

BUITENGEWONE
OFFISIËLE KOERANT
VAN SUIDWES-AFRIKA.
OFFICIAL GAZETTE



UITGAWE OP GESAG.

EXTRAORDINARY
OF SOUTH WEST AFRICA.

PUBLISHED BY AUTHORITY.

10c

Vrydag, 26 Mei 1967

WINDHOEK

Friday, 26 May 1967

No. 2795

INHOUD

CONTENTS

Bladsy/Page

ONTWERPORDONNANSIE:—

DRAFT ORDINANCE:—

Ontwerpordonnansie op Natuurbewaring 1967 . . . 845

Nature Conservation Draft Ordinance, 1967 . . . 846

ONTWERPORDONNANSIE

Om voorsiening te maak vir die beskerming van wilde diere, inheemse plante en binnelandse visserye; vir die stigting van wildtuine en vir verbandhoudende sake.

Die Wetgewende Vergadering van die Gebied Suidwes-Afrika, met die toestemming van die Staatspresident dermate sodanige toestemming nodig is vooraf verkreeë en deur boodskap van die Administrateur aan die Wetgewende Vergadering meegedeel ooreenkomstig die bepalings van artikel 26 van die Zuidwest-Afrika Konstitutie Wet 1925, (Wet 42 van 1925) van die Parlement van die Republiek van Suid-Afrika VERORDEN:—

HOOFSTUK I.

INDELING VAN ORDONNANSIE, WOORDOMSKRYWING EN BEVOEGDHEDE EN PLIGTE VAN DIE AFDELING NATUURBEWARING EN TOERISME.

Indeling van Ordonnansie.

1. Hierdie ordonnansie word soos volg ingedeel:—

HOOFSTUK I:

Indeling van ordonnansie, woordbepaling en bevoegdhede en pligte van die Afdeling Natuurbewaring en Toerisme: artikels 1 tot en met 3.

HOOFSTUK II:

Wilde diere: artikels 4 tot en met 36.

HOOFSTUK III:

Wildtuine: artikels 37 tot en met 47.

HOOFSTUK IV:

Inheemse plante: artikels 48 tot en met 54.

HOOFSTUK V:

Binnelandse Visserye: artikels 55 tot en met 56.

HOOFSTUK VI:

ALGEMEEN: artikels 57 tot en met 78.

BYLAE 1:

Spesiaal beskermde wild.

BYLAE 2:

Beskermde wild.

BYLAE 3:

Wild.

BYLAE 4:

Wildvoëls.

BYLAE 5:

Aansoek om wildhandelaarslisensie.

BYLAE 6:

Wildhandelaarslisensie.

BYLAE 7:

Omskrywing van Nasionale Etoshawildtuin.

BYLAE 8:

Beskermde inheemse plante.

BYLAE 9:

Wette herroep.

Woordbepaling.

2. In hierdie ordonnansie, tensy uit die samehang anders blyk, beteken —

„Administrasie” die Administrasie van die Gebied Suidwes-Afrika;

DRAFT ORDINANCE

To provide for the protection of wild animals, indigenous plants and inland fisheries, for the establishment of game parks and for matters incidental thereto.

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa, with the consent of the State President, in so far as such consent is necessary, previously obtained and communicated to the Legislative Assembly by message from the Administrator in accordance with the provisions of section 26 of the South West Africa Constitution Act, 1925 (Act 42 of 1925), of the Parliament of the Republic of South Africa as follows:—

CHAPTER I.

DIVISION OF ORDINANCE, DEFINITIONS AND POWERS AND DUTIES OF THE NATURE CONSERVATION AND TOURISM BRANCH.

1. This ordinance is divided as follows:—

Division of ordinance.

CHAPTER I:

Division of ordinance, definitions and powers and duties of the Nature Conservation and Tourism Branch: sections 1 up to and including 3.

CHAPTER II:

Wild animals: sections 4 up to and including 36.

CHAPTER III:

Game parks: sections 37 up to and including 47.

CHAPTER IV:

Indigenous plants: sections 48 up to and including 54.

CHAPTER V:

Inland fisheries: sections 55 up to and including 56.

CHAPTER VI:

General: sections 57 up to and including 78.

SCHEDULE 1:

Specially protected game.

SCHEDULE 2:

Protected game.

SCHEDULE 3:

Game.

SCHEDULE 4:

Game birds.

SCHEDULE 5:

Application for a game dealer's licence.

SCHEDULE 6:

Game dealer's licence.

SCHEDULE 7:

Definition of boundary of Etosha National Park.

SCHEDULE 8:

Protected indigenous plants.

SCHEDULE 9:

Laws repealed.

2. In this ordinance, unless inconsistent with the context —

Definitions.

“Administration” means the Administration of the Territory of South West Africa;

- „aanhou” om wild of wilde diere in besit of bewaring te hê, toesig te hou oor en in volle beheer daarvan te wees;
- „beampte” ’n persoon in diens van die Staat;
- „beskermdde plant” enige inheemse plant genoem in bylae 8 van hierdie ordonnansie;
- „beskermdde wild” elke soort wild genoem in bylae 2 van hierdie ordonnansie, of die een of ander geslag daarvan;
- „bewoner” die huurder van grond wat werklik daarop woon kragtens skriftelike ooreenkoms met die eienaar daarvan;
- „biltong” die vleis van wild wat gedroog of gedeeltelik gedroog is en sluit sodanige vleis in wat gesout, gepekkel of andersins ter bewaring voorberei is;
- „eienaar” ten opsigte van die grond of grond waarop waters geleë is, die geregistreerde eienaar van sodanige grond, of voor registrasie van die transportakte op sy naam die koper te goeder trou daarvan of by oorlye van die eienaar die wettige erfgenaam of waar sodanige grond aan vruggebruik onderhewig is, die betrokke vruggebruiker, en by grond onder beheer van die Administrasie, die Administrateur, of van ’n plaaslike bestuur die stadsklerk of die sekretaris daarvan;
- „ere-natuurbewaarder” ’n ere-natuurbewaarder ingevolge die bepalings van artikel 71 aangestel;
- „hengel” met betrekking tot vis, die gebruik van ’n lyn en vishoek, ongeag of ’n stok gebruik word of nie, en sluit ook in die gebruik van ’n skepnet of bewaarnet om vis wat met ’n lyn en vishoek gevang is aan wal te bring of te bewaar;
- „hengelregte” die reg van ’n persoon om in enige bepaalde waters te hengel met inbegrip van die reg om toestemming te verleen of te weier aan enige of alle ander persone om in sodanige waters te hengel;
- „hierdie ordonnansie” ook ’n regulasie of proklamasie wat daarkragtens uitgevaardig is;
- „inheemse plant” enige soort plant, struik of boom wat in die Gebied inheems is, ongeag of dit gekweek word of is en ongeag of dit nie meer wild groei nie of vir ’n tydperk nie wild gegroei het nie, en omvat die blom, saad, vrug, bol, knol, stam of wortel of enige ander gedeelte van sodanige plant, struik of boom, maar nie ’n plant wat ingevolge enige wet tot ’n onkruid verklaar is nie;
- „jag” die doodmaak of die skiet op wild met ’n wapen, of die agtervolg, opspoor, of inwag met die doel om dood te maak, te skiet, of om opsetlik te steur;
- „komitee” ’n Advieskomitee insake Natuurbewaring wat ingevolge artikel 65 ingestel is;
- „kunslokmiddel of lepel” vir die toepassing van hoofstuk V, ’n toestel wat weens sy nabootsing van die lewe, kleur of voorkoms daarop bereken is om vis te mislei of te lok sodat dit sodanige toestel gryp;
- „lewende vis” met betrekking tot natuurlike aas, waterfauna wat in die omgang as vis bekend is;
- „Natuurbewaarder” —
- (a) ’n natuurbewaarder ingevolge die bepalings van artikel 71 aangestel en sluit ’n ere-natuurbewaarder in; en
- (b) enige lid van die Suid-Afrikaanse Polisie;
- „natuurlike aas” enige dierlike of plantaardige materie, hetsy lewend (uitgesonderd lewende vis) of dood, wat by die hengel na vis gebruik word om vis te lok uit hoofde van die eetbaarheid, reuk of smaak daarvan;
- „plaaslike bestuur” ’n munisipale raad of ’n dorpsbestuur;
- „pluk” om af te sny, af te kap, te ontwortel, te beskadig of te vernietig;

- “keep” means to have game or wild animals in possession or custody, to supervise such game or wild animals and to be in full control thereof;
- “officer” means a person in the service of the State;
- “protected plant” means any indigenous plant mentioned in schedule 8 of this ordinance;
- “protected game” means any species of game appearing in schedule 2 of this ordinance, or either sex of any such species of game;
- “occupier” means the lessee of land, who is in actual occupation of such land under written agreement with the owner thereof;
- “biltong” means the meat of game which has been dried, or partly dried and includes such meat which has been salted, cured or otherwise prepared for the purpose of preservation;
- “owner” in relation to the land or land on which waters are situated means the registered owner of such land, or the *bona fide* purchaser of such land before registration of the deed of transfer in his name, or the lawful heir of the owner at his death, or where such land is subject to a usufruct, the usufructuary thereof, and in the case of land subject to the control of the Administrator, the Administrator, or of a local authority the town clerk or secretary thereof;
- “honorary nature conservator” means an honorary nature conservator appointed under the provisions of section 71;
- “angle” in relation to fish, means the use of a line and fish-hook, whether a rod is used or not, and includes the use of a landing or keep net to land or keep fish caught by means of a line and fish-hook;
- “angling rights” means the right of a person to angle in certain waters including the right to give or refuse any or all other persons permission to angle in such waters;
- “this ordinance” includes any regulation or proclamation made thereunder;
- “indigenous plant” means any species of plant, shrub or tree which is indigenous to the Territory, irrespective of whether it is or has been cultivated and whether it is no longer growing in the wild state or has for some time not been growing in the wild state and includes the flower, seed, fruit, bulb, tuber, stem or root or any other part of such plant, shrub or tree, but not any plant declared under any law to be a weed;
- “hunt” means to kill or shoot at game with a weapon or to pursue, track, or to lie in wait with intent to kill, shoot or wilfully to disturb game;
- “committee” means an Advisory Committee on Nature Conservation established under section 65;
- “artificial lure or spoon” for the purpose of chapter V, means any contrivance, which by its simulation of life, colour or appearance is designed to delude or attract a fish into seizing it;
- “live fish” in relation to natural bait, means aquatic fauna, commonly known as fish;
- “nature conservator” means —
- (a) any nature conservator appointed under the provisions of section 71 and includes an honorary nature conservator; and
 - (b) any member of the South African Police;
- “natural bait” means any animal or vegetable matter whether alive (excluding live fish) or dead, used in angling for fish to attract fish by virtue of its edibility, smell or taste;
- “local authority” means a municipal council or village management board;
- “pick” means to cut off, chop off, uproot, damage or destroy;

- „publieke pad” 'n publieke pad soos omskryf in die Padverkeersordonnansie 1961;
- „raad” die Natuurbewaringsraad wat ingevolge artikel 58 ingestel is;
- „regulasie” 'n regulasie kragtens hierdie ordonnansie uitgevaardig;
- „spesiaal beskermde wild” elke soort wild genoem in bylae I van hierdie ordonnansie, of die een of ander geslag daarvan;
- „Sekretaris” die Sekretaris van Suidwes-Afrika;
- „stellyn” 'n lyn en vishoek wat wanneer dit gebruik word om vis te vang nie onder die onmiddellike bewaking van 'n persoon is nie maar aan iets vasgemaak is, maar omvat nie 'n lyn en vishoek wat vasgemaak is aan 'n katrol en stok wat los op die grond lê nie;
- „uitheemse wild” enige wild wat nie gewoonweg in die Gebied, of enige deel daarvan, aangetref word nie;
- „vang” ook die gebruik van enige middel of metode om vis, wild of enige ander wilde dier te vang, te beseer, of te immobiliseer;
- „vel” ook enige gedeelte van 'n vel;
- „verkoop” die verkoop, verruil, te koop aanbied of daartoe ten toon stel, of aanbied vir genote waarde;
- „vis” ook waterfauna in die algemeen (uitgesonderd soogdiere en voëls), hetsy inheems of uitheems, en omvat ook die eiers, broed of kuit daarvan;
- „visgerei” enige vistuig, apparaat of toestel, of 'n gedeelte daarvan, wat gewoonlik gebruik word om vis mee te vang;
- „visserye” ook alle waters en alle vis daarin;
- „voorgeskryf” of „voorgeskrewe” by regulasie voorgeskryf;
- „voldoende omheining” 'n veekerende heining wat in orde is en in alle opsigte die grens aandui; andersins beteken dit 'n natuurlike grens waardeur of waaroor geen wild gewoonweg sou gaan nie;
- „wapen” enige vuurwapen, spies, assegaai, pyl-en-boog, byl, kapmes, mes of soortgelyke voorwerp en sluit ook in enige narkose geweer, -pistool of -boog;
- „waters” ook waters in riviere, strome, spruite, mere, strandmere, panne, vleie, damme, reservoirs, vore en vywers;
- „wild” elke soort wild genoem in bylae 3 van hierdie Ordonnansie, of die een of ander geslag daarvan en sluit ook in spesiaalbeskermde wild, beskermde wild, wildvoëls en uitheemse wild;
- „wildvoël” enige soort wildvoël genoem in bylae 4 van hierdie ordonnansie, of die een of ander geslag daarvan;
- „wilde dier” enige werweldier ('n voël en reptiel inbegrepe), hetsy in gevangenskap of elders gehou of geteel, behorende tot 'n soort wat nie 'n soort huidier is nie en waarvan die natuurlike tuiste of tydelik of voortdurend in enige deel van die Republiek van Suid-Afrika of die Gebied is;
- „wildtuin” die Nasionale Etoshawildtuin in artikel 37 genoem en enige gebied wat kragtens artikel 38 tot 'n wildtuin verklaar is en sluit in enige gebied wat kragtens artikel 42 tot 'n private wildreserwe of private natuurreserwe verklaar is.

Afdeling Natuur-
bewaring en
Toerisme.

3. 'n Afdeling van die Administrasie, wat heet die Afdeling Natuurbewaring en Toerisme, is verantwoordelik vir die regulering, uitvoering en administrasie van sake betreffende natuurbewaring en toerisme en die hoof van sodanige afdeling is 'n beampete met die ampstitel Direkteur van Natuurbewaring en Toerisme deur die Administrateur aangestel onderhewig aan die bepalings van die Staatsdienswet 1957 (Wet 54 van 1957) van die Republiek van Suid-Afrika.

- “public road” means a public road as defined in the Road Traffic Ordinance, 1961;
- “board” means the Nature Conservation Board established under section 58;
- “regulation” means any regulation made under this ordinance;
- “specially protected game” means any species of game mentioned in schedule 1 to this ordinance, or either sex thereof;
- “Secretary” means the Secretary for South West Africa;
- “set line” means a line and fish-hook which, when used for catching fish, is not under the immediate supervision of any person but is attached to something, but shall not include a line and fish-hook attached to a reel and rod lying loose on the ground;
- “exotic game” means any game not usually found in the Territory or any portion thereof;
- “catch” and “capture” include the use of any means or method to catch, capture, injure or immobilize fish, game or any other wild animal;
- “skin” includes any portion of a skin;
- “sell” means to sell, barter, offer or expose for sale or offer as valuable consideration;
- “fish” includes aquatic fauna in general (excluding mammals and birds) whether indigenous or exotic, and the eggs, brood or spawn thereof;
- “fishing tackle” means any fishing tackle, apparatus or device, or any part thereof, commonly used for the catching of fish;
- “fisheries” includes all waters and all fisheries therein;
- “prescribed” means prescribed by regulation;
- “adequate fence” means a stock-proof fence which is in good order and condition and which indicates the boundary line in all respects; otherwise it means the natural boundary through which or over which no game would ordinarily pass;
- “weapon” means any firearm, spear, assegai, bow-and-arrow, axe, bush-knife, knife or similar object and includes any narcotic rifle, pistol or bow;
- “waters” includes the waters in rivers, streams, creeks, lakes, lagoons, pans, vleis, dams, reservoirs, furrows and ponds;
- “game” means any species of game mentioned in schedule 3 to this ordinance, or either sex thereof, and includes specially protected game, protected game, game birds and exotic game;
- “game bird” means any species of game bird mentioned in schedule 4 to this ordinance, or either sex thereof;
- “wild animal” means any vertebrate animal (including any bird and reptile), whether kept or bred in captivity or elsewhere, belonging to a non-domestic species whose habitat is either temporarily or permanently in any part of the Republic of South Africa or the Territory;
- “game park” means the Etosha National Park mentioned in section 37 and any area which has been declared to be a game park under section 38, and includes any area which has been declared to be a private game reserve or private nature reserve under section 42.

3. A branch of the Administration, to be known as the Nature Conservation and Tourism Branch, shall be responsible for the regulation, execution and administration of matters concerning nature conservation and tourism, and the head of such branch shall be an officer having the official title of Director of Nature Conservation and Tourism appointed by the Administrator subject to the provisions of the Public Service Act, 1957 (Act 54 of 1957) of the Republic of South Africa.

Nature Conservation and Tourism Branch.

HOOFSTUK II.

WILDE DIERE.

Administrateur se
bevoegdheid en
bepaling van
jagseisoene.

4. (1) Die Administrateur kan van tyd tot tyd by kennisgewing in die *Offisiële Koerant* —

- (a) ten opsigte van die hele Gebied of enige omskrewe gedeelte daarvan, die geslote tyd (wat 'n hele jaar mag duur) voorskryf, vasstel en wysig, en daarbinne is die jag op enige soort wild, of op die een of ander geslag van enige soort sodanige wild onwettig (behoudens die uitsonderings in hierdie ordonnansie), en onderhewig aan sodanige uitsonderings ten gunste van 'n eenaar of bewoner van grond soos in sodanige kennisgewing aangegee word, of verklaar dat daar geen geslote tyd moet wees nie vir 'n sekere soort wild, of vir die een of ander geslag van enige soort sodanige wild, of ten opsigte van die hele Gebied, of enige omskrewe gedeelte daarvan;
- (b) 'n beperking stel, ten opsigte van die hele Gebied of ten opsigte van enige omskrewe gedeelte daarvan, op die getal van enige soort of van die een of ander geslag van enige soort wild waarop daar ingevolge 'n wildlisensie of slegs deur 'n eenaar of bewoner van grond gejag mag word;
- (c) die naam van enige dier, in enige klas wild in hierdie ordonnansie genoem ten opsigte van die hele Gebied of van enige omskrewe gedeelte daarvan, verander, daartoe byvoeg of daaruit verwyder.

(2) Tensy anders voorgeskryf ingevolge die bepalings van subartikel (1) (a), is die geslote tyd vir alle wild, uitgesonderd spesiaal beskermde en beskermde wild, die tydperk van 1 September elke jaar tot 30 April van die volgende jaar (albei datums inbegrepe).

Jag van spesiaal-
beskermde wild.

5. (1) Niemand behalwe die wettige houër van 'n permit uitgereik ingevolge magtiging van die Administrateur mag spesiaal beskermde wild jag nie.

(2) Sodanige permitte kan uitgereik word op sodanige voorwaardes betreffende die bedrag betaalbaar, die getal wild wat gejag mag word, die tyd wanneer en die plek waar die jag toegelaat word, en ander algemene voorwaardes, soos die Administrateur, met behoorlike inagneming van die doeleindes hetsy wetenskaplik of andersins, waarvoor die permit uitgereik is, wenslik ag.

(3) Die Administrateur kan 'n verskil maak tussen die bedrae wat deur die eenaars of bewoners van grond en deur ander persone betaalbaar is.

(4) Iemand wat 'n bepaling van hierdie artikel oortree of enige voorwaarde van 'n permit kragtens hierdie artikel uitgereik, veronagsaam, is skuldig aan 'n oortreding en is by skuldigbevinding strafbaar met 'n boete van minstens vierhonderd rand en hoogstens eenduisend rand, of, by wanbetaling met gevangenisstraf van minstens ses maande en hoogstens twee jaar; en die hof wat sodanige persoon van sodanige oortreding skuldig bevind —

- (a) moet beveel dat enige wapen wat betrekking het op sodanige oortreding aan die Staat verbeur word;
- (b) kan, by 'n eerste skuldigbevinding, beveel dat enige voertuig of vliegtuig wat betrekking het op sodanige oortreding aan die Staat verbeur word indien sodanige oortreding in 'n wildtuin plaasgevind het; en
- (c) kan, by 'n tweede of daaropvolgende skuldigbevinding, beveel dat enige voertuig of vliegtuig wat betrekking het op sodanige oortreding aan die Staat verbeur word.

CHAPTER II.

WILD ANIMALS.

4. (1) The Administrator may from time to time by notice in the *Official Gazette* —

Administrator's powers and determination of hunting seasons.

- (a) prescribe, fix and alter either for the whole Territory or any defined portion thereof the period of the close season (which may last a whole year) within which it shall not be lawful (save as is in this ordinance excluded) and subject to such exceptions in favour of an owner or occupier of land as set out in such notice, to hunt any species of game or either sex of any species of such game, or declare that there shall be no close season for any particular species of game or for either sex of any species of such game, either in respect of the whole Territory or any defined portion thereof;
- (b) impose a limit in respect of either the whole Territory or in respect of any defined portion thereof on the number of any species or either sex of any species of game which may be hunted under any game licence or by any owner or occupier of land only;
- (c) vary, add to, or withdrawn from any category of game mentioned in this ordinance the name of any animal, either in respect of the whole Territory or any defined portion thereof.

(2) Unless otherwise prescribed under the provisions of sub-section (1) (a) the close season for all game, other than specially protected and protected game, shall be the period from 1 September in every year until 30 April in the following year (both dates inclusive).

5. (1) No person other than the lawful holder of a permit issued under the authority of the Administrator shall hunt specially protected game.

Hunting of specially protected game.

(2) Such permits may be issued on such conditions as to the amount payable, the number of animals to be hunted, the time when and the locality where the hunting is permitted and on such other general conditions as the Administrator, having due regard to the purposes, whether scientific or otherwise, for which the permit is issued, shall deem fit.

(3) The Administrator may differentiate between the amounts to be paid by owners or occupiers of land and by other persons.

(4) Any person who contravenes any of the provisions of this section or fails to comply with any condition of a permit issued under this section shall be guilty of an offence and be liable on conviction to a fine of not less than four hundred rand and not exceeding one thousand rand, or, in default of payment, to imprisonment for a period of not less than six months and not exceeding two years; and the court convicting such person of such offence —

- (a) shall order that any weapon relating to such offence shall be forfeited to the State;
- (b) may, on a first conviction, order that any vehicle or aircraft relating to such offence shall be forfeited to the State if such offence was committed in a game park; and
- (c) may, on a second or subsequent conviction, order that any vehicle or aircraft relating to such offence shall be forfeited to the State.

Jag van
beskernde wild.

6. (1) Niemand behalwe die wettige houër van 'n permit uitgereik ingevolge magtiging van die Administrateur mag te eniger tyd beskernde wild jag nie.

(2) Sodanige permitte kan uitgereik word op sodanige voorwaardes betreffende die bedrag betaalbaar, die getal wild wat gejag word, die tyd wanneer en die plek waar die jag toegelaat word, en ander algemene voorwaardes, soos die Administrateur, met behoorlike inagneming van die doeleindes hetsy wetenskaplik of andersins, waarvoor die permit uitgereik is, wenslik ag.

(3) Die Administrateur kan 'n verskil maak tussen die bedrae wat deur eienaars of bewoners van grond en deur ander persone betaalbaar is.

(4) Iemand wat 'n bepaling van hierdie artikel of enige voorwaarde van 'n permit kragtens hierdie artikel uitgereik, verontagsaam, is skuldig aan 'n oortreding en is by skuldigbevinding strafbaar met 'n boete van minstens tweehonderd rand en hoogstens vyfhonderd rand, of by wanbetaling met gevangenisstraf van minstens drie maande en hoogstens twaalf maande en die hof wat sodanige persoon, van sodanige oortreding, skuldig bevind —

- (a) moet beveel, dat enige wapen wat betrekking het op sodanige oortreding aan die Staat verbeur word indien sodanige oortreding in 'n wildduin plaasgevind het;
- (b) kan beveel dat enige wapen, wat betrekking het op sodanige oortreding aan die Staat verbeur word indien sodanige oortreding nie in 'n wildduin plaasgevind het nie;
- (c) kan, by 'n eerste skuldigbevinding, beveel dat enige voertuig of vliegtuig wat betrekking het op sodanige oortreding aan die Staat verbeur word indien sodanige oortreding in 'n wildduin plaasgevind het; en
- (d) kan, by 'n tweede of daaropvolgende skuldigbevinding, beveel dat enige voertuig of vliegtuig wat betrekking het op sodanige oortreding aan die Staat verbeur word.

(5) Nieteenstaande andersluidende bepalings in hierdie ordonnansie kan die eienaar of bewoner van 'n plaas of 'n gedeelte van 'n plaas wat nie kleiner as 1,000 hektaar is nie, en wat met jakkalsdraad omhein is, enige erdvark of ratel wat op sodanige plaas of 'n gedeelte van sodanige plaas aangetref word, te eniger tyd en met enige middel hoegenaamd doodmaak en het sodanige eienaar of bewoner eiendomsreg oor enige steenbok wat regmatig op sodanige plaas of 'n gedeelte van sodanige plaas verkeer: Met dien verstande dat „eienaar” vir die doeleindes van hierdie artikel nie 'n stadsklerk of die sekretaris van 'n plaaslike bestuur insluit nie.

Eiendomsreg oor
wild.

7. Behoudens die bepalings van hierdie ordonnansie, is elke eienaar of bewoner van 'n plaas die eienaar van alle wild, buiten spesiaal beskernde en beskernde wild, solank sodanige wild wettig op sodanige plaas verkeer en so lank sodanige plaas met 'n voldoende omheining omhein is.

Jag van wild
kragtens lisensie.

8. (1) Behoudens andersluidende bepalings van hierdie ordonnansie, mag niemand behalwe die wettige houër van 'n wilddisensie wild jag nie.

(2) 'n Wilddisensie word deur die Sekretaris, of 'n persoon wat behoorlik deur hom daartoe gemagtig is, uitgereik, en stel die wettige houër daarvan in staat om die wild daarin genoem, te jag op die plek of plekke daarin vermeld, onderhewig aan sodanige voorwaardes soos daarin vermeld word: Met dien verstande dat die Sekretaris of enige sodanig gemagtigde persoon sonder opgaaf van redes so 'n lisensie kan weier: Met dien verstande voorts dat sodanige weiering deur 'n sodanig gemagtigde persoon onverwyld by die Sekretaris aangemeld moet word ter bekragtiging of andersins.

(3) 'n Wilddisensie bly van krag vir die volle jagseisoen of vir die oorblywende gedeelte daarvan en so 'n wilddisensie veroorloof die jag op slegs een stuk wild binne die termyn daarvan, maar geen beperking word op die aantal wilddisensies wat uitgeneem mag word, geplaas nie.

6. (1) No person other than the lawful holder of a permit issued under the authority of the Administrator shall at any time hunt protected game.

Hunting of
protected game.

(2) Such permits may be issued on such conditions as to the amount payable, the number of animals to be hunted, the time when and the locality where the hunting is permitted, and on other general conditions as the Administrator, having due regard to the purposes, whether scientific or otherwise, for which the permit is issued, shall deem fit.

(3) The Administrator may differentiate between the amounts to be paid by owners or occupiers of land and by other persons.

(4) Any person who contravenes any provision of this section or any condition of a permit issued under this section shall be guilty of an offence and liable on conviction to a fine not less than two hundred rand and not exceeding five hundred rand or in default of payment to imprisonment for a period of not less than three months and not exceeding twelve months; and the court convicting such person of such offence —

- (a) shall order that any weapon relating to such offence shall be forfeited to the State if such offence was committed in a game park;
- (b) may order that any weapon relating to such offence shall be forfeited to the State if such offence was not committed in a game park;
- (c) may, on a first conviction, order that any vehicle or aircraft relating to such offence shall be forfeited to the State if such offence was committed in a game park; and
- (d) may, on a second or subsequent conviction, order that any vehicle or aircraft relating to such offence shall be forfeited to the State.

(5) Notwithstanding anything to the contrary in this ordinance contained the owner or occupier of a farm or a portion of a farm not less than one thousand hectares in extent, which is enclosed with jackal proof fencing, may at any time and by any means kill any antbear or honey badger found on such farm or portion of a farm and shall have the right of ownership to any steenbok lawfully on such farm or portion of such farm: Provided that "owner" shall for the purposes of this section not include a town clerk or the secretary of a local authority.

7. Subject to the provisions of this ordinance any owner or occupier of a farm shall own all game, other than specially protected and protected game, while such game is lawfully upon such farm and while such farm is enclosed with a sufficient fence.

Right of owner-
ship to game.

8. (1) Save as in this ordinance is otherwise provided no person other than the lawful holder of a game licence may hunt game.

Hunting of game
under licence.

(2) A game licence shall be issued by the Secretary or any person duly authorized thereto by him and shall enable the lawful holder thereof to hunt the game mentioned thereon in such locality or localities as may be stated on the licence and subject to such conditions as may be stated thereon: Provided that the Secretary or any such authorized person may without stating reasons refuse to issue any such licence: Provided further that such refusal by any so authorized person shall forthwith be reported to the Secretary for confirmation or otherwise.

(3) A game licence shall be valid for the whole hunting season or for the remaining portion thereof, and such game licence shall authorize the hunting of only one head of game within its period, but there shall be no limitation on the number of game licences which may be taken out.

(4) Die koste van 'n wildlisensie is soos volg:—

(a) Vir een eland	R40.00
(b) Vir een buffel	R40.00
(c) Vir een gemsbok	R25.00
(d) Vir een hartebees	R25.00
(e) Vir een koedoe	R20.00
(f) Vir een blouwildebees	R10.00
(g) Vir een springbok	R 6.00
(h) Vir een vlakvark	R 5.00
(i) Vir een bosvark	R 5.00

(5) Alvorens die houer van sodanige lisensie die grond waarop hy sodanige wild gejag het, verlaat, skeur hy die teenblad van sodanige lisensie af en oorhandig dit aan die eienaar of bewoner van sodanige grond en sodanige lisensie word dan as gekanselleer of uitgedien beskou.

(6) Sodanige eienaar of bewoner van sodanige grond kan sodanige teenblad by 'n kantoor waar sodanige lisensies uitgereik word, inruil vir die bedrag wat sodanige lisensie gekos het min 50c wat ter dekking van administratiewe koste teruggehou word.

(7) Indien die houer van sodanige lisensie nie die betrokke stuk wild binne die geldingsduur van sodanige lisensie skiet nie, kan hy die bedrag wat sodanige lisensie gekos het min die administratiewe koste in subartikel (6) genoem, nie later nie as drie maande na verstryking van die jagseisoen, van die Administrasie terugeis, en indien sodanige eienaar of bewoner van sodanige grond nie sy deel van die koste van sodanige lisensie soos in subartikel (6) genoem binne ses maande van die datum van uitreiking van sodanige lisensie opeis nie, verbeur hy dit.

(8) Elkeen wat die bepalings van hierdie artikel oortree, of enige voorwaarde van 'n wildlisensie verontagsaam, is skuldig aan 'n oortreding en is by skuldigbevinding strafbaar met die strawwe wat voorgeskryf word vir diefstal van vee in artikel (9) (a) van die Vee-diefstal Wet Wysigingsordonnansie 1935 (Ordonnansie 11 van 1935).

Jag van wild
sonder lisensie.

9. (1) Nieteenstaande andersluidende bepalings in hierdie ordonnansie kan 'n eienaar of bewoner van 'n plaas sonder lisensie en dwarsdeur die jaar wild, uitgesonderd spesiaal beskermde en beskermde wild, op sodanige plaas jag mits dit met 'n voldoende omheining omhein is.

(2) Elke eienaar of bewoner van 'n plaas kan die regte wat subartikel (1) aan hom verleen, persoonlik uitoefen en ook deur een of meer van sy kinders en sy ouers, asook deur enige blanke of blankes wat in sy vaste diens is en op sodanige plaas woon mits sodanige blanke of blankes sy skriftelike toestemming daartoe het: Met dien verstande dat, indien sodanige eienaar of bewoner weens fisiese ongeskiktheid nie in staat is om sodanige regte uit te oefen nie, en daar nie van sy kinders, ouers of blanke werknemers hierbo genoem, is om dit te doen nie, die Administrateur enige bevoegde beampte of private persoon kan magtig om sodanige wild namens hom op sodanige plaas te jag: Met dien verstande voorts dat „eienaar” vir die doeleindes van hierdie artikel nie 'n stadsklerk of die sekretaris van 'n plaaslike bestuur insluit nie.

Jag van wildvoëls
krachtens lisensie.

10. (1) Behoudens andersluidende bepalings van hierdie Ordonnansie, mag niemand behalwe die wettige houer van 'n wildvoëllisensie wildvoëls jag nie.

(2) 'n Wildvoëllisensie word deur die Sekretaris of 'n persoon wat behoorlik deur hom daartoe gemagtig is, uitgereik, en stel die wettige houer daarvan in staat om die wildvoëls daarin genoem, te jag op die plek of plekke daarin vermeld, onderhewig aan sodanige voorwaardes soos daarin vermeld word: Met dien verstande dat die Sekretaris of enige sodanig gemagtigde persoon sonder opgaaf van redes so 'n lisensie kan weier: Met dien verstande voorts dat sodanige weiering deur 'n sodanig gemagtigde persoon onverwyld by die Sekretaris aangemeld moet word ter bekragtiging of andersins.

(4) The cost of a game licence shall be as follows:—

(a) For one eland	R40-00
(b) For one buffalo	R40-00
(c) For one oryx	R25-00
(d) For one hartebeest	R25-00
(e) For one kudu	R20-00
(f) For one blue wildebeest	R10-00
(g) For one springbuk	R 6-00
(h) For one warthog	R 5-00
(i) For one bushpig	R 5-00

(5) Before the holder of such licence leaves the land on which he hunted such game he shall tear off the counterfoil of such licence and hand it over to the owner or occupier of such land and such licence shall then be deemed cancelled or obsolete.

(6) Such owner or occupier of such land may hand in such counterfoil at the office where such licences are issued in return for the amount paid for such licence less 50c which shall be retained to cover administrative costs.

(7) If the holder of such licence fails to shoot such head of game within the period of validity of such licence, he may, not later than three months after the expiry of the hunting season, claim from the Administration the amount paid for such licence less the administrative cost mentioned in sub-section (6), and if such owner or occupier of such land does not claim his portion of the cost of such licence as mentioned in sub-section (6) within six months from the date of issue of such licence, he shall forfeit it.

(8) Any person who contravenes the provisions of this section or who fails to comply with any condition of a game licence shall be guilty of an offence and liable on conviction to the penalties prescribed for stock theft in section 9 (a) of the Stock Theft Law Amendment Ordinance, 1935 (Ordinance 11 of 1935).

9. (1) Notwithstanding anything to the contrary in this ordinance any owner or occupier of a farm may without licence hunt game, except specially protected and protected game, on such farm throughout the year, provided it is enclosed with a sufficient fence.

Hunting of game
without licence.

(2) Any owner or occupier of a farm may exercise the rights granted him under sub-section (1) personally and also through one or more of his children and his parents, and also through any white or whites permanently employed by him and resident on such farm, if such white or whites have been authorized thereto by him in writing: Provided that if such owner or occupier is by reason of physical disability unable to exercise such rights, and there are no children, parents or white employees as mentioned above, to do so, the Administrator may authorize any competent officer or private persons to hunt such game on his behalf on such farm: Provided further that for the purposes of this section "owner" shall not include a town clerk or secretary of a local authority.

10. (1) Save as it otherwise provided in this ordinance no person other than the lawful holder of a game bird licence may hunt game birds.

Hunting of game
birds under licence.

(2) A game bird licence is issued by the Secretary or any person duly authorized thereto by him and enables the lawful holder thereof to hunt the game birds mentioned thereon in the locality or localities mentioned thereon, subject to such conditions as may be mentioned on such licence: Provided that the Secretary or any person so authorized may without stating reasons refuse to issue such licence: Provided further that such refusal by any person so authorized shall forthwith be reported to the Secretary for confirmation or otherwise.

(3) 'n Wildvoëllisensie bly van krag vir die volle jagseisoen, of vir die oorblywende gedeelte daarvan en so 'n wildvoëllisensie kos R1.50 en veroorloof die jag op 'n onbeperkte getal wildvoëls binne die termyn van die lisensie.

(4) Elkeen wat 'n bepaling van hierdie artikel oortree, of wat 'n voorwaarde van 'n wildvoëllisensie verontagsaam, is skuldig aan 'n oortreding, en is by skuldigbevinding strafbaar met 'n boete van minstens twintig rand en hoogstens eenhonderd rand, of, by wanbetaling met gevangenisstraf van minstens een maand en hoogstens drie maande.

Jag van wildvoëls
sonder lisensie.

11. (1) Nieteenstaande andersluidende bepalings in hierdie ordonnansie kan 'n eienaar of bewoner van 'n plaas sonder lisensie en dwarsdeur die jaar wildvoëls wat gesaaides of plante op beboude land of in tuine op sodanige plaas, verniel of beskadig, op sodanige plaas jag: Met dien verstande dat as so 'n plaas sodanig omhein is dat dit die grense daarvan voldoende aandui, sodanige eienaar of bewoner dwarsdeur die jaar wildvoëls op enige deel van sodanige plaas mag jag.

(2) Elke eienaar of bewoner van 'n plaas kan die regte wat subartikel (1) aan hom verleen persoonlik uitoefen en ook deur een of meer van sy kinders en sy ouers, asook deur enige blanke of blankes wat in sy vaste diens is en op sodanige plaas woon mits sodanige blanke of blankes sy skriftelike toestemming daartoe het: Met dien verstande dat, indien sodanige eienaar of bewoner weens fisiese ongeschiktheid nie in staat is om sodanige regte uit te oefen nie en daar nie van sy kinders, ouers of blanke werknemers hierbo genoem, is om dit te doen nie, die Administrateur enige bevoegde beampte of private persoon kan magtig om sodanige wildvoëls namens hom op sodanige plaas te jag: Met dien verstande voorts dat „eienaar” vir die doeleindes van hierdie artikel nie 'n stadsklerk of die sekretaris van 'n plaaslike bestuur insluit nie.

Verhuur van
jagregte.

12. Die eienaar van grond kan, met die skriftelike toestemming van die Administrateur, sy jagregte aan 'n bevoegde persoon verhuur, in welke geval niemand anders dan enige jagregte op sodanige grond het nie en by verkoop van sodanige grond verval alle jagregte wat aldus verhuur is.

Jag van wild ter
beskerming van
weiveld en beboude
land.

13. (1) (a) Waar daar tot oortuiging van die Sekretaris, of enigeen deur hom aangestel om te besluit, bewys word dat dit nodig is om weiveld te bewaar, kan die Sekretaris of die persoon aldus aangestel, aan die eienaar of bewoner van sodanige weiveld 'n permit toestaan om wild op sodanige weiveld te jag binne die tydperk daarop gemeld en onderhewig aan sodanige voorwaardes en beperkings soos daarin vervat: Met dien verstande dat indien 'n maatskappy die eienaar van sodanige weiveld is, kan sodanige permit aan 'n persoon deur daardie maatskappy aangewys, uitgereik word.

(b) Elke weiering deur 'n persoon aangestel kragtens paragraaf (a) om sodanige permit uit te reik, moet onverwyld by die Sekretaris aangemeld word ter bekräftiging of verwerping na goeddunke.

(c) Elke sodanige eienaar of bewoner of persoon deur 'n maatskappy aangewys wat 'n voorwaarde of beperking van sodanige permit oortree of verontagsaam, is skuldig aan 'n oortreding.

(2) Nieteenstaande andersluidende bepalings in hierdie ordonnansie, kan die eienaar of bewoner van grond, of enige persoon skriftelik deur sodanige eienaar of bewoner daartoe gemagtig, te eniger tye sonder lisensie of permit enige wild, uitgesonderd olifante en renosters, wat gesaaides of plante op beboude land of in tuine met voldoende omheining op die grond van sodanige eienaar of bewoner, verniel of beskadig, jag, en enige wild wat ingevolge die bepalings van hierdie artikel doodgemaak is, is die wettige eiendom van sodanige eienaar, bewoner of gemagtigde persoon, al na gelang, en die doodmaak van

(3) A game bird licence shall be valid for the whole hunting season or for the remaining portion thereof, and such a game bird licence shall cost R1-50 and shall authorize the hunting of an unlimited number of game birds within the period of the licence.

(4) Any person who contravenes any provision of this section or who fails to comply with any condition of a game bird licence shall be guilty of an offence and liable on conviction to a fine of not less than twenty rand and not exceeding one hundred rand or, in default of payment, to imprisonment for a period of not less than one month and not exceeding three months.

11. (1) Notwithstanding anything to the contrary in this ordinance any owner or occupier of a farm may without a licence and throughout the year on such farm hunt game birds which destroy or damage crops or plants on cultivated land or in gardens on such farm: Provided that where such farm is so fenced in that the boundaries thereof are sufficiently indicated such owner or occupier may hunt game birds on any part of such farm throughout the year.

Hunting of game birds without licence.

(2) Any owner or occupier of a farm may exercise the rights granted him under sub-section (1) personally and also through one or more of his children and his parents and also through any white or whites permanently employed by him and resident on such farm if such white or whites have been authorized thereto by him in writing: Provided that if such owner or occupier is by reason of physical disability unable to exercise such rights and there are no children, parents or white employees as mentioned above, to do so, the Administrator may authorize any competent officer or private person to hunt such game birds on his behalf on such farm: Provided further that for the purposes of this section "owner" shall not include a town clerk or secretary of a local authority.

12. The owner of land may, with the written permission of the Administrator lease his hunting rights to any competent person, in which case no other person shall have any hunting rights on such land, and on the sale of such land all hunting rights so leased shall lapse.

Lease of hunting rights.

13. (1) (a) Upon its being proved to the satisfaction of the Secretary or any person appointed by him to exercise such discretion that it is necessary to protect the grazing on any land, the Secretary or any person so appointed may grant to the owner or occupier of such land a permit authorizing such owner or occupier to hunt game on such grazing land during any period stated on the permit and subject to such conditions and restrictions as may be stated thereon: Provided that if such grazing land is owned by a company such permit may be issued to a person designated by such company.

Hunting of game to preserve grazing and cultivated land.

(b) Any refusal by any appointed person under paragraph (a) to issue such permit shall forthwith be reported to the Secretary for confirmation or otherwise as he may deem fit.

(c) Any such owner or occupier or person designated by a company who contravenes or fails to comply with any condition or restriction of such permit shall be guilty of an offence.

(2) Notwithstanding anything to the contrary contained in this ordinance the owner or occupier of land or any person duly authorized thereto in writing by such owner or occupier may at any time and without a licence or permit hunt any game, excluding elephant and rhinoceros, found injuring or damaging crops or plants on cultivated land or in gardens enclosed with a sufficient fence on the land of such owner or occupier, and any game killed under the provisions of this section shall be the lawful possession of such owner, occupier or authorized person as the case may be, and the killing of any game

enige wild ingevolge die bepalings van hierdie subartikel moet binne tien dae na sodanige doodmaak by die naaste polisiestasie aangemeld word en indien sodanige eienaar, bewoner of gemagtigde persoon versuim of nalaat om sodanige aanmelding te doen, is hy skuldig aan 'n oortreding.

(3) As daar by enige aanklag of beskuldiging teen 'n persoon weens oortreding van of artikel 8 of artikel 10 uit die getuienis blyk dat die wild wat die onderwerp van die akte van beskuldiging of aanklag uitmaak wettig ingevolge die bepalings van subartikel (2) van hierdie artikel doodgemaak is, maar dat die doodmaak nie aangemeld is nie soos bepaal by daardie subartikel nie, is sodanige persoon skuldig aan 'n oortreding.

Permitte aan lede van die Staatsdiens en prospekteerders.

14. (1) Die Administrateur kan goedkeur dat permitte uitgereik word aan lede van die Staatsdiens, aan persone wat in 'n tydelike of toevallige hoedanigheid deur die Administrasie in diens geneem word, aan lede van die Suid-Afrikaanse Polisie en aan *bona fide* prospekteerders, om wild vir voedsel in enige jagtyd of geslote tyd te jag, terwyl sodanige lede van die Staatsdiens en sodanige persone in die diens van die Administrasie en sodanige lede van die Suid-Afrikaanse Polisie ampshalwe reis, of tydelik of permanent gestasioneer is, en terwyl sodanige prospekteerders hul met prospekter besig hou, in dele van die Gebied waar genoegsame voedsel op geen ander redelike wyse verkry kan word nie, en sodanige permitte is onderhewig aan sodanige voorwaardes en betaling van gelde soos die Administrateur na goeddunke ople.

(2) Elkeen wat versuim om enige voorwaardes van 'n permit uitgereik ingevolge subartikel (1) na te kom, of dit verontagsaam, is skuldig aan 'n oortreding.

Jag van uitheemse wild.

15. (1) Niemand mag enige uitheemse wild jag nie tensy hy die wettige eienaar daarvan is, of die skriftelike toestemming daartoe van die wettige eienaar daarvan het, of die eienaar is van die betrokke plaas waarop sodanige wild oortree.

(2) Elkeen wat die bepalings van hierdie artikel oortree, is skuldig aan 'n oortreding en is by skuldigbevinding onderhewig aan die strawwe wat by artikel 6 (4) bepaal word.

Doodmaak, vang en aanhou van wild of ander wilde dier.

16. (1) Behoudens die bepalings van hierdie ordonnansie, mag niemand sonder 'n permit uitgereik op gesag van die Administrateur en onderhewig aan sodanige voorwaardes wat hy goedvind, opsetlik —

- (a) wild of enige ander wilde dier op enige wyse, buiten deur te skiet met 'n vuurwapen, doodmaak nie; of
- (b) wild of enige ander wilde dier deur middel van 'n strik, vanggat, val, slagyster, net, voëllym, verdowingsmiddels of enige ander toestel of middel hoegenaamd of op enige wyse hoegenaamd vang nie;
- (c) wild of enige ander wilde dier aanhou nie: Met dien verstande dat iemand wat by die inwerkingtrede van hierdie ordonnansie in besit van wild of 'n wilde dier is waarvoor hy kragtens die bepalings van hierdie ordonnansie 'n permit moet hê, binne ses maande van die datum van sodanige inwerkingtrede om so 'n permit aansoek moet doen: Met dien verstande voorts dat hierdie subartikel geensins 'n verbod op —
 - (i) die gebruik van opjaers of honde by die opspoor van wild, of
 - (ii) die vang of doodmaak van wilde diere wat nie as wild in hierdie ordonnansie omskryf is nie. deur die eienaar of bewoner van sodanige grond, plaas nie.

(2) Die Administrateur kan te eniger tyd 'n permit uitgereik ingevolge die bepalings van subartikel (1) intrek sonder opgaaf van redes, en die Administrasie is nie aanspreeklik vir enige eis tot vergoeding vir enige skade wat enigeen mag gely het of mag ly as gevolg van sodanige intrekking nie.

under the provisions of this sub-section shall be reported within ten days after such killing to the nearest police station, and if such owner, occupier or authorized person fails or neglects to make such report he shall be guilty of an offence.

(3) Upon any charge or indictment against any person for contravention of either section 8 or section 10, if it appears from the evidence that the game, the subject of the charge or indictment, was lawfully killed under the provisions of sub-section (2) of this section, but that such killing was not reported as provided in that sub-section, such person shall be guilty of an offence.

14. (1) The Administrator may authorize the issue of permits to members of the public service, persons employed in a temporary or casual capacity by the Administration, members of the South African Police and to *bona fide* prospectors to hunt game for the purpose of food supplies during any open or close season while such members of the public service and such persons in the employ of the Administration and such members of the South African Police are travelling on duty or are stationed either temporarily or permanently and while such prospectors are engaged in prospecting, in portions of the Territory where adequate food supplies cannot by any other reasonable means be obtained and such permits shall be subject to such conditions and payment of such fees as the Administrator may deem fit to impose.

Permits to members of the public service and prospectors.

(2) Any person who fails to comply with or contravenes any conditions of any permit issued under sub-section (1) shall be guilty of an offence.

15. (1) No person shall hunt exotic game unless he is the lawful owner thereof or has written permission from the lawful owner thereof to do so, or is the owner of the farm on which such game is trespassing.

Hunting of exotic game.

(2) Any person who contravenes the provisions of this section shall be guilty of an offence and liable on conviction to the penalties prescribed in section 6 (4).

16. (1) Subject to the provisions of this ordinance no person shall without a permit issued under the authority of the Administrator and subject to such conditions as he may deem fit, intentionally —

Killing, capturing and keeping of game or other wild animal.

- (a) kill game or any other wild animal by any means other than by shooting with a firearm; or
- (b) capture game or any other wild animal by means of any snare, pitfall, trap, springtrap, net, birdlime, drug or any other device or means or by any method whatsoever;
- (c) keep game or any other wild animal: Provided that any person who at the commencement of this ordinance is in possession of game or any wild animal for which he is required to have a permit under the provisions of this ordinance shall within six months from the date of such commencement apply for such permit: Provided further that this sub-section shall in no way place any prohibition on —
 - (i) the use of beaters or dogs in the tracking down of game, or
 - (ii) the capture or killing of wild animals, not classified as game, in this ordinance by the owner or occupier of such land.

(2) The Administrator may at any time and without stating any reasons cancel any permit issued under the provisions of sub-section (1), and the Administration shall not be liable under any claim for compensation for any damage which may have been or may be suffered by any person as a result of such cancellation.

(3) Niemand mag wild of wilde diere vir kommersiële doeleindes vang, vervoer of aanhou nie, tensy hy as 'n wildhandelaar gelisensieër is: Met dien verstande dat iemand wat by die inwerkingtreding van hierdie ordonnansie reeds wild of wilde diere vang, vervoer of aanhou vir kommersiële doeleindes, binne drie maande van die datum van sodanige inwerkingtreding om so 'n lisensie aansoek moet doen en sodanige lisensie is onderhewig aan die goedkeuring van die Administrateur, kos eenhonderd rand en is geldig vir die kalenderjaar waarin dit uitgereik word en sodanige lisensie is nie oordraagbaar nie.

(4) Aansoek om 'n wildhandelaarslisensie word gedoen in die vorm uiteengesit in bylae 5 van hierdie ordonnansie, en sodanige lisensie word uitgereik in die vorm uiteengesit in bylae 6 van hierdie ordonnansie.

(5) Elk sodanige gelisensieerde wildhandelaar moet 'n register byhou van alle diere, voëls en reptiele wat hy vang, koop, verkoop of teel, verruil of van die hand sit of wat doodgaan en sodanige register kan te eniger tyd deur 'n beamppte wat daartoe deur die Sekretaris gemagtig is, nagegaan word.

(6) Elkeen wat die bepalings van hierdie artikel oortree of wat versuim om enige voorwaarde van 'n permit uitgereik ingevolge subartikel (1) na te kom, of dit veronagsaam, is skuldig aan 'n oortreding.

Bepanking op
vuurwapens en
vangapparaat.

17. (1) Niemand mag 'n rewolwer of 'n pistool by die jag van wild gebruik nie, of 'n vuurwapen waarvan die koeël 'n slaankrag by die bek van die loop het wat minder as die volgende is vir die jag op die wildsoorte daaronder aangetoon:

(a) 4,000 voetponde:

Olifante
Renosters
Seekoeie
Kameelperde
Buffels.

(b) 2,000 voetponde:

Elande
Koedoes
Gemsbokke
Wildebeeste
Waterbokke
Bastergemsbokke
Swartwitpense
Waterkoedoes
Hartebeeste
Basterhartebeeste
Bergsebras
Vlaktesebras
Alle uitheemse wildsoorte.

(c) 1,000 voetponde:

Rooibokke
Springbokke
Oorbietjies
Swartneusrooibokke
Rietbokke.

(2) Niemand mag, by die jag op die wildsoorte in subartikel (1) genoem gebruik maak van patrone in kaliber .303 dm. met koeëls wat in die wandel bekend staan as „solied” nie en slegs loodpunt jagammunisie mag in hierdie kaliber gebruik word.

(3) Niemand mag 'n vuurwapen, behalwe in 'n goedvasgemaakte sak of kis, op enige publieke pad in die Gebied vervoer nie tensy sodanige persoon die eienaar of bewoner van die grond is waarop sodanige pad geleë is, of die reg het om wild of enige wilde dier op sodanige grond te jag.

(4) Niemand mag op enige grond waarop enige wild of ander wilde diere vermoedelik aangetref sal word —

(a) enige strik, val, slagyster, net, voëllym of enige ander toestel of middel hoegenaamd, bedoel of geskik vir die vang van enige wild of ander wilde

(3) No person shall capture, transport or keep game or wild animals for commercial purposes unless he is licensed as a game dealer: Provided that any person who at the commencement of this ordinance is engaged in capturing, transporting or keeping game or wild animals for commercial purposes, shall within three months from the date of such commencement apply for such a licence and such licence shall be subject to the approval of the Administrator, shall cost one hundred rand and shall be valid for the calendar year in which it is issued and such licence shall not be transferable.

(4) Application for a game dealer's licence shall be made in the form set out in schedule 5 to this ordinance, and such licence shall be issued in the form set out in Schedule 6 to this ordinance.

(5) Every so licensed game dealer shall keep a register of all animals, birds and reptiles captured, purchased, sold or bred, bartered or disposed of by him, or which have died and such register shall at all times be open for inspection by any officer authorized thereto by the Secretary.

(6) Any person who contravenes the provisions of this section or who contravenes or fails to comply with any condition of a permit issued in terms of sub-section (1) shall be guilty of an offence.

17. (1) No person shall when hunting game use a revolver or a pistol or other firearm of which the bullet has a hitting power at the muzzle of the barrel which is lower than that given below for the hunting of the species of game indicated thereunder —

Restrictions on
firearms and
capturing
apparatus.

(a) 4,000 foot-pounds:

Elephant
Rhinoceros
Hippopotamus
Giraffe.
Buffalo.

(b) 2,000 foot-pounds:

Eland
Kudu
Oryx
Wildebeest
Waterbuck
Roan antelope
Sable antelope
Sitatunga
Hartebeest
Tsessebe
Mountain zebra
Plains zebra
All exotic species of game.

(c) 1,000 foot-pounds:

Impala
Springbuck
Oribi
Black-faced impala
Reedbuck.

(2) No person shall in the hunting of the species of game mentioned in sub-section (1) use cartridges of a calibre of .303 inches, with bullets commonly known as "solid", and only softnosed hunting ammunition shall be used in this calibre.

(3) No person shall convey any firearm otherwise than in a securely fastened case or cover along any public road in the Territory unless such person is the owner or occupier of the land upon which such road is situated or has the right to hunt game or any wild animal on such land.

(4) No person shall —

(a) bring or cause to be brought, or have in his possession, any snare, trap, springtrap, net, birdlime or any other device or means whatsoever, intended or

dier, bring of laat bring of in besit daarvan wees nie; of

(b) enige vanggat maak nie;

tensy sodanige persoon die eienaar of bewoner van sodanige grond is, of tensy sodanige eienaar of bewoner die betrokke persoon vooraf skriftelik toegelaat het om die betrokke artikel op sodanige grond te bring of om 'n vanggat daarop te maak, en sodanige eienaar of bewoner kan enige sodanige artikel soos voormeld, wat sonder sy toestemming op genoemde grond gebring is, vernietig of van kant maak: Met dien verstande dat die bepalings van paragraaf (a) nie op die voorrade van 'n gelisensieerde handelaar van toepassing is nie.

(5) Elkeen wat enige van die bepalings van hierdie artikel oortree, is skuldig aan 'n oortreding.

Vang van wild:
Vermoedens en bewys.

18. (1) In enige vervolging kragtens die bepalings van artikel 16 (1) of kragtens die bepalings van artikel 17 (4) word iedereen wat op heterdaad betrap word terwyl hy enige wild of ander wilde dier uit enige strik, vanggat, val, slagyster, net voëllym of ander toestel verwyder of terwyl hy sodanige wild of ander wilde dier met enige middel vang, tensy die teendeel bewys word, geag sodanige artikel, toestel of middel te gebring of te gemaak het op die grond waarop hy op heterdaad betrap is, terwyl hy sodanige wild of ander wilde dier verwyder het en sodanige wild of ander wilde dier deur middel van sodanige artikel, toestel of middel te gevang het.

(2) Vir die doeleindes van hierdie artikel sluit die woorde „wilde dier” nie 'n dier in wat as ongedierte geklassifiseer word kragtens die Ordonnansie op die Uitroeiing van Ongediertes 1965 (Ordonnansie 32 van 1965) nie.

In- en uitvoer van wild, luislange en likkewane, of hul karkasse of velle.

19. (1) Niemand mag enige wild, luislang of likkewaan of die karkas of vel van sodanige wild, luislang of likkewaan in die Gebied invoer of uit die Gebied uitvoer nie, behalwe kragtens 'n permit wat ingevolge magtiging van die Administrateur of van 'n persoon deur die Administrateur benoem, uitgereik is en die Administrateur of sodanige persoon, kan sodanige permit onderhewig maak aan enige voorwaardes wat hy goed mag vind.

(2) Vir elke sodanige permit moet 'n heffing betaal word soos van tyd tot tyd per dier, karkas of vel deur die Administrateur bepaal: Met dien verstande dat, indien die Administrateur, of die persoon genoem in subartikel (1), oortuig is dat die wild, luislang of likkewaan, of die karkas of vel van sodanige wild, luislang of likkewaan wat vir uitvoer bestem is, vir 'n openbare museum, dieretuin of wetenskaplike inrigting, of vir wetenskaplike doeleindes benodig is, en dat die persoon aan wie permit uitgereik is nie bedoel om daaruit wins te maak nie, dan kan hy die heffing betaalbaar ophef of na goeëddunke verminder.

(3) Elkeen wat die bepalings van hierdie artikel oortree of wat versuim om enige voorwaarde van 'n permit uitgereik ingevolge subartikel (1) na te kom of dit veronagsaam, is skuldig aan 'n oortreding.

Wild vir wetenskaplike doeleindes.

20. (1) Wanneer ook al die Administrateur oortuig is dat 'n openbare museum, dieretuin of wetenskaplike inrigting bepaalde soorte wild of diere nodig het, of dat hulle nodig is vir die wetenskap, ter makmaking of inburgering, kan hy dit goedkeur dat daar aan iemand 'n permit uitgereik word om sodanige wild of diere te eniger tyd en met enige middel te jag, dood te maak of te vang en sodanige permit is onderhewig aan die voorwaardes wat die Administrateur na goeëddunke stel, insluitende die gelde wat betaal word en die tyd wanneer en die plek of omgewing waar die wild of diere gejag, doodgemaak of gevang mag word.

(2) Elkeen wat 'n voorwaarde van 'n permit, uitgereik ingevolge subartikel (1) by daad of versuim veronagsaam, is skuldig aan 'n oortreding, en is by skuldigbevinding strafbaar met die volgende strawwe:—

(a) In die geval van 'n permit betreffende spesiaal beskermde of beskermde wild, 'n boete van minstens vyftig rand en hoogstens eenduisend rand, of, by

suitable for the capture of any game or other wild animal, or

(b) make any pitfall,

onto, or on, any land on which any game or other wild animals may presumably be found, unless such person is the owner or occupier of such land or unless such owner or occupier has previously given such person permission in writing to bring any such thing onto such land or to make a pitfall on such land, and such owner or occupier may destroy any such thing, as afore-mentioned, which may have been brought onto such land without his permission: Provided that the provisions of paragraph (a) shall not apply to any stocks held by a licensed dealer.

(5) Any person who contravenes the provisions of this section shall be guilty of an offence.

18. (1) In any prosecution under the provisions of section 16 (1) or under the provisions of section 17 (4), any person caught in the act of removing any game or other wild animal from any snare, pitfall, trap, springtrap, net, birdlime or other device, or in the act of capturing any such game or other wild animal by any means shall unless the contrary is proved, be deemed to have brought such thing, device or means onto, or to have made it on, such land on which he was caught in the act of removing such game or other wild animal and to have captured such game or other wild animal by means of such thing, device or means.

Capture of game: Presumptions and evidence.

(2) For the purposes of this section the words "wild animal" shall not include any animal classified as vermin under the Vermin Extermination Ordinance, 1965 (Ordinance 32 of 1965).

19. (1) No person shall import into the Territory or export from the Territory any game, python or monitor or the carcase or skin of such game, python or monitor, except under a permit issued under the authority of the Administrator or of any person appointed thereto by the Administrator, and the Administrator or such person may make such permit subject to any conditions he may deem fit.

Import and export of game, pythons and monitors or their carcasses or skins.

(2) For every such permit a levy shall be payable to be determined per animal, carcase or skin by the Administrator from time to time: Provided that if the Administrator or the person mentioned in sub-section (1) is satisfied that the game, python or monitor, or the carcase or skin of such game, python or monitor destined for export is required for a public museum, zoological garden or scientific institution, or for scientific purposes and that the person to whom the permit is issued has no intention of making any profit therefrom, he may revoke the levy payable or reduce it as he deems fit.

(3) Any person who contravenes the provisions of this section or who contravenes or fails to comply with any condition of a permit issued in terms of sub-section (1) shall be guilty of an offence.

20. (1) Whenever the Administrator is satisfied that certain species of game or wild animals are required for any public museum, zoological garden or scientific institution or for scientific purposes for domestication or acclimatisation, he may authorize the issue of a permit to any person to hunt, kill or capture such game or animals at any time and by any means and such permit shall be subject to such conditions as the Administrator may deem fit, including the fees payable, and the time when and the place or locality where the hunting, killing or capturing of the game or animals may take place.

Game for scientific purposes.

(2) Any person who fails to comply with or contravenes any condition of any permit issued under sub-section (1) shall be guilty of an offence and liable on conviction to the following penalties —

(a) in the case of a permit relating to specially protected or protected game to a fine of not less than fifty rand and not exceeding one thousand rand

wanbetaling, met gevangenisstraf vir 'n tydperk van minstens drie maande en hoogstens twee jaar;

(b) In die geval van 'n permit betreffende wild, 'n boete van minstens dertig rand en hoogstens tweehonderd rand, of, by wanbetaling, met gevangenisstraf vir 'n tydperk van minstens drie maande en hoogstens ses maande; en

(c) In die geval van 'n permit betreffende wildvoëls, die strawwe wat by artikel 36 bepaal word.

Trofee.

21. (1) Niemand mag, sonder die toestemming van die Administrateur, enige trofee, soos omskrewen in subartikel (4), invoer in of uitvoer uit die Gebied nie.

(2) Enige ivoor of renosterhoring wat as *res nullius* gevind word, is die eiendom van die Administrasie as dit aldus in die Gebied gevind word, en word van die hand gesit soos die Administrateur van tyd tot tyd bepaal: Met dien verstande dat geen bepaling in hierdie subartikel vervat, beskou moet word as sou dit strydig wees met die regte van iemand wat wild gejag het kragtens die bepalings van 'n permit of lisensie behoorlik aan hom uitgereik ingevolge die bepalings van hierdie ordonnansie.

(3) Geen handelaar mag, tensy 'n lisensie daartoe spesiaal aan hom deur die Administrateur uitgereik is, artikels uit trofee vir verkoop vervaardig, of enige trofee of artikels uit trofee vervaardig, verkoop of te koop aanbied of uitstal nie en die uitreiking van sodanige lisensie geskied na goeddunke van die Administrateur en is onderhewig aan sodanige lisensiegelde of ander voorwaardes wat hy oplê.

(4) Vir sover dit hierdie artikel betref, beteken die uitdrukking „trofee” enige wilde dier, dood of lewend, of enigiets wat deel is of voortgebring is van sodanige dier as hy dood is, of die eiers, of neste van enige voël, dog omvat nie 'n trofee of deel van 'n trofee wat as gevolg van 'n *bona fide* vervaardigingsproses sy oorspronklike identiteit verloor het nie.

(5) Geen bepaling in hierdie artikel moet beskou word as sou dit op enige wyse die bepalings van artikel 19 raak nie.

(6) Elkeen wat die bepalings van hierdie artikel oortree of wat versuim om enige voorwaarde van 'n lisensie uitgereik ingevolge subartikel (3) na te kom of dit veronagsaam, is skuldig aan 'n oortreding.

Gebruik van voertuie of vliegtuie by jag van wild.

22. Elkeen wat opsetlik tydens 'n jagtog gebruik maak van 'n motorvoertuig of 'n vliegtuig, of wat met watter doel hoegenaamd, insluitende dié van verfilming of fotografie, wild met sodanige motorvoertuig of vliegtuig aandryf, op loop jaag of opsetlik hinder, is skuldig aan 'n oortreding: Met dien verstande dat niks hierin vervat beskou moet word as 'n verbod teen die wettige eienaar of bewoner van grond om motorvoertuie of vliegtuie te gebruik om diere in die omstandighede bepaal by artikel 13 (2) te verdryf of te vernietig nie, of om diere te vang soos bepaal by artikel 16 (1) nie.

Jag op Administrasie en private grond.

23. (1) Behoudens die bepalings van artikels 8 en 10 mag niemand wild jag op grond behorende aan die Administrasie, behalwe kragtens 'n skriftelike permit uitgereik deur die Sekretaris kragtens Administrateursgoedkeuring, wat uitgereik kan word by betaling van sodanige gelde en onderhewig aan sodanige voorwaardes soos die Administrateur bepaal: Met dien verstande dat sodanige permit nie geldig is ten opsigte van grond behorende aan die Administrasie wat verhuur is nie, tensy die skriftelike toestemming van die huurder verkry word.

(2) Niemand mag op private eiendom wild jag sonder die toestemming van die eienaar of bewoner daarvan nie en vir die doeleindes van hierdie subartikel, word grond wat onder die beheer van 'n plaaslike bestuur is en grond wat aan die Administrasie behoort en ingevolge die wette betreffende landnedersetting verhuur is, beskou as private eiendom.

or in default of payment to imprisonment for a period not less than three months and not exceeding two years;

- (b) in the case of a permit relating to game to a fine of not less than thirty rand and not exceeding two hundred rand or in default of payment to imprisonment for a period not less than three months and not exceeding six months; and
- (c) in the case of a permit relating to game birds to the penalties prescribed by section 36.

21. (1) No person shall without the permission of the Administrator import into or export from the Territory any trophies as defined in sub-section (4). Trophies.

(2) Any ivory or rhinoceros horn found as *res nullius* shall, if so found in the Territory, be the property of the Administration, and shall be disposed of as the Administrator may from time to time determine: Provided that no provision contained in this sub-section shall be deemed to encroach upon the rights of any person who has hunted game under the provision of a permit or licence duly issued to him under the provisions of this ordinance.

(3) No dealer may, unless a licence has been specially issued to him by the Administrator for that purpose, manufacture articles from trophies for the purpose of sale, or manufacture, sell or offer or expose for sale any trophies or articles manufactured from trophies, and any such licence shall be issued at the discretion of the Administrator and shall be subject to such licence fees or other conditions as he may impose.

(4) For the purpose of this section the expression "trophy" means any wild animal, dead or alive, or anything forming part of, or produced from, such animal when dead, or the eggs, or nests of any bird, but shall not include any trophy or part thereof which has, as a result of a *bona fide* manufacturing process, lost its original identity.

(5) Nothing in this section contained shall be deemed to affect in any manner the provisions of section 19.

(6) Any person who contravenes the provisions of this section or contravenes or fails to comply with any condition of any licence issued in terms of sub-section (3) shall be guilty of an offence.

22. Any person who wilfully during a hunting expedition makes use of a motor vehicle or an aircraft, or who for any purpose whatsoever, including that of filming or photography, drives, stampedes or wilfully disturbs game by means of any such motor vehicle or aircraft shall be guilty of an offence: Provided that nothing herein contained shall be deemed to be taken to prohibit the lawful owner or occupier of land from using motor vehicles or aircraft for the purpose of driving away or destroying animals under the circumstances provided for in section 13 (2) or of capturing animals as provided for in section 16 (1).

Use of vehicles or aircraft in hunting game.

23. (1) Subject to the provisions of sections 8 and 10 no person shall hunt game on any land owned by the Administration except under a written permit issued by the Secretary with the Administrator's approval, which may be issued on payment of such fees and subject to such conditions as the Administrator may determine: Provided that no such permit shall be valid in respect of land owned by the Administration and leased, except with the written consent of the lessee thereof.

Hunting on Administration and private land.

(2) No person shall hunt game on private property without the consent of the owner or occupier thereof and for the purpose of this sub-section land subject to the control of a local authority and land owned by the Administration and leased under the laws relating to land settlement shall be deemed to be private property.

(3) Die eienaar of bewoner van grond, of die bewoner van grond behorende aan die Administrasie, of 'n ander daartoe gemagtigde persoon wat iemand op sodanige grond by die jag op wild aantref, kan sodanige persoon versoek om sy magtiging om op sodanige grond te jag, te toon, en indien die jagter dit weier, kan hy bevel word om sy ware naam en adres te gee en onmiddellik die grond te verlaat en 'n persoon wat versuim of nalaat om sodanige bevel te gehoorsaam is skuldig aan 'n oortreding.

(4) 'n Hond wat op enige grond wild aanjaag kan onmiddellik vernietig word deur, of op bevel van, die eienaar of bewoner van sodanige grond.

(5) Elkeen wat die bepalings van hierdie artikel oortree of wat versuim om enige voorwaarde van 'n permit uitgereik ingevolge subartikel (1) na te kom of dit veronagsaam, is skuldig aan 'n oortreding.

Skenkings van wild
of vleis van wild.

24. (1) Die eienaar of bewoner van grond mag wild, of die vleis van wild, wat hy wettig op sy grond mag jag, aan 'n alleenlopende persoon bo die ouderdom van 18 jaar, of aan 'n gesinshoof (ongegag die grootte van die gesin), skenk: Met dien verstande —

- (a) dat elk sodanige geskenk vergesel moet gaan van 'n sertifikaat of brief in ink deur die skenker, waarin die naam van sodanige skenker en die datum van sodanige geskenk aangegee word; en
- (b) dat geen sodanige geskenk van wild of vleis van wild meer as een eland, gemsbok, hartebees, koedoe, buffel of blouwildebees, en vier springbokke of vlakvarke of bosvarke, en twaalf wildvoëls in elke periode van dertig dae mag wees nie.

(2) Elkeen wat valse inligting verstrek ten opsigte van enige bepaling van subartikel (1) en elkeen wat die bepalings van genoemde subartikel by daad of versuim veronagsaam, is skuldig aan 'n oortreding.

Eiers van Wild-
voëls.

25. (1) Behoudens die bepalings van subartikel (2) mag niemand met opset die eiers van wildvoëls verwyder, steur, vernietig, verkoop, vent, of vir verkoop ten toon stel of koop nie.

(2) Niemand buiten die wettige houer van 'n permit wat op die Administrateur se magtiging uitgereik is, mag te eniger tyd die eiers van 'n wildvoël verwyder, steur, vernietig, verkoop, vent, of ter verkoop uitstal of koop nie en so 'n permit moet die getal en soorte eiers aangee wat die houer van sodanige permit kan verwyder, steur, vernietig, verkoop, vent of ter verkoop uitstal of koop, en is onderhewig aan die voorwaardes wat die Administrateur na goeddunke stel: Met dien verstande dat waar 'n eienaar of bewoner van grond sodanige voëls sonder 'n permit kan jag, hy die eiers van sodanige voëls sonder 'n permit kan wegneem of gebruik.

(3) Elkeen wat die bepalings van subartikels (1) en (2) oortree, of wat 'n voorwaarde van 'n permit uitgereik ingevolge subartikel (2) nie nakom nie, is skuldig aan 'n oortreding en by skuldigbevinding word alle eiers ten opsigte waarvan die skuldigbevinding verkry is, aan die Staat verbeur.

Soek na weg-
gesteekte wild.

26. (1) Elke blanke natuurbewaarder kan sonder 'n lasbrief tot visentering enige woning, hut, tent, kampeerplek, voertuig, vliegtuig of houer wat behoort aan, of onder die sorg is van 'n persoon behalwe die eienaar of bewoner van die grond waarop die deursoeking uitgevoer word, deursoek, indien in elke geval sodanige natuurbewaarder wat die deursoeking uitvoer rede het om te vermoed dat die bewuste plek of ding, wild of 'n deel van die karkas van wild bevat, en sodanige natuurbewaarder wat sodanige deursoeking uitvoer kan op alle wild of dele van die karkasse van wild wat hy by sodanige deursoeking aantref, of enige middel of ding waarmee 'n oortreding ingevolge hierdie ordonnansie gepleeg is, beslag lê.

(2) Elkeen wat 'n natuurbewaarder genoem in subartikel (1) hinder by die uitvoering van 'n deursoeking kragtens daardie subartikel is skuldig aan 'n oortreding.

(3) The owner or occupier of land or the occupier of land owned by the Administration, or any other person authorized thereto who finds any person hunting game on such land, may request such person to produce his authority to hunt on such land, and if such hunter refuses to produce such authority he may be ordered to furnish his true name and address and to depart forthwith from such land and any person who fails or neglects to comply with any such order shall be guilty of an offence.

(4) Any dog found in pursuit of game on any land may be forthwith destroyed by or on the order of the owner or occupier of such land.

(5) Any person who contravenes the provisions of this section or who contravenes or fails to comply with any condition of any permit issued in terms of sub-section (1) shall be guilty of an offence.

24. (1) The owner or occupier of land may make a gift of game, or the meat of game which he may lawfully hunt on his land, to a single person above the age of 18, or to the head of a family (irrespective of its size): Provided that —

Gifts of game or the meat of game.

(a) every such gift shall be accompanied by a certificate or letter in ink by the donor, giving the name of such donor and the date of such gift; and

(b) no such gift of game or meat of game shall consist of more than one eland, oryx, hartebeest, kudu, buffalo or blue wildebeest and four springbuck or warthogs or bushpigs and twelve game birds within every period of thirty days.

(2) Any person who gives false information in respect of any of the provisions of sub-section (1) and any person who contravenes or fails to comply with any of the provisions of the said sub-section shall be guilty of an offence.

25. (1) Subject to the provisions of sub-section (2) no person shall wilfully remove, disturb, destroy, sell, hawk, or expose for sale or purchase the eggs of any game birds.

Eggs of game birds.

(2) No person other than the lawful holder of a permit issued under the authority of the Administrator may at any time remove, disturb, destroy, sell, hawk, expose for sale or purchase the eggs of any game bird and such permit shall state the number and the variety of the eggs which the holder of such permit is empowered to remove, disturb, destroy, sell, hawk, expose for sale or purchase, and shall be subject to such conditions as the Administrator may in his discretion impose: Provided that where an owner or occupier of land may hunt such birds without a permit, he may remove or use the eggs of such birds without a permit.

(3) Any person who contravenes the provisions of sub-sections (1) and (2) or who fails to comply with any condition of any permit issued in terms of sub-section (2) shall be guilty of an offence, and on conviction, any eggs in respect of which the conviction was obtained shall be forfeited to the State.

26. (1) Any white Nature Conservator may without a search warrant, search any dwelling, hut, tent, camping place, vehicle, aircraft or receptacle belonging to or in the custody of a person other than the owner or occupier of the land on which the search is effected, if in either case such nature conservator effecting the search has reason to suspect that the place or article in question contains any game or any part of the carcass of game, and such nature conservator effecting such search may seize any game or any part of the carcass of game found by him during such search or any article or thing with which any offence under this ordinance was committed.

Search for concealed game.

(2) Any person who obstructs any nature conservator mentioned in sub-section (1) in effecting any search under that sub-section shall be guilty of an offence.

Verpligte-vertoning van lisensie of permit.

27. 'n Natuurbewaarder kan te eniger tyd, nadat hy bewys gelewer het dat hy as natuurbewaarder aangestel is, van enigiemand wat hy by die jag aantref, vereis dat hy 'n lisensie of 'n permit uitgereik ingevolge hierdie hoofstuk, toon en hy kan die naam en adres van so iemand eis, en elkeen wat op las weier om sy lisensie of permit te toon of om sy naam en adres te gee, is skuldig aan 'n oortreding.

Jag terwille van trofee.

28. (1) Die Administrateur kan na goeë dunde, en kragtens 'n permit deur hom uitgereik onderhewig aan sodanige voorwaardes soos hy nodig ag, enige persoon vanuit enige ander land of gebied, behalwe die Republiek van Suid-Afrika, toelaat om te eniger tyd nie meer as twee van elke soort wild terwille van trofee soos omskryf in artikel 21, in die Gebied te jag.

(2) Elkeen wat versuim om enige voorwaarde van 'n permit uitgereik volgens subartikel (1), na te kom of dit veronagsaam, is skuldig aan 'n oortreding.

Jag snags of met kunsmatige lig verbode.

29. (1) Behoudens die bepalings van artikel 13 mag niemand —

(a) enige wild met behulp van kunsmatige lig jag nie, of

(b) enige wild jag gedurende die tydperk van 'n halfuur na sonder op enige dag tot 'n halfuur voor sonop van die volgende dag nie.

(2) Elkeen wat die bepalings van subartikel (1) oortree, is skuldig aan 'n oortreding.

Verbod op verkoop van wild, wildsvleis en die velle van wild.

30. (1) Niemand mag wild of wildsvleis (hetsy vars of gedroog), of biltong of die velle van wild wat klaarblyklik onder die ouderdom van een jaar is, verkoop nie: Met dien verstande dat die eienaar of bewoner van grond, wild (lewendig of dood), wildsvleis (vars of gedroog), of biltong of die velle van wild wat klaarblyklik onder die ouderdom van een jaar is, met die skriftelike toestemming van die Administrateur kan verkoop, en die Administrateur kan sodanige toestemming onderwerp aan enige voorwaarde wat hy wenslik vind, insluitende die bedrag van die gelde wat daarvoor betaal moet word.

(2) Niemand mag opsetlik wild, of wildsvleis (hetsy vars of gedroog) of enige biltong of die velle van wild wat blykbaar onder die ouderdom van een jaar is, koop nie: Met dien verstande dat niks in hierdie subartikel vervat, beskou word as 'n verbod teen enigiemand om van die eienaar of bewoner van grond enige wildsoort of die vars vleis daarvan te koop, wat sodanige eienaar van grond ingevolge die bepalings van subartikel (1) geregtig is om te verkoop nie.

(3) Niemand mag in enige koerant of ander stuk binne die Gebied gedruk, die verkoop van enige wild of wildsvleis (hetsy vars of gedroog), of van enige biltong of die velle van wild wat blykbaar onder die ouderdom van een jaar is, adverteer nie: Met dien verstande dat niks in hierdie subartikel vervat 'n verbod is teen die eienaar of bewoner van grond om die verkoop van enige wildsoort soos die eienaar of bewoner van grond ingevolge die bepalings van subartikel (1) geregtig is om te verkoop, te adverteer nie.

(4) Elkeen wat die bepalings van subartikels (1), (2) en (3) oortree, is skuldig aan 'n oortreding, en is by skuldigbevinding strafbaar met 'n boete van minstens vyftig rand en hoogstens eenduisend rand, en by wanbetaling met gevangenisstraf van hoogstens twee jaar.

Permitte aan vooraanstaande besoekers.

31. Nieteenstaande andersluidende bepalings in hierdie hoofstuk, kan die Administrateur in besondere omstandighede aan 'n vooraanstaande besoeker aan die Gebied 'n permit uitreik om enige wild te jag op sodanige voorwaardes en onderhewig aan die bepalings wat die permit oplé.

27. Any nature conservator may at any time after he has given proof that he has been appointed a nature conservator demand the production of any licence or permit issued under this chapter from any person found hunting, and may demand the name and address of such person, and any person refusing to produce his licence or permit or to give his name and address when so required shall be guilty of an offence.

Production of licence or permit obligatory.

28. (1) The Administrator may at his own discretion and under a permit issued by him subject to such conditions as he considers necessary allow any person from any other country or territory except the Republic of South Africa, at any time to hunt in the Territory and for the purpose of obtaining trophies as defined in section 21, not more than two specimens of any species of game.

Hunting for the sake of trophies.

(2) Any person who contravenes or fails to comply with any condition of a permit issued under sub-section (1), shall be guilty of an offence.

29. (1) Subject to the provisions of section 13 no person shall —

Hunting at night with artificial light prohibited.

(a) hunt any game with the aid of artificial light; or

(b) hunt any game during the period from half an hour after sunset on any day to half an hour before sunrise on the following day.

(2) Any person who contravenes the provisions of sub-section (1) shall be guilty of an offence.

30. (1) No person shall sell any game or game meat (whether fresh or dried) or any biltong or the skins of game obviously under the age of one year: Provided that the owner or occupier of land may sell game (alive or dead), game meat (fresh or dried), or biltong or the skins of game obviously under the age of one year with the written permission of the Administrator, who may attach thereto any condition including the amount of fee payable, as he may deem advisable.

Sale of game, game meat and the skins of game prohibited.

(2) No person shall wilfully purchase game or game meat (whether fresh or dried) or any biltong or the skins of game apparently under the age of one year: Provided that nothing contained in this sub-section shall be deemed to prohibit any person from purchasing from the owner or occupier of any land any of such species of game or the fresh meat thereof as such owner of land is entitled to sell under the provisions of sub-section (1).

(3) No person shall advertise in any newspaper or other document which is printed within the Territory the sale of any game or game meat (whether fresh or dried) or any biltong or the skins of game apparently under the age of one year: Provided that nothing contained in this sub-section shall prohibit the owner or occupier of any land from advertising the sale of any such species of game as such owner or occupier of land is entitled to sell under the provisions of sub-section (1).

(4) Any person who contravenes the provisions of sub-sections (1), (2) and (3) shall be guilty of an offence and on conviction liable to a fine not less than fifty rand and not exceeding one thousand rand or in default of payment to imprisonment for a period of not exceeding two years.

31. Notwithstanding anything to the contrary in this chapter contained, it shall be lawful for the Administrator in special circumstances to issue to a distinguished visitor to the Territory a permit to hunt any game on such conditions and subject to such limitations as may be laid down in such permit.

Permits to distinguished visitors.

Wildtuine.

32. Niks in hierdie hoofstuk vervat word beskou of aangeneem die bepalings van hoofstuk III van hierdie ordonnansie enigsins te raak, te verander of te wysig nie.

Strawwe en verbeurdverklarings.

33. (1) Behoudens die bepalings van hierdie hoofstuk, wanneer 'n persoon skuldig bevind is weens 'n oortreding van enige bepaling van hierdie hoofstuk of enige regulasie daarkragtens uitgevaardig, kan die hof beveel —

- (a) dat enige wild of biltong of enige vel, horing, tand of karkas van wild wat in sy besit gevind is en wat betrekking het op die oortreding waaraan hy skuldig bevind is, aan die Staat verbeur word;
- (b) dat enige lisensie of permit wat ingevolge hierdie hoofstuk aan die veroordeelde persoon uitgereik is, gekanselleer word;
- (c) dat enige wapen of ammunisie wat by die jag op wild strydig met enige bepalings van hierdie hoofstuk gebruik is, aan die Staat verbeur word, en
- (d) dat enige voertuig of vliegtuig wat by die jag op wild strydig met enige van die bepalings van hierdie hoofstuk in 'n wildtuin gebruik is, aan die Staat verbeur word.

(2) By 'n tweede of daaropvolgende skuldigbevinding van enige oortreding in subartikel (1) genoem kan die hof, buiten enige van die bevels in daardie subartikel genoem, beveel dat die veroordeelde vir 'n tydperk soos in die bevel vasgestel, maar vir hoogstens vyf jaar, onbevoegd verklaar word om 'n lisensie of permit ingevolge hierdie hoofstuk te verkry.

(3) Elke bevel kragtens die bepalings van subartikels (1) en (2) kan verstrekkend word bo en behalwe enige ander straf wat kragtens die bepalings van hierdie hoofstuk opgelê word.

(4) 'n Persoon wat ingevolge subartikel (2) deur die hof onbevoegd verklaar word om 'n lisensie of permit ingevolge hierdie hoofstuk te verkry, en wat sonder die skriftelike goedkeuring van die Administrateur in die tydperk van sy onbevoegdheid soos vermeld enige sodanige lisensie of permit verkry of probeer verkry, is skuldig aan 'n oortreding.

(5) Enige wild of biltong of enige vel, horing, tand, of karkas van enige wild, of enige vuurwapen, ammunisie, voertuig of vliegtuig wat aan die Staat verbeur word, kan deur die Administrateur van die hand gesit word, en die opbrengs daaruit word in die Gebiedsinkomstefonds gestort.

Regulasies.

34. (1) Die Administrateur kan van tyd tot tyd regulasies maak wat nie strydig is met die bepalings van hierdie hoofstuk nie —

- (a) ten opsigte van alle sake waarvoor kragtens besondere voorsiening in hierdie hoofstuk, regulasies voorgeskryf kan word; en
- (b) in die algemeen ter verbeterde uitvoering van die oogmerke, doelstellings en voornemens van hierdie hoofstuk.

(2) Elkeen wat sodanige regulasie oortree of veronagsaam of versuim om sodanige regulasie na te kom is, behalwe waar andersins bepaal, skuldig aan 'n oortreding en by skuldigbevinding strafbaar, in die geval van 'n eerste oortreding, met 'n boete van minstens twintig rand en hoogstens eenhonderd rand, of by wanbetaling met gevangenisstraf van hoogstens ses maande, en in die geval van 'n tweede of daaropvolgende oortreding met 'n boete van minstens veertig rand en hoogstens tweehonderd rand, of by wanbetaling met gevangenisstraf van hoogstens twaalf maande.

Regsbevoegdheid van landdroshowe.

35. Nieteenstaande andersluidende bepalings in enige wet betreffende landdroshowe, het 'n landdroshof die regsbevoegdheid om elke straf, boete of verbeurdverklaring, soos bepaal by hierdie hoofstuk, op te lê.

Algemene strafbepaling.

36. Elkeen wat skuldig bevind word weens 'n oortreding van hierdie hoofstuk, waarvoor daar geen straf uitdruklik voorgeskryf is nie, is by skuldigbevinding onderhewig aan die strawwe voorgeskryf in artikel 34 (2).

32. Nothing in this chapter contained shall be deemed or taken to affect, alter or amend in any way the provisions of chapter III of this ordinance.

Game parks.

33. (1) When any person has been convicted of an offence under any provision of this chapter or any regulation made thereunder the court may subject to the provisions of this chapter order —

Penalties and forfeitures.

- (a) that any game or biltong or any skin, horn, tusk or carcase of game found in his possession and relating to the offence of which he has been convicted, be forfeited to the State;
- (b) that any licence or permit issued under this chapter to the person convicted be cancelled;
- (c) that any weapon or ammunition used in connection with the hunting of game contrary to any of the provisions of this chapter be forfeited to the State; and
- (d) that any vehicle or aircraft used in the hunting of game contrary to any of the provisions of this chapter in a game park, be forfeited to the State.

(2) In the case of a second or subsequent conviction of any offence mentioned in sub-section (1) the court may, in addition to any of the orders mentioned in that sub-section, order that the person convicted be disqualified from obtaining a licence or permit under this chapter during a period to be specified in the order but not exceeding five years.

(3) Any order under the provisions of sub-sections (1) and (2) may be made in addition to any other penalty which may be imposed under the provisions of this chapter.

(4) Any person who in terms of sub-section (2) is declared by the court to be disqualified from obtaining a licence or permit under this chapter and who without the written permission of the Administrator obtains or attempts to obtain during the period he is disqualified as aforesaid any such licence or permit, shall be guilty of an offence.

(5) Any game or biltong or any skin, horn, tusk or carcase of any game, or any firearm, ammunition, vehicle or aircraft forfeited to the State may be disposed of by the Administrator and the proceeds thereby obtained shall be placed to the credit of the Territory Revenue Fund.

34. (1) The Administrator may from time to time make regulations, not inconsistent with the provisions of this chapter —

Regulations.

- (a) in respect of all matters on which regulations may be prescribed under special provision in this chapter; and
- (b) in general for the better carrying out of the purposes, objects and intentions of this chapter.

(2) Any person who contravenes or fails to comply with such regulations, shall, save where otherwise provided, be guilty of an offence and liable on conviction in respect of a first offence to a fine of not less than twenty rand and not exceeding one hundred rand, or in default of payment to imprisonment for a period of not exceeding six months and in the case of a second or subsequent conviction, to a fine of not less than forty rand and not exceeding two hundred rand or in default of payment to imprisonment for a period not exceeding twelve months.

35. Notwithstanding anything to the contrary contained in any law relating to magistrates' courts, a magistrate's court shall have jurisdiction to impose any punishment, penalty or forfeiture provided for by this chapter.

Jurisdiction of magistrates' courts.

36. Any person convicted of any offence against this chapter for which no penalty is specially provided shall be liable on conviction to the penalties prescribed in section 34 (2).

General penalties.

HOOFSTUK III.

WILDTUINE.

Stigting van Nasionale Etoshawildtuin.

37. (1) Die gebied wat in bylae 7 van hierdie ordonnansie omskrywe is en wat bekend staan as die Etoshawildtuin word hierby tot 'n wildtuin verklaar wat die Nasionale Etoshawildtuin heet, vir die voortplanting, beskerming en behoud daarin van wilde dierelewe, wilde plantegroei en voorwerpe van geologiese, etnologiese, historiese of ander wetenskaplike belang en tot voordeel en genot van die inwoners van die Gebied.

(2) Die grense van die Nasionale Etoshawildtuin kan slegs by ordonnansie verander word.

(3) Geen prospektering, mynbedrywighede of noodweiding word in die Nasionale Etoshawildtuin toegelaat nie en alleenlik in die geval van nasionale belang kan die Administrateur prospektering en mynbedrywighede toelaat.

Stigting van ander wildtuine.

38. Die Administrateur kan by proklamasie in die *Offisiële Koerant* enige ander gebied vir die doeleindes van hierdie ordonnansie tot 'n wildtuin verklaar.

Wysiging van grense van wildtuine.

39. Die Administrateur kan van tyd tot tyd, by kennisgewing in die *Offisiële Koerant* die grense van 'n wildtuin wysig.

Beperking van reg om wildtuine te betree en verbod om sekere handellinge daarin te verrig.

40. (1) Ondanks andersluidende bepalings, en met inagneming van die bepalings van artikels 41 en 44, is dit vir niemand veroorloof om —

- (a) 'n wildtuin te betree of daarin te woon sonder verlof van die Sekretaris of van 'n beamppte wat deur hom gemagtig is om sodanige verlof te verleen en met inagneming van die bepalings van hierdie hoofstuk;
- (b) enige wapen, ontploffingsmiddel, val of gif in 'n wildtuin in te bring of binne die grense van 'n wildtuin in besit daarvan te wees;
- (c) in 'n wildtuin enige dier dood te maak, te beseer, te vang of te hinder of 'n eier of nes van enige voël weg te neem of te verniel: Met dien verstande egter dat 'n gevaarlike dier doodgemaak kan word ter verdediging van 'n menselewe of om die besering van 'n mens te voorkom;
- (d) opsetlik of deur nalatigheid in 'n wildtuin die veld aan die brand te steek of 'n voorwerp van geologiese, etnologiese, historiese of ander wetenskaplike belang te beskadig;
- (e) 'n dier in 'n wildtuin in te bring of toe te laat dat 'n huisdier 'n wildtuin binneloop;
- (f) 'n dier, hetsy dood of lewendig, of enige deel van 'n dier uit 'n wildtuin te verwyder (behalwe 'n dier wat wettig in daardie wildtuin ingebring is); of
- (g) om in 'n wildtuin boom te kap of te saag of te verniel;
Met dien verstande —
 - (i) dat 'n lid van die Suid-Afrikaanse Polisie wat ampsshalwe optree en wie se optrede in direkte verband met die uitvoering van sy ampspligte staan, vrygestel word van die bepalings van paragrawe (a) en (b); en
 - (ii) dat 'n beamppte of werknemer van die Afdeling Natuurbewaring en Toerisme, of 'n lid van die raad, wat amptelik optree en wie se optrede in direkte verband met die uitvoering van sy amptelike pligte staan, vrygestel word van die bepalings van hierdie artikel;

CHAPTER III.

GAME PARKS.

37. (1) The area defined in schedule 7 to this ordinance and known as the Etosha Game Park is hereby declared to be a game park to be known as the Etosha National Park for the propagation, protection and preservation therein of wild animal life, wild vegetation and objects of geological, ethnological, historical or other scientific interest and for the benefit and enjoyment of the inhabitants of the Territory.

Establishment of
Etosha National
Park.

(2) The boundaries of the Etosha National Park shall be amended only by ordinance.

(3) No prospecting, mining, activities or emergency grazing shall be permitted in the Etosha National Park, and the Administrator may only in the national interest permit prospecting and mining activities therein.

38. The Administrator may, by proclamation in the *Official Gazette*, declare any other area of land to be a game park for the purposes of this ordinance.

Establishment of
other game parks.

39. The Administrator may from time to time by notice in the *Official Gazette* amend the boundaries of a game park.

Amendment of
boundaries of
game parks.

40. (1) Other provisions to the contrary notwithstanding and subject to the provisions of sections 41 and 44 it shall not be lawful for any person —

Restrictions of
right of entry into
game parks and
prohibition of
certain acts
therein.

- (a) to enter or reside in a game park except with the permission of the Secretary, or of an officer authorized by him to grant such permission, and subject to the provisions of this chapter;
- (b) to bring into a game park, or, within the confines thereof, to be in possession of, any weapon, explosive, trap or poison;
- (c) within a game park to kill, injure, capture or disturb any animal or to take away or destroy any egg or nest of any bird: Provided, however, that any dangerous animal may be killed in defence of human life or to prevent the infliction of injury to humans;
- (d) wilfully or negligently to cause any veld fire or any damage to any object of geological, ethnological, historical, or other scientific interest within a game park;
- (e) to introduce any animal or to permit any domestic animal to stray into a game park;
- (f) to remove from a game park any animal, whether alive or dead, or any part of an animal, other than an animal lawfully introduced into such park; or
- (g) to chop, cut or damage any tree in a game park:

Provided that —

- (i) a member of the South African Police acting officially and whose action is directly connected with the exercise of his official duties shall be exempted from the provisions of paragraphs (a) and (b); and
- (ii) an officer or employee of the Nature Conservation and Tourism Branch, or a member of the board acting officially and whose action is directly connected with the exercise of his official duties shall be exempted from the provisions of this section;

- (iii) dat die bepalings van hierdie artikel nie van toepassing is nie op 'n private wildreserwe of 'n private natuurreserwe wat kragtens artikel 42 as sodanige verklaar is, tensy in hierdie ordonnansie anders bepaal word:

Met dien verstande voorts dat die Administrateur by regulasie iemand wat wettig 'n wildtuin betree of wettig daarin vertoef, kan veroorloof om 'n by regulasie omskrewe wapen in 'n wildtuin te bring of daarbinne in besit daarvan te wees, op voorwaardes en met beperkings wat by regulasie bepaal word.

(2) Nieteenstaande die bepalings van subartikel (1) is enigiemand geregtig om —

- (a) sonder verlof van die Sekretaris of van 'n beampte wat deur hom gemagtig is om sodanige verlof te verleen in 'n spoorwegbus deur 'n wildtuin te reis, mits so iemand nie in 'n wildtuin die roete van die spoorwegbus of die terrein van die stilhouplekke verlaat nie;
- (b) 'n dier of voorwerp vermeld in subartikel (1) (b) in 'n spoorwegbus deur 'n wildtuin te vervoer, mits so 'n dier of voorwerp nie in 'n wildtuin van daardie spoorwegbus verwyder word nie;
- (c) met inagneming van die voorwaardes wat by regulasie bepaal word, 'n voorwerp vermeld in subartikel (1) (b) langs 'n voorgeskrewe roete deur 'n wildtuin te vervoer; en
- (d) met verlof van die Sekretaris of van 'n beampte wat deur hom gemagtig is om sodanige verlof te verleen, enige dier wat nodig is in verband met 'n wettige reis of vervoer in of deur 'n wildtuin of wettige inwoning of verblyf in 'n wildtuin in te bring of daardeur te vervoer.

Doeleindes waar-
voor wildtuine
betree kan word.

41. Die verlof om 'n nasionale wildtuin of wildtuin te betree en daarin te woon, vermeld in artikel 40 (1) (a) kan verleen word op die voorwaardes wat nodig geag word en mag net vir die volgende doeleindes verleen word —

- (a) gesondheid, studie, ontspanning of ander verbandhoudende sake;
- (b) reise of vervoer langs die roetes wat by regulasie bepaal word; of
- (c) verrigting van enige wettige besigheid met of aangaande iemand in 'n wildtuin.

Stigting van
private wild-
reserwes en
private natuur-
reserwe.

42. Die Administrateur kan by proklamasie in die *Offisiële Koerant* enige gebied tot 'n private wildreserwe of private natuurreserwe verklaar vir enige tydperk in sodanige proklamasie gespesifiseer en onderhewig aan sodanige voorwaardes soos hy nodig ag, of tot tyd en wyl dit gedeproklameer word: Met dien verstande dat —

- (a) sodanige proklamering geskied op ontvangs van 'n skriftelike aansoek van die eienaar van die betrokke grond;
- (b) sodanige proklamering nie sal geskied nie tensy sodanige eienaar minstens drie maande kennis in die *Offisiële Koerant* gegee het van sy voorgestelde aansoek vir die stigting van 'n private wildreserwe of private natuurreserwe sodat belanghebbendes skriftelik besware teen die stigting daarvan aan die Administrateur kan voorlê;
- (c) die Administrateur te eniger tyd enige gebied wat kragtens die bepalings van hierdie artikel tot 'n private wildreserwe of private natuurreserwe verklaar is, by proklamasie in die *Offisiële Koerant* kan deproklameer; en
- (d) hierdie hoofstuk in geen opsig afbreuk doen aan die bepalings van die Ordonnansie op die Uitroeijing van Ongediertes 1965 (Ordonnansie 32 van 1965) nie.

- (iii) the provisions of this section shall not apply to a private game reserve or a private nature reserve which has been declared such under section 42, except where otherwise provided in this ordinance: Provided further that the Administrator may by regulation permit any person lawfully entering a game park or lawfully sojourning therein to bring into a game park, or, within the confines thereof, to be in possession of, any weapon specified by regulation, on such conditions and within such limitations as may be prescribed by regulation.

(2) Notwithstanding the provisions contained in subsection (1) it shall be lawful for any person —

- (a) to travel through a game park in a railway bus without the permission of the Secretary or of an officer authorized by him to grant such permission, provided such person does not within a game park leave the route of the railway bus or the precincts of its stops;
- (b) to convey through a game park by railway bus any animal or any such article as is mentioned in subsection (1) (b), provided such animal or article is not removed from such railway bus within a game park;
- (c) subject to such conditions as may be prescribed by regulation, to convey through a game park over any prescribed route any such article as is mentioned in sub-section (1) (b); and
- (d) to convey into or through a game park with the permission of the Secretary or of an officer authorized by him to grant such permission any animal required in connection with lawful travel or transport in, or through, or lawful residence or sojourn in, a game park.

41. The permission of entry into, and residence in a national park or game park referred to in section 40 (1) (a) may be granted subject to such conditions as may be deemed necessary, and shall be granted only for the purposes of —

Purposes for which game parks may be entered.

- (a) health, study or recreation, or matters incidental thereto;
- (b) travel or transport along such routes as may be defined by regulation; or
- (c) transacting any lawful business with or concerning any person within a game park.

42. The Administrator may by proclamation in the *Official Gazette* declare any area to be a private game reserve or private nature reserve for any period specified in such proclamation and subject to such conditions as he may deem fit, or until such time as it may be deproclaimed: Provided that —

Establishment of private game reserves and private nature reserves.

- (a) such proclamation shall be effected on receipt of a written application from the owner of the land concerned;
- (b) such proclamation shall not take place unless such owner gives at least three months notice in the *Official Gazette* of his proposed application for the establishment of a private game reserve or private nature reserve so that interested parties may submit written objections to such establishment, to the Administrator;
- (c) the Administrator may at any time by proclamation in the *Official Gazette* deproclaim any area which has been declared a private game reserve or private nature reserve in terms of this section; and
- (d) this chapter shall not in any way derogate from the provisions of the Vermin Extermination Ordinance, 1965 (Ordinance 32 of 1965).

Verbod op jag in private wildreserwes en-natuurreserwes.

43. (1) Ondanks andersluidende bepalings mag niemand, jag maak op enige wild of ander wilde dier of voël in enige gebied wat kragtens die bepalings van artikel 42 tot private wildreserwe of private natuurreserwe verklaar is nie, buiten kragtens en ooreenkomstig die skriftelike toestemming van die Administrateur en volgens die voorwaardes wat hy in elke geval oplê en met inagneming van die eienaar daarvan se toestemming: Met dien verstande egter dat sodanige eienaar die jag mag maak op enige wild of ander wilde dier of voël daarin uitgesonderd spesiaal beskermde en beskermde wild.

(2) Iedereen wat enige van die bepalings van subartikel (1) oortree, of enige voorwaarde van sodanige toestemming van die Administrateur by daad of versuim veronagsaam, is skuldig aan 'n oortreding.

Doodmaak van honde, donkies, perde of ander ry- of pakkdiere.

44. (1) 'n Natuurbewaarder kan 'n hond wat in 'n wildtuin aangetref word, behalwe 'n hond wat in die wettige besit of bewaring van 'n beampte of werknemer van die Administrasie is of wat kragtens die bepalings van artikel 40 deur 'n wildtuin vervoer word, doodmaak.

(2) 'n Natuurbewaarder kan donkies, perde of ander ry- of pakkdiere wat in 'n wildtuin aangetref word behalwe donkies, perde of ander ry- of pakkdiere wat in die wettige besit of bewaring van 'n beampte of werknemer van die Administrasie is of wat kragtens die bepalings van artikel 40 deur 'n wildtuin vervoer word of daarin ingebring is, doodmaak en die saals en tooms daarvan, indien enige, aan die Staat verbeurd verklaar.

Regulasies.

45. (1) Die Administrateur kan van tyd tot tyd regulasies uitvaardig wat nie teenstrydig is met hierdie ordonansie nie omtrent al of enigeen van die volgende onderwerpe:—

- (a) die voorwaardes waarop verlot om 'n wildtuin te betree of daarin te woon verleen kan word en die tydperke of tye gedurende welke 'n wildtuin of enige deel daarvan aan die publiek toeganklik is;
- (b) die voorwaardes waarop iemand wat 'n wildtuin betree, deurreis of daarin verblyf hou, die dienste of aanwesigheid van beamptes of werknemers van die Administrasie kan verkry, en die gelde wat vir daardie dienste of aanwesigheid betaal moet word;
- (c) die gelde, indien enige, wat betaal moet word vir verlot om 'n wildtuin te betree of daarin te woon, die toelating van motorvoertuie, vliegtuie, vaartuie of ander voertuie en die neem van foto's in 'n wildtuin of vir enige ander doel in verband met die gebruik en genot van 'n wildtuin;
- (d) beskerming en behoud van 'n wildtuin en van die diere, vis of voëls en eiendom daarin;
- (e) reëling van verkeer en passasiersvervoer in 'n wildtuin, die plekke waar mense 'n wildtuin kan binnegaan en die roetes waarlangs hulle dit kan deurreis;
- (f) oor die algemeen vir die doelmatige beheer en bestuur van 'n wildtuin;
- (g) die administrasie en beheer van private wildreserwes of private natuurreserwes gestig kragtens die bepalings van artikel 42; vir die beskerming van wilde dierelewe en wilde plantegroei daarin en vir die voorskrifte waarvan voldoen moet word voordat 'n gebied tot 'n private wildreserwe of private natuurreserwe geproklameer of gedepronklameer word.

(2) Die Administrateur kan verskillende regulasies vir verskillende wildtuine uitvaardig.

Algemene straf-bepaling.

46. Elkeen wat die bepalings van hierdie hoofstuk of die regulasies daarkragtens uitgevaardig, oortree, is skuldig aan 'n oortreding en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd rand of by wanbetaling van so 'n boete met gevangenisstraf van hoogstens ses maande.

43. (1) Other provisions to the contrary notwithstanding, no person may hunt any game or other wild animal or bird in any area which has been declared a private game reserve or private nature reserve in terms of the provisions of section 42 except under and in accordance with the written permission of the Administrator and on such conditions as he may impose in each case and with the permission of the owner thereof: Provided that such owner may hunt any game or other wild animal or bird therein except specially protected and protected game.

Prohibition on hunting in private game reserves and nature reserves.

(2) Any person who contravenes any of the provisions of sub-section (1), or who contravenes or fails to comply with the conditions of such permission shall be guilty of an offence.

44. (1) Any nature conservator may kill any dog found in a game park, other than a dog in the lawful possession or charge of an officer or employee of the Administration, or which is being conveyed through a game park under the provisions of section 40.

Killing of dogs, donkeys, horses or other riding or pack animals.

(2) Any nature conservator may kill any donkeys, horses or other riding or pack animals found in a game park other than donkeys, horses or other riding or pack animals in the lawful possession or charge of an officer or employee of the Administration or which are being conveyed through a game park or brought into it under the provisions of section 40, and may declare their saddles and bridles, if any, forfeited to the State.

45. (1) The Administrator may from time to time make regulations not inconsistent with this ordinance on all or any of the following matters:—

Regulations.

- (a) the conditions on which permission to enter a game park or to reside therein may be granted and the periods or times during which a game park or any part thereof shall be open to the public;
- (b) the conditions on which any person entering, passing through or sojourning within a game park, may obtain the service or attendance of officers or employees of the Administration and the fees to be paid for such services or attendance;
- (c) the fees, if any, to be paid for permission to enter or reside in a game park, the admission of motor vehicles, aircraft, vessels or other motor vehicles and the taking of photographs in a game park or for any other purpose connected with the use and enjoyment of a game park;
- (d) the protection and preservation of a game park and of the animals, fish or birds and property therein;
- (e) the regulation of traffic and the carriage of passengers in a game park, the points at which persons may enter and the routes by which they may pass through a game park;
- (f) generally for the efficient control and management of a game park;
- (g) the administration and control of private game reserves and private nature reserves established under the provisions of section 42 for the protection of wild animal life and wild vegetation therein and the requirements to be complied with before an area may be proclaimed a private game reserve or a private nature reserve or deproclaimed.

(2) The Administrator may frame different regulations for different game parks.

46. Any person who contravenes the provisions of this chapter or the regulations made thereunder shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or in default of payment of such fine to imprisonment for a period not exceeding six months.

General penalty.

Strawwe en verbeurdverklarings.

47. (1) Behoudens die bepalings van hierdie hoofstuk, wanneer 'n persoon skuldig bevind is weens 'n oortreding van enige bepaling van hierdie hoofstuk of enige regulasie daarkragtens uitgereik, kan die hof beveel —

- (a) dat enige wild of biltong of enige vel, horing, tand of karkas van wild wat in sy besit gevind is en wat betrekking het op die oortreding waarvan hy skuldig bevind is, aan die Staat verbeur word en dat daarvoor beskik word soos die hof besluit;
- (b) dat enige toestemming of verlof wat ingevolge hierdie hoofstuk aan die veroordeelde persoon uitgereik is, ingetrek word;
- (c) dat enige wapen of ammunisie wat by die jag op wild teenstrydig met enige bepalings van hierdie ordonnansie gebruik is, aan die Staat verbeur word;
- (d) dat enige voertuig of vliegtuig wat by die jag op wild strydig met enige van die bepalings van hierdie hoofstuk in 'n wildtuin gebruik is, aan die Staat verbeur word.

(2) Elke bevel kragtens die bepalings van subartikel (1) kan verstrekkend word bo en behalwe enige ander straf wat kragtens die bepalings van hierdie ordonnansie opgelê word.

HOOFSTUK IV.

INHEEMSE PLANTE.

Bevoegdheids van Administrateur.

48. Die Administrateur kan by proklamasie in die *Offisiële Koerant* enige een van of beide die volgende bevoegdhede uitoefen:—

- (a) die naam van enige soort inheemse plant in bylae 8 van hierdie ordonnansie opneem of daaruit skrap;
- (b) enige soort inheemse plant van engeen van of al die bepalings van hierdie ordonnansie uitsluit in enige gebied in sodanige proklamasie omskryf.

Pluk van beskermde plante.

49. (1) Niemand mag enige beskermde plant pluk nie tensy hy die houer is van 'n permit uitgereik deur die Administrateur, onderhewig aan sodanige voorwaardes as wat hy goed vind: Met dien verstande dat —

- (a) 'n eienaar of bewoner van grond, op grond waarvan hy die eienaar of bewoner is, die blom van 'n beskermde plant mag pluk vir gebruik as versiering in sy woning;
- (b) 'n eienaar of bewoner van grond, op grond waarvan hy die eienaar of bewoner is 'n beskermde plant mag pluk op daardie gedeelte van sodanige grond —
 - (i) wat hy benodig vir landerye, oprigting van 'n gebou, konstruksie van 'n pad, vliegveld en ander ontwikkeling waarby die verwydering van plantegroei noodsaaklik is; of
 - (ii) waarop hy sodanige beskermde plant spesiaal kweek.

(2) Iemand wat die bepalings van subartikel (1) oortree of versuim om daaraan te voldoen of enige voorwaarde van 'n permit kragtens daardie subartikel, veronagsaam, is aan 'n oortreding skuldig en is by skuldigbevinding strafbaar met 'n boete van minstens vyftig rand en hoogstens tweehonderd rand of by wanbetaling van sodanige boete met gevangenisstraf vir 'n tydperk van minstens twee maande en hoogstens ses maande.

Pluk van inheemse plante in wildtuine.

50. (1) Niemand mag enige inheemse plant in 'n wildtuin pluk nie tensy hy die houer is van 'n permit uitgereik deur die Administrateur waarby aan hom magtiging verleen word om sodanige inheemse plant in sodanige wildtuin te pluk: Met dien verstande dat die bepalings van

47. (1) When any person has been convicted of an offence against any provision of this chapter or any regulations made thereunder, the court may subject to the provisions of this chapter order —

Penalties and forfeitures.

- (a) that any game or biltong or any skin, horn, tusk or carcase of game found in his possession and relating to the offence of which he has been convicted, be forfeited to the State and that it be disposed of as the court may decide;
- (b) that any permission or leave granted under this chapter to the person convicted be cancelled;
- (c) that any weapon or ammunition used in connection with the hunting of game contrary to any of the provisions of this ordinance be forfeited to the State;
- (d) that any vehicle or aircraft used in connection with the hunting of game in any game park contrary to any of the provisions of this chapter, be forfeited to the State.

(2) Any order under the provisions of sub-section (1) may be made in addition to any other penalty which may be imposed under the provisions of this ordinance.

CHAPTER IV.

INDIGENOUS PLANTS.

48. The Administrator may by proclamation in the *Official Gazette* exercise any one or both of the following powers —

Powers of the Administrator.

- (a) include in or delete from schedule 8 of this ordinance any species of indigenous plant;
- (b) exempt any species of indigenous plant in any area defined in such proclamation from any one or all the provisions of this ordinance.

49. (1) No person shall pick any protected plant unless he is the holder of a permit issued by the Administrator, subject to such conditions as he may deem fit: Provided that —

Picking of indigenous plants.

- (a) an owner or occupier of land may on land of which he is the owner or occupier pick the flower of a protected plant for use as decoration in his home;
- (b) an owner or occupier of land may on land of which he is the owner or occupier pick a protected plant on that portion of such land —
 - (i) which he needs for cultivation, the erection of a building, the construction of a road, airfield and other development in the course of which the removal of vegetation may be necessary; or
 - (ii) specially used for the cultivation of such protected plant.

(2) Any person who contravenes or fails to comply with the provisions of sub-section (1) or who contravenes any condition of a permit issued under that sub-section shall be guilty of an offence and liable on conviction to a fine of not less than fifty rand and not exceeding two hundred rand or in default of payment of such fine to imprisonment for a period of not less than two months and not exceeding six months.

50. (1) No person shall pick any indigenous plant in any game park, unless he is the holder of a permit issued by the Administrator whereby he is authorized to pick such indigenous plant in such game park: Provided that the provisions of this sub-section shall not apply to an

Picking of indigenous plants in game parks.

hierdie subartikel nie van toepassing is op 'n eenaar of bewoner van grond wat binne die grense van so 'n wildtuin val nie waar sodanige eenaar of bewoner 'n inheemse plant wat nie 'n beskermde plant is nie op die grond waarvan hy die eenaar of bewoner is, pluk.

(2) Iemand wat die bepalings van subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n oortreding skuldig en is by skuldigbevinding strafbaar met 'n boete van minstens vyftig rand en hoogstens tweehonderd rand of by wanbetaling van sodanige boete met gevangenisstraf vir 'n tydperk van minstens twee maande en hoogstens ses maande.

Skriftelike toestemming van eenaar of bewoner van grond nodig om enige inheemse plant op sodanige grond te pluk.

51. (1) Iemand wat enige inheemse plant pluk op grond waarvan hy nie die eenaar of bewoner is nie, sonder dat hy —

(a) die skriftelike toestemming verkry het van die eenaar of bewoner van sodanige grond; en

(b) sodanige toestemming by hom dra terwyl hy sodanige plant op sodanige grond pluk,

is aan 'n oortreding skuldig.

(2) Die bepalings van subartikel (1) is nie van toepassing nie op die ouer, gade, kind of blanke werknemer in sy voltydse diens van die eenaar of bewoner van die grond waarop die inheemse plant gepluk word.

Verkoop, skenking en uitvoer of wegneem van beskermde plante.

52. (1) Behoudens die bepalings van artikel 53 mag niemand enige beskermde plant verkoop, skenk of uit die Gebied uitvoer of wegneem nie, tensy hy die houer is van 'n permit uitgereik deur die Administrateur waarby aan hom magtiging verleen word om dit te doen.

(2) Iemand wat die bepalings van subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n oortreding skuldig.

Verlening van vrystelling aan eenaar van kwekery om beskermde plante te verkoop, te skenk of uit te voer.

53. Die Administrateur kan by aansoek aan 'n eenaar van 'n kwekery, vrystelling van enige of al die bepalings van hierdie hoofstuk wat op die verkoop, skenking of uitvoer van beskermde plante betrekking het, verleen ten opsigte van beskermde plante wat op die perseel van sodanige kwekery gekweek is.

Koop of ontvangs as gevolg van skenking van beskermde plante.

54. (1) Niemand mag 'n beskermde plant koop of as gevolg van 'n skenking ontvang nie behalwe van iemand wat dit wettig verkoop of skenk.

(2) Niemand mag op enige wyse aanbied om enige beskermde plant aan te koop nie, tensy hy die houer is van 'n permit uitgereik deur die Administrateur waarby aan hom magtiging verleen word om sodanige aanbod te maak.

(3) Iemand wat die bepalings van subartikel (1) of (2) oortree of versuim om daaraan te voldoen, is aan 'n oortreding skuldig.

HOOFSTUK V.

BINNELANDSE VISSERYE.

Bevoegdheid van die Administrateur.

55. Die Administrateur kan by proklamasie in die *Offisiële Koerant* die grense van enige strandmeer omskryf met betrekking tot fisiese kenmerke, hetsy natuurlik of kunsmatig.

Regulasies.

56. Die Administrateur kan, wanneer nodig, regulasies maak vir die beheer van binnelandse visserye.

HOOFSTUK VI.

ALGEMEEN.

Lisensies, permitte en vrystellings.

57. (1) Die Administrateur kan, behoudens die bepalings van hierdie ordonnansie, aan iedereen wat daarom aansoek doen en by betaling van die voorgeskrewe gelde, indien enige, 'n lisensie, permit of vrystelling uitreik en

owner or occupier of land falling within the boundaries of such game park where such owner or occupier picks an indigenous plant which is not a protected plant on the land of which he is the owner or occupier.

(2) Any person who contravenes or fails to comply with the provisions of sub-section (1) shall be guilty of an offence and liable on conviction to a fine of not less than fifty rand and not exceeding two hundred rand or in default of payment of such fine to imprisonment for a period of not less than two months and not exceeding six months.

51. (1) Any person who picks any indigenous plant on land of which he is not the owner or occupier without —

Written permission of owner or occupier of land required to pick any indigenous plant on such land.

- (a) obtaining the written permission of the owner or occupier of such land; and
- (b) carrying such permission with him while picking such plant on such land,

shall be guilty of an offence.

(2) The provisions of sub-section (1) shall not apply to the parent, spouse, child or white employee in the full time service of the owner or occupier of the land on which the indigenous plant is picked.

52. (1) Subject to the provisions of section 53 no person shall sell, donate or export or remove from the Territory any protected plant unless he is the holder of a permit issued by the Administrator whereby he is authorized to do so.

Sale or donation of, or export or removal of protected plants.

(2) Any person who contravenes or fails to comply with the provisions of sub-section (1) shall be guilty of an offence.

53. The Administrator may, on application, grant to an owner of a nursery exemption from any or all of the provisions of this chapter relating to the sale, donation, or export of a protected plant in respect of protected plants cultivated on the premises of such nursery.

Granting of exemption to owner of nursery to sell, donate, or export protected plant.

54. (1) No person shall buy or receive consequent upon a donation a protected plant except from a person lawfully selling or donating it.

Buying or receiving consequent upon donation, of protected plant.

(2) No person shall in any manner offer to buy any protected plant unless he is the holder of a permit issued by the Administrator whereby he is authorized to do so.

(3) Any person who contravenes or fails to comply with the provisions of sub-section (1) or (2) shall be guilty of an offence.

CHAPTER V.

INLAND FISHERIES.

55. The Administrator may by proclamation in the *Official Gazette* define the boundaries of any lagoon with reference to physical characteristics, whether natural or artificial.

Powers of Administrator.

56. The Administrator may, when necessary, make regulations for the control of inland fisheries.

Regulations.

CHAPTER VI.

GENERAL.

57. (1) The Administrator may, subject to the provisions of this ordinance, issue to any person applying therefor and on payment of the prescribed fees, if any, a licence, permit or exemption and such licence, permit or

Licences, permits, and exemptions.

sodanige lisensie, permit of vrystelling is geldig vir die tydperk gespesifiseer: Met dien verstande dat niemand geregtig is om daarop aanspraak te maak dat dit sy reg is om 'n lisensie, permit of vrystelling te verkry vir die doel waartoe die magtiging by wyse van 'n lisensie, permit of vrystelling kragtens hierdie ordonnansie vereis word nie, en die Administrateur is nie by wet verplig om enige rede te gee vir die weiering om 'n lisensie, permit of vrystelling toe te staan nie.

(2) Iedere lisensie, permit of vrystelling uitgereik ingevolge die bepalings van hierdie ordonnansie is onderhewig aan sodanige voorwaardes as wat voorgeskryf word en daarbenewens aan alle sodanige voorwaardes en vereistes as wat die Administrateur goed ag om in elke geval op te lê.

(3) Die aansoeker om 'n lisensie, permit of vrystelling ingevolge subartikel (1) moet sodanige gelde betaal soos voorgeskryf word, indien enige: Met dien verstande dat die Administrateur om 'n goeie en voldoende rede vrystelling van die betaling van sodanige gelde kan verleen.

(4) Indien 'n houer van 'n lisensie, permit of vrystelling uitgereik ingevolge die bepalings van hierdie ordonnansie, engeen van die voorwaardes of vereistes waaraan sodanige lisensie, permit of vrystelling onderhewig is of enige bepaling van hierdie ordonnansie oortree of versuim om daaraan te voldoen, is hy aan 'n oortreding skuldig.

(5) Die Administrateur kan te eniger tyd, sonder om enige rede daarvoor op te gee, enige lisensie, permit of vrystelling uitgereik ingevolge die bepalings van hierdie ordonnansie, intrek, wysig of verander, en hy kan verdere voorwaardes oplê.

(6) Wanneer die Administrateur enige stappe ingevolge subartikel (5) doen, moet hy onverwyld die houer van die lisensie, permit of vrystelling daarvan in kennis stel en sodanige houer moet sodanige lisensie, permit of vrystelling onverwyld aan die Administrateur terugbesorg en iemand wat versuim om sodanige lisensie, permit of vrystelling onverwyld terug te besorg, is aan 'n oortreding skuldig.

(7) 'n Lisensie, permit of vrystelling uitgereik in stryd met die bepalings van hierdie ordonnansie, is van nul en gener waarde en die houer daarvan moet, op aanvraag deur die Administrateur, sodanige lisensie, permit of vrystelling onverwyld aan die Administrateur terugbesorg en iemand wat versuim om sodanige lisensie, permit of vrystelling onverwyld terug te besorg, is aan 'n oortreding skuldig.

Instelling van
Natuurbehearings-
raad.

58. (1) Die Administrateur stel by kennisgewing in die *Offisiële Koerant* 'n raad in wat die Natuurbehearingsraad heet.

(2) Die raad bestaan uit minstens vyf lede, wat deur die Administrateur aangestel word.

(3) Die Administrateur benoem een van die lede van die raad tot voorsitter daarvan.

(4) Die Sekretaris kan aan iemand uit die Staatsdiens opdrag gee om as sekretaris van die raad op te tree.

Dienstermyn.

59. (1) Elke lid van die raad beklee sy amp gedurende 'n tydperk van drie jaar van die dag van sy aanstelling en 'n aftredende lid kan opnuut aangestel word.

(2) Die Administrateur kan nuwe lede in die raad aanstel om toevallige vakatures te vul en elke lid wat in so 'n toevallige vakature aangestel word, voltooi die amptermyn van sy voorganger.

Skorsing van lede.

60. Die Administrateur kan 'n lid van die raad in sy amp skors weens onbekwaamheid of wangedrag.

Ontruiming van
amp deur lede.

61. 'n Lid van die raad ontruim sy amp as hy —

(a) insolvent word of sy boedel ten behoeve van sy skuldeisers afstaan; of

exemption shall be valid for the period specified: Provided that no person shall be entitled to claim it as his right to obtain a licence, permit or exemption for the purpose for which the authorization by means of a licence, permit or exemption under this ordinance may be required, and there shall be no legal obligation on the Administrator to give any reasons for the refusal to grant any licence, permit or exemption.

(2) Every licence, permit or exemption issued under the provisions of this ordinance shall be subject to such conditions as may be prescribed and in addition to all such conditions and requirements which the Administrator deems fit to impose in every case.

(3) The applicant for any licence, permit or exemption under sub-section (1) shall pay such fees as may be prescribed, if any: Provided that the Administrator may for good and sufficient reason grant exemption from the payment of such fees.

(4) If the holder of a licence, permit or exemption issued under the provisions of this ordinance contravenes or fails to comply with any of the conditions or requirements to which such licence, permit or exemption is subject or with any provision of this ordinance, he shall be guilty of an offence.

(5) The Administrator may at any time, without stating any reasons, withdraw, amend or alter any licence, permit or exemption issued under the provisions of this ordinance, and he may impose further conditions.

(6) If the Administrator takes any steps in terms of sub-section (5) he shall forthwith inform the holder of the licence, permit or exemption thereof, and such holder shall forthwith return such licence, permit or exemption to the Administrator, and any person who fails to return such licence, permit or exemption forthwith shall be guilty of an offence.

(7) Any licence, permit or exemption issued contrary to the provisions of this ordinance shall be null and void and the holder thereof shall, on demand by the Administrator, forthwith return such licence, permit or exemption to the Administrator, and any person who fails so to return such licence, permit or exemption shall be guilty of an offence.

58. (1) The Administrator shall by notice in the *Official Gazette* establish a board to be known as the Nature Conservation Board.

Establishment of
Nature Conser-
vation Board.

(2) The board shall consist of at least five members, appointed by the Administrator.

(3) The Administrator shall designate one of the members of the board as chairman thereof.

(4) The Secretary may direct a member of the public service to act as secretary of the board.

59. (1) Every member of the board shall hold office during a period of three years as from the date of his appointment and a retiring member shall be eligible for re-appointment.

Term of office.

(2) The Administrator may appoint new members to the board to fill casual vacancies and every member appointed to such a casual vacancy shall complete his predecessor's term of office.

60. The Administrator may suspend any member of the board from his office for incapacity or misconduct.

Suspension of
members.

61. A member of the board shall vacate his office if he —

Vacation of office
by members.

(a) becomes insolvent or assigns his estate for the benefit of his creditors; or

- (b) kranksinnig word of weens 'n oortreding tot gevangenisstraf sonder die keuse van boete veroordeel word; of
- (c) sonder verlof van die raad van vier agtereenvolgende vergaderings van die raad afwesig was, en sodanige verlof mag nie verleen word vir 'n tydperk van meer as ses agtereenvolgende maande nie.

Kworum.

62. (1) Drie lede van die raad is 'n kworum.

(2) Die voorsitter het 'n beraadslagende stem en by staking van stemme ook 'n beslissende stem.

(3) Wat die meerderheid van die lede van die raad aanwesig op 'n vergadering besluit, is die raad se besluit en is finaal en afdoende.

Besoldiging en toelaes.

63. 'n Lid van die raad word nie besoldig nie maar ontvang 'n toelaag en reis- en verblyfkooste, terwyl hy in opdrag die raad se besigheid verrig, volgens 'n tarief wat die Administrateur kan bepaal.

Werksaamhede en pligte van raad.

64. (1) Die werksaamhede en pligte van die raad is —

- (a) om die Administrateur te adviseer insake die beheer, bestuur en onderhoud van die Nasionale Etoshawildtuin en ander wildtuine vir die doeleindes genoem in artikel 37 (1).
- (b) om alle natuurbewaringsaangeleenthede deur die Administrateur aan die raad opgedra, te ondersoek, en daarvoor verslag te doen;
- (c) om na goeddunke by die Administrateur aanbevelings oor natuurbewaring te doen en wysigings tot die Gebied se natuurbewaringswette voor te stel;
- (d) om minstens een keer per jaar in Windhoek byeen te kom om aanbevelings aan die Administrateur te doen insake aansoeke om wildhandelaarslisensie genoem in artikel 16 en om aanbevelings insake die heffing betaalbaar kragtens artikel 19 (2) te maak;
- (e) om bowendien die werksaamhede, magte en pligte uit te oefen wat die Administrateur by regulasie aan die raad voorskryf.

(2) Elkeen wat die raad as sodanig, of 'n raads-lid, by die uitvoering van sy pligte belemmer, teengaan of steur, is skuldig aan 'n oortreding.

Instelling van Advieskomitees insake Natuurbewaring.

65. (1) Die Administrateur kan in enige landdrosdistrik 'n komitee, bekend te staan as 'n Advieskomitee insake Natuurbewaring, instel en die lede van sodanige komitee benoem.

(2) Elke komitee bestaan uit soveel lede as wat die Administrateur in iedere geval bepaal en die kwalifikasies, diskwalifikasies en ampstermyn van lede is, behoudens die bepaling van subartikel (3), soos voorgeskryf.

(3) Die Administrateur kan te eniger tyd enigeen van of al die lede van 'n komitee van hul amp onthef.

(4) (a) Wanneer die amp van 'n lid van 'n komitee voor die verstryking van sy ampstermyn vakant raak, kan die Administrateur 'n opvolger benoem om so 'n toevallige vakature aan te vul.

(b) Behoudens die bepaling van subartikel (3) beklee iemand ingevolge paragraaf (a) benoem om 'n toevallige vakature te vul, die amp vir die onverstreke gedeelte van die tydperk wat sy voorganger die amp sou beklee het.

Bevoegdhe, funksies en pligte van komitees.

66. (1) 'n Komitee het sodanige bevoegdhe, funksies en pligte as wat by regulasie voorgeskryf word.

(2) Iemand wat 'n komitee of lid van 'n komitee by die uitoefening van enige bevoegdheid of die vervulling van enige funksie of plig ingevolge hierdie ordonnansie opgelé, dwarsboom, hinder of belemmer, is aan 'n oortreding skuldig.

- (b) becomes of unsound mind or is convicted of an offence and sentenced to imprisonment without the option of a fine; or
- (c) has been absent from four consecutive meetings without the leave of the board, which leave shall not be granted for a period exceeding six consecutive months.

62. (1) Three members of the board shall form a quorum.

(2) The chairman shall have a deliberative vote and, in the event of an equality of votes, shall in addition have a casting vote.

(3) The decision of the majority of the members of the board present at any meeting shall be the decision of the board and shall be final and conclusive.

63. A member of the board shall not be remunerated but shall receive an allowance and travel and subsistence expenses while engaged upon the business of the board on instructions, at a tariff which may be determined by the Administrator.

Remuneration and allowances.

64. (1) The functions and duties of the board shall be —

Functions and duties of board.

- (a) to advise the Administrator on the control, management and maintenance of the Etosha National Park and other game parks for the purposes mentioned in section 37 (1);
- (b) to investigate and report on all such matters concerning nature conservation as the Administrator may refer to it;
- (c) to make such recommendations to the Administrator as it may deem fit regarding nature conservation and any amendments to the nature conservation laws of the Territory;
- (d) to meet in Windhoek at least once in every year to make recommendations to the Administrator on applications for game dealers licences mentioned in section 16 and to make recommendations on the levies payable under section 19 (2);
- (e) to exercise such further functions, powers and duties as the Administrator may by regulation prescribe to the board.

(2) Any person obstructing, resisting or hindering the board as such or any of its members in the execution of its or his duties, shall be guilty of an offence.

65. (1) The Administrator may in any magisterial district establish a committee, to be called an Advisory Committee on Nature Conservation, and designate the members of such committee.

Establishment of advisory committees on nature conservation.

(2) Every committee shall consist of as many members as the Administrator may determine in each case and the qualifications, disqualifications and term of office of members shall, subject to the provisions of sub-section (3), be as prescribed.

(3) The Administrator may at any time remove any one or all the members of a committee from office.

(4) (a) When the office of a member of the committee becomes vacant before the expiry of his term of office the Administrator may designate a successor to fill such casual vacancy.

(b) Subject to the provisions of sub-section (3) any person designated under paragraph (a) to fill a casual vacancy, shall fill the office for the unexpired portion of the period during which his predecessor would have filled the office.

66. (1) A committee shall have such powers, functions and duties as may be prescribed by regulation.

Powers, functions and duties of committees.

(2) Any person obstructing, resisting or hindering a committee or any member of a committee in the execution of any power, or the exercise of any function or duty imposed under this ordinance shall be guilty of an offence.

Betaal van
toelaes.

67. 'n Lid van 'n komitee word nie besoldig nie maar ontvang 'n toelae en reis-en-verblyf-koste, terwyl hy in opdrag die komitee se besigheid verrig, volgens 'n tarief wat die Administrateur kan bepaal.

Algemene bevoegd-
hede van Adminis-
trateur.

68. Die Administrateur kan —

- (a) voorsiening maak vir die verkryging of huur van roerende of onroerende goed, serwitute daarop of ander regte daaroor; vir —
 - (i) die daarstelling, oprigting, uitbreiding of verbetering van wildduine, visserye en kwekerye;
 - (ii) die behoud van die natuur of enige gedeelte van die natuur;
- (b) enige maatreëls tref wat hy nodig of wenslik ag vir navorsing in verband met wilde diere, uitheemse wild, visserye en plante;
- (c) enige maatreëls tref wat hy nodig of wenslik ag in verband met die voortplanting en behoud van wilde diere, uitheemse wild, vis en plante;
- (d) voorsiening maak vir die invoer en akklimatisasie van wilde diere, uitheemse wild, vis en plante;
- (e) voorsiening maak vir die maak van opnames en die instel van ondersoeke in verband met wilde diere, uitheemse wild, vis en plante;
- (f) voorsiening maak vir die vang van wilde diere, uitheemse wild, vis of die insameling van plante;
- (g) voorsiening maak vir die verkoop van wilde diere, uitheemse wild, vis en plante, hetsy lewendig of dood;
- (h) voorsiening maak vir die vernietiging, vermindering of uitskakeling, hetsy in die algemeen of in enige besondere gebied, van enige soort wilde dier, uitheemse wild, vis of plant wat vir die bestaan van 'n ander soort wilde dier, vis of inheemse plant nadelig of skadelik kan wees of wat na sy mening 'n bedreiging uit 'n veesiekte oogpunt inhou;
- (i) enige maatreëls neem wat hy nodig of wenslik ag vir die beheer van watergewasse in waters;
- (j) voorsiening maak vir die insameling en publikasie van statistieke en inligting in verband met natuur-bewaring;
- (k) enige hulp, hetsy finansieël of andersins verleen aan enige liggaam, vereniging of persoon wat na sy mening die behoud van wilde diere, vis, inheemse plante of die natuur in die algemeen bevorder;
- (l) enige maatreëls tref wat hy nodig of wenslik ag vir die beter uitvoering van die bepalings of doeleindes van hierdie ordonnansie in die algemeen sonder dat die algemeenheid daarvan beperk word deur aangeleenthede wat uitdruklik in hierdie artikel genoem word.

Delegasie van
regte, bevoegd-
hede, pligte of werksaam-
hede.

69. Die Administrateur kan enige reg, bevoegdheid, plig of werksaamheid wat ingevolge die bepalings van hierdie ordonnansie aan hom verleen of opgelê is, uitgesonderd bevoegdheid om proklamasies uit te vaardig, regulasies te maak, jagseisoene vas te stel en die jag van spesiaal beskermde wild te magtig, delegeer.

Bevoegdheid van
Administrateur om
regulasies te maak.

70. (1) Die Administrateur kan regulasies maak wat nie in stryd is met die bepalings van hierdie ordonnansie nie, ten opsigte van enige aangeleentheid wat beoog, vereis of toegelaat word ingevolge hierdie ordonnansie voorgeskryf te word en in die algemeen betreffende die behoud van enige wilde dier, uitheemse wild, vis of inheemse plant en in enige ander opsig vir die beter uitvoering van die bepalings of doelstellings van hierdie ordonnansie en in die besonder, maar sonder voorbehoud betreffende die algemeenheid van die voorgaande bepalings, kan hy regulasies maak ten opsigte van enigen van die volgende aangeleenthede:

67. A member of a committee shall not be remunerated but shall receive an allowance and travel and subsistence expenses while engaged upon the business of the committee on instructions at a tariff which may be determined by the Administrator.

Payment of allowances.

68. The Administrator may —

General powers of Administrator.

- (a) provide for the acquisition or lease of movable or immovable property, servitudes or other rights thereon, for —
 - (i) the establishment, erection, extension or improvement of game parks, fisheries and nurseries;
 - (ii) the preservation of nature or any part thereof;
- (b) take any measures which he may deem necessary or desirable for research in connection with wild animals, exotic game, fisheries and plants;
- (c) take any measures which he may deem necessary or desirable in connection with the propagation and preservation of wild animals, exotic game, fish and plants;
- (d) provide for the import and acclimatization of wild animals, exotic game, fish and plants;
- (e) provide for the taking of surveys and the conducting of investigations in connection with wild animals, exotic game, fish and plants;
- (f) provide for the capture of wild animals, exotic game, the catching of fish or the collection of plants;
- (g) provide for the sale of wild animals, exotic game, fish and plants, whether alive or dead;
- (h) provide for the destruction, decrease or elimination whether in general or in any particular area, of any species of wild animal, exotic game, fish or plant, which may be harmful or detrimental to the existence of any other species of wild animal, fish or indigenous plant or which, in his opinion, may present a threat from the point of view of stock diseases;
- (i) take any measure which he may deem necessary or desirable for the control of aquatic vegetation in waters;
- (j) provide for the collection and publication of statistics and information in connection with nature conservation;
- (k) grant any assistance, whether financial or otherwise to any body, association or person which or who in his opinion promotes the preservation of wild animals, fish, indigenous plants or nature in general;
- (l) take any measure which he may deem necessary or desirable for the better carrying out of the provisions or purposes of this ordinance in general without limitation of the generality thereof by matters specified in this section.

69. The Administrator may delegate any right, power, duty or function granted to or imposed upon him under the provisions of this ordinance, save the powers to make proclamations and regulations, to fix hunting seasons and to authorize the hunting of specially protected game.

Delegation of rights, powers, duties or functions.

70. (1) The Administrator may make regulations not inconsistent with the provisions of this ordinance in respect of any matter intended, required or permitted to be prescribed under this ordinance and generally in connection with the preservation of any wild animal, exotic game, fish or indigenous plant and in any other respect for the better carrying out of the provisions or purposes of this ordinance, and in particular, but without limitation of the generality of the foregoing provisions he may make regulations in respect of any of the following matters:—

Power of the Administrator to make regulations.

- (a) Die vasstelling van die aantal en soorte wilde diere of vis wat ingevolge enige lisensie of permit geaj of gehengel kan word, die toestaan van verskillende soorte lisensies of permitte aan verskillende kategorieë persone en die verskillende gelde betaalbaar vir verskillende lisensies of permitte ingevolge die bepalings van hierdie ordonnansie uitgereik;
- (b) die omstandighede waaronder en die voorwaardes waarvolgens lisensies, permitte of vrystellings in hierdie ordonnansie genoem, uitgereik word, die vereistes wat enige houër van enige sodanige lisensie, permit of vrystelling moet nakom en die vorms vir sodanige lisensies, permitte of vrystellings;
- (c) die neem, verstoring of vernietiging van die eiers van enige soort voël wat 'n wilde dier is;
- (d) die gevangenhouding, vervoer of verwydering van die een plek na 'n ander van enige wilde dier of uitheemse wild;
- (e) die byhou van registers deur wildhandelaars in artikel 16 genoem of handelaars in velle van wild of wilde diere en looierye en enige ander belanghebbende persone of liggame, betreffende die verkryging, verwerking, verkoop of uitvoer van die velle van wild of wilde diere;
- (f) die vereistes wat deur 'n persoon nagekom moet word wanneer hy enige gespesifiseerde wilde diere gekwes het;
- (g) die navorsing in verband met probleemdiere of ander diere wat vermoedelik tot probleemdiere verklaar kan word;
- (h) die immobilisering of vergiftiging van wilde diere of uitheemse wild;
- (i) die toesig en beheer oor en die ontwikkeling en beskerming van visserye;
- (j) die afmetings, gewig of grootte van vis wat gevang en gehou kan word en die omskrywing van meetmetodes;
- (k) die aard, afmetings, vorm en bou van visgerei, hetsy in die algemeen of met betrekking tot enige besondere soort vis;
- (l) die verkoop van aangekweekte inheemse plante;
- (m) die beheer en regulering van die besit van enige beskermde plant;
- (n) die beheer oor en invoer, aanplant of uitroeiing van enige plant, hetsy inheems of uitheems aan die Gebied, wat na sy mening nadelig kan wees of minder gunstige toestande kan skep vir 'n wilde dier, vis of inheemse plant;
- (o) die werksaamhede, magte, pligte en bevoegdhede van natuurbewaarders;
- (p) die bevoegdhede van 'n eienaar of bewoner van grond sover dit oortredings van hierdie ordonnansie op sy eiendom aangaan.

(2) Die bevoegdheid om regulasies vir enige doel in subartikel (1) genoem, te maak, sluit ook die bevoegdheid in om in verband met daardie doel enige aangeleentheid of ding volstrek of voorwaardelik te beperk of te verbied.

(3) 'n Regulasie ingevolge hierdie artikel kan gemaak word om in die algemeen vir die hele Gebied of binne 'n vasgestelde deel daarvan of vir enige vasgestelde soort wilde dier, uitheemse wild, vis, inheemse of uitheemse plant of vir enige vasgestelde kategorie persone te geld en kan van tyd tot tyd deur die Administrateur by wyse van kennisgewing in die *Offisiële Koerant* op enige deel van die Gebied van toepassing gemaak word.

(4) Enige regulasie ingevolge hierdie artikel gemaak, kan strawwe bepaal vir enige oortreding daarvan en kan ook voorsiening maak vir verskillende strawwe van agtereenvolgende of voortdurende oortredings maar geen straf mag 'n boete van honderd rand of gevangenisstraf vir 'n tydperk van drie maande of beide sodanige boete en gevangenisstraf oorskry nie.

- (a) The determination of the number and species of wild animals or fish which may be hunted or angled for under any licence or permit, the granting of different kinds of licences or permits to different categories of persons and the different fees payable for the different licences or permits issued under the provisions of this ordinance;
- (b) the circumstances under which and the conditions on which licences, permits or exemptions mentioned in this ordinance shall be issued, the requirements to be complied with by any holder of any such licence, permit or exemption and the forms of such licences, permits or exemptions;
- (c) the taking, disturbing or destruction of the eggs of any species of bird which is a wild animal;
- (d) the keeping in captivity, transport or removal from one place to another of any wild animal or exotic game;
- (e) the keeping of registers by game dealers mentioned in section 16 or dealers in skins of game or wild animals, tanneries and any other interested persons or bodies, in respect of the acquisition, processing, sale or export of the skins of game or wild animals;
- (f) the requirements to be complied with by any person who has wounded any specified wild animals;
- (g) research on problem animals or other animals which may presumably be declared to be problem animals;
- (h) the immobilization or poisoning of wild animals or exotic game;
- (i) the supervision and control and the development and protection of fisheries;
- (j) the dimensions, weight or size of fish which may be caught and kept and the definition of measuring methods;
- (k) the nature, dimensions, form and construction of fishing tackle, whether in general or with reference to any particular species of fish;
- (l) the sale of cultivated indigenous plants;
- (m) the control and regulating of the possession of any protected plant;
- (n) the control, import, cultivation or extermination of any plant, whether indigenous to the Territory or exotic, which, in his opinion may be injurious or create unfavourable conditions for any wild animal, fish or indigenous plant;
- (o) the functions, powers, and duties of nature conservators;
- (p) the powers of any owner or occupier of land in so far as they apply to any contraventions under this ordinance.

(2) The power to make regulations for any purpose mentioned in sub-section (1) shall include the power to restrict or prohibit any matter or thing, either absolutely or conditionally, in connection with such purpose.

(3) Any regulation made under this section may be made generally for the whole Territory or to apply to any fixed part thereof or for any specified species of wild animal, exotic game, fish, indigenous or exotic plant or any fixed category of persons, and may from time to time by notice by the Administrator in the *Official Gazette* be applied to any part of the Territory.

(4) Any regulation made under this section may provide for penalties for any contravention thereof and may also provide for different penalties in the case of successive or continuous contraventions, but no penalty shall exceed a fine of one hundred rand or imprisonment for a period of three months or both such fine and imprisonment

Aanstelling van
Natuurbevaarders.

71. (1) Die Administrateur kan een of meer geskikte persone as natuurbevaarders vir die Gebied of deel daarvan of vir elke landdrostrik in die Gebied aanstel en sodanige aanstelling kan in ere-hoedanigheid geskied, of onderhewig aan die staatsdienswette, wanneer sodanige aangesteldes beamptes van die Administrasie is.

(2) Die Administrateur kan te eniger tyd 'n natuurbevaarder wat in ere-hoedanigheid aangestel is, ontslaan en 'n ander, geskikte persoon in sy plek aanstel.

(3) Alle aanstellings ingevolge hierdie artikel moet in die *Offisiële Koerant* bekend gemaak word.

Bevoegdhede van
natuurbevaarder
om in hegtenis te
neem.

72. (1) Elke natuurbevaarder, uitgesonderd 'n lid van die Suid-Afrikaanse Polisie, word voorsien van 'n sertifikaat van aanstelling deur die Administrateur en moet, wanneer hy ingevolge hierdie ordonnansie enige bevoegdheid uitoefen of plig vervul, op versoek sodanige sertifikaat ter insae toon.

(2) Waar dit oortredings van die bepalings van hierdie ordonnansie betref, het elke natuurbevaarder al die bevoegdhede van 'n vredesbeampte om iemand sonder lasbrief in hegtenis te neem waarvoor vredesbeamptes kragtens artikel 22 van die Strafprosesordonnansie, 1963 (Ordonnansie 34 van 1963) beskik.

(3) Iemand wat 'n natuurbevaarder by die uitoefening van sy bevoegdhede of die verrigting van sy pligte of werksaamhede aanrand of weerstaan of opsetlik hinder of belemmer of hom opsetlik met so 'n natuurbevaarder bemoei is aan 'n oortreding skuldig en is by skuldigbevinding strafbaar met gevangenisstraf vir 'n tydperk van hoogstens vyf jaar.

(4) Wanneer 'n natuurbevaarder wat kragtens subartikel (2) gemagtig is om 'n persoon wat enige bepaling van hoofstuk III oortree het of op redelike gronde van die oortreding daarvan verdink word, in hegtenis te neem, 'n poging aanwend om so 'n persoon in hegtenis te neem en daardie persoon vlug of bied weerstand en kan nie op 'n ander wyse in hegtenis geneem en verhinder word om te ontsnap nie as deur die persoon wat aldus vlug of weerstand bied, te dood, word sodanige doodslag regtens geag straffelose manslag te wees.

Vermoedens en
bewys.

73. (1) Wanneer by 'n vervolging teen iemand op 'n aanklag dat hy na bewering op enige bepaalde stuk grond ingevolge die bepalings van hierdie ordonnansie 'n oortreding begaan het, daar bewys word dat enige daad wat 'n deel van sodanige oortreding uitmaak, gepleeg is in of naby die omgewing waarin sodanige stuk grond geleë is, word sodanige daad geag op sodanige stuk grond gepleeg te gewees het, tensy bewys word —

(a) dat dit op 'n ander stuk grond gepleeg is; en

(b) dat die persoon wat sodanige daad gepleeg het, die reg gehad het om dit op sodanige stuk grond te pleeg.

(2) Wanneer iemand 'n handeling verrig en hy 'n oortreding sou pleeg of gepleeg het deur bedoelde handeling te verrig indien hy nie die houër was van 'n lisensie, permit, vrystelling, dokument, skriftelike toestemming of ander magtiging of bevoegdheid (hierna in hierdie subartikel die nodige magtiging genoem) om bedoelde handeling te verrig nie, word hy, indien hy weens die pleging van so 'n oortreding aangekla word, geag nie die houër van die nodige magtiging te gewees het nie tensy die teendeel bewys word.

(3) By 'n vervolging weens 'n oortreding van hierdie ordonnansie in verband met die onwettige gevangenhouding van enige lewende wilde dier of uitheemse wild word iemand teen wie dit bewys word dat hy 'n lewende dier of uitheemse wild besit, of besit het, geag sodanige wilde dier of uitheemse wild in gevangenskap te hou of te gehou het, tensy die teendeel bewys word.

(4) By 'n vervolging ingevolge die bepalings van artikel 17 word 'n persoon in wie se besit 'n wapen of

71. (1) The Administrator may appoint one or more suitable persons as nature conservators for the Territory or portion thereof or for every magisterial district in the Territory and such appointments may be made in an honorary capacity, or, subject to the laws relating to the public service when such employees are officers of the Administration.

Appointment of
nature
conservators.

(2) The Administrator may at any time remove from office any nature conservator appointed in an honorary capacity and appoint another suitable person in his place.

(3) All appointments in terms of this section shall be notified in the *Official Gazette*.

72. (1) Every nature conservator, except a member of the South African Police, shall be provided with a certificate of appointment by the Administrator and shall, whenever he exercises any power or fulfils any duty in terms of this ordinance, produce such certificate for inspection on request.

Powers of arrest
of nature
conservator.

(2) In relation to any offences under the provisions of this ordinance every nature conservator shall have all the powers of a peace officer to arrest any person without warrant, which peace officers have under section 22 of the Criminal Procedure Ordinance, 1963 (Ordinance 34 of 1963).

(3) Any person who assaults or obstructs or wilfully hinders or hampers a nature conservator in the exercise of his powers or the performance of his duties or functions or wilfully interferes with such nature conservator shall be guilty of an offence and liable on conviction to imprisonment for a period not exceeding five years.

(4) When any nature conservator who under subsection (2) has been authorized to arrest any person who has contravened any provision of chapter III or who on reasonable grounds is suspected of such contravention, attempts to arrest such a person and such person flees or resists and cannot in any other manner be arrested and prevented from escaping than by the killing of such person who flees or resists, such homicide shall legally be held to be justifiable homicide.

73. (1) Whenever in any proceedings against any person upon a charge alleging that he committed upon any particular piece of land an offence under the provisions of this ordinance it is proved that any act, constituting an element of such offence, was committed in or near the locality wherein such piece of land is situated, such act shall be deemed to have been committed on such piece of land, unless it is proved —

Presumptions and
evidence.

- (a) that it was committed on another piece of land; and
- (b) that the person committing such act had the right to commit it on such piece of land.

(2) Whenever any person performs an act by which he would be committing an offence or would have committed an offence if he had not been the holder of a licence, permit, exemption, document, written permission or other authority or power (hereinafter in this sub-section called the necessary authority) to perform such act, he shall, if charged with the commission of such offence, be deemed not to have been the holder of the necessary authority unless the contrary is proved.

(3) In any prosecution for an offence under this ordinance in connection with the unlawful keeping in captivity of any live wild animal or exotic game, any person against whom it is proved that he possesses or has possessed a live animal or exotic game, shall be deemed to keep in captivity or to have kept in captivity such wild animal or exotic game, unless the contrary is proved.

(4) In any prosecution under the provisions of section 17 any person in whose possession a weapon or ammunition, as contemplated in the said section, is found under

in omstandighede wat daarop dui dat wild met sodanige wapen of ammunisie gejaag is of gejaag word of vermoedelik gejaag is of word, geag sodanige wapen of ammunisie in stryd met die bepalings van bedoelde subartikel te gebruik het, tensy die teendeel bewys word.

Strawwe.

74. Uitgesonderd waar anders in hierdie ordonnansie uitdruklik bepaal word, is iemand wat aan 'n oortreding ingevolge hierdie ordonnansie skuldig bevind word, strafbaar met 'n boete van hoogstens eenhonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en gevangenisstraf.

Verbeuring van sekere artikels en voorwerpe.

75. (1) Behoudens die bepalings van hierdie ordonnansie, wanneer iemand ingevolge hierdie ordonnansie aan 'n oortreding skuldig bevind word, word enige wilde dier, uitheemse wild, vis of inheemse plant in verband waarmee die oortreding begaan is, deur die hof ten gunste van die Administrasie verbeurd verklaar, en die hof wat sodanige persoon skuldig bevind moet enige lisensie of permit aan hom ingevolge die bepalings van hierdie ordonnansie uitgereik, intrek, en kan daarbenewens sodanige persoon as onbevoegd verklaar om 'n lisensie of permit ingevolge hierdie ordonnansie, vir 'n tydperk van hoogstens vyf jaar te verkry.

(2) Iemand wat ingevolge subartikel (1) deur 'n hof as onbevoeg verklaar word om 'n lisensie of permit ingevolge die bepalings van hierdie ordonnansie te verkry en wat sonder die skriftelike toestemming van die Administrateur gedurende die tydperk wat hy soos voornoem, onbevoeg is, enige sodanige lisensie of permit verkry of probeer verkry, is aan 'n oortreding skuldig.

(3) Behoudens die bepalings van hierdie ordonnansie, wanneer iemand ingevolge hierdie ordonnansie aan 'n oortreding skuldig bevind word, kan enige wapen, lamp, battery, visgerei, toestel of artikel in artikel 17 bedoel, dier of enige ander artikel of voorwerp wat vir die doel van of in verband met die pleging van sodanige oortreding gebruik is, deur die hof ten gunste van die Administrasie verbeurd verklaar word en die hof kan enige voertuig, vaartuig, vlot of vliegtuig wat vir die doel van of in verband met die pleging van sodanige oortreding of vir die vervoer of verwydering van enige wilde dier wat in stryd met die bepalings van hierdie ordonnansie gejaag is, gebruik is, ten gunste van die Administrasie verbeurd verklaar.

(4) Enige verbeurdverklaring ingevolge subartikel (3) word deur die hof gedoen ongeag enige regte wat iemand anders as die veroordeelde persoon op die verbeurdverklaarde wapen, lamp, battery, visgerei, toestel of artikel in artikel 17 bedoel, dier of enige ander artikel of voorwerp, voertuig, vaartuig, vlot of vliegtuig het.

(5) Enigiets ingevolge hierdie artikel ten gunste van die Administrasie verbeurd verklaar kan deur die Administrateur of iemand deur hom daartoe gemagtig van die hand gesit word en die opbrengs aldus verkry word in die Gebiedsinkomstefonds gestort.

Vrystelling van enigeen van of al die bepalings van hierdie Ordonnansie.

76. Die Administrateur kan, indien hy van mening is dat dit in die belang van natuurbewaring is of sal wees, 'n persoon van enigeen van of al die bepalings van hierdie ordonnansie, vrystel.

Herroeping van Wette.

77. (1) Behoudens die bepalings van subartikels (2) en (3), word die wette in bylae 9 van hierdie ordonnansie genoem, hierby herroep.

(2) Enige proklamasie, regulasie, kennisgewing, bevel, verbod, magtiging, toestemming, permit, lisensie of dokument uitgereik, gemaak, afgekondig, opgelê, gegee of verleen en enige ander handeling verrig ingevolge die

circumstances that indicate that game was or is being hunted or was or is presumably being hunted with such weapon or ammunition, shall be deemed to have used such weapon or ammunition in contravention of the provisions of the said sub-section, unless the contrary is proved.

74. Save as is expressly otherwise provided in this ordinance any person convicted of an offence under this ordinance shall be liable to a fine not exceeding one hundred rand or to imprisonment for a period not exceeding three months or to both such fine and imprisonment.

Penalties.

75. (1) When any person has been convicted of an offence under this ordinance any wild animal, exotic game, fish or indigenous plant in connection with which such offence was committed shall subject to the provisions of this ordinance be declared forfeit by the court in favour of the Administration and the court convicting such person shall cancel any licence or permit issued to him in terms of this ordinance, and may in addition declare such person unfit to obtain any licence or permit under this ordinance for a period of not exceeding five years.

Forfeiture of certain articles and objects.

(2) Any person declared by the court, in terms of sub-section (1) to be unfit to obtain a licence or permit under the provisions of this ordinance and who during the period of his unfitness as aforesaid, without the written permission of the Administrator, obtains or attempts to obtain any such licence or permit, shall be guilty of an offence.

(3) When any person is convicted of an offence under this ordinance any weapon, lamp, battery, fishing tackle, device or article referred to in section 17, animal or any other article or object used for the purpose of or in connection with the commission of such offence may subject to the provisions of this ordinance be declared forfeit in favour of the Administration by the Court and the court may declare forfeit in favour of the Administration any vehicle, vessel, float or aircraft used for the purpose of or in connection with the commission of such offence or for the transport or removal of any wild animal hunted, contrary to the provisions of this ordinance.

(4) Any forfeiture under sub-section (3) shall be ordered by the court irrespective of any rights held by any other person than the convicted person in respect of the forfeited weapon, lamp, battery, fishing tackle, device or article referred to in section 17, animal or any other article or object, vehicle, vessel, float or aircraft.

(5) Anything forfeited to the Administration under this section may be disposed of by the Administrator or any person authorized thereto by him and the proceeds so obtained shall be paid into the Revenue Fund of the Territory.

76. The Administrator may, if he is of the opinion that it is or may be in the interest of nature conservation, exempt any person from any one of or all the provisions of this ordinance.

Exemptions from any or all the provisions of this ordinance.

77. (1) Save as is provided in sub-sections (2) and (3) the laws mentioned in schedule 9 of this ordinance are hereby repealed.

Repeal of laws.

(2) Any proclamation, regulation, notice, order, prohibition, authority, permission, permit, licence or document issued, made, promulgated, imposed, given or granted and any other action taken under the provisions of any

bepalings van 'n wet herroep by subartikel (1) word, indien dit nie in stryd is met die bepalings van hierdie ordonnansie, geag uitgereik, gemaak, afgekondig, opgelê, gegee, verleen, geneem of verrig te wees ingevolge die ooreenstemmende bepalings van hierdie ordonnansie.

(3) Iemand wat ingevolge die bepalings van 'n herroepe ordonnansie of proklamasie of 'n regulasie daarkragtens uitgevaardig, aangestel is om dienste te verrig wat soortgelyk is aan dienste wat vereis sou word van 'n persoon aangestel in 'n amp ingevolge hierdie Ordonnansie, word geag aangestel te wees in sodanige amp ingevolge die bepalings van hierdie Ordonnansie.

Kort titel.

78. Hierdie ordonnansie heet die ordonnansie op Natuurbewaring, 1967.

law repealed by sub-section (1) shall, if not inconsistent with the provisions of this ordinance, be deemed to have been issued, made, promulgated, imposed, given, granted, taken or performed under the corresponding provisions of this ordinance.

(3) Any person appointed in terms of the provisions of any repealed ordinance or proclamation or any regulation made thereunder, to perform services similar to services which would be required from any person appointed to any office under this ordinance, shall be deemed to have been appointed to such office under the provisions of this ordinance.

78. This ordinance is called the Nature Conservation Ordinance, 1967. Short title.

BYLAE 1.

Spesiaal beskermde wild.

Olifant (*Loxodonta africana*)
 Seekoei (*Hippopotamus amphibius*)
 Renoster (*Diceros bicornis*)
 Kameelperd (*Giraffa camelopardalis*)
 Bergsebra (*Equus sebra hartmannae*)
 Rooibok (*Aepyceros melampus*)
 Swartneusröibok (*Aepyceros melampus petersi*)
 Klipspringer (*Oreotragus oreotragus*)

BYLAE 2.

Beskermde wild.(i) *Diere.*

Aardwolf (*Proteles cristatus*)
 Erdvark (*Orycteropus afer*)
 Bosbok (*Tragelaphus scriptus ornatus*)
 Bloubokkie (*Madoqua kirkii damarensis*)
 Bakoorjakkals (*Otocyon megalotis*)
 Krimpvarkie (*Erinaceus frontalis*)
 Ratel (*Mellivora capensis*)
 Waterbok (*Kobus ellipsiprymnus*)
 Nagapie (*Galago senegalensis*)
 Oorbietjie (*Ourebia ourebi*)
 Kleinotter (*Lutra maculicollis*)
 Groototter (*Aonyx capensis*)
 Bastergemsbok (*Hippotragus equinus*)
 Rietbok (*Redunca arundinum*)
 Swartwitpens (*Hippotragus niger*)
 Basterhartebees (*Damaliscus lunatus*)
 Ietermagog (*Manis temmincki*)
 Silwerjakkals (*Vulpes chama*)
 Waterkoedoe (*Tragelaphus spekei*)
 Steenbok (*Rhaphicerus campestris*)
 Vlaktesebra (*Equus burchelli*)
 Likkewaan (*Varanus niloticus*; *V. albigularis*)
 Skilpaaie (*Testudinidae*)
 Luislange (*Python sebae*, *Python anchietae*)

(ii) *Voëls.*

Alle soorte voëls behalwe die wildvoëls genoem in Bylae 4 van hierdie ordonnansie en die volgende voëls:

Witboskraai (*Corvus albus*)
 Mossies (*Passer iagoensis*; *P. meranurus*; *P. diffusus*; *Petronia superciliaris*)
 Muisvoëls (*Colius*; *C. indicus*)
 Tiptols (*Pycnonotus nigricans*; *P. barbatus*)
 Rooibekvink (*Quelea quelea*)
 Geelvinke (Alle *Ploceus* sp.)

BYLAE 3.

Wild.

Eland (*Taurotragus oryx*)
 Buffel (*Syncerus caffer*)
 Koedoe (*Tragelaphus strepsiceros*)
 Gemsbok (*Oryx gazella*)
 Blouwildebees (*Connochaetes taurinus*)
 Springbok (*Antidorcas marsupialis*)
 Duiker (*Sylvicapra grimmia*)
 Vlakvark (*Phacochoerus aethiopicus*)
 Bosvark (*Potamochoerus porcus*)

BYLAE 4.

Wildvoëls.

Wilde eende (*Anatidae*)
 Wilde ganse (*Alopochen aegyptiacus*)
 Tarentale (*Numida meleagris damarensis*)
 Fisante (*Phasianidae*)
 Namakwapatryse (*Pteroclididae*)
 Kwartels (*Turnicidae*)

SCHEDULE 1.

Specially Protected Game.

Elephant (*Loxodonta africana*)
 Hippopotamus (*Hippopotamus amphibius*)
 Rhinoceros (*Diceros bicornis*)
 Giraffe (*Giraffa camelopardalis*)
 Mountain Zebra (*Equus sebra hartmannae*)
 Impala (*Aepyceros melampus*)
 Black-faced Impala (*Aepyceros melampus petersi*)
 Klipspringer (*Oreotragus oreotragus*)

SCHEDULE 2.

Protected Game.(i) *Animals*

Aardwolf (*Proteles cristatus*)
 Antbear (*Orycteropus afer*)
 Bushbuck (*Tragelaphus scriptus ornatus*)
 Dikdik (*Madequa kirkii damarensis*)
 Bat-eared Fox (*Otycyon megalotis*)
 Hedgehog (*Erinaceus frontalis*)
 Honey Badger (*Mellivora capensis*)
 Waterbuck (*Kobus ellipsiprymnus*)
 Bush Baby (*Galago senegalensis*)
 Oribi (*Ourebia ourebi*)
 Spotted-necked Otter (*Lutia maculicilis*)
 Clawless Otter (*Aonyx capensis*)
 Roan Antelope (*Hippotragus equinus*)
 Reedbuck (*Redunca arundinum*)
 Sable Antelope (*Hippotragus niger*)
 Tsesseby (*Damaliscus lunatus*)
 Scaly Anteater (*Manis temmincki*)
 Silver Jackal (*Vulpes chama*)
 Sitatunga (*Tragelaphus spekei*)
 Steenbok (*Rhaphicerus campestris*)
 Plains Zebra (*Equus burchelli*)
 Monitor (*Varanus niloticus*; *V. albigularis*)
 Tortoise (*Testudinidae*)
 Pythons (*Python sebae*, *Python anchietae*)

(ii) *Birds.*

All species of birds except the game birds mentioned in schedule 4 of this ordinance and the following birds:—

Pied Crow (*Corvus albus*)
 Sparrows (*Passer iagoensis* *P. meranurus*;
P. diffusus; *Petronia superciliaris*)
 Mousebirds (*Colius colius*; *C. indicus*)
 Bulbuls (*Pycnonotus nigericans*; *P. barbatus*)
 Redheaded Quelea (*Quelea quelea*)
 Weavers (All *Ploceus* sp.)

SCHEDULE 3.

Game.

Eland (*Taurotragus oryx*)
 Buffalo (*Syncerus caffer*)
 Kudu (*Tragelaphus strepsiceros*)
 Oryx (*Oryx gazella*)
 Blue Wildebeest (*Connochaetes taurinus*)
 Red Hartebeest (*Alcephalus buselaphus*)
 Springbok (*Antidorcas marsupialis*)
 Grey Duiker (*Sylvicapra grimmia*)
 Warthog (*Phacochoerus aethiopicus*)
 Bushpig (*Potamochoerus porcus*)

SCHEDULE 4.

Game Birds.

Ducks (*Anatidae*)
 Geese (*Alopochen aegyptiacus*)
 Guinea Fowl (*Numida meleagris damarensis*)
 Francolin (*Phasianidae*)
 Sandgrouse (*Pteroclididae*)
 Quails (*Turnicidae*)

BYLAE 5.

ADMINISTRASIE — S.W.A. — ADMINISTRATION

AANSOEK OM 'N WILDHANDELAARSLISENSIE/APPLICATION FOR A GAME DEALER'S LICENCE.

(Ordonnansie op Natuurbewaring 1967/Nature Conservation Ordinance, 1967)

Jaar eindigende Year ending.

Naam van applikant Name of applicant.

Adres Address.

Ligging van grond waar wild of wilde diere aan- gehou sal word.	}	}	Situation of land on which game or wild animals are to be kept.
			

Besonderhede van lisensie verlang	}	}	Particulars of licence required.
			

Vorige ondervinding Previous experience

.....

.....

.....

HANDTEKENING/SIGNATURE.

Datum Date.

SCHEDULE 5.

ADMINISTRASIE — S.W.A. — ADMINISTRATION.

AANSOEK OM 'N WILDHANDELAARSLISENSIE/APPLICATION FOR A GAME DEALERS'S LICENCE.

(Ordonnansie op Natuurbewaring 1967/Nature Conservation Ordinance, 1967)

Jaar eindigende Year ending.

Naam van applikant Name of applicant.

Adres Address.

Ligging van grond waar
wild of wilde diere aan-
gehou sal word. } { Situation of land on which
game or wild animals are
to be kept.

Besonderhede van lisensie
verlang } { Particulars of licence
required.

Vorige ondervinding Previous experience.

.....
.....
.....

HANDTEKENING/SIGNATURE.

Datum Date.

SCHEDULE 6.

ADMINISTRASIE — S.W.A. — ADMINISTRATION.
WILDHANDELAARSLISENSIE/GAME DEALER'S LICENCE.
(Ordonnansie op Natuurbewaring 1967/Nature Conservation Ordinance, 1967).

Vervaldatum Date of Expiry.

Uitgereik aan:—

Issued to:—

Lisensiehouer Licence Holder.

Adres Address.

Lisensiegeld betaal, ontvangs waarvan
hierby erken word:—

Licence fee paid, receipt of which
is hereby acknowledged:—

Rand Rand.

Sent Cent.

R : _____

Besonderhede van lisensie Particulars of licence.

Ligging van grond waar
wild of wilde diere aan-
gehou sal word

}
}
}

{ Situation of land on which
game or wild animals will
be kept.

LISENSIEBEAMPTE—LICENSING OFFICER.

BYLAE 7.

OMSKRYWING VAN NASIONALE ETOSHA WILDTUIN

Van 'n punt met suiderbreedtegraad $18^{\circ} 30'$ en ooslengtegraad $14^{\circ} 32'$ by die suidwestelike hoek van die landdrosdistrik Ovamboland, ooswaarts langs die grens van die landdrosdistrik Ovamboland tot by 'n punt waar dit die westelike padreserwegrens van hoofpad 1, seksie 10, kruis; vandaar suidooswaarts al langs gemelde padreserwegrens en die grense van, maar met uitsluiting van, die aanliggende vliegveld tot 'n punt waar dit die noordelike grens van die plaas Operet 312 in die landdrosdistrik Tsumeb kruis; vandaar weswaarts al langs die noordelike grense van die plase Operet 312 en Onguma 314 tot by die noordwestelike hoekbaken van laasgenoemde plaas; vandaar reg suidwaarts in 'n reguit lyn tot by die noordwestelike hoekbaken van laasgenoemde plaas; vandaar algemeen suidwaarts langs die grense van, maar uitsluitende, die volgende plase na mekaar, naamlik Onguma 314, Vergenoeg 942, Kleinbegin 941, Leeudrink 940, plaas 858, Nadubib 1083, Heliodor 857, Obab 856,, Mara 840, Mopanie 447, Lynplaas 436, Vrede 435, Olifantslaagte 433, Nooitgedag 418, Hestria 417 tot by die noordwestelike hoekbaken van laasgenoemde plaas, vandaar algemeen weswaarts langs die grense van, maar uitsluitende, die volgende plase na mekaar in die landdrosdistrik Outjo, naamlik Renex 494, Grensplaas 473, Tsabis 470, Werda 469, Nuchas 468, Elandsfontein 463, Mooiplaas 462, Koppies 457, Oberland 455, Montebello 456, Leeupoort 441, Margo 438, Tiervlei 436, Sonop 434, plaas 432, Avondvrede 430, Stillerus 429, Willina 427, Voluiga 424, Moesamoeroep 421, Safari 663, Leeurante 660, plaas 659, plaas 656, Grenswag 655, Vlakwater 652, Helaas 649, Pionier 648, Robyn 647, Ermo 646, Khoabendes 645, Teverede 643, Westend 642, Marenphil 641, De Ville 638, Kam Descha 624, plaas 621, Keiserfontein 620, Grootberg 191, Humor 704, Otjihavera 703, Palmwag 702, Juriesdraai 709, Rooiplaat 710, Wêreldsend 715 tot waar die westelike grenslyn van laasgenoemde plaas die suidelike kant van die pad van Welwitschia na Torrabaai sny; vandaar weswaarts langs die suidelike kant van die pad na Torrabaai tot by die laagwatermerk van die Atlantiese Oseaan; vandaar noordweswaarts langs die laagwatermerk van die Atlantiese Oseaan tot by die suidwestelike hoek van die Reserwe Kaokoveld 26; vandaar algemeen noordooswaarts langs die suidwestelike grense van maar uitsluitende die Reserwe Kaokoveld 26, die Reserwe Sesfontein 207, die Reserwe Kaokoveld 26, tot by 'n punt met suiderbreedtegraad $18^{\circ} 30'$ en ooslengtegraad $14^{\circ} 32'$ by die suidwestelike hoek van die landdrosdistrik Ovamboland, synde die aanvangspunt.

SCHEDULE 7.

Definition of boundary of Etosha National Park.

From a point on latitude 18° 30' south and longitude 14° 32' east on the south-western corner of the magisterial district of Ovamboland eastwards along the boundary of the magisterial district of Ovamboland to a point where it intersects the western road reserve of trunk road 1, section 10; thence south-eastwards along the said road reserve boundary and the boundaries of, but excluding the adjoining airfield to a point where it intersects the northern boundary of the farm Operet 312 in the magisterial district of Tsumeb; thence westwards along the northern boundaries of the farms Operet 312 and Onguma 314 to the north-western corner beacon of the last-mentioned farm; thence due southwards in a straight line to the north-western corner beacon of the last-mentioned farm; thence generally southwards along the boundaries of but excluding the following farms in succession, namely Onguma 314, Vergenoeg 942, Kleinbegin 941, Leeudrink 940, Farm 858, Nadubib 1083, Heliodor 857, Obab 856, Mara 840, Mopanie 447, Lynplaas 436, Vrede 435, Olifantslaagte 433, Nooitgedag 418, Hestria 417 to the north-western corner beacon of the last-mentioned farm; thence generally westwards along the boundaries of but excluding the following farms in succession in the magisterial district of Outjo, namely Renex 494, Grensplaas 473, Tsabis 470, Werda 469, Nuchas 468, Elandsfontein 463, Mooiplaas 462, Koppies 457, Oberland 455, Montebello 456, Leeupoort 441, Margo 438, Tiervlei 436, Sonop 434, Farm 432, Avondvrede 430, Stillerus 429, Willina 427, Voluiga 424, Moesamoeroep 421, Safari 663, Leeurante 660, farm 659, farm 656, Grenswag 655, Vlakwater 652, Helaas 649, Pionier 648, Robyn 647, Ermo 646, Khoabendes 645, Tevrede 643, Westend 642, Marenphil 641, De Ville 638, Kam Descha 624, farm 621, Keiserfontein 620, Grootberg 191, Humor 704, Otjihavera 703, Palmwag 702, Juriesdraai 709, Rooiplaat 710, Wêreldsend 715 to a point where the western boundary line of the last-mentioned farm intersects the southern side of the road from Welwitschia to Torrabaai; thence westwards along the southern side of the road to Torrabaai to the low-water mark of the Atlantic Ocean; thence north-westwards along the low-water mark of the Atlantic Ocean to the south-western corner of the Kaokoveld Reserve 26; thence generally north-eastwards along the south-western boundaries but excluding the Kaokoveld Reserve 26, Sesfontein Reserve 207, Kaokoveld Reserve 26 to a point on latitude 18° 30' south and longitude 14° 32' east at the south-western corner of the magisterial district of Ovamboland, being the point of beginning.

BYLAE 8.

Beskermdede inheemse plante.

<i>Gewone Naam</i>	<i>Wetenskaplike Naam</i>
<i>Aizoaceae.</i>	
Vygies	Aridaria alle soorte Astridia alle soorte Brownanthus alle soorte Cephalophyllum alle soorte Chasmatophyllum alle soorte Cheiridopsis alle soorte Conophytum alle soorte Dinteranthus alle soorte Dracophilus alle soorte
Doringvygie	Ebracteola montis-moltkii
Bergvygie	Fenestraria aurantiaca
Vensterplantjie, geel	Fenestraria rhopalophylla
Vensterplantjie, wit	Hereroa alle soorte
Hererovygie	Jensenobotrya lossowiana
Jensenobotrya	Juttadinteria alle soorte
Juttadinteria	Lapidaria margaretae
Vygie	Lithops alle soorte
Beeskloutjie	Namibia alle soorte
Namibvygie	Nananthus aloides
Vlaktevygie	Nycteranthus alle soorte
Vygie	Ophthalmophyllum alle soorte Psammophora alle soorte
Rusch's vygies	Ruschia alle soorte
Vygie	Schwantesia alle soorte Stoeberia alle soorte
Kalkvygie	Titanopsis alle soorte
Vygie	Trichodiadema alle soorte
<i>Apocynaceae.</i>	
<i>Gewone Naam</i>	<i>Wetenskaplike Naam</i>
Bottelboom	Pachypodium lealii
Halfmens	Pachypodium namaquanum
<i>Asclepiadaceae.</i>	
Aasblomsoorte	Caralluma alle soorte
Katstert	Ceropegia alle soorte Decabelone barklyi Duvalia alle soorte
Wolwe-Ghaapsoorte	Hoodia alle soorte
Bitterghwapiensoorte	Huernia alle soorte
Kalkoennetjiesoorte	Huerniopsis alle soorte
Boesmantoontjiesoorte	Piранthus alle soorte
Aasblomsoorte	Stapelia alle soorte (Tavaresia sien/Decabelone)
Ghaapsoorte	Trichocaulon alle soorte
<i>Crassulaceae.</i>	
Bontplakkiesoorte	Adromischus alle soorte
Crassulasoorte	Crassula alle soorte
<i>Liliaceae.</i>	
Aalwynsoorte	Aloe alle soorte
Klein Aalwyn	Chortolirion bergerianum
Bont Alwyn	Gasteria ernesti-ruschii
Rooiboselie	Gloriosa virescens
Klein Kanniedood	Haworthia tessellata var. engleri
<i>Moringaceae.</i>	
Moringa	Moringa ovalifolia
<i>Orchidaceae.</i>	
Orgideesoorte	Orchidaceae alle geslagte en soorte.
<i>Portulacaceae.</i>	
Haaskossoorte	Anacampseros alle soorte
Klein Spekboom	Portulacaria pygamaea
<i>Vitaceae.</i>	
Botterboomsoorte	Cyphostemma (Cissus) Stamsukkulente soorte
<i>Welwitschiaceae.</i>	
Welwitschia	Welwitschia mirabilis

SCHEDULE 8.

Protected Indigenous Plants.

<i>Common Name.</i>	<i>Scientific Name.</i>
	<i>Aizoaceae.</i>
Vygies	Aridaria all species Astridia all species Brownanthus all species Cephalophyllum all species Chasmatophyllum all species Cheiridopsis all species Conophytum all species Dinteranthus all species Dracophilus all species Ebracteola montis-moltkii Fenestraria aurantiaca Fenestraria rhopalophylla Hereroa all species Jensenobotrya lossowiana Juttadinteria all species Lapidaria margaretae Lithops all species Namibia all species Nananthus aloides Nycteranthus all species Ophthalmophyllum all species Psammophora all species Ruschia all species Schwantesia all species Stoerberia all species Titanopsis all species Trichodiadema all species
Thorn Vygie	
Mountain Vygie	
Window plant, yellow, white	
Herero Vygie	
Jensenobotrya	
Juttadinteria	
Vygie	
Namib Vygie	
Plains Vygie	
Vygie	
Rusch's Vygies	
Vygie	
Kalk Vygie	
Vygie	
	<i>Apocynaceae.</i>
Bottle tree	Pachypodium lealii
Elephant's trunk	Pachypodium namaquanum
	<i>Asclepiadaceae.</i>
Carrion-flower species	Caralluma all species Ceropegia all species Decabelone barklyi Duvalia all species Hoodia all species Huernia all species Huerniopsis all species Piaranthus all species Stapelia all species Tavaresia see Decabelone species
Ghaap species	Trichocaulon all species
	<i>Crassulaceae.</i>
	Adromischus all species Crassula all species
	<i>Liliaceae.</i>
Small Aloe	Aloe all species
Variegated Aloe	Chortolirion bergerianum
Gloriosa	Casteria ernesti-ruschii
Small Haworthia	Gloriosa virescens Haworthia tessellata var. engleri
	<i>Moringaceae.</i>
Moringa	Moringa ovalifolia
	<i>Orchidaceae.</i>
Orchids	Orchiaceae all genera and species
	<i>Portulacaceae.</i>
Small Elephant's Food	Anacampseros all species Portulacaria pygamaea
	<i>Vitaceae.</i>
Butter Tree species	Cyphostemma (Cissus) Stem Succulent species
	<i>Welwitschiaceae.</i>
Welwitschia	Welwitschia mirabilis

BYLAE 9.
WETTE HERROEP.

Nommer en datum van wet.	Titel of onderwerp van wet.	Omvang van herroeping.
Proklamasie 10 van 1916	„Protection of Welwitschia Plant”	Geheel.
Proklamasie 12 van 1924	„Wild Birds Export Prohibition Proclamation, 1924”	Geheel.
Ordonnansie 17 van 1928	Verbod van Uitvoer van Luislange en Likkewane Ordonnansie 1928	Geheel.
Proklamasie 26 van 1928	Verbode Gebiede Proklamasie 1928	Artikel 3 (4)
Ordonnansie 2 van 1929	Ordonnansie op die Kontrole van die Uitvoer van Volstruisvelle 1929	Geheel.
Ordonnansie 6 van 1929	Ordonnansie van 1929 betreffende die Kontrole oor die Uitvoer van Wilde Diere.	Geheel.
Proklamasie 10 van 1930	Proklamasie van 1930 betreffende die Verbode Invoer van Papegaaie en Parkiete	Geheel.
Ordonnansie 19 van 1937	Ordonnansie op Beskerming van Diere en Blomme 1937	Artikels 1, 5, 9 en 10.
Ordonnansie 13 van 1941	Wildbeskerming-Ordonnansie Wysigingsordonnansie 1941	Artikels 4 en 5.
Ordonnansie 9 van 1942	Verbode Gebiede Wysigingsordonnansie 1942	Artikel 1.
Ordonnansie 11 van 1951	Ordonnansie op Wildbeskerming 1951	Geheel.
Ordonnansie 2 van 1952	Wysigingsordonnansie op Wildbeskerming 1952	Geheel.
Ordonnansie 24 van 1953	Verdere Wysigingsordonnansie op Wildbeskerming 1953	Geheel.
Ordonnansie 3 van 1954	Wysigingsordonnansie op Wildbeskerming 1954	Geheel.
Ordonnansie 29 van 1955	Wysigingsordonnansie op Wildbeskerming 1955	Geheel.
Ordonnansie 17 van 1956	Wysigingsordonnansie op die Kontrole oor die Uitvoer van Wilde Diere 1956	Geheel.
Ordonnansie 22 van 1956	Wysigingsordonnansie op Wildbeskerming 1956	Geheel.

SCHEDULE 9.
LAWS REPEALED.

Number and date of law	Title or Subject of Law	Extent of Repeal
Proclamation 10 of 1916	Protection of Welwitschia Plant	The whole.
Proclamation 12 of 1924	Wild Birds Export Prohibition Proclamation, 1924	The whole.
Ordinance 17 of 1928	Python and Leguan Export Prohibition Ordinance, 1928	The whole.
Proclamation 26 of 1928	Prohibited Areas Proclamation, 1928	Section 3 (4)
Ordinance 2 of 1929	Ostrich Skins Export Ordinance, 1929	The whole.
Ordinance 6 of 1929	Wild Animals Export Control Ordinance, 1929	The whole.
Proclamation 10 of 1930	Parrots and Parakeets Importation Prohibition Proclamation, 1930	The whole.
Ordinance 19 of 1937	Fauna and Flora Protection Ordinance, 1937	Sections 1, 5, 9 and 10.
Ordinance 13 of 1941	Game Preservation Ordinance Amendment Ordinance, 1941	Sections 4 and 5
Ordinance 9 of 1942	Prohibited Areas Amendment Ordinance, 1942	Section 1.
Ordinance 11 of 1951	Game Preservation Ordinance, 1951	The whole.
Ordinance 2 of 1952	Game Preservation Amendment Ordinance, 1952	The whole.
Ordinance 24 of 1953	Game Preservation Further Amendment Ordinance, 1953	The whole.
Ordinance 3 of 1954	Game Preservation Amendment Ordinance, 1954	The whole.
Ordinance 29 of 1955	Preservation of Game Amendment Ordinance, 1955	The whole.
Ordinance 17 of 1956	Wild Animals Export Control Amendment Ordinance, 1956	The whole.
Ordinance 22 of 1956	Preservation of Game Amendment Ordinance, 1956	The whole.
Ordinance 2 of 1957	Preservation of Game Amendment Ordinance, 1957	The whole.
Ordinance 11 of 1957	Preservation of Game Further Amendment Ordinance, 1957	The whole.

Ordonnansie 2 van 1957	Wysigingsordonnansie op Wildbeskerming 1957	Geheel.
Ordonnansie 11 van 1957	Verdere Wysigingsordonnansie op Wildbeskerming 1957	Geheel.
Ordonnansie 47 van 1957	Wysigingsordonnansie op die Kontrole van die Uitvoer van Volstruisvelle 1957	Geheel.
Ordonnansie 10 van 1958	Wysigingsordonnansie op Wildbeskerming 1958	Geheel.
Ordonnansie 18 van 1958	Ordonnansie op Wildtuine, Natuurtuine en Private Wildreserwes 1958	Geheel.
Ordonnansie 18 van 1959	Wysigingsordonnansie op Wildbeskerming 1959	Geheel.
Ordonnansie 33 van 1960	Wysigingsordonnansie op Wildbeskerming 1960	Geheel.
Ordonnansie 34 van 1960	Wysigingsordonnansie op Wildtuine en Private Wildreserwes 1960	Geheel.
Ordonnansie 17 van 1961	Wysigingsordonnansie op Wildbeskerming 1961	Geheel.
Ordonnansie 25 van 1961	Wysigingsordonnansie op Wildtuine, Natuurtuine en Private Wildreserwes 1961	Geheel.
Ordonnansie 4 van 1962	Wysigingsordonnansie op Wildtuine, Natuurtuine en Private Wildreserwes 1962	Geheel.
Ordonnansie 15 van 1963	Wysigingsordonnansie op Wildbeskerming 1963	Geheel.
Ordonnansie 39 van 1965	Wysigingsordonnansie op Wildtuine, Natuurtuine en Private Wildreserwes 1965	Geheel.

Ordinance 47 of 1957	Ostrich Skins Export Control Amendment Ordinance, 1957	The whole.
Ordinance 10 of 1958	Game Preservation Amendment Ordinance, 1958	The whole.
Ordinance 18 of 1958	Game Parks and Private Game Reserves Ordinance, 1958	The whole.
Ordinance 18 of 1959	Preservation of Game Amendment Ordinance, 1959	The whole.
Ordinance 33 of 1960	Game Preservation Amendment Ordinance, 1960	The whole.
Ordinance 34 of 1960	Game Parks and Private Game Reserves Amendment Ordinance, 1960	The whole.
Ordinance 17 of 1961	Game Preservation Amendment Ordinance, 1961	The whole.
Ordinance 25 of 1961	Game Parks, Nature Parks and Private Game Reserves Amendment Ordinance, 1961	The whole.
Ordinance 4 of 1962	Game Parks, Nature Parks and Private Game Reserves Amendment Ordinance, 1962	The whole.
Ordinance 15 of 1963	Preservation of Game Amendment Ordinance, 1963	The whole.
Ordinance 39 of 1965	Game Parks, Nature Parks and Private Game Reserves Amendment Ordinance, 1965	The whole.