other than a protected area, where he considers it necessary for proper wildlife management or the protection of life or property.

Penalties for
use of prohi-
bited hunting
methods

35. (1) Any person who acts in contravention of any provisions of this Part shall be guilty of an offence and shall be liable to a fine not exceeding 750 Dalasis or to imprisonment for a term not exceeding one year, or to both.

(2) Any person who receives or is found in possession of any wild animal knowing or having reasonable cause to believe that such animal was taken in contravention of the provisions of this Part shall, unless the contrary is proved, be guilty of an offence and shall be liable to a fine not exceeding 750 Dalasis or to imprisonment for a term not exceeding one year, or to both.

PART VI—SALE OF WILD ANIMALS

Commercial
sale prohi-
bited

36.—(1) No commercial business shall sell in The Gambia any wild animal, meat or trophy of any wild animal with the exception of meat or trophy of any bush pig that has been legally hunted:—

Provided that the Minister, in consultation with the Director, may at any time, by notice in the Gazette, suspend the operation of this Part in respect of any specified wild animal for any period of time specified in such notice.

(2) Any commercial business, or person acting on behalf of such business, which sells any wild animal, meat or trophy of any wild animal in contravention of this section shall be guilty of an offence and shall be liable to a fine not exceeding 500 Dalasis or to imprisonment for a term not exceeding nine months, or to both.

PART VII—IMPORT AND EXPORT OF WILD ANIMALS

Import per-
mit

37. No person shall import or attempt to import into The Gambia any wild animal, meat or trophy of any wild animal, except under a valid import permit issued by the Director in writing on his behalf, and in accordance with the conditions of such import permit.

Power to is-
sue import
permit

38. (1) The Director may, upon written application therefor and payment of the prescribed fees, issue an import permit provided that he is satisfied:—

- (a) that such import will be for purposes which are not detrimental to the survival of the species involved;

(b) that the proposed recipient of any living wild animal is suitably equipped to house and care for such animal; and

(c) that the wild animal, meat, or trophy of any wild animal has been lawfully exported from the country of export.

(2) Any permit issued under this section shall be valid for such time as is therein expressed and shall be subject to such conditions and the payment of such fees as the Director may prescribe, or as may be prescribed by any regulations made under this Act.

39. No person shall export or attempt to export any wild animal, meat or trophy of any wild animal except under a valid export permit issued by the Director or other officer authorized by the Director in writing on his behalf, and in accordance with the conditions of such export permit. Export permit

40. (1) The Director may, upon written application therefor and payment of the prescribed fees, issue an export permit provided that he is satisfied:— Power to issue export permits

(a) that such export will not be detrimental to the survival of that species;

(b) that such wild animal, meat or trophy of such wild animal was lawfully obtained;

(c) that any living wild animal will be so prepared and shipped as to minimize the risk of injury, damage to health, or cruel treatment; and

(d) that an import permit has been granted by the importing state for such wild animal, meat, or trophy.

(2) Any permit issued under this section shall be valid for such time as is therein expressed and shall be subject to such conditions and the payment of such fees as the Director may prescribe, or as may be prescribed by any regulations made under this Act.

41. Any person holding a permit or other document issued under this Part shall carry such permit or document with him at all times when exercising any of the rights conferred by it, and shall produce it on request to any authorized officer. Permits to be carried

42. The Minister may make regulations exempting household or personal effects from the requirements of sections 37 to 41 of this Act subject such conditions as he may think appropriate. Household and personal effects

43. Any person who imports or exports, or attempts to import or export, any wild animal, meat, or trophy of any wild animal in contravention of the provisions of this Part shall be guilty of an offence and shall be liable to a fine not exceeding 500 Dalasis or to imprisonment for a term not exceeding 9 months, or to both. Penalty for illegal import and export

PART VIII—ENFORCEMENT POWERS

Powers to
stop and in-
spect

An authorized officer may, without a warrant:—

- (a) stop any person whom he sees doing any act or whom he has reasonable grounds for believing has done any act for which a licence or permit is required under this Act, or any regulations made thereunder;
- (b) require that such person produce for inspection:—
 - (i) any licence, permit or other document required under this Act or any regulations made thereunder;
 - (ii) any wild animal, meat, or trophy of any wild animal in the possession of such person;
 - (iii) any firearm, or other weapon, device, or material which appears to be connected with hunting.

Powers to
search, seize,
and arrest

45. (1) If any authorized officer has reasonable grounds for believing that any person has committed an offence against this Act, or any regulations made thereunder, he may, without a warrant:—

- (a) enter and search any land, building, or other premises in the occupation of such person, and open and search any baggage or other thing in the possession of such person:

Provided that no dwelling house shall be entered or searched without a warrant.
- (b) stop, detain, and search any motor vehicle, boat, aircraft, or other craft, or conveyance which appears to have been used or is being used in the commission of any offence under this Act, or any regulations made thereunder;
- (c) require any passenger of any motor vehicle, boat, aircraft, or other craft or conveyance stopped pursuant to this section to furnish his full name, address, and the details of any licence, permit, or other document required under this Act, or any regulations made thereunder;
- (d) seize any motor vehicle, boat, aircraft, firearm or other weapon, craft, conveyance or device in connection with which any offence appears to have been committed against this Act or any regulations made thereunder;
- (e) seize any wild animal, meat, or trophy of any wild animal which he has reason to believe is being possessed in contravention of this Act any regulations made thereunder;
- (f) arrest any person he has reasonable grounds to believe has committed such offence, and use such force as may be reasonably necessary to affect such arrest.

(2) Any authorized officer who seizes any thing under the provisions of this section shall, where feasible, give to the person from whom such thing was seized a written receipt signed by the authorized officer, identifying the thing seized and stating the reason for such seizure.

(3) Any live animal seized in accordance with the provisions of this section may be released or destroyed at the discretion of the seizing officer where he considers such action necessary in order to prevent undue suffering or for other good and sufficient reasons.

(4) Anything seized in accordance with the provisions of this section which is of a perishable nature and which cannot be reasonably preserved, may, upon the direction of the Director, be immediately disposed of by sale or otherwise:—

Provided that in the event of a sale under this subsection the proceeds thereof shall be held by the Director pending determination of any proceeding brought in respect of the offence for which the thing was seized and shall thereupon be dealt with by him as the Court may direct.

46. Any person arrested under the provisions of section 45 shall be taken as soon as practicable before a court to be dealt with according to the law. Legal proceedings

47. Any person who:—

- (a) without reasonable excuse, fails to produce anything which he is required to produce under sections 44 and 45; Prohibition on obstructing authorized officers
- (b) resists or wilfully obstructs any authorized officer in the exercise of the powers conferred upon such officer by this Act, or any regulations made thereunder;

shall be guilty of an offence and shall be liable to a fine not exceeding 500 Dalasis or to imprisonment for a term not exceeding nine months, or to both.

48. Any authorized officer shall, in the exercise of the powers conferred upon him under this Act, have in his possession and shall produce on request such identification or other document as evidence of his being an authorized officer for the purposes of this Act. Authorized officers to declare office

49. Nothing in this Act shall be construed as rendering any authorized officer guilty of an offence against this Act, or any regulations made thereunder, while acting in good faith in the course of his duty as such officer. Exemption of authorized officers

PART IX—PRESUMPTIONS, PENALTIES, FORFEITURES

50. (1) The possession of any wild animal, or meat, or trophy of any freshly killed wild animal shall be prima facie evidence against any person accused of contravening any provision of this Act that he has hunted such animal. Evidence and presumptions

(2) If any person, being the holder of a valid licence or permit granted under this Act, is found in possession of wild animals in excess of the numbers mentioned in such licence or permit, or of any species not authorized therein, he shall be presumed, unless the contrary is proved, to have hunted such animals in contravention of the provisions of this Act, or any regulations made thereunder.

(3) Where any wild animal is upon or in any motor vehicle, boat, aircraft, or other craft or conveyance, or at any camping place, any person who is in any way associated with such motor vehicle, boat, aircraft, or other craft or conveyance, or camping place, shall be presumed, unless the contrary is proved, to be in possession of such wild animal.

(4) Any person who is found in possession or in control of any prohibited method of hunting designated as such by this Act or any regulations made thereunder, shall be presumed, unless the contrary is proved, to be using such method for the purposes of hunting.

(5) The burden of proving any fact which would be a defence to a charge of contravening any provision of this Act, or any regulations made thereunder, shall be upon the person charged.

General penalties 51. (1) Any person who is convicted of an offence under this Act, or any regulations made thereunder, in respect of anything done or omitted to be done for which no other penalty is expressly provided shall be liable:-

(a) in the case of a first such offence, to a fine not exceeding 500 Dalasis, or to imprisonment for a term not exceeding 9 months, or to both.

(b) in the case of a second or any subsequent offence, to a fine not exceeding 1,000 Dalasis, or to imprisonment for a term not exceeding 1 year, or to both.

(2) Upon the conviction of any person for an offence under this Act, or any regulations made thereunder, which relates to more than one wild animal or trophy the court may inflict an additional penalty in respect of each wild animal or trophy after the first of a fine not exceeding one half of the fine prescribed by this Act for such offence.

Corporations and Firms liable 52. (1) Where a corporation is guilty of an offence against this Act, or any regulations made thereunder, every director or officer of the corporation shall, unless he proves that the offence was committed without his knowledge or consent, also be liable to be prosecuted, tried, convicted, and punished for that offence.

(2) Where any firm or individual has in the course of business committed any offence under this Act, or any regulations made thereunder, every manager or other person concerned in the management of such business shall, unless he proves that the offence was committed without his knowledge or consent, also be liable to be prosecuted, tried, convicted, and punished for that offence.

Forfeiture 53. (1) Where any person is convicted of an offence under this Act, or any regulations made thereunder, the court.—

(a) shall, unless it considers for reasons to be recorded by the court, that it would be unjust so to do, order that any wild animal, meat, trophy, or proceeds of sale of such animal, meat, or trophy, or weapon or other means of hunting any wild animal or any non-mechanical means of conveyance, taken, used, or involved in the commission of such offence shall be forfeited to the Government without compensation.

(b) may order that any motor vehicle, boat, aircraft, or any mechanical means of conveyance used in the commission of such offence be forfeited to the Government without compensation.

(2) Any article or animal forfeited under this section shall be disposed of in such manner as the Director may think fit.

(3) Where anything has been seized under the provisions of section 45 of this Act, or any regulations made under this Act, and the person charged with an offence in relation thereto has not appear to answer such charge within one month of such seizure, the court may order that such thing shall be forfeited to the Government to be disposed of as the Director may think fit.

54. Where any person is convicted of an offence under this Act, or any regulations made thereunder, in respect of any game-pit, pitfall, trench, or similar excavation, or any fence or enclosure, or any other device whatsoever fixed to the ground which such person has unlawfully made, used or had in his possession for the purpose of hunting, the court may, in addition to any other penalty imposed, order that such excavation or other device be destroyed in such manner as the court may specify, and any expenditure incurred on account of such order shall be recoverable from such person as a civil debt due to the Government.

Destruction of game-pits, etc., on conviction

55. Where the holder of any license or permit issued under this Act, or any regulations made thereunder, is convicted of an offence against this Act, such conviction shall, unless the court otherwise directs for reasons to be recorded in writing, have the effect of cancelling such licence, or permit with effect from the date of conviction.

Effect of conviction

56. Nothing under this Act shall relieve any person, business, or corporation of any obligation or requirement imposed by law concerning customs, health, arms and ammunitions, or other matters.

Other laws applicable

PART X—GENERAL PROVISIONS

57. The Minister may, from time to time, by regulation prescribe forms to be used for the purposes of this Act, and may, in like manner, amend, vary, or revoke any such prescribed forms.

Prescribed forms

58. The Minister may make regulations for the better implementation of the provisions and purposes of this Act, and without prejudice to the generality of the foregoing, such regulations may make provision for all or any of the following:—

Power to make regulations

- (a) the specific conditions subject to which any licence, permit, or other authorization may be granted or issued under this Act;
- (b) the procedure to be followed in respect of any application for such licence, permit, or authorization;

- (c) the terms and conditions under which wild animals may be hunted under any hunting licence issued under this Act, the numbers and sex of each species which may be so hunted either generally or in any specified area, the type of weapons prohibited or permitted and such other matters in respect of hunting as he may think fit;
- (d) the limiting of the number of hunting licences which may be issued to any person or in respect of any specified species, period or area;
- (e) the prohibition of the use of any specified type or calibre of weapon in the hunting of any specified type of wild animal or bird;
- (f) the declaration of vermin in respect of any specified period or area;
- (g) the hearing and determination of appeals to the Minister;
- (k) the control of the sale of any wild animal, meat, or trophy of any wild animal within The Gambia;
- (i) the control of the import and export of any wild animal, meat, or trophy of any wild animal into or from The Gambia;
- (j) the fees to be paid for anything to be done under this Act or any regulations made thereunder, and the remission in special cases of any fees payable under this Act;
- (k) the prohibition, regulation, or control of the hunting of wild animals, in or near any municipality, residence, factory, quarry, mine, protected area, or upon, over, or on any road specified in such regulations;
- (l) the prohibition of methods of hunting any wild animals;
- (m) the proper administration, management and development of any areas established as national parks, national reserves or local sanctuaries;
- (n) the furtherance of knowledge as regards wildlife by means of literature, lectures, courses of instruction, films, radio, radio programmes, tours or such other means as may appear appropriate under the circumstances.

Savings

59. (1) Any licence, permit, or other authorization issued under the provisions of the Wild Animals, Birds and Fish Preservation Act, Chapter 194, or any subsidiary legislation, which immediately before commencement of this Act was of force and effect, shall, subject to the provisions of this Act, continue to have force and effect, and shall on such commencement be deemed to have been issued under this Act.

The Wildlife Conservation Act, 1977

(2) Any subsidiary regulations, orders, notices, or directives issued under the provisions of the Wild Animals, Birds and Fish Preservation Act, Chapter 194, which immediately before commencement of this Act were of force and effect, shall, subject to the provisions of this Act, continue to have such force and effect until superseded by provisions issued under this Act.

60. The provisions of the Wild Animals, Birds, and Fish Preservation Act, Chapter 194, insofar as they relate to wild animals and birds, is hereby repealed.

SCHEDULE I

THE ABUKO NATURE RESERVE

The Abuko Nature Reserve is a 191 acre area located on the boundary of Kombo St. Mary and Kombo North District. It is adjacent to northwest side of the village of Lamin and is fronted by the west side of the Brikama road.

The area boundaries commence at a point approximately 100 feet northwest along the west side of the Brikama road from the point where the Abuko stream passes under the Brikama road;

Thence from that point along a straight line at approximately 240 degrees from north clockwise, for a distance of 1,800 feet;

Thence by a straight line at approximately 240 degrees from north for a distance of 4,500 feet;

Thence by a straight line at approximately 332 degrees from north, for a distance of 1,800 feet;

Thence by a straight line at approximately 60 degrees from north, for a distance of 4,500 feet.

The above boundaries are more particularly delineated on Cadastral Reference Map No. 9 located in the Physical Planning Office.

PASSED in the House of Representatives this Twenty-sixth day of January, in the year of Our Lord One thousand nine hundred and Seventy-seven.

A. M. SALLAH
Clerk of the House of Representatives.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed the House of Representatives, and found by me to be a true and correct copy of the said Bill.

A. M. SALLAH
Clerk of the House of Representatives.

Certain sales
by indigenes
exempt

6. (1) Notwithstanding any provisions of these Regulations to the contrary, any indigene hunter may sell meat of any wild animal which that hunter has legally hunted where such meat is sold only to an indigene for purposes of personal consumption:—

(2) For the purpose of this Regulation:—

“indigene” means any person who is:—

- (a) a citizen of the Gambia; and
- (b) a member of some tribe indigenous to The Gambia; and
- (c) an inhabitant of a village in the Provinces.

A. B. N'JIE
Vice President