

## **Rodrigues Protection of Poultry Regulations 1940**

**GN 28/1940**

17th February

### **COURTS ACT**

**Regulations made by the Governor in Executive Council under Acts Nos. 3 of 1881 and 5 of 1883.**

1. These Regulations may be cited as the Rodrigues Protection of Poultry Regulations, 1940.

2. In these Regulations-

"Magistrate" means the Magistrate for Rodrigues.

"Poultry" means cocks, hens, ducks, geese, turkeys and guinea-fowls and all other domestic fowls habitually reared by farmers.

**Amended by [\[Act No. 70 of 1950\]](#)**

3. On or about the 1st of April in every year the Island Secretary shall draw up and publish a list of the names of all persons who have been convicted more, than twice in Rodrigues for larceny of poultry, or for receiving, or for unlawful possession of, stolen poultry, under the provisions of Articles 40, 301, 305 and 366 of the Criminal Code.

Provided that if any such person shall not have been convicted for an offence as aforesaid during the two years immediately preceding, the publication of such list, his name shall not be included in such list.

**Amended by [\[Act No. 3 of 1988\]](#); [\[Act No. 12 of 1990\]](#)**

4. Such list, signed by the Island Secretary, shall be affixed in a conspicuous position outside the Court House and at such other places as the Island Secretary may direct.

**Amended by [\[Act No. 3 of 1988\]](#); [\[Act No. 12 of 1990\]](#)**

5. Any person purchasing or taking delivery of poultry from any person whose name appears in such list shall be guilty of an offence under these Regulations) if such poultry shall be proved to have been stolen, although no person shall have been prosecuted for the larceny of such poultry.

6. (1) Any person who is found or is proved to have been in possession of any poultry which is suspected to have been stolen may be charged with being or having been in possession of poultry which is reasonably suspected of having been stolen and if such person does not give an account to the satisfaction of the Magistrate as to how he came by such poultry and the Magistrate is satisfied that, having regard to all the circumstances of the case there are reasonable grounds for suspecting such poultry to have been stolen, such person may be convicted of an offence under these Regulations.

(2) When any Police officer finds any person in possession of poultry which he suspects to have been stolen, such poultry may be seized and such person may be brought before the Magistrate and charged as aforesaid.

(3) Upon a conviction under this Article, the Magistrate may direct the poultry in respect of which the accused was convicted if such poultry has been seized, to be restored to any person who he is satisfied is the lawful owner thereof, otherwise he shall order such poultry to be forfeited.

7. Any person guilty of an offence under these Regulations shall be liable to imprisonment not exceeding three months and to a fine not exceeding five hundred rupees.

8. Nothing in these Regulations contained shall bar or affect any prosecution under any other law or Regulation for the time being in force in Rodrigues.

Approved by the Governor in Executive Council at a meeting held on the ninth day of February, one thousand nine hundred and forty and ordered to come into force at once.