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Government Notices

Office of the

ADMINISTRATOR-GENERAL FOR THE TERRITORY OF SOUTH WEST AFRICA

Goewermentskennisgewings

Kantoor van die

ADMINISTRATEUR-GENERAAL VIR DIE GEBIED SUIDWES-AFRIKA

DEPARTMENT OF AGRICULTURE AND NATURE CONSERVATION

No. AG. 23 1983

AMENDMENT OF REGULATIONS RELATING TO NATURE CONSERVATION

The Administrator-General has under section 84 of the Nature Conservation Ordinance, 1975 (Ordinance 4 of 1975), made the regulations set out in the Schedule.

SCHEDULE

1. The regulations published under Government Notice 240 of 1976 is hereby amended by the substitution for Chapter XI of the following chapter:

"CHAPTER XI

HUNTING OF GAME FOR THE SAKE OF TROPHIES

Registration fees

101. The following fees shall be payable when any registration certificate is issued in terms of this chapter:

(a) registration of hunting farms R25,00 per farm;

(b) registration of professional hunters R100,00 per professional hunter;

(c) registration of hunting guides R25,00 per hunting guide.

Registration of hunting farm

102. (1) The owner of a farm may apply in writing to the Administrator-General for the registration of such farm as a hunting farm for the species of game mentioned in the application.

(2) When application is made, the Administrator-General may require that the following information be submitted:

(a) the species of game occuring on the farm;

(b) the number of every such species of game;

DEPARTEMENT VAN LANDBOU EN NATUURBEWARING

No. AG. 23 1983

WYSIGING VAN REGULASIES BETREFFENDE NATUURBEWARING

Die Administrateur-generaal het kragtens artikel 84 van die Ordonnansie op Natuurbewaring, 1975 (Ordonnansie 4 van 1975), die regulasies uitgevaardig wat in die Bylae vervat is.

BYLAE

1. Die regulasies afgekondig by Goewermentskennisgewing 240 van 1976 word hierby gewysig deur Hoofstuk XI deur die volgende hoofstuk te vervang:

"HOOFSTUK XI

JAG VAN WILD VIR TROFEË

Registrasiegelde

101. By die uitreiking kragtens hierdie hoofstuk van enige registrasiesertifikaat, moet die gelde hieronder uiteengesit betaal word:

(a) registrasie van jagplase R25,00 per plaas;

(b) registrasie van beroepsjagters R100,00 per beroepsjagter;

(c) registrasie van jaggidse R25,00 per jaggids.

Registrasie van Jagplaas

102. (1) Die eienaar van 'n plaas kan by die Administrateur-generaal skriftelik aansoek doen om die registrasie van sodanige plaas as 'n jagplaas vir die jag van die soort of soorte wild in die aansoek vermeld.

(2) Wanneer aansoek gedoen word, kan die Administrateur-generaal vereis dat die volgende inligting verstrek word:

(a) soort of soorte wild wat op die plaas voorkom;

(b) hoeveelheid van elke sodanige soort of soorte wild;

(c) which species of game will be hunted; and

(d) whether the farm is fully fenced and type of fence it is fenced in with.

(3) The Administrator-General may, in its discretion, grant or reject such application in respect of that species of game as it deems fit: Profided that -

(a) no farm shall be registered as a hunting farm -

(i) unless such farm is fenced in with an adequate fence;

(ii) if such farm or part of such farm is a private game park or private nature reserve; and

(b) the Administrator-General may place a restriction on the number of game of a species which may be hunted on such hunting farm in a given period.

(4) When the Administrator-General has approved the registration as a hunting farm, it shall register the farm as such.

(5) When the farm has been registered as a hunting farm in terms of subregulation (4), the Director shall issue a registration certificate which indicates which species of game may be hunted and he shall cause the name of such farm and the species of game which may be hunted to be entered in a register which shall be kept for that purpose.

(6) Such registration and registration certificate shall be valid for the period from the first day of April in any year until the thirty-first day of March in the succeeding year or, if issued after the first day of April in any year and before the thirty-first day of March in the succeeding year, from the day of registration until the said thirty-first day of March.

Remuneration which may be accepted

103. The owner or lessee of a hunting farm may claim payment from a trophy hunter for or in respect of only -

(a) accomodation;

(b) transport;

(c) meals;

(c) watter soort of soorte wild gejag sal word; en

(d) of die plaas ten volle omhein is, en met welke soort heining dit omhein is.

(3) Die Administrateur-generaal kan sodanige aansoek vir daardie soort of soorte wild wat hy goedvind na goeddunke toestaan of weier: Met dien verstande dat -

(a) geen plaas as 'n jagplaas geregistreer word nie -

(i) tensy sodanige plaas met voldoende omheining omhein is;

(ii) indien sodanige plaas of gedeelte van sodanige plaas 'n private wildtuin of private natuurreserwe is; en

(b) die Administrateur-generaal 'n beperking kan plaas op die hoeveelheid wild wan 'n soort wat in 'n gegewe tydperk op sodanige jagplaas gejag mag word.

(4) Wanneer die Administrateur-generaal die registrasie as 'n jagplaas goedgekeur het, registreer hy die plaas as sodanig.

(5) Wanneer 'n plaas ingevolge subregulasie (4) as jagplaas geregistreer is, reik die Direkteur 'n registrasiesertifikaat uit wat aantoon watter soort wild gejag mag word en laat hy die naam van sodanige plaas en die soort wild wat gejag mag word aanteken in 'n register wat vir die doel bygehou word.

(6) Sodanige registrasie en registrasiesertifikaat is geldig vir die tydperk van die eerste dag van April in enige jaar tot die een-en-dertigste dag van Maart in die daaropvolgende jaar, of, indien die registrasie gedoen en die registrasiesertifikaat uitgereik word na die eerste dag van April in enige jaar, en voor die een-en-dertigste dag van Maart in die daaropvolgende jaar, vanaf die dag van registrasie tot bedoelde een-en-dertigste dag van Maart.

Vergoeding wat ontvang mag word

103. Die eienaar of huurder van 'n jagplaas mag vergoeding van 'n trofeejagter eis of ontvang slegs vir of ten opsigte van -

(a) huisvesting;

(b) vervoer;

(c) etes;

(d) skinning service;

(e) tracking services;

(f) hunting guides;

(g) handling services;

(h) trophies,

actually supplied to such trophy hunter: Provided that if game or a wild animal which is being hunted for the purpose of a trophy is wounded by a trophy hunter without any doubt and such game or wild animal cannot be traced as has been agreed upon with the owner or lessee of the hunting farm concerned, payment to an amount agreed upon beforehand with the trophy hunter, may be claimed and received from such trophy hunter for the game or wild animal thus wounded but it shall not exceed the amount, similarly agreed upon beforehand with the trophy hunter, which may be claimed or received for the particular trophy itself if it were found.

Privision of accomodation

104. (1) The owner or lessee of a hunting farm may provide trophy hunters with accomodation only if he has at his dieposal -

(a) a room with -

(i) one or two standard size beds;

(ii) wall-to-wall carpet, or a bed mat for each such bed;

(iii) a lockable wardrobe; or

(b) a tent which is in good condition with -

(i) one or two standard size beds;

(ii) canvas or similar material as floor mat with a bed mat for each bed;

(iii) a lockable wardrobe; and

(c) bathing, washing and toilet facilities which are in the opinion of the Administrator-General suitable and sufficient.

(d) afslagdienste;

(e) spoorsnydienste;

(f) jaggidse;

(g) hanteringsdienste;

(h) trofeë,

wat werklik aan sodanige trofeejagter verskaf was: Met dien verstande dat indien wild of 'n wilde dier waarop jag gemaak is vir die doeleindes van 'n trofee bo alle twyfel deur 'n trofeejagter gekwes is en sodanige wild of wilde dier nie, soos ooreengekom met die eienaar of huurder van die betrokke jagplaas, opgespoor kan word nie, vergoeding teen 'n bedrag waarop vooraf met die trofeejagter ooreengekom is, maar wat nie meer mag wees nie as die bedrag wat, soos eweneens vooraf met die trofeejagter ooreengekom, vir die betrokke trofee self geëis is ontvang sou kon word indien dit gevind is, van 'n trofeejagter geëis en ontvang mag word vir die wild of wilde dier wat aldus gekwes is.

Verskaffing van huisvesting

104. (1) Die eienaar of huurder van 'n jagplaas mag huisvesting aan trofeejagters verskaf slegs indien hy beskik oor -

(a) 'n kamer met-

(i) een of twee standaardgrootte beddens;

(ii) volvloermatte, of 'n bedmat voor elke sodanige bed;

(iii) 'n hangkas wat toegesluit kan word; of

(b) 'n tent wat in 'n goeie toestand is met -

(i) een of twee standaardgrootte beddens;

(ii) seil of soortgelyke materiaal as vloermat met 'n bedmat voor elke sodanige bed;

(iii) 'n hangkas wat toegesluit kan word; en

(c) bad-, was- en toiletgeriewe wat na die mening van die Ministersraad geskik en voldoende is.

(2) A maximum of -

(a) four trophy hunters; or

(b) two trophy hunters and their families; or

(c) one trophy hunter and one other person and their families,

may be accommodated simultaneously on a hunting farm: Provided that where a trophy hunter is accompanied by a professional hunter accommodation may also be supplied to a pupil hunter being trained by the professional hunter: Provided further that not more than four persons may be accommodated simultaneously.

(3) The owner or lessee of a hunting farm shall keep or cause to be kept a guest register in the form approved by the Administrator-General and shall on the arrival of any trophy hunter enter the prescribed particulars in respect of such trophy hunter in such register, or cause such particulars to be entered in such register.

Provision of liquor

105. The owner or lessee of a hunting farm, excluding a guest farm which has been registered as a hunting farm and has an onconsumption licence, shall not sell any intoxicating liquor to a trophy hunter or any other person referred to in regulation 104(2).

Advertising of hunting of game for the sake of trophies

106. (1) No person may advertise the hunting of game or wild animals for the purpose of trophies in the Territory unless he is the owner or lessee of a hunting farm, or unless he is the owner or manager of a guest farm or safari undertaking.

(2) No advertisement, brochure or pamphlet in which or through which the hunting of game or wild animals for the purpose of trophies is advertised shall be printed or distributed before it has been approved in writing by the ~~Administrator-General~~ Director.

Registration of professional hunters

107. (1) Every male person who is permanently resident in the Territory and who -

(a) is the owner of a safari undertaking;

(b) is in the employ of a safari undertaking; or

(2) Hoogstens -

(a) vier trofeejagters; of

(b) twee trofeejagters en hulle gesinne; of

(c) een trofeejagter en een ander persoon en hulle gesinne,

mag tegelykertyd op 'n jagplaas gehuisves word: Met dien verstande dat waar 'n trofeejagter deur 'n beroepsjagter vergesel word, huisvesting ook verskaf mag word aan 'n leerlingjagter wat deur die beroepsjagter opgelei word: Met dien verstande voorts dat nie meer as vier persone tegelykertyd gehuisves mag word nie.

(3) Die eienaar of huurder van 'n jagplaas moet 'n gasteregister hou of laat hou in die vorm wat deur die Administrateur-generaal goedgekeur word en moet by die aankoms van enige trofeejagter die voorgeskrewe besonderhede ten opsigte van so 'n trofeejagter in sodanige register aanteken of sodanige besonderhede in sodanige register laat aanteken.

Verskaffing van drank

105. Die eienaar of huurder van 'n jagplaas uitgesonderd 'n gasteplaas wat as 'n jagplaas geregistreer is en 'n binneverbruik lisensie het, mag geen sterk drank aan 'n trofeejagter of enige ander persoon bedoel in regulasie 104(2) verkoop nie.

Adverteer van jag van wild vir doeleindes van trofeë

106. (1) Niemand mag die jag van wild of wilde diere in die Gebied vir die doeleindes van 'n trofee adverteer nie, tensy hy die eienaar of huurder is van 'n jagplaas of tensy hy die eienaar of bestuurder is van 'n gasteplaas of safari-onderneming.

(2) Geen advertensie, brosjure of pamflet waarin of waarby die jag van wild of wilde diere vir die doeleindes van 'n trofee geadverteer word, mag gedruk of versprei word nie alvorens dit skriftelik deur die Administrateur-generaal goedgekeur is.

Registrasie van Beroepsjagters

107. (1) Enige manlike persoon wat permanent in die Gebied woonagtig is en wat -

(a) die eienaar van 'n safari-onderneming;

(b) in diens is van 'n safari-onderneming; of

(c) is the owner of or is in the full-time employ of a guest farm (but subject to a maximum of two such persons per guest farm),

may apply to the Administrator-General to be registered as a professional hunter.

(2) The Administrator-General may direct one or more nature conservators or other persons who are in its opinion competent, to test the applicant's

(a) knowledge of game and their anatomy and habits;

(b) ability to distinguish between the tracks of different types of game;

(c) ability to track;

(d) ability to distinguish between the male and female of an animal species;

(e) ability as a marksman and his knowledge of ballistics and the safe handling of fire-arms;

(f) ability to stalk game successfully and to put the hunter in a suitable position to shoot it;

(g) knowledge of at least one of the official languages, his ability to read, speak and write that language, and his knowledge of at least one other language;

(h) ability to estimate the value of a trophy;

(i) knowledge of those provisions of the Accommodation Establishments and Tourism Ordinance, 1973 (Ordinance 20 of 1973) applicable to safari undertakings;

(j) knowledge of those privisions of the Ordinance that have a bearing on the hunting of game;

(k) ability to erect and manage a safari camp;

(l) ability to communicate with all classes of people;

(m) physical fitness;

(n) knowledge of the Territory and local conditions including stock desease control measures;

(o) knowledge of the handling of trophies;

(p) ability to measure trophies according to the Madrid formula, Safari Club International and Rowland Ward standards;

(c) die eienaar is of voltyds in diens is van 'n gasteplaas (maar beperk tot hoogstens twee persone aldus in diens per gasteplaas),

kan by die Administrateur-generaal aansoek doen om hom as beroepsjagter te registreer.

(2) Die Administrateur-generaal kan een of meer natuurbewaarders of ander persone wat na sy mening bevoeg is, aansê om die aansoeker se -

(a) kennis van wild en hul anatomie en gewoontes;

(b) vermoë om die spore van verskillende wildsoorte van mekaar te onderskei;

(c) vermoë om spoor te sny;

(d) vermoë om tussen die manlike en vroulike diere van 'n wildsoort te onderskei;

(e) vermoë as skut en sy kennis van ballistiek en die veilige hantering van vuurwapens;

(f) vermoë om wild suksesvol te bekruip en diejagter in 'n geskikte posisie te plaas om dit te skiet;

(g) kennis van ten minste een van die amptelike tale, sy vermoë om daardie taal te lees, praat en skryf en sy kennis van nog ten minste een ander taal;

(h) vermoë om die waarde van 'n trofee te skat;

(i) kennis van daardie bepalings van die Ordonnansie op Huisvestinginrigtings en Toerisme 1973 (Ordonnansie 20 van 1973) wat op safariondernemings van toepassing is;

(j) kennis van daardie bepalings van die Ordonnansie wat op die jag van wild betrekking het;

(k) vermoë om 'n safarikamp op te rig en te bestuur;

(l) vermoë om met mense van alle lae van die samelewing te verkeer;

(m) liggaamlike fiksheid;

(n) kennis van die Gebied en plaaslike omstandighede insluitende vecsiektebeheermaatreëls;

(o) kennis van die hantering van trofeë;

(p) vermoë om trofeë volgens die Madridse formule, Safari Club International-, en die Rowland Ward-standaarde te meet;

(q) knowledge of first-aid and ability to apply such knowledge,

and his general skill and competence in connection therewith, and report to it in connection therewith.

(3) If the Administrator-General, after consideration of the report referred to in subregulation (2), is satisfied that the applicant is competent to be registered as a professional hunter it shall register him as such: Provided that -

(a) the Administrator-General may, if it is deemed necessary or expedient, act without such report or without a report regarding any matter mentioned in subregulation (2);

(b) no person who has been convicted of a contravention of section 26, 27, 28, 30, 32 or 45 of the Ordinance or regulation 109 or 116 of these regulations or a similar provision of the laws of the Republic of South Africa or any other state within the preceding three years, shall be registered as a professional hunter;

(c) a person who has been convicted of a contravention of section 26, 27, 28, 30, 32 or 45 or the Ordinance or regulation 109 or 116 of these regulations or a similar provision of the laws of the Republic of South Africa or any other state at any other time than within the preceding three years may only with the express approval of the Administrator-General be registered as a professional hunter;

(d) a person whose registration as professional hunter has been withdrawn in terms of the provisions of regulation 118 may, subject to the provisions of paragraph (b), be re-registered as a professional hunter only with the express approval of the Administrator-General.

(4) When a person has been registered as a professional hunter in terms of subregulation (3), the Director shall issue such person with a registration certificate which shall indicate by which safari undertaking or guest farm he is employed and his name shall be entered in a register which shall be kept for that purpose.

(5) Such registration and registration certificate shall be valid for the period from the first day of April in any year until the thirty-first day of

(q) kennis van eerstehulp en vermoë om sodanige kennis toe te pas,

en sy algemene vaardigheid en bevoegdheid in verband daarmee te toets, en aan hom verslag te doen in verband daarmee.

(3) Indien die Administrateur-generaal na oorweging van die verslag bedoel in subregulasie (2) oortuig is dat die aansoeker bevoeg is om as beroepsjagter geregistreer te word, registreer hy hom as sodanig: Met dien verstande dat -

(a) die Administrateur-generaal, indien hy dit nodig of dienstig ag, sonder sodanige verslag of sonder 'n verslag oor enige aangeleentheid bedoel in subregulasie (2), kan handel;

(b) niemand wat binne die voorafgaande 3 jaar skuldig bevind is aan 'n oortreding van artikels 26, 27, 28, 30, 32 of 45 van die Ordonnansie of regulasie 109 of 116 van hierdie regulasies of 'n soortgelyke bepaling van die wette van die Republiek van Suid-Afrika of enige ander staat as beroepsjagter geregistreer mag word nie;

(c) iemand wat te enige ander tyd as binne die voorafgaande 3 jaar skuldig bevind is aan 'n oortreding van artikels 26, 27, 28, 30, 32 of 45 van die Ordonnansie of van regulasie 109 of 116 van heirdie regulasies of van 'n soortgelyke bepaling van die wette van die Republiek van Suid-Afrika of enige ander staat slegs met die uitdruklike goedkeuring van die Administrateur-generaal as beroepsjagter geregistreer mag wrod;

(d) iemand wie se registrasie as beroepsjagter ingevolge die bepalings van regulasie 118 ingetrek is, behoudens die bepalings van paragraaf (b) slegs met die uitdruklike goedkeuring van die Administrateur-generaal as beroepsjagter herregistreer mag word.

(4) Wanneer iemand ingevolge subregulasie (3) as 'n beroepsjagter geregistreer is, reik die Direkteur aan sodanige persoon 'n registrasiesertifikaat uit wat aandui by watter safarionderneming of gasteplaas hy in diens is en word sy naam in 'n register wat vir die doel bygehou word, aangeteken.

(5) Sodanige registrasie en registrasiesertifikaat is geldig vir die tydperk van die eerste dag van April in enige jaar tot die een-en-dertigste dag

March in the succeeding year or, if issued after the first day of April in any year and before the thirty-first day of March in the succeeding year, from the day of registration until the said thirty-first day of March.

(6) Subject to the provisions of regulation 117, every professional hunter shall submit a report on the following to the Director at the end of every calender year:

(a) the number of safaris or hunts led by him during the year;

(b) the name and address of every guest who accompanied such safari or hunt;

(c) the date on which each such safari or hunt took place and the names of the farms which were hunted on.

(7) (a) When a professional hunter resigns or is dismissed from the safari undertaking or guest farm where he was employed, he shall inform the Director in writing thereof within 30 days after such resignation or dismissal.

(b) The owner or manager of a safari undertaking or guest farm shall within seven days after a professional hunter in the employ of such safari undertaking or guest farm resigned or was dismissed, inform the Director in writing of such resignation or dismissal and furnish all the reasons which led to the resignation or dismissal of such professional hunter.

(8) (a) A professional hunter who is not employed by more than one safari undertaking or guest farm and who so resigned or was dismissed shall not exercise his functions as professional hunter before he has entered the employ of another safari undertaking or has entered the full time employ of another guest farm and has been authorised in writing thereto by the Director.

(b) Such authorisation shall only be granted if the owner or manager of a safari undertaking or the owner of the guest farm has submitted a certificate to the Director that such professional hunter has so been employed by him.

van Maart in die daaropvolgende jaar, of, indien dit uitgereik word na die eerste dag van April in enige jaar en voor die een-en-dertigste dag van Maart in die daaropvolgende jaar, vanaf die dag van uitreiking tot bedoelde een-en-dertigste dag van Maart.

(6) Behoudens die bepaling van regulasie 117 moet elke beroepsjagter aan die einde van elke kalenderjaar skriftelik aan die Direkteur verslag doen van -

(a) hoeveel safari's of jagtogte hy gedurende die jaar gelei het;

(b) die naam en adres van elkeen van die gaste wat sodanige safari's of jagtogte vergesel het;

(c) die datum waarop elke sodanige safari of jagtog plaasgevind het en die name van die plase waarop gejag is.

(7) (a) Wanneer 'n beroepsjagter bedank of ontslaan word by die safari-onderneming of gasteplaas waar hy in diens is, moet hy die Direkteur skriftelik verwittig binne dertig dae na sodanige bedanking of ontslag.

(b) Die eienaar of bestuurder van 'n safari-onderneming of gasteplaas moet binne sewe dae nadat 'n beroepsjagter wat by sodanige safari-onderneming of gasteplaas in diens was, bedank het of ontslaan is, die Direkteur skriftelik van sodanige bedanking of ontslag in kennis stel en al die redes verstrek wat gelei het tot die bedanking of ontslag van sodanige beroepsjagter.

(8) (a) 'n Beroepsjagter wat nie by meer as een safari-onderneming of gasteplaas in diens is nie en wat aldus bedank het of ontslaan is, mag nie sy funksies as beroepsjagter uitoefen nie alvorens hy nie by 'n ander safari-onderneming in diens getree het of by 'n ander gasteplaas voltyds in diens getree het nie, en skriftelik daartoe deur die Direkteur gemagtig is.

(b) Sodanige magtiging kan slegs verleen word indien die eienaar of bestuurder van 'n safari-onderneming of gasteplaas die Direkteur van 'n sertifikaat voorsien dat hy sodanige beroepsjagter aldus in diens geneem het.

(c) If a professional hunter who is not employed by more than one safari undertaking or guest farm and is not employed by a safari undertaking or is not full-time employed by a guest farm within 60 days after he has thus resigned or been dismissed, his registration shall lapse.

(9) The Administrator-General may place a restriction on the number of professional hunters which may be registered in the Territory.

Registration as hunting guide

108. (1) The owner or lessee of a hunting or guest farm as well as the wife and any child of such owner of lessee and the manager of such hunting or guest farm may apply to the Administrator-General for registration as a hunting guide: Provided that -

(a) no such manager may be registered as a hunting guide -

(i) unless he is resident on such hunting or guest farm or on one of such hunting or guest farms of which he is the manager;

(ii) if he fulfils the function of manager for more than one such owner or lessee;

(b) no child that is -

(i) under the age of 18 years;

(ii) not really resident in the Territory, may be registered as a hunting guide.

(2) The Administrator-General may direct one or more nature conservators or other persons who are in its opinion competent to test the applicant's

(a) knowledge of game and its habits;

(b) ability to track;

(c) ability to distinguish between the male and female of any animal species;

(d) knowledge of first-aid and ability to apply such knowledge;

(e) knowledge of the safe handling of fire-arms;

(c) Indien 'n beroepsjagter wat nie by meer as een safari-onderneming of gasteplaas in diens is nie en wat bedank het of ontslaan is, nie deur 'n safari-onderneming in diens geneem of deur 'n gasteplaas voltyds in diens geneem word nie binne 60 dae nadat hy aldus bedank het of ontslaan is, verval sy registrasie as beroepsjagter.

(9) Die Administrateur-generaal kan 'n beperking plaas op die aantal beroepsjagters wat in die gebied geregistreer mag word.

Registrasie van Jaggids

108. (1) Die eienaar of huurder van 'n jag- of gasteplaas, asook die gade en enige kind van sodanige eienaar of huurder, en die bestuurder van sodanige jag- of gasteplaas, kan by die Administrateur-generaal aansoek doen om as jaggids geregistreer te wrod: Met dien verstande dat -

(a) geen sodanige bestuurder as jaggids geregistreer mag word nie -

(i) tensy hy op sodanige jag- of gasteplaas of op een van sodanige jag- of gasteplase waarvan hy bestuurder is, woon;

(ii) indien hy by meer as een sodanige eienaar of huurder die funksie van bestuurder vervul;

(b) geen kind wat -

(i) onder die ouderdom van 18 jaar is; of

(ii) nie werklik in die Gebied woonagtig is nie, as jaggids geregistreer mag word nie.

(2) Die Administrateur-generaal kan een of meer natuurbewaarders of ander persone wat hy as bevoeg beskou aansê om die aansoeker se -

(a) kennis van wild en hul gewoontes;

(b) vermoë om spoor te sny;

(c) vermoë om tussen die manlike en vroulike diere van 'n wildsoort te onderskei;

(d) kennis van eerstehulp en vermoë om sodanige kennis toe te pas;

(e) kennis van die veilige hantering van vuurwapens;

(f) ability to stalk game successfully and to put the hunter in a suitable position to shoot it;

(g) knowledge of at least two languages, one of which must be Afrikaans, English or German;

(h) ability to estimate the value of trophies;

(i) knowledge of those provisions of the Ordinance and the regulations promulgated in terms thereof that have a bearing on the hunting of game;

(j) knowledge of the handling of trophies;

(k) knowledge of stock disease control measures;

(l) ability to measure trophies according to the Safari Club International or Rowland Ward standards;

(m) ability as marksman on game,

and his general skill and competence in connection therewith, and report to it in connection therewith.

(3) If the Administrator-General, after consideration of the report mentioned in subregulation (2), is satisfied that the applicant is competent to be registered as a hunting guide, it shall register him as such: Provided that -

(a) the Administrator-General may, of it is deemed necessary or expedient, act without such report or without a report regarding any matter referred to in subregulation (2);

(b) no person who has been convicted of a contravention of section 26, 27, 28, 30, 32 or 45 of the Ordinance or regulation 109 or 116 of these regulations or a similar provision of the laws of the Republic of South Africa or any other state within the preceding three years, shall be registered as a hunting guide;

(c) a person who has been convicted of a contravention of section 26, 27, 28, 30, 32 or 45 of the Ordinance or regulation 109 or 116 of these regulations or a similar provision of the laws of the Republic of South Africa or any other state at any other time than within the preceding three years, shall only with the express approval of the Administrator-General be registered as a hunting guide;

(f) vermoë om wild suksesvol te bekruip en die jagter in 'n geskikte posisie te plaas om dit te skiet;

(g) kennis van minstens twee tale waarvan minstens een Afrikaans, Engels of Duits moet wees;

(h) vermoë om die waarde van trofeë te skat;

(i) kennis van daardie bepalings van die Ordonnansie en die regulasies daarkragtens afgekondig wat op die jag van wild betrekking het;

(j) kennis van die hantering van trofeë;

(k) kennis van veesiektebeheermaatreëls;

(l) vermoë om trofeë volgens die Safari Club International-, of Rowland Ward-standaarde te meet;

(m) vermoë as skut op wild,

en sy algemene vaardigheid en bevoegdheid in verband daarmee te toets, en aan hom verslag te doen in verband daarmee.

(3) Indien die Administrateur-generaal na oorweging van die verslag bedoel in subregulasie (2), oortuig is dat die aansoeker bevoeg is om das jaggids geregistreer te word, registreer hy hom as sodanig: Met dien verstande dat -

(a) die Administrateur-generaal, indien hy dit nodig of dienstig ag, sonder sodanige verslag of sonder verslag oor enige aangeleentheid bedoel in subregulasie (2), kan handel;

(b) niemand wat binne die voorafgaande 3 jaar skuldig bevind is aan 'n oortreding van artikels 26, 27, 28, 30, 32 of 45 van die Ordonnansie of regulasie 109 of 116 van hierdie regulasies of 'n soortgelyke bepaling van die wette van die Republiek van Suid-Afrika of enige staat as jaggids geregistreer mag word nie;

(c) iemand wat ten enige ander tyd as binne die voorafgaande 3 jaar skuldig bevind is aan 'n oortreding van artikels 26, 27, 28, 30, 32 of 45 van die Ordonnansie of van regulasie 109 of 116 van heirdie regulasies of van 'n soortgelyke bepaling van die wette van die Republiek van Suid-Afrika of enige ander staat slegs met die uitdruklike goedkeuring van die Administrateur-generaal as jaggids geregistreer mag word;

(d) a person whose registration as a hunting guide was withdrawn in terms of the provisions of regulation 118, may, subject to the provisions of paragraph (b) be re-registered as a hunting guide only with the express approval of the Council of Ministers.

(4) When a person has been registered in terms of subregulation (3) as a hunting guide the Director shall issue such person with a registration certificate and his name shall be entered in a register kept for this purpose.

(5) Such register and registration certificate -

(a) shall be valid for the period from the first day of April in any year until the thirty-first day of March in the succeeding year or, if issued after the first day of April in any year and before the thirty-first day of March in the succeeding year, from the day of registration until the said thirty-first day of March;

(b) shall lapse as soon as the hunting guide no longer qualifies in terms of subregulation (1) to be registered as a hunting guide.

(6) The powers of a hunting guide shall be limited to the hunting or guest farm in respect of which he is registered as a hunting guide and, with the written approval of the Director, to a maximum of two other hunting farms.

Accommodation of trophy hunter

109. Subject to the provisions of regulation 112 no person may accommodate a trophy hunter for the purposes of trophy hunting unless the place where such trophy hunter is accommodated is registered in terms of the Accommodation and Tourism Ordinance, 1973 (Ordinance 20 of 1973) as an accommodation establishment, or registered as a hunting farm in terms of these regulations.

Transport of trophy hunters

110. No person except a professional hunter, hunting guide or public transport service may transport a trophy hunter in the Territory for the purpose of trophy hunting: Provided that the wife or child of a hunting guide or professional hunter may transport trophy hunters to and from the hunting farm if he or she is in possession of the necessary driver's licence.

(d) iemand wie se registrasie as jaggids ingevolge die bepalings van regulasie 118 ingetrek is, behoudens die bepalings van paragraaf (b), slegs met die uitdruklike goedkeuring van die Administrateur-generaal as jaggids herregistreer mag word.

(4) Wanneer iemand ingevolge subregulasie (3) as 'n jaggids geregistreer is, reik die Direkteur aan sodanige persoon 'n registrasiesertifikaat uit en word sy naam in 'n register wat vir die doel bygehou word, aangeteken.

(5) Sodanige registrasie en registrasiesertifikaat -

(a) is geldig vir die tydperk van die eerste dag van April in enige jaar tot die een-en-dertigste dag van Maart in die daaropvolgende jaar, of, indien dit uitgereik word na die eerste dag van April in enige jaar en voor die een-en-dertigste dag van Maart in die daaropvolgende jaar, vanaf die dag van registrasie tot bedoelde een-en-dertigste dag van Maart;

(b) verval sodra die jaggids nie meer ingevolge subregulasie (1) kwalifiseer om as jaggids geregistreer te word nie.

(6) 'n Jaggids se bevoegdhede is beperk tot die jag- of gasteplaas ten opsigte waarvan hy as jaggids geregistreer is en, met die skriftelike goedkeuring van die Direkteur, tot hoogstens twee ander jagplase.

Huisvesting van Trofeejagter

109. Behoudens die bepalings van regulasie 112 mag niemand 'n trofeejagter vir die doeleindes van trofeejag huisves nie, tensy die plek waar sodanige trofeejagter gehuisves word, ingevolge die Ordonnansie op Huisvestingsinrigtings en Toerisme, 1973 (Ordonnansie 20 van 1973) as 'n huisvestingsinrigting, of ingevolge hierdie regulasies as 'n jagplaas geregistreer is.

Vervoer van Trofeejagters

110. Niemand behalwe 'n beroepsjagter, jaggids of openbare vervoerdiens mag 'n trofeejagter vir die doeleindes van trofeejag in die Gebied vervoer nie: Met dien verstande dat die eggenote of kind van 'n jaggids of beroepsjagter 'n trofeejagter van en na die jagplaas mag vervoer, mits hulle oor die nodige bestuurderslisensie beskik.

Trophy hunter shall be accompanied by professional hunter or hunting guide

Amended by 89/1988/11

111. No trophy hunter may hunt game or wild animals unless he is accompanied by a professional hunter or hunting guide.

Relative of trophy hunter

112. Notwithstanding anything to the contrary in these regulations but subject to the provisions of the Ordinance, a trophy hunter may be accommodated and transported by his relative and may hunt game or wild animals for the sake of trophies on a farm of which such relative is the owner or lessee: Provided that -

(a) such trophy hunter shall, when on a hunt, be accompanied by such relative or the parent or child above the age of 18 years of such relative, or by a responsible employee of such relative, who resides permanently on such land;

(b) not more than two such relatives may hunt game or wild animals for the sake of trophies on such land during one year;

(c) such relative shall have the necessary permit to hunt for the sake of trophies.

Vehicles

113. Vehicles used for or in relation to the transport of trophy hunters shall be suitable for the routes which are followed.

Amended by 89/1988/12

Hunting of game and wild animals

114. (1) (a) No person shall hunt game or wild animals or permit them to be hunted for the sake of trophies on land which has not been registered as a hunting farm unless such game or wild animals are hunted under the supervision of a professional hunter.

(b) A professional hunter or hunting guide shall not allow a trophy hunter to hunt any game or wild animal for the sake of trophies, with the exception of problem animals and such game as may be hunted under a permit granted in terms of section 36 of the Ordinance.

Trofeejagter moet vergesel wees deur beroepsjagter of jaggids

111. Geen trofeejagter mag wild of wilde diere jag nie tensy hy vergesel word deur 'n beroepsjagter of jaggids.

Bloedverwant van trofeejagter

112. Ondanks andersluidende bepalings in hierdie regulasies maar behoudens die bepalings van die Ordonnansie mag 'n trofeejagter deur sy bloedverwant gehuisves en vervoer word en mag hy wild of wilde diere ter wille van trofeë op 'n plaas waarvan sodanige bloedverwant die eienaar of huurder is, jag: Met dien verstande dat -

(a) sodanige trofeejagter wanneer hy op jag gaan vergesel moet word deur sodanige bloedverwant of die ouer of kind bo die ouderdom van 18 jaar van sodanige bloedverwant of 'n verantwoordelike werknemer van sodanige bloedverwant wat permanent op sodanige grond woon;

(b) nie meer as twee sodanige bloedverwante in een jaar op sodanige grond wild of wilde diere vir die doeleindes van trofeë mag jag nie;

(c) sodanige bloedverwant oor die nodige permit om vir trofeë te jag, beskik.

Voertuie

113. Voertuie wat gebruik word vir of by die vervoer van trofeejagters moet geskik wees vir die roetes wat gevolg word.

Jag van wild en wilde diere

114. (1) (a) Niemand mag wild of wilde diere vir die doeleindes van trofeë jag of toelaat dat dit gejag word op grond wat nie as 'n jagplaas geregistreer is nie, tensy sodanige wild of wilde dier gejag word onder toesig van 'n beroepsjagter.

(b) 'n Beroepsjagter of jaggids mag nie toelaat dat 'n trofeejagter enige wild of wilde dier, met uitsondering van probleemdiere en wild wat kragtens 'n permit verleen ingevolge artikel 36 van die Ordonnansie gejag mag word, ter wille van trofeë jag nie.

(2) A professional hunter may train a person who is in his full-time employ as a professional hunter and take such trainee along on hunting trips: Provided that such trainee hunter shall not be considered a professional hunter for the purposes of these regulations: Provided further that such professional hunter, when he employs such trainee hunter or commences to train such person, shall notify the Director immediately of the name, age, nationality and residential address of such person.

(3) Subject to the provisions of subregulation (2) no professional hunter or hunting guide shall during a hunt be accompanied by more than 5 persons, which number shall include trackers and skinners and no more than two trophy hunters.

(4) Subject to the provisions of these regulations no person may undertake two hunts simultaneously on the same hunting farm unless such hunting farm is larger than 7 000 hectares and the Director has granted his written permission thereto beforehand: Provided that no more than two hunts may be undertaken simultaneously on any hunting farm larger than 7 000 hectares.

(5) No professional hunter or hunting guide shall accompany or convey a trophy hunter and no trophy hunter shall go on a hunt unless such professional hunter or hunting guide and such trophy hunter are fully insured against personal liability for at least R200 000,00 which insurance shall be submitted to the Director for his perusal.

Trophy permits and permit fees

115. (1) Permits to hunt game or wild animals for the sake of trophies, are only issued to professional hunters or hunting guides who have applied in writing on behalf of trophy hunters, or persons authorised in writing thereto by such professional hunters or hunting guides and who have applied in writing therefore: Provided that a hunting guide may take out only permits granting authorisation to hunt game or wild animals for trophy purposes -

(a) on the hunting farm in respect of which he has been registered as a hunting guide;

(b) on any other hunting farm, provided that the owner of the said other hunting farm has authorised him in writing to take out such permits.

(2) 'n Beroepsjagter kan 'n persoon wat in sy voltydse diens staan, oplei as beroepsjagter en sodanige leerling saanmeem op jagtogte: Met dien verstande dat sodanige leerlingjagter nie vir die doeleindes van hierdie regulasies geag word beroepsjagter te wees nie: Met dien verstande voorts dat sodanige beroepsjagter wanneer hy sodanige leerlingjagter in diens neem of begin oplei die Direkteur onverwyld in kennis moet stel daarvan en die naam, ouderdom, nasionaliteit en woonadres van so 'n persoon aan die Direkteur moet verstrek.

(3) Behoudens die bepalings van subregulasie (2) mag geen beroepsjagter of jaggids tydens 'n jagtog vergesel word deur meer as 5 persone nie, welke persone spoorsnyers en slagters en hoogstens twee trofeejagters mag insluit.

(4) Behoudens die bepalings van hierdie regulasies mag niemand twee jagtogte tegelykertyd op dieselfde jagplaas onderneem nie tensy sodanige plaas groter as 7 000 hektaar is en die Direkteur vooraf skriftelik daartoe verlof verleen het: Met dien verstande dat hoogstens twee jagtogte tegelykertyd mag plaasvind op enige jagplaas wat groter is as 7 000 hektaar.

(5) Geen beroepsjagter of jaggids mag 'n trofeejagter vergesel of vervoer nie en geen trofeejagter mag op jag gaan tensy sodanige beroepsjagter of jaggids en sodanige trofeejagter ten volle verseker is teen persoonlike aanspreeklikheid vir minstens R200 000,00. welke versekering ter insae aan die Direkteur voorgelê moet word.

Trofeepermitte en permitgelde

115. (1) Permitte om wild of wilde diere vir die doeleindes van 'n trofee te jag word slegs uitgereik aan beroepsjagters of jaggidse wat namens trofeejagters skriftelik daarom aansoek doen of persone wat skriftelik daartoe gemagtig is deur 'n beroepsjagter of jaggids en wat skriftelik daarom aansoek doen: Met dien verstande dat 'n jaggids slegs permitte mag uitneem wat magtiging verleen om wild of wilde diere vir die doeleindes van trofeë te jag -

(a) op die jagplase ten opsigte waarvan hy as jaggids geregistreer is;

(b) op enige ander jagplaas, mits die eienaar van bedoelde ander jagplaas hom skriftelik gemagtig het om sodanige permitte uit te neem en sodanige magtiging aan die Direkteur voorgelê is.

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(2) The permit fees shall be -

(a) R5,00 per hartebeest or any other species of game or wild animal larger than a hartebeest, for the first animal;

(b) R10,00 per hartebeest or any other species of game or wild animal larger than a hartebeest, for the second animal;

(c) R2,50 per animal for any species of game or wild animal smaller than a hartebeest, for the first animal;

(d) R5,00 per animal for any species of game or wild animal smaller than a hartebeest, for the second animal:

Provided that no permit fees shall be leviable in respect of problem animals.

(3) Trophy permits shall not be transferable.

Closed season for the hunting of game or wild animals for the sake of trophies

116. No game or wild animals shall be hunted for the sake of trophies during the months of December and January.

Returns to be submitted

117. (1) At the end of November of every calender year every professional hunter and hunting guide shall submit a written return to the Director in which the following is stated:

(a) The number of each species of game or wild animal hunted under his supervision during that year for the sake of trophies;

(b) by whom they were hunted;

(c) which species of animal of trophy quality are available on the hunting or guest farm concerned or on the particular farms on which the professional hunter hunts;

(d) which trophies were in the Rowland Ward class;

(e) all trophy measurements measured according to the Safari Club International standard.

(2) Every professional hunter or hunting guide who wilfully furnishes incorrect information in such return or fails to furnish any information referred to in this regulation shall be guilty of an offence.

(2) Die permitgeld bedra -

(a) R5,00 per hartebees of vir elke wild of wilde dier groter as 'n hartebees, ten opsigte van die eerste dier;

(b) R10,00 per hartebees of vir elke wild of wilde dier groter as 'n hartebees, ten opsigte van die tweede dier;

(c) R2,50 vir elke wild of wilde dier kleiner as 'n hartebees, ten opsigte van die eerste dier;

(d) R5,00 vir elke wild of wilde dier kleiner as 'n hartebees ten opsigte van die tweede dier:

Met dien verstande dat geen permitgelde gehef word ten opsigte van probleemdiere nie.

(3) Trofeepermitte is nie oordraagbaar nie.

Geslote tyd vir jag van wild of wilde diere vir doeleindes van 'n trofee

116. Geen wild of wilde diere mag gejag word vir die doeleindes van 'n trofee in die maande Desember of Januarie nie.

Opgawes verstrek te word

117. (1) Aan die einde van November van elke kalenderjaar moet elke beroepsjagter en elke jaggids 'n skriftelike opgawe verstrek aan die Direkteur waarin gemeld word:

(a) Die hoeveelheid van elke soort wild of wilde dier wat in daardie jaar onder sy toesig vir die doeleindes van 'n trofee gejag is;

(b) deur wie dit gejag is;

(c) welke diersoorte van trofeegehalte vir die daaropvolgende kalenderjaar op die betrokke jag- of gasteplaas of op die besondere plase waarop die beroepsjagter jag, beskikbaar is;

(d) welke trofeë binne die Rowland Ward klas was;

(e) alle trofeëmates, gemeet volgens die Safari Club International-standaard.

(2) Elke beroepsjagter of jaggids wat opsetlik inligting wat onjuis is in sodanige opgawe verstrek of versuim om enige inligting bedoel in hierdie regulasie te verstrek, is skuldig aan 'n misdryf.

Withdrawal of registration as hunting farm, professional hunter and hunting guide

118. The Director may at any time -

(a) order a re-examination of the competence of a hunting guide or professional hunter or the suitability of a hunting farm and withdraw the registration of such hunting guide, professional hunter or hunting farm if he or it no longer complies with the requirements laid down in this Chapter;

(b) withdraw the registraion of a hunting guide or professional hunter if he is guilty of -

(i) a contravention of any of the provisions of the Ordinance;

(ii) the distribution of misleading information; or

(iii) marring of the image of the trophy hunting industry or of the country through his actions.".

2. Any registration which has been made or registration certificate which has been issued under the provisions of Chapter XI of the regulations published under Government Notice 240 of 1976 before the coming into operation of these regulations and in force immediately prior to such commencement, shall be deemed to have been made or issued under the provisions of Chapter XI of the said regulations as amended by these regulations, and shall, unless withdrawn under regulation 118, remain in force up to and including 31 March 1983.

Intrekking van registrasie as jagplaas, beroepsjagter of jaggids

118. Die Direkteur kan te eniger tyd -

(a) 'n herondersoek na die bevoegdheid van 'n jaggids of beroepsjagter of die geskiktheid van'n jagplaas gelas en die registrasie van sodanige jaggids, beroepsjagter of jagplaas intrek indien sodanige beroepsjagter, jaggids of jagplaas nie meer aan die vereistes van hierdie hoofstuk neergelê, voldoen nie;

(b) die registrasie van 'n jaggids of beroepsjagter intrek indien by hom skuldig maak aan -

(i) 'n oortreding van enige van die bepalings van die Ordonnansie;

(ii) die verspreiding van misleidende inligting; of

(iii) skending van die beeld van die trofeejagbedryf of van die land deur sy optrede.".

2. Enige registrasie wat gedoen of registrasiesertifikaat wat uitgereik is kragtens die bepalings van Hoofstuk XI van die regulasies afgekondig by Goewermentskennisgewing 240 van 1976 voor die inwerkingtreding van hierdie regulasies en wat onmiddellik voor sodanige inwerkingtreding van krag is, word geag gedoen of uitgereik te wees kragtens die bepalings van Hoofstuk XI van die genoemde regulasies soos gewysig by hierdie regulasies en bly, tensy ingetrek kragtens regulasie 118, van krag tot en met 31 Maart 1983.

DEPARTMENT OF TRANSPORT

No. AG. 24 1983

APPLICATION THAT DISTRICT ROADS BE PROCLAIMED, THAT THE CLASSIFICATION OF FARM ROADS BE CHANGED AND THAT FARM ROADS BE CLOSED: DISTRICT OF TSUMEB

In terms of section 16(3) of the Roads Ordinance, 1972 (Ordinance 17 of 1972), it is hereby made known that application has been made to the Chairman of the Roads Board of Tsumeb that -

DEPARTEMENT VAN VERVOER

No. AG. 24 1983

AANSOEK DAT DISTRIKSPAAIE GEPROKLAMEER WORD, DAT PLAASPAAIE SE KLASSIFIKASIE VERANDER WORD EN DAT PLAASPAAIE GESLUIT WORD: DISTRIK TSUMEB

Ingevolge artikel 16(3) van die Ordonnansie op Paaie, 1972 (Ordonnansie 17 van 1972), word hierby bekend gemaak dat aansoek by die Voorsitter van die Padraad van Tsumeb gedoen is dat -