

[AS AMENDED BY THE LIVE STOCK AND RABBITS COMMITTEE.]

Hon. Mr. McKenzie.

SMALL-BIRDS NUISANCE.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Local authority may apply funds to destruction of injurious birds, or levy special rate for the purpose.</p> <p>4. Moneys may be spent as may be deemed most expedient.</p> | <p>5. Poisoned seed may be laid on roads in counties, &c., subject to public notice.</p> <p>6. Special provision within boroughs or town districts.</p> <p>7. Inspectors to report upon enforcement of Act. Minister of Lands may put Act into force when local authority fails to do so.</p> <p>8. Repeal.</p> |
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A BILL INTITULED

AN ACT to provide for the Destruction of Sparrows or other Injurious Birds. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The Small-Birds Nuisance Act, 1891." Short Title.

2. In this Act the word "birds" means any birds not for the time being coming within the operation of any Act in force relating to the protection of animals. Interpretation.

3. Notwithstanding anything in any other Act contained, any local authority may from time to time, by an ordinary resolution thereof, apply so much as they shall think fit out of their general funds towards the destruction of any kind or kinds of birds which, by their habits or by their excessive increase, have become, or threaten to become, injurious to crops of any kind, for the purpose of reducing the numbers of such birds to such extent as may be necessary for the protection of such crops: Local authority may apply funds to destruction of injurious birds, or levy special rate for the purpose.

New Paragraph.

The local authority may, if they think fit, raise the funds necessary for the above purpose by means of a separate general rate or a special rate not in any case exceeding three-sixteenths of a penny in the pound within counties or road districts, or the equivalent thereof within boroughs and town districts; and in any such case the previous consent of the ratepayers shall not be necessary to the levying and collecting such rate.

Struck out.

But the sum or sums so applied in any one year shall not exceed the amount which might be raised by the levy of a rate of three thirty-second parts of a penny in the pound on the rateable value of any riding or ridings of any county, or on the rateable value of any road district to which such rate may be limited, or by the levy of a rate of one thirty-second part of a penny in the pound, if such rate shall be general over the entire county, or by the levy of a rate of one halfpenny in the pound on the rateable value of any borough, or by the levy of a rate of one penny in the pound on the rateable value of any town district.

Moneys may be spent as may be deemed most expedient.

4. All such moneys may be spent in such manner as the local authority expending the same shall think most expedient for attaining the object in view, ~~within the limits of the county, riding, road district, borough, or town district over which such local authority has jurisdiction.~~

Struck out.

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5. For the purposes and subject to the limitations herein specified any local authority may levy any special rate for the purpose of raising funds to be applied towards carrying out the purposes of this Act whenever such local authority shall have received a petition signed by a majority of ratepayers within the county, riding, road district, borough, or town district over which such local authority has jurisdiction, praying that such rate shall be levied.

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When the enforcement of this Act is compulsory upon any local authority they may without any such petition levy any special rate as aforesaid.

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Poisoned seed may be laid on roads in counties, &c., subject to public notice.

~~6.~~ 5. Any local authority *County Council or Road Board* may, for the purposes of this Act, lay poisoned grain, or seed, or other material upon any public roads, or public reserves, within their jurisdiction or under their control, and with the consent of the owners of adjoining lands, upon any private roads within the district under their jurisdiction; but no poison shall be laid within a less distance than two hundred and twenty yards of an inhabited house, *without the consent in writing of the owner or occupier thereof.*

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Before laying poison as aforesaid on any road or reserve, public notice of the intention of so doing shall be given ~~by advertisement in some newspaper published within the district; or, if there be no such newspaper, then in some newspaper circulating therein, for at least two weeks and not less than once in each week.~~

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New Clause.

Special provision within boroughs or town districts.

6. Every Borough Council and Town Board shall from time to time make, alter, or repeal by-laws for carrying out the objects of this Act by such means as they may think fit, ~~without using poison.~~

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Inspectors to report upon enforcement of Act.

~~8.~~ 7. Every Chief Inspector and Inspector of Stock appointed under "The Sheep Act, 1890," shall be an Inspector under this Act for the purpose of seeing the same carried into effect; and, upon the report of any such Inspector that the enforcement of this Act is necessary within any county, riding, road district, borough, or town district, the Minister of Lands may require the local authority having jurisdiction therein respectively to give effect to the provisions of this Act.

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Minister of Lands may put Act into force when local authority fails to do so.

In case any such local authority shall fail, neglect, or refuse to comply with any such request the said Minister shall have and may exercise all the powers of the local authority so making default, which may be necessary to give effect to this Act in any such district, and the cost incurred thereby may be recovered from the aforesaid local authority as a debt due to Her Majesty.

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Struck out.

9. In addition to the foregoing powers for the destruction of birds injurious to crops, any local authority may from time to time, in manner provided, and subject to the limitations mentioned in sections *three and four*, apply moneys out of their general funds towards the destruction of the indigenous parrot known as the "kea," for the protection of sheep from the ravages of such bird.

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Repeal.

~~10.~~ 8. "The Small-birds Nuisance Act, 1882," is hereby repealed.