

# **Birds Nuisance Act 1891**

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### **An Act to provide for the Destruction of Injurious Birds.**

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

**1 Short Title.**

The Short Title of this Act is “The Birds Nuisance Act, 1891.”

**2 Interpretation.**

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.

**3 Local authority may apply funds to destruction of injurious birds, or levy special rate for the purpose.**

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.

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 one-sixteenth of a penny in the pound within counties or any riding of a county, or road districts or any subdivision of a road district, 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.

**4 Moneys may be spent as may be deemed most expedient.**

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.

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

Any County Council or Road Board may, for the purposes of this Act, lay poisoned grain, 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.

Before laying poison as aforesaid on any road or reserve, public notice of the intention of so doing shall be given.

**6 Special provision within boroughs or town districts.**

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.

**7 Inspectors to report upon enforcement of Act.**

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 earned 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.

*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.

**8 Repeal.**

“The Small-birds Nuisance Act, 1882,” is hereby repealed.