



Game Laws (Amendment) Act 1960

1960 CHAPTER 36

3 Amendment of Poaching Prevention Act, 1862

- (1) The Poaching Prevention Act, 1862, shall be amended as follows.
- (2) In section two of the said Act (which empowers police constables to search persons suspected of poaching and to seize game, guns and other articles, and provides for their forfeiture) the words " or nets or engines used for the killing or taking game " shall cease to have effect but that section shall apply—
 - (a) in relation to cartridges and other ammunition, and
 - (b) in relation to nets, traps, snares and other devices of a kind used for the killing or taking of game,as it applies in relation to any gun or part of a gun; and in section one of the said Act (which relates, amongst other things, to jurisdiction in respect of offences under the said section two) for the words " net, snare, or engine after mentioned " there shall be substituted the words " or other article to which section two of this Act applies ".
- (3) Where a person is convicted under the said section two the court convicting him may, if it thinks fit, direct that any game, gun or other article duly seized under that section which was in his possession or which was being carried by him in any cart or other conveyance shall (whether or not the offence of which he was convicted concerned that game, gun or other article) be forfeited; and in the said section the words from " and shall forfeit such game " to the end of the section shall cease to have effect.
- (4) A person who, by the written direction of a justice of the peace, sells any game seized under the said section two shall not be liable to any penalty for the sale; and if no conviction takes place under that section, the game or other thing seized, or the value thereof, shall be restored to the person from whom it was seized.
- (5) In this section the word " game " has the same meaning as in the Poaching Prevention Act, 1862.