

REPRINTED BILL

BILL

No. 23 of 1928.

An Act to amend The Game Act.

(Assented to _____, 1928.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The Game Act Amendment Act, 1928.*"

2. *The Game Act*, being chapter 70 of the Revised Statutes of Alberta, 1922, is amended as to section 5 thereof:

(a) by striking out subsection (1) thereof, and substituting therefor the following:

"(1) The Lieutenant Governor in Council may, from time to time, declare any prescribed part of a year as an open season in respect of any specified game birds, during which it shall be lawful, subject to the other provisions of this Act, to hunt, trap, take, shoot at, wound or kill any kind or kinds of the game birds following, that is to say:

"(a) birds of those species of the family *Anatidae*, commonly known as ducks and geese;

"(b) birds of the family *Rallidae*, commonly known as rails or coots;

"(c) birds of the family *Gallinago delicata*, commonly known as Wilson snipe;

"(d) birds of the family *Scolopacidae*, and *Charadriidae*, including *Squatarola squatarola*, commonly known as black-bellied plover, *Charadrius dominicus*, commonly known as American golden plover, *Totanus melanoleucus*, commonly known as the greater yellow-legs, and *Totanus flavipes*, commonly known as yellow-legs;

"(e) birds of the family *Tetraonidae*, commonly known as grouse, partridge, ptarmigan and prairie chicken;

"(f) birds of the family *Phasianidae*, being the European grey partridge, commonly called the Hungarian partridge—

and no person shall hunt, trap, take, shoot at, wound or kill any game bird as aforesaid except in an open season declared in respect of any such game bird"; and

(b) as to subsection (2) thereof, by striking out the words "buy, sell, traffic in, or" where the same occur therein.

3. Section 5a of the said Act is hereby struck out and the following substituted therefor:

"5a. Notwithstanding the provisions of sections 4 and 6 of this Act, the Lieutenant Governor in Council may from time to time, upon being satisfied that it is proper so to do, fix a close season or an open season other than the seasons fixed in the sections last mentioned in respect of any game or fur-bearing animals mentioned therein, and may provide that the season so fixed by any Order in Council, pursuant to this and the next preceding section, shall apply only to such part or parts of the Province as shall be defined therein."

4. Section 6 of the said Act is amended—

(a) as to subsection (1) thereof, by adding thereto the following paragraphs:

"(e) any bear between the fifteenth day of June and the first day of September;

"(f) any bear with a cub or cubs, at any time;

"(g) any bear cub at any time"; and

(b) by adding as subsection (7) thereof, the following:

"(7) No person shall during any one open season take or kill more than one of any species of bear."

5. Section 17 of the said Act is amended by adding thereto as subsection (2) thereof, the following:

"(2) The fee for a resident's big game license shall be one dollar and the holder of every such license shall at the same time that he returns his license to the Department, pay to the Department the further sum of two dollars and fifty cents, in respect of every head of big game killed or taken by the licensee."

6. Section 18 of the said Act is struck out and the following substituted therefor:

"18.—(1) No person shall buy, sell, deal or traffic in any big game or any game bird or any part of any big game or any game bird, save and except only as is expressly permitted by this Act, or by any regulations made thereunder.

"(2) If any big game or game bird or any part of any big game or game bird is found upon any premises used for the merchandising or storing or preparing for market of any commodity or upon any premises where meals are prepared for public consumption or upon the premises of a

logging camp or construction camp, or upon any vehicle ordinarily used in connection with any of the businesses or occupations before mentioned, the proprietor of the premises or vehicle upon or in which such big game or game bird as aforesaid is found, and the person in charge of or apparently in charge of such premises or vehicle shall be guilty of an offence against this Act.

“(3) The Minister or any person authorized by him may grant a special permit to hotel keepers and restaurant keepers, allowing the preparation for the personal use of a guest or boarder of any big game or game bird upon such terms and conditions as may be prescribed in the permit.”

7. Section 19 of the said Act is amended by striking out subsection (2) thereof, and substituting therefor the following:

“(2) The Lieutenant Governor in Council may from time to time fix the amount of fees payable for any license as aforesaid, by a resident of any other Province of Canada at the sums which are charged in such other Province to a resident of the Province of Alberta, and subject to the provisions of any Order in Council made hereunder, the fees payable by every non-resident shall be fifty dollars for a license to hunt big game and game birds; five dollars for a license to hunt game birds and fifty dollars for a license to trap fur-bearing animals.”

8. Section 33 of the said Act is amended as to subsection (4) thereof, by striking out the words “Chief Game Guardian” and substituting therefor the word “Minister.”

9. Section 38 of the said Act is hereby struck out and the following substituted therefor:

“38.—(1) Every person who hunts, traps, takes, shoots at, wounds or kills any buffalo, contrary to the provisions of this Act, shall be guilty of an offence punishable upon summary conviction by a fine of not less than two hundred dollars, nor more than five hundred dollars in respect of each such buffalo.

“(2) Every person who hunts, traps, takes, shoots at, wounds, or kills any other animals contrary to the provisions of this Act, shall be guilty of an offence punishable on summary conviction, by a fine of not less than ten dollars, nor more than fifty dollars, if the offence is in respect of one animal only, and if the offence is in respect of more than one animal then by a fine of not more than fifty dollars in respect of each such animal and five hundred dollars in all, together with costs in every case.

“(3) Every person who contravenes any provision of this Act, for the breach of which no penalty is specially provided, shall be guilty of an offence punishable on summary conviction by a fine of not less than ten dollars nor more than fifty dollars, together with costs.”

10. Section 41 of the said Act is amended as to subsection (3) thereof, by striking out the words "Game Commissioner" and substituting therefor the word "Minister."

11. Section 41*a* of the said Act is amended—

- (a) as to subsection (2) thereof, by striking out of the proviso thereto the words "Game Commissioner" and substituting therefor the word "Minister"; and
- (b) as to subsection (4) thereof, by striking out the words "Game Commissioner" and substituting therefor the words "Department of Agriculture."

12. Section 47 of the said Act is amended by striking out the words "Game Commissioner" and substituting therefor the word "Minister."

13. Section 51 of the said Act is amended as to subsection (1) thereof, by striking out the word "and" where it first occurs, and adding after the words "game inspectors" the words "and other officers."

14. This Act shall come into force on.....

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SECOND SESSION
SIXTH LEGISLATURE
18 GEORGE V
1928

B I L L

An Act to amend The Game Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. HOADLEY.

EDMONTON:
W. D. McLEAN, ACTING KING'S PRINTER
A.D. 1928