



BELIZE

**WILDLIFE PROTECTION ACT
CHAPTER 220**

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CHAPTER 220

WILDLIFE PROTECTION

ARRANGEMENT OF SECTIONS

PART I

Preliminary

1. Short title.
2. Interpretation.

PART II

Control of Hunting

3. Restriction.
4. Prohibited activities.
5. Defence of person and property.
6. Reports and payments.
7. Dealer's licence required.
8. Moratorium on commercial dealing.
9. Export, import permit required.

PART III

Administration

10. Appointment of officers.

11. Regulations.
12. Regulations subject to negative resolution.
13. Issue of licences, fees.
14. Scientific permits.
15. Issue of import and export permits.

PART IV

Miscellaneous

16. Offences and penalties.
17. Presumption.
18. Powers of search, seizure and arrest.
19. Inquiries, evidence.
20. Wildlife offences punishable on summary conviction.
21. Award of portion of fine to informant.
22. Compounding of certain offences.
23. Disposal of forfeited articles.
24. Saving of other powers.
25. Civil remedy preserved.
26. Application of the Belize Agricultural Health Authority Act.
27. Repeal of the Wildlife Protection Ordinance and savings.

Schedule – Hunting Restrictions.

CHAPTER 220

WILDLIFE PROTECTION

CAP. 181,
R.E. 1980-1990.
4 of 1981
32 of 1988.
29 of 1990.
42 of 1999.
S.I. 3 of 1982.
S.I. 12 of 1982.

[2nd January, 1982]

PART I

Preliminary

1. This Act may be cited as the Wildlife Protection Act.

Short title.

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

Interpretation.

“dealer” means any person who, in the course of any business or trade, imports, exports, processes, buys or sells any wildlife of any species or part or product thereof or therefrom;

“forest reserve” means a forest reserve declared as such under section 3 of the Forests Act, Cap. 213;

“game ranger” means the Game Warden, a forest officer appointed under the Forests Act, Cap. 213, and any person appointed under section 10 to be a game ranger for the purposes of this Act and, for the purposes of sections 18 and 19, shall be deemed to include a justice of the peace and any member of the Belize Police Department;

42 of 1999.

“Game Warden” means the person appointed as such under section 10;

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

“to hunt” means to kill, take or molest by any method and includes attempting to kill, take or molest by any method any species of wildlife;

“wildlife” means all undomesticated mammals, birds and reptiles and all parts, eggs and nests of any of these wildlife forms;

“wildlife offence” means any offence referred to in section 16.

PART II

Control of Hunting

Restriction.

3. Subject to the provisions of this Act, no person shall,

- (a) hunt any of the species of wildlife set out in the Schedule;
- (b) hunt any species of wildlife other than the species listed in the Schedule, except,
 - (i) if the person is a resident of Belize, pursuant to a valid resident hunting licence issued under section 13;
 - (ii) if the person is not a resident of Belize, pursuant to a valid non-resident hunting licence issued under section 13;
- (c) hunt any obviously immature wildlife or any female accompanied by its young;
- (d) hunt any wildlife species employing any fire, trap, poison, spring gun, gin, pitfall, light or electric device or missile containing an explosive, except as may be permitted pursuant to regulations under paragraph (i) of section 11.

Prohibited activities.

4.-(1) Save as the Minister may by regulations provide, no person shall, in any area closed to hunting of wildlife pursuant to the provisions of this Act or any other enactment for the time being in force,

- (a) hunt any wildlife of any species;
- (b) be found in possession of any wildlife or part thereof;
- (c) carry any gun, spear, trap or other means for hunting wildlife.

(2) No person shall without a licence hunt any wildlife in a forest reserve.

5.—(1) Nothing in this Act shall make it unlawful for any person to take such measures as may be reasonably necessary to defend himself or other persons from any attack by any animal.

Defence of person and property.

(2) Any landholder or occupier or the owner of crops or domestic animals or any person acting on behalf of such person may, without the need of any other authorisation, kill or capture on his property any wildlife threatening or causing material damage to such crops or domestic animals if such action is reasonably necessary in the circumstances.

(3) Any wildlife killed or captured under the provisions of subsections (1) and (2), and any part or product of such wildlife, shall be the property of the Government and shall be dealt with according to the provisions of section 23.

6. Except as the Minister may otherwise prescribe, whenever any wildlife has been killed or captured in any manner, the person killing or capturing or ordering the same shall, within one month, make a report thereof to the nearest game ranger, and shall forthwith pay such royalty or other fee as may be payable in respect thereof under the terms of this Act and any regulations, licence or permit issued thereunder.

Reports and payments.

7. No person shall carry on the business of a dealer in wildlife except pursuant to a valid dealer's licence issued under section 13.

Dealer's licence required.

8.—(1) Commencing on the day on which this Act comes into force, there shall be an eleven year moratorium on the sale, exchange, hire or any other dealing for profit in any wildlife of any species or parts or products thereof. This shall not apply to sales of meat from species the hunting

Moratorium on commercial dealing.
32 of 1988.
29 of 1990.

of which is not prohibited and which is acquired by the consumer within fifteen miles of the place where the animal was killed or captured.

(2) Six months prior to the end of the moratorium period, the Minister shall provide the National Assembly with his recommendation and substantiating data and the National Assembly shall decide whether the moratorium should be lifted, extended for an additional period of time or kept in perpetuity.

Export, import permit required.

9. No person shall import or export or attempt to import or export any wildlife of any species dead or alive or any part thereof or product therefrom except pursuant to a valid permit issued under section 15.

PART III

Administration

Appointment of officers.

10. The Public Services Commission may appoint a Game Warden and such numbers of game rangers as the Minister shall deem necessary, to perform the functions and exercise the powers assigned to each of them by this Act and regulations made hereunder.

Regulations.

11. The Minister may, from time to time, make regulations for the implementation and administration of this Act, and without prejudice to the generality of the foregoing, may,

- (a) declare any area in Belize to be a closed area for hunting;
- (b) prohibit the hunting and possession of any specified wildlife species either for a period to be named in the regulations or absolutely;
- (c) prohibit or limit any method employed for hunting which appears to him to be unduly destructive, dangerous or otherwise improper;

- (d) prohibit the hunting of wildlife specimens smaller or younger than a prescribed size or age;
- (e) make provisions with regard to applications and the issue of licences and permits, the conditions of issue including the payment of fees therefore and the form of such licences and permits;
- (f) require the payment of royalties in respect of wildlife that is killed or captured, and the rate of such royalties may be different for different classes of permits and different classes of licences;
- (g) limit the number of any wildlife of any species that may be killed, captured or possessed by any person;
- (h) amend, vary or alter the list of animals contained in the Schedule;
- (i) permit the molesting, capture or killing, by such means, including otherwise prohibited means as may be prescribed, of any species of wildlife other than those mentioned in the Schedule, where such action is in accordance with sound agricultural or sanitary practice and does not threaten the preservation of any species or the ecological balance;
- (j) provide the procedure for the issue of a licence under this Act;
- (k) provide that the contravention of any regulations shall be an offence.

12. All regulations shall be laid before the National Assembly as soon as may be after the making thereof, and shall be subject to a negative resolution by the National Assembly.

Regulations subject to negative resolution.

Issue of licences,
fees.

13. The Game Warden or any person so authorised by him in writing may issue resident or non-resident hunting licences, as the case may be. The Game Warden may, with the approval of the Minister, issue dealer's licences consistent with the provisions of this Act and any regulations made hereunder and the principles of good wildlife management. The issue of all licences shall be subject to the payment of such fees as the Minister may from time to time prescribe.

Scientific permits.

14. Notwithstanding the provisions of sections 3 and 4, the Minister may issue a permit for the hunting of particular specimens of any wildlife species for scientific or educational purposes. The permit may authorise such hunting in any area including areas otherwise closed to hunting and, in exceptional cases, in National Parks and Nature Reserves and shall be subject to such conditions, including the payment of such fees and royalties, as the Minister may require.

Issue of import and
export permits.

15. Subject to the provisions of section 8, the Game Warden or any person authorised by him in writing may, with the approval of the Minister, issue permits for the import into or export out of Belize of specimens of wildlife or parts thereof. The Minister shall by regulations prescribe the form and conditions of the import and export permits authorised by this section.

PART IV

Miscellaneous

Offences and pen-
alties.

16.—(1) Any person who contravenes or aids or abets the contravention of any of the provisions of section 3, paragraph (b) or (c) of section 4, section 7 or section 9 commits an offence and shall on summary conviction be liable to a fine not exceeding five hundred dollars, or where the offender has within a preceding period of five years been convicted of a wildlife offence or paid compensation under section 22, to a fine not exceeding one thousand dollars or imprisonment for a period not exceeding six months, or to both such fine and imprisonment.

(2) The court may in addition to any punishment under the preceding subsection order the cancellation of any licence or permit issued under this Act or under any regulations made hereunder, and the forfeiture of any wildlife or parts or products thereof or of any weapon, article, vessel or vehicle used in the commission of the offence.

17. Where any person is found in possession of any wildlife or other thing in respect of which a wildlife offence has been committed, he shall, unless he can prove that he came by the wildlife or other thing innocently and without knowledge of the offence, be presumed to have committed the offence. It shall be a sufficient defence to show that he came by the thing prior to the commencement of this Act.

Presumption.

18.-(1) Any game ranger may,

Powers of search, seizure and arrest.

- (a) when he has reasonable grounds to suspect that a person is in possession of any article in respect of which a wildlife offence has been committed, search such person or any baggage, parcel, vehicle, tent or building under the control, custody or possession of such person or his agent or servant;
- (b) seize any specimen of wildlife or part or product thereof, in respect of which he has reasonable grounds to believe that a wildlife offence has been committed;
- (c) seize any weapon, ammunition, trap, poison, device, vehicle or other thing that he has reasonable grounds to believe has been used in the commission of a wildlife offence;
- (d) arrest any person he has reasonable grounds to suspect of having committed any wildlife offence if the person refuses to reveal his name and residence, states a name and residence which there is reason to believe is false or gives reason to believe he will leave the country.

(2) Any live animal seized in accordance with subsection (1) may be released, destroyed or retained in custody at the discretion of the seizing officer if the person from whose possession such animal was seized is convicted of any offence in respect of such possession.

(3) Any perishable thing seized in accordance with subsection (1) may be sold or otherwise disposed of at a fair market price and the proceeds held pending the determination of any charge under this Act by the court having jurisdiction therefore.

(4) Anything seized and any person arrested under this section shall as soon as possible thereafter be brought before the nearest magistrate.

Inquiries, evidence.

19. Any game ranger may hold an inquiry into wildlife offences and, in the course of such inquiry, receive and record evidence. Such evidence shall be admissible in any subsequent prosecution before a magistrate provided that it has been taken in the presence of the accused person, and sworn to and signed by the deponent. The deponent shall, however, be made available at the trial.

Wildlife offences punishable on summary conviction.

20. All wildlife offences shall be punishable on summary conviction on information which may be laid by the Game Warden or any person authorised by him in writing.

Award of portion of fine to informant.

21. The court may award any amount not exceeding one-half of the fine imposed for a wildlife offence as a reward to any person who may have supplied such information as may have in the opinion of the court led to the conviction of the offender.

Compounding of certain offences.

22.—(1) The Minister and the Game Warden, if authorised by him in writing, may accept from any person admitting the commission of an offence under this Act a sum of money, which shall in no case exceed three hundred dollars, by way of compensation for the offence and on payment thereof such person, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of the offence.

(2) All moneys received under this section shall be paid into the Consolidated Revenue Fund.

- 23.** Any wildlife or parts or products thereof forfeited under the provisions of this Act or under any regulations made under this Act shall be disposed of by the Game Warden with the approval of the Minister, in a manner that may be deemed proper. The proceeds of any sales, if forfeited under the provisions of this Act, shall be paid into the Consolidated Revenue Fund.
- Disposal of forfeited articles.
- 24.** Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence under that law or from being liable under such other law to any higher punishment or penalty than that provided under this Act, provided that no person shall be punished twice for the same act.
- Saving of other powers.
- 25.** Nothing in this Act shall derogate from or interfere with the right of the Government or of any person to sue for and recover, at common law or otherwise, compensation for or in respect of damages or injury caused by a wildlife offence.
- Civil remedy preserved.
- 26.** Nothing in this Act shall relieve any person of the obligation to comply with the provisions of the Belize Agricultural Health Authority Act, Cap. 211 or similar law for the time being in force.
- Application of the Belize Agricultural Health Authority Act.
- 27.**—(1) Wild Life Protection Ordinance is repealed.
- Repeal of the Wild Life Protection Ordinance and savings.
- (2) Notwithstanding the repeal of the Wild Life Protection Ordinance, Ch. 127 R. E 1958, by subsection (1) of this section, all officers appointed under that Ordinance shall continue to hold office, and every licence and other document issued thereunder, and any royalties fixed by any such licence or documents, shall, in so far as they are not inconsistent with the provisions of this Act, continue to be effectual for such period and subject to such terms and conditions as may be stated therein.

SCHEDULE
WILDLIFE PROTECTION ACT
Hunting Restrictions
[Section 3]

ENGLISH	CREOLE	SPANISH	SCIENTIFIC
Wolly Opossum	No common names in Belize		Caluromys derbianus
Giant Molossid Bat	No common names in Belize		Molossus major
Black Howler Monkey	Baboon	Mono zaruaguate or negro	Alouatta villosa or A. pigra
Black Spider Monkey	Monkey	Mico or Mono arana	Ateles geoffroyi
Giant Anteater	No common names in Belize		Myrmecophaga tridactyla
Pygmy Silky Anteater	No common names in Belize		Cyclopes didactylus
Pretensile-tailed Porcupine	Porcupine	Puerto Espin	Coendou mexicanus
Whales, all species	Whales	Ballenas	Cetaceae, all species
Dolphins, all species	Porpoise		Cetaceae, all species
Central American Cacomistle	None		Bassariscus sumichrasti
Kinkajou	Night walker	Mono de Leon or Guia de Leon	Potos flavus
Grison	Bush dog	Mico or Mono de noche	Galictis (or Grison) vittatus
Striped Hog-nosed Skunk	Polecat	Huron	Conepatus semistriatus
Central American Otter	Water Dog	Zorrillo	Lutra annectans
Jaguar	Tiger	Petro de Agua	Panthera (or Felis) onca
Mountain Lion, Puma, or Cougar	Red Tiger	Tigre	
Ocelot	Tiger Cat	Leon	Felis concolor
Margay	Tiger Cat	Tigrillo	Felis pardalis
Jaguarundi	Tiger Cat	Tringillito	Felis wiedii
Caribbean Monk Seal	Bush Dog or Halari	Onza	Felis yagouaroundi
Manatee	Sea Cow	Foca or Leon de Marina	Monachus tropicalis
Baird's Tapir	Mountain Cow	Manati	Trichechus manatus
Salt-water Crocodile	Alligator	Danta or Vaca de Montana	Tapirus bairdii
Morelet's Crocodile	Alligator	Lagarto	Crocodylus acutus
	Alligator	Lagarto	Crocodylus moreleti
All birds except the following:			
Chachalaca	Cocrico	Chachalaca	Ortalis vetula
Crested Guan	Quam	Cojolita	Peneope purpurascens
Great Curassow	Curassow	Pajul or Faisan Real	Crax rubra
Black-throated Bobwhite	Quail	Codorniz	Colinus nigrogula
Blue-winged Teal	Duck	Pato Careto	Anas discors
Lesser Scaup	Duck	Pato Zambullidor del Norte	Aythya affinis