

# OFFICIAL GAZETTE

EXTRAORDINARY

OF SOUTH WEST AFRICA

BUITENGEWONE

# OFFISIELLE KOERANT

VAN SUIDWES-AFRIKA

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## Draft Ordinance

## Ontwerpordonnansie

The following Draft Ordinance is published for general information. Die volgende Ontwerpordonnansie word vir algemene inligting gepubliseer.

H. S. P. W. VAN NIEUWENHUIZEN,  
Secretary for South West Africa.

H. S. P. W. VAN NIEUWENHUIZEN,  
Sekretaris van Suidwes-Afrika.

Administrator's Office,  
Windhoek.

Kantoor van die Administrateur,  
Windhoek.

Done at Windhoek this 24th day of February, 1975.

Attest,

Administrator for South West Africa.

Administrator for South West Africa.

Administrator for South West Africa.

Done at Windhoek this 24th day of February, 1975.

Attest,

## DRAFT ORDINANCE

To consolidate and amend the laws relating to the conservation of nature; the establishment of game parks and nature reserves; the control of problem animals; and to provide 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 Assembly by message from the Administrator, as follows:-

### ARRANGEMENT OF SECTIONS.

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## ONTWERPORDONNANSIE

Tot samevatting en wysiging van die wetsbepalings met betrekking tot die bewaring van die natuur; die stigting van wildtuine en natuurreservate; die beheer oor probleemdiere; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

Die Wetgewende Vergadering van die Gebied Suidwes-Afrika, met die toestemming van die Staats-president dermate sodanige toestemming nodig is vooraf verkry en by boodskap van die Administrateur aan die Vergadering meegedeel, VERORDEN SOOS VOLG:-

### INDELING VAN ARTIKELS.

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#### PRELIMINARY.

##### Definitions:

1. In this Ordinance, unless the context otherwise indicates —

- (1) "adequate fence" means a stockproof fence which is in good order and condition and which indicates the boundary line in all respects; otherwise it means a natural boundary through which or over which no game, except birds, would, in the opinion of the Executive Committee, ordinarily pass; (xlix)
- (ii) "Administration" means the Administration of the Territory; (ii)
- (iii) "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 keepnet to land or keep fish caught by means of a line and fish-hook; (xiv)
- (iv) "artificial lure or spoon", for the purposes of Chapter V, means any device which by its simulation of life or by its colour or appearance is designed to delude or entice a fish into seizing such device; (xxiii)
- (v) "board" means the Nature Conservation Board referred to in section 3; (xxxiv)
- (vi) "catch" and "capture" include the use of any means or method to catch, capture, injure or immobilise fish, game or any other wild animal; (xlivi)
- (vii) "certificate of competency" means a certificate of competency issued in terms of section 57(3); (vi)
- (viii) "children" means the natural children, step-children and lawfully adopted children of a person, and includes the husband or wife of any such child; (xxii)

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### INLEIDENDE BEPALINGS.

Woordbepaling:

1. In hierdie Ordonnansie, tensy uit die samehang anders blyk, beteken —

- (i) "aanhou" om wild of wilde diere in besit of bewaring te hê, toesig te hou daaroor en in volle beheer daarvan te wees; (xxvi)
- (ii) "Administrasie" die Administrasie van die Gebied; (ii)
- (iii) "beamppte" 'n persoon in diens van die Administrasie; (xxxii)
- (iv) "beskermde plant" elke soort plant genoem in Bylae 11; (xlvi)
- (v) "beskermde wild" elke soort wild genoem in Bylae 4, of die een of ander geslag daarvan; (xli)
- (vi) "bevoegdheidsertifikaat" 'n bevoegdheidsertifikaat uitgereik ingevolge artikel 57 (3); (vii)
- (vii) "Direkteur" die in artikel 2 bedoelde Direkteur van Natuurbewaring en Toerisme; (x)
- (viii) "eienaar" met betrekking tot 'n plaas, grond of grond waarop waters geleë is; (xxxiii)
  - (a) die persoon wat in 'n aktekantoor as die eienaar van sodanige plaas of grond geregistreer is en omvat elke direkteur van 'n maatskappy wat in 'n aktekantoor as die eienaar van sodanige plaas of grond geregistreer is; of
  - (b) die wettige erfgenaam van die in paragraaf (a) bedoelde eienaar by die oorlye van sodanige eienaar; of
  - (c) waar sodanige plaas of grond aan 'n vruggebruik onderworpe is, die vruggebruiker daarvan; of

- (ix) "coyote getter" means the device known as "coyote getter" or a similar device; (x-iii)
- (x) "Director" means the Director of Nature Conservation and Tourism referred to in section 2; (vii)
- (xi) "Executive Committee" means the Administrator-in-Executive Committee referred to in section 6 of the South West Africa Constitution Act, 1968 (Act 39 of 1968); (xlvi)
- (xii) "exotic game" means any vertebrate (including any bird, fish or reptile) whether kept or bred in captivity or elsewhere, belonging to a non-domestic species the habitat of which is not in the Republic of South Africa or the Territory; (xli)
- (xiii) "fish" includes aquatic fauna in general (excluding mammals and birds) whether indigenous or exotic, as well as the eggs, brood or spawn thereof; (xlvi)
- (xiv) "fisheries" includes all waters and all fish therein; (xlviii)
- (xv) "fishing tackle" means any fishing tackle, apparatus or device, or any part thereof, commonly used for the catching of fish; (xlvi)
- (xvi) "game" means specially protected game, protected game, huntable game, huntable game birds and exotic game; (lvi)
- (xvii) "game meat" means the meat of any game, whether fresh, salted, smoked or dried, or in the process of being smoked or dried; includes the bones in, or attached to, such meat; and also comprises the whole carcass of any game which is dead; (lv)
- (xviii) "game park" means the Etosha National Park referred to in section 13(1), and any area declared a game park in terms of section 14(1); (lvi)
- (xix) "game-proof fence" in relation to any species of game means a fence which complies with the standard prescribed for a gameproof fence in relation to that species of game; (lvii)

- (d) waar sodanige plaas of grond aan die Administrasie behoort, die Uitvoerende Komitee; of
- (e) waar sodanige plaas of grond aan 'n plaaslike bestuur behoort, die stadsklerk of die sekretaris van sodanige plaaslike bestuur;
- (ix) "ere-natuurbewaarder" iemand wat ingevolge artikel 79(2) as 'n ere-natuurbewaarder aangestel is en ook iemand wat ingevolge artikel 79(3) 'n ere-natuurbewaarder is; (xx)
- (x) "Gebied" die Gebied Suidwes-Afrika;
- (lii)
- (xi) "gelisensieerde wildhandelaar" iemand wat ingevolge artikel 41 as wildhandelaar gelisensieer is; (xxviii)
- (xii) "geproklameerde pad" 'n geproklameerde pad soos omskryf in die Ordonnansie op Paaie, 1972 (Ordonnansie 17 van 1972); (xl)
- (xiii) "gifskietter" die toestel bekend as "coyote getter" of 'n soortgelyke toestel; (ix)
- (xiv) "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 bewaarhet om vis wat met 'n lyn en vishoek gevang is aan wal te bring of te bewaar; (iii)
- (xv) "hierdie Ordonnansie" ook enige proklamasie en enige regulasie daarkragtens uitgevaardig en van krag; (liii)
- (xvi) "huurder" met betrekking tot 'n plaas of grond of grond waarop waters geleë is, die persoon wat sodanige plaas of grond huur kragtens 'n skriftelike kontrak met die eienaar daarvan, en wat werklik op sodanige plaas of grond woon; (xxvii)
- (xvii) "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 gegroeи 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; (xxv)

(xx) "honorary nature conservator" means any person appointed as an honorary nature conservator in terms of section 79(2) and includes any person who is an honorary nature conservator in terms of section 79(3); (ix)

(xxi) "hunt" —

(a) for the purposes of any provision of this Ordinance, excluding a provision of Chapter IV, means by any means whatsoever to kill or attempt to kill, or to shoot or attempt to shoot at, or to pursue, to search for, to lie in wait for or to drive with intent to kill or to shoot at, or wilfully to disturb;

(b) for the purposes of any provision of Chapter IV, means to —

(i) search for, trace, lie in wait for or pursue problem animals;

(ii) set a trap, spring-trap, net, drug, poison or any other means or device approved by the Director to capture or kill problem animals;

(iii) shoot at, or with dogs to hunt for, problem animals;

(iv) kill or capture problem animals in any other manner whatsoever approved by the Director; (xviii)

(xxii) "hunting season" in relation to huntable game or huntable game birds means the period determined in terms of section 25 as the hunting season during which such huntable game or huntable game birds may be hunted in terms of section 30 or section 32, as the case may be; (xxi)

(xxiii) "hunting season" in relation to huntable game birds means every species of game birds mentioned in Schedule 6 or either sex thereof; (xx)

(xxiv) "hunting season" in relation to huntable game or huntable game birds means the period determined in terms of section 25 as the hunting season during which such huntable game or huntable game birds may be hunted in terms of section 30 or section 32, as the case may be; (xxi)

(xxv) "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 a wild state or has for some period not been growing in a

(xviii) "jag" —

- (a) by die toepassing van enige bepaling van hierdie Ordonnansie uitgesonderd 'n bepaling van Hoofstuk IV, om met watter middel ook al dood te maak of te probeer doodmaak, of om te skiet of probeer skiet op, of om te agtervolg, te soek na, voor te lê of te dryf met die bedoeeling om dood te maak of te skiet op, of om opsetlik te verstoor;
- (b) by die toepassing van Hoofstuk IV, om —
  - (i) probleemdiere te soek, op te spoor, in te wag of te agtervolg;
  - (ii) 'n val, slagyster, net, verduwingsmiddel, gif of enige ander middel of toestel wat deur die Direkteur goedgekeur is, te stel om probleemdiere te vang of dood te maak;
  - (iii) te skiet of met honde jag te maak op probleemdiere;
  - (iv) probleemdiere op enige ander wyse hoegenaamd wat deur die Direkteur goedgekeur is, te vang of dood te maak; (xxi)
- (xix) "jagbare wild" elke soort wild genoem in Bylae 5, of die een of ander geslag daarvan; (xxii)
- (xx) "jagbare wildvoëls" elke soort wildvoël genoem in bylae 6, of die een of ander geslag daarvan; (xxiii)
- (xxi) "jagseisoen" met betrekking tot jagbare wild of jagbare wildvoëls die tydperk ingevolge artikel 25 bepaal as jagseisoen wanneer daardie jagbare wild of jagbare wildvoëls ingevolge die bepalings van artikel 30 of artikel 32, na gelang van die geval, gejag mag word; (xxiv)
- (xxii) "kinders" die natuurlike kinders, stief-kinders en wettiglik aangename kinders van 'n persoon en ook die eggenoot of eggenote van enige sodanige kind; (viii)
- (xxiii) "kunslokmiddel of -lepel" by die toepassing van hoofstuk V, 'n toestel wat weens sy nabootsing van die lewe of sy kleur of

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; (xvii)

(xxvi) "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; (i)

(xxvii) "lessee" in relation to a farm or land or land on which waters are situated, means the person leasing such farm or land under a written contract with the owner thereof, and who actually resides on such farm or land; (xvi)

(xxviii) "licensed game dealer" means any person licensed as a game dealer in terms of section 41; (xi)

(xxix) "local authority" means a municipality or village management board or the Peri-Urban Development Board established under section 2 of the Peri-Urban Development Board Ordinance, 1970 (Ordinance 19 of 1970); (xxviii)

(xxx) "nature conservator" means —

(a) a nature conservator appointed in terms of section 79(1); and

(b) any member of the South African Police; (xxv)

(xxxi) "nursery" means sufficiently enclosed premises on which protected plants are cultivated for commercial purposes: Provided that such premises shall not be less than 45 square metres in extent; (xxiv)

(xxxii) "officer" means any person in the service of the Administration; (iii)

(xxxiii) "owner" in relation to a farm; land or land on which waters are situated, means

(a) the person who is registered in a deeds office as the owner of such farm or land, and includes every director of a company registered in a deeds office as the owner of such farm or land; or

voorkoms, daarop bereken is om vis te mislei of te lok sodat dit sodanige toestel gryp; (iv)

(xxiv) "kwekery" 'n voldoende omheinde perseel waarop beskermde plante vir kommersiële doeleindes gekweek word: Met dien verstande dat sodanige perseel nie kleiner as 45 vierkante meter mag wees nie; (xxxii)

(xxv) "natuurbewaarder" —

(a) 'n natuurbewaarder ingevolge artikel 79(1) aangestel; en

(b) enige lid van die Suid-Afrikaanse Polisie; (xxx)

(xxvi) "ouers" die ouers van wie 'n persoon die natuurlike kind, stiefkind of wettig aangenome kind is en ook die eggenoot of eggenote van enige sodanige ouer; (xxxiv)

(xxvii) "padreserwe" met betrekking tot 'n geproklameerde pad die padreserwe van sodanige pad soos omskryf in die Ordonnansie op Paaie, 1972 (Ordonnansie 17 van 1972); (xlvi)

#### III. BUITESTEDELIKE ONTWIKKELING INPLAAS

(xxviii) "plaaslike bestuur" 'n munisipaliteit of 'n dorpsbestuur of die Raad vir Buitestedelike Ontwikkeling ingestel ingevolge artikel 2 van die Ordonnansie op die Raad vir Buitestedelike Ontwikkeling, 1970 (Ordonnansie 19 van 1970); (xxix)

(xxix) "pluk" ook om af te sny, af te kap, af te pluk, te neem, te versamel, te ontwortel, te beskadig of te vernietig; (xxxv)

(xxx) "private natuurreserwe" enige gebied wat ingevolge artikel 22 tot 'n private natuurreserwe verklaar is; (xxxviii)

(xxxi) "private wildtuin" enige gebied wat ingevolge artikel 21 tot 'n private wildtuin verklaar is; (xxxvii)

(xxxii) "probleemdier" enige dier wat ingevolge artikel 53 tot probleemdier verklaar is; (xxxix)

(xxxiii) "publieke pad" 'n openbare pad soos omskryf in die Ordonnansie op Padverkeer 1967 (Ordonnansie 30 van 1967); (xliii)

- (b) the lawful heir of the owner referred to in paragraph (a) at the death of such owner; or
  - (c) where such farm or land is subject to a usufruct, the usufructuary thereof; or
  - (d) where such farm or land is owned by the Administration, the Executive Committee; or
  - (e) where such farm or land is owned by a local authority, the town clerk or the secretary of such local authority;
- (viii)
- (xxxiv) "parents" means the parents of whom a person is the natural child, step-child or lawfully adopted child, and includes the husband or wife of any such parent;
  - (xxvi)
  - (xxv) "pick" includes to cut off, chop off, pick off, take, gather, uproot, damage or destroy; (xxix)
  - (xxxvi) "prescribed" means prescribed by regulation; (1)
  - (xxxvii) "private game park" means any area declared a private game park in terms of section 21; (xxxi)
  - (xxxviii) "private nature reserve" means any area declared a private nature reserve in terms of section 22; (xxx)
  - (xxxix) "problem animal" means any animal declared a problem animal in terms of section 53; (xxxii)
  - (xli) "proclaimed road" means a proclaimed road as defined in the Roads Ordinance, 1972 (Ordinance 17 of 1972); (xii)
  - (xlii) "protected game" means every species of game mentioned in Schedule 4, or either sex thereof; (v)
  - (xlii) "protected plant" means every species of plant mentioned in Schedule 11; (iv)
  - (xlvi) "public road" means a public road as defined in the Road Traffic Ordinance, 1967 (Ordinance 30 of 1967); (xxxiii)

- (xxxiv) "raad" die in artikel 3 bedoelde Natuurbewaringsraad; (v)
- (xxxv) "regulasie" 'n regulasie wat kragtens hierdie Ordonnansie uitgevaardig en van krag is; (xlvi)
- (xxxvi) "rou" met betrekking tot 'n vel, 'n vel wat nie sag gebrei of gelooi is nie; (xliv)
- (xxxvii) "spesiaal beskermde wild" elke soort wild genoem in Bylae 3, of die een of ander geslag daarvan; (li)
- (xxxviii) "Sekretaris" die Sekretaris van Suidwes-Afrika; (xlvii)
- (xxxix) "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; (lxix)
- (xli) "trofee" die vel, dop, pote of kop, of en gedeelte daarvan, van wild of enige ander wilde dier; (liv)
- (xli) "uiteemse wild" enige werweldier ('n voël, vis en reptiel inbegrepe), hetsy in gevangeskap of elders gehou of geteel, behorende tot 'n soort wat nie 'n soort huisdier is nie, waarvan die natuurlike tuiste nie in die Republiek van Suid-Afrika of die Gebied is nie; (xii)
- (xlii) "Uitvoerende Komitee" die Administrateur-in-Uitvoerende Komitee bedoel in artikel 6 van die Wet op die Konstitusie van Suidwes-Afrika, 1968 (Wet 39 van 1968); (xi)
- (xliii) "vang" ook die gebruik van enige middel of metode om vis, wild of enige ander wilde dier te vang, te beseer, of te immobiliseer; (vi)
- (xliv) "vel" ook enige gedeelte van 'n vel; (l)
- (xlv) "verkoop" die verkoop, verruil, te koop aanbied of daartoe ten toon stel, of aanbied vir genote waarde; (xlviii)
- (xlvi) "vis" ook waterfauna in die algemeen (uitgesonderd soogdiere en voëls), hetsy inheems of uitheems, en omvat ook die eiers, broed of kuit daarvan; (xiii)

- (xiv) "raw" in relation to a skin means a skin which has not been prepared or tanned till it is soft; (xxvi)
- (xlv) "regulation" means a regulation made and in force under this Ordinance; (xxv)
- (xlvi) "road reserve" in relation to a proclaimed road means the road reserve of such road as defined in the Roads Ordinance, 1972 (Ordinance 17 of 1972); (xxvii)
- (xlvii) "Secretary" means the Secretary for South West Africa; (xxxviii)
- (xlviii) "sell" means to sell, barter, offer or expose for sale or offer as valuable consideration; (xlv)
- (xlix) "set line" means a line and fish-hook which, when used for catching fish, is not under the immediate supervision of a 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; (xxxix)
- (l) "skin" includes any portion of a skin; (xli)
- (li) "specially protected game" means every species of game mentioned in Schedule 3, or either sex thereof; (xxxvii)
- (lii) "Territory" means the Territory of South West Africa; (x)
- (liii) "this Ordinance" includes any proclamation and any regulation made and in force thereunder; (xv)
- (liv) "trophy" means the skin, shell, feet or head, or any part thereof, of game or any other wild animal; (xl)
- (lv) "waters" includes waters in rivers, streams, creeks, lakes, lagoons, pans, vleis, dams, reservoirs, furrows and ponds; (lii)
- (lvi) "weapon" means any fire-arm, spear, assegai, bow-and-arrow, axe, bush-knife, knife or similar object and includes any narcotic rifle, pistol or bow; (li)
- (lvii) "wild animal" —  
(a) for the purposes of any provision of this Ordinance, excluding a provision

(xlvi) "visgerei" enige vistuig, apparaat of toestel, of 'n gedeelte daarvan, wat gewoonlik gebruik word om vis mee te vang; (xv)

(xlviii) "visserye" ook alle waters en alle vis daarin; (xiv)

(xlix) "voldoende omheining" 'n veekerende heining wat in orde is en in alle opsigte die grens aandui; andersins beteken dit 'n natuurlike grens waardeer of waарoor geen wild uitgesonderd voëls, na die mening van die Uitvoerende Komitee gewoonweg sou gaan nie; (i)

(l) "voorgeskryf" of "voorgeskrewe" by regulasie voorgeskryf; (xxxvi)

(li) "wapen" enige vuurwapen, spies, assegai, pyl en boog, byl, kapmes, mes of soortgelyke voorwerp en sluit ook in enige narkose-geweer, -pistol of -boog;

(lvi)

(lii) "waters" ook waters in riviere, strome, spruite, mere, strandmere, panne, vleie, damme, reservoirs, vore en vywers; (lv)

(liii) "wild" spesiaal beskermde wild, beskermde wild, jagbare wild, jagbare wildvoëls en uitheemse wild; (xvi)

(liv) "wilde dier" —

(a) by die toepassing van enige bepaling van hierdie Ordonnansie, behalwe 'n bepaling van Hoofstuk IV, enige werweldier ('n voël, vis en reptiel inbegrepe), hetsy in gevangeskap of elders gehou of geteel, behorende tot 'n soort wat nie 'n soort huisdier is nie en waarvan die natuurlike tuiste die Republiek van Suid-Afrika of die Gebied is;

(b) by die toepassing van 'n bepaling van Hoofstuk IV, enige werweldier ('n voël, vis en reptiel inbegrepe) behorende tot 'n soort wat nie 'n soort huisdier is nie; (lvii)

(lv) "wildsvleis" die vleis van enige wild, het-sy vars, gesout, gerook of gedroog, of in die proses van roking of droogmaking; sluit die bene in of aan sodanige vleis in, en omvat ook die hele karkas van enige wild wat dood is; (xvii)

of Chapter IV, means any vertebrate (including any bird, fish and reptile), whether kept or bred in captivity or elsewhere, belonging to a non-domestic species and the habitat of which is in the Republic of South Africa or the Territory;

- (b) for the purposes of any provision of Chapter IV, means any vertebrate (including any bird, fish and reptile) belonging to a non-domestic species.
- (liv)

Nature Conservation and  
Tourism Branch.

2. 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 the conservation of nature 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 Executive Committee subject to the provisions of the Public Service Act, 1957 (Act 54 of 1957).

## CHAPTER I.

### NATURE CONSERVATION BOARD.

Continued existence of  
Nature Conservation  
Board.

3. The Nature Conservation Board established in terms of section 58 of the Nature Conservation Ordinance, 1967 (Ordinance 31 of 1967), shall, notwithstanding the repeal of that Ordinance by this Ordinance, continue to exist.

Constitution of board.

4. (1) The board shall consist of at least five members appointed by the Executive Committee.

(2) One of the members of the board shall be designated by the Executive Committee as chairman and one as vice-chairman of the board.

(3) Any person who immediately prior to the commencement of this Ordinance is the chairman or another member of the board, shall be deemed to have been designated or appointed in terms of the provisions of this Ordinance, as the case may be, as from the date on which he became the chairman or a member thereof.

(4) The Secretary may, subject to the provisions of the Public Service Act, 1957 (Act 54 of 1957), and the Administration Employees Ordinance, 1957 (Ordinance 17 of 1957), instruct an officer in the Administration to act as secretary of the board.

Qualifications and dis-  
qualifications of members.

5. No person shall be appointed or hold office as a member of the board, if he —

- (lvi) "wildtuin" die Nasionale Etoshawildtuin bedoel in artikel 13(1), en enige gebied wat ingevolge artikel 14(1) tot 'n wildtuin verklaar is; (xvii)
- (lviii) "wildwerende heining" met betrekking tot enige soort wild, 'n heining wat voldoen aan die standaard wat met betrekking tot daardie soort wild vir 'n wildwerende heining voorgeskryf is. (xix).

2. 'n Afdeling van die Administrasie, wat heet die Afdeling Natuurbewaring en Toerisme, is verantwoordelik vir die regulering, uitvoering en administrasie van sake betreffende die bewaring van die natuur en toerisme en die hoof van sodanige afdeling is 'n beampete met die ampstiel Direkteur van Natuurbewaring en Toerisme deur die Uitvoerende Komitee aangestel onderworpe aan die bepalings van die Staatsdienswet, 1957 (Wet 54 van 1957).

Afdeling Natuurbewaring  
en Toerisme.

## HOOFSTUK I.

### NATUURBEWARINGSRAAD.

3. Die Natuurbewaringsraad ingestel ingevolge artikel 58 van die Ordonnansie op Natuurbewaring 1967 (Ordonnansie 31 van 1967), bly, ondanks die herroeping van daardie Ordonnansie deur hierdie Ordonnansie, voortbestaan.

Voortbestaan van Natuurbewaringsraad.

4. (1) Die raad bestaan uit minstens vyf lede wat deur die Uitvoerende Komitee aangestel word.

Samestelling van raad.

(2) Een van die lede van die raad word deur die Uitvoerende Komitee as voorsitter en een as ondervoorsitter van die raad aangewys.

(3) Iemand wat onmiddellik voor die inwerkingtreding van hierdie Ordonnansie voorsitter of 'n ander lid van die raad is, word geag ingevolge die bepalings van hierdie Ordonnansie as voorsitter of lid van die raad, na gelang van die geval, aangewys of aangestel te wees, en wel vanaf die datum waarop hy voorsitter of lid daarvan geword het.

(4) Die Sekretaris kan, behoudens die bepalings van die Staatsdienswet, 1957 (Wet 54 van 1957), en die Administrasiewerknemersordonnansie 1957 (Ordonnansie 17 van 1957), 'n beampete in die Administrasie opdrag gee om as sekretaris van die raad op te tree.

Kwalifikasies en dis-kwalifikasies van lede.

5. Niemand word as lid van die raad aangestel of dien as sodanig nie indien hy —

- (a) has at any time been convicted of any offence for which he has been sentenced to imprisonment without the option of a fine, unless he has received a free pardon, or unless the period of imprisonment expired at least three years before the date of his appointment; or
- (b) is of unsound mind and has been so declared by a competent court; or
- (c) is an unrehabilitated insolvent; or
- (d) is under the age of 21 years.

**Period of office.**

6. (1) A member of the board shall be appointed for a period of three years.
- (2) Any person whose period of office as a member of the board has expired, shall be eligible for reappointment.

**Vacation of office.**

7. A member of the board shall vacate his office —

- (a) if he ceases to possess the qualifications mentioned in section 5, or becomes subject to the disqualifications, mentioned therein;
- (b) if he is removed from his office in terms of section 8;
- (c) if he resigns as a member.

**Termination  
membership.**

8. The Executive Committee may at any time remove any member of the board from his office if such member of the board —

- (a) has in the opinion of the Executive Committee
- (i) been guilty of improper conduct; or

- (ii) regularly neglected his duties as a member of the board; or

- (iii) become, or becomes incompetent for the execution or performance of his duties as a member of the board, or

- (b) has, without the permission of the chairman of the board, which consent shall not be granted for any period exceeding six consecutive months, been absent from four consecutive meetings of the board.

**Filling of vacancies.**

9. When any member of the board for any reason ceases to hold office, the Executive Committee may, with due observance of the provisions of sections 4(1) and (5) appoint a person to fill the vacancy on the board.

- (a) te eniger tyd skuldig bevind is aan 'n misdryf waarvoor hy tot gevangenisstraf sonder die keuse van 'n boete gevonnis is, tensy algehele grasie aan hom verleen is, of tensy die tydperk van gevangenisstraf minstens drie jaar voor die datum van sy aanstelling verstryk het; of
- (b) in sy geestesvermoë gekrenk is en deur 'n bevoegde hof aldus verklaar is; of
- (c) 'n ongerehabiliteerde insolvent is; of
- (d) jonger as 21 jaar is.

6. (1) 'n Lid van die raad word aangestel vir 'n tydperk van drie jaar. Ampstermyn.

(2) Iemand wie se ampstermyn as lid van die raad verstryk het, kan weer aangestel word.

7. 'n Lid van die raad ontruim sy amp —

Ontruiming van amp.

- (a) indien hy nie meer die in artikel 5 genoemde kwalifikasies besit nie of aan die daarin genoemde diskwalifikasies onderworpe raak;
- (b) indien hy ingevolge artikel 8 van sy amp onthef word;
- (c) indien hy as lid bedank.

8. Die Uitvoerende Komitee kan te eniger tyd 'n lid van die raad van sy amp onthef indien sodanige lid van die raad —

Bekendiging van lidmaatskap.

(a) na die mening van die Uitvoerende Komitee —

- (i) hom skuldig gemaak het aan onbehoorlike gedrag; of
  - (ii) gereeld sy pligte as lid van die raad verwaarloos het; of
  - (iii) onbekwaam is of word vir die vervulling of uitvoering van sy pligte as lid van die raad; of
- (b) van vier agtereenvolgende vergaderings van die raad afwesig was sonder toestemming van die voorsitter van die raad, welke toestemming nie vir 'n tydperk van meer as ses agtereenvolgende maande verleen mag word nie.

9. Indien 'n lid van die raad om enige rede ophou om sy amp te beklee, kan die Uitvoerende Komitee, met insagname van die bepalings van artikels 4(1) en 5 iemand aanstel om die vakature in die raad te vul.

Vulling van vakatures.

Meetings of the board.

10. (1) All ordinary meetings of the board shall be held at the times and places determined by the board: Provided that, if the board has not determined the time and place for its next ordinary meeting at the end of a meeting, the chairman of the board shall determine such time and place.

(2) The chairman of the board shall, when directed by the Executive Committee to do so, and may, when he deems it necessary or expedient, call a special meeting of the board to be held at a time and place determined by the Executive Committee, or by the chairman, as the case may be.

(3) The majority of all the members of the board shall be a quorum for a meeting of the board.

(4) At all meetings of the board the chairman, or if he is absent, the vice-chairman, shall preside and if both the chairman and vice-chairman are absent from a meeting of the board the members present shall from among themselves elect a person to preside at that meeting.

(5) (a) Subject to the provisions of paragraph (b) a decision of the majority of the members of the board present at any meeting of the board, shall constitute a decision of the board, and such a decision of the board shall be final and conclusive.

(b) In the event of an equality of votes in regard to any matter the person presiding at the meeting concerned shall have a casting vote in addition to his deliberative vote.

(6) Minutes shall be kept of all meetings of the board.

(7) No decision taken by the board or act performed under the authority or on the recommendation of the board shall be invalid by reason only of an interim vacancy on the board or of the fact that a person who is disqualified from being a member of the board sat or acted as a member of the board when the decision was taken or the act was performed or authorised or recommended, if the decision was taken or the act was performed or authorised or recommended by the requisite majority of the members of the board who were present at the time and were entitled to sit and to act as members.

Functions, powers and duties of the board.

11. (1) The functions, powers and duties of the board shall be —

(a) to advise the Executive Committee in

10. (1) Alle gewone vergaderings van die raad word gehou op die tye en plekke wat die raad bepaal: Met dien verstande dat, indien die raad aan die einde van 'n vergadering nie die tyd en plek vir sy daaropvolgende gewone vergadering bepaal het nie, die voorsitter van die raad sodanige tyd en plek bepaal.

Vergaderings van die raad.

(2) Die voorsitter van die raad moet, wanneer hy deur die Uitvoerende Komitee aangesê word om dit te doen, en kan, wanneer hy dit nodig of dienstig ag, 'n buitengewone vergadering van die raad belê wat gehou moet word op 'n tyd en plek wat die Uitvoerende Komitee of die voorsitter, na gelang van die geval, bepaal.

(3) Die meerderheid van al die lede van die raad is 'n kworum vir 'n vergadering van die raad.

(4) By alle vergaderings van die raad moet die voorsitter of, indien hy afwesig is, die ondervoorsitter, voorsit en indien die voorsitter sowel as die ondervoorsitter by 'n vergadering van die raad afwesig is, kies die aanwesige lede iemand uit hulle midde om by dié vergadering voor te sit.

(5) (a) Behoudens die bepalings van paragraaf  
(b) maak 'n besluit van die meerderheid van die lede van die raad wat op 'n vergadering van die raad aanwesig is, 'n besluit van die raad uit en so 'n besluit van die raad is finaal en afdoende.

(b) By 'n staking van stemme oor enige aangeleentheid het die persoon wat by die betrokke vergadering voorsit, benewens sy beraadslagende stem ook 'n beslisende stem.

(6) Van alle vergaderings van die raad moet notule gehou word.

(7) Geen besluit geneem deur die raad of handeling op gesag of aanbeveling van die raad verrig, is ongeldig bloot vanweë 'n tydelike vakature in die raad of vanweë die feit dat 'n persoon wat onbevoeg is om 'n lid van die raad te wees as 'n lid van die raad sitting geneem of opgetree het toe die besluit geneem of die handeling verrig of gemagtig of aanbeveel is nie, indien die besluit geneem of die handeling verrig of gemagtig of aanbeveel is deur die vereiste meerderheid van die lede van die raad wat toe aanwesig was en geregtig was om as lede sitting te neem en op te tree.

11. (1) Die werksaamhede, bevoegdhede en pligte van die raad is om —

Werksaamhede, bevoegdhede en pligte van die raad.

(a) die Uitvoerende Komitee te adviseer met

relation to the control, management and maintenance with due observance of the objects mentioned in sections 13(1) and 14(1), of the Etosha National Park and other game parks;

- (b) to investigate and report on all matters relating to nature conservation referred to the board by the Executive Committee;
- (c) to make such recommendations to the Executive Committee as it may deem fit on any matter relating to the conservation of nature and the amendment of the laws of the Territory relating to the conservation of nature;
- (d) at least once in every year to make recommendations to the Executive Committee in respect of applications for game dealers' licences and the prescribing of the levies referred to in section 83(2);
- (e) to exercise and perform the functions, powers and duties prescribed by regulation;
- (f) to fulfil those other tasks which fall within the objects of this Ordinance and are entrusted to the board by the Executive Committee.

(2) Any person who hinders, obstructs, resists or disturbs the board as such or any member of the board in the performance of its or his duties, or the exercise of its or his functions or powers, shall be guilty of an offence.

**Remuneration, allowances and fees.**

12. A member of the board shall receive no remuneration but to those members of the board who are not officers in the public service or officers or employees in the service of the Administration shall be paid such allowances and fees as may be determined by the Executive Committee from time to time.

**CHAPTER II. THE ETOSHA NATIONAL PARK AND OTHER GAME PARKS AND NATURE RESERVES.**

**Etosha National Park.**

13. (1) The area defined in Schedule 2 and known as the Etosha National Park shall be a game park for the propagation, protection, study and preservation therein of wild animal life, wild plant life and objects of geological, ethnological, archaeological, historical and other scientific interest and for the benefit and enjoyment of the inhabitants of the Territory and other persons.

betrekking tot die beheer, bestuur en instandhouding, met inagneming van die oogmerke genoem in artikels 13(1) en 14(1), van die Nasionale Etoshawildtuin en ander wildtuine;

- (b) alle aangeleenthede betreffende natuurbewaring wat deur die Uitvoerende Komitee na die raad verwys word, te ondersoek en daaroor verslag te doen;
- (c) na goeddunke by die Uitvoerende Komitee aanbevelings te doen oor enige aangeleenthed betreffende die bewaring van die natuur en die wysiging van die Gebied se wette betreffende die bewaring van die natuur;
- (d) minstens een keer per jaar aanbevelings aan die Uitvoerende Komitee te doen ten opsigte van aansoeke om wildhandelaarslisensies en die voorskrywing van die gelde bedoel in artikel 83(2);
- (e) die werksaamhede, bevoegdhede en pligte wat by regulasie voorgeskryf word te verrig en uit te oefen;
- (f) die ander take te verrig wat binne die oogmerke van hierdie Ordonnansie val en deur die Uitvoerende Komitee aan die raad opgedra word.

(2) Iemand wat die raad as sodanig of 'n raadslid, by die vervulling van sy pligte of die uitvoering van sy werksaamhede of bevoegdhede hinder, belemmer, teengaan of steur is aan 'n misdryf skuldig.

12. 'n Lid van die raad ontvang geen besoldiging nie, maar aan dié lede van die raad wat nie beampies in die staatsdiens of beampies of werknemers in diens van die Administrasie is nie, word die toelaes en gelde betaal wat die Uitvoerende Komitee van tyd tot tyd bepaal.

Besoldiging, toelaes en gelde.

## HOOFSTUK II.

### WILDTUINE EN NATUURRESERWES.

13. (1) Die gebied wat in Bylae 2 omskrywe is en wat die Nasionale Etoshawildtuin heet, is 'n wildtuin vir die voorplanting, beskerming, bestudering en behoud daarin van die wilde dierelewé, wilde plantelewé en voorwerpe van geologiese, etnologiese, argeologiese, historiese en ander wetenskaplike belang en tot voordeel en genot van die inwoners van die Gebied en ander persone.

Nationale Etoshawildtuin.

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

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

(4) The exclusive and final discretion to determine if and when prospecting or mining activities are in the national interest, shall vest in the Executive Committee.

Establishment and objects of game parks and nature reserves.

14. (1) The Executive Committee may declare any other area a game park or a nature reserve for the propagation, protection, study and preservation therein of the wild animal life, fisheries, wild plant life and objects of geological, ethnological, archaeological, historical and other scientific interest and for the benefit and enjoyment of the inhabitants of the Territory and other persons.

(2) Any such declaration of an area as a game park or a nature reserve shall be made known by notice in the *Official Gazette*.

Amendment of boundaries of game parks and nature reserves.

15. (1) The Executive Committee may from time to time amend the boundaries of any game park (except those of the Etosha National Park) or any nature reserve.

(2) Any such amendment of the boundaries of a game park or nature reserve shall be made known by notice in the *Official Gazette*.

Withdrawal of declaration as a game park or nature reserve.

16. (1) The Executive Committee may at any time withdraw the declaration of an area as a game park or a nature reserve.

(2) Any such withdrawal of the declaration of an area as a game park or a nature reserve shall be made known by notice in the *Official Gazette*.

Powers of Executive Committee in relation to game parks and nature reserves.

17. (1) The Executive Committee shall control, manage and maintain game parks and nature reserves.

(2) The Executive Committee may within a game park or a nature reserve —

(a) lay out and construct such roads, bridges, buildings, water installations, fences, breakwaters, seawalls, boathouses, landing stages, mooring places and swimming pools and carry out such other works as it may consider necessary for the control, management or maintenance of the game park or nature reserve;

(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 slegs in die geval van nasionale belang kan die Uitvoerende Komitee prospektering en mynbedrywighede daarin toelaat.

(4) Dit berus in die Uitvoerende Komitee se uitsluitlike en finale diskresie om te bepaal of en wanneer prospektering of mynbedrywighede in die nasionale belang is.

14. (1) Die Uitvoerende Komitee kan enige ander gebied vir die voortplanting, beskerming, bestudering en behoud daarin van die wilde dierelewé, visserye, wilde plantelewé en voorwerpe van geologiese, etnologiese, argeologiese, historiese en ander wetenskaplike belang en tot voordeel en genot van die inwoners van die Gebied en ander persone tot 'n wildtuin of natuurreserwe verklaar.

Sügting en oogmerke van wildtuine en natuurreserwes.

(2) Enige sodanige verklaring van 'n gebied tot 'n wildtuin of natuurreserwe word by kennisgewing in die *Offisiële Koerant* bekend gemaak.

15. (1) Die Uitvoerende Komitee kan van tyd tot tyd die grense van enige wildtuin (behalwe die Nasionale Etoshawildtuin) of natuurreserwe wysig.

Wysiging van grense van wildtuine en natuurreserwes.

(2) Enige sodanige wysiging van die grense van 'n wildtuin of natuurreserwe word by kennisgewing in die *Offisiële Koerant* bekend gemaak.

16. (1) Die Uitvoerende Komitee kan te eniger tyd die verklaring van 'n gebied tot 'n wildtuin of natuurreserwe intrek.

Intrekking van verklaring tot wildtuin of natuurreserwe.

(2) Enige sodanige intrekking van die verklaring van 'n gebied tot 'n wildtuin of natuurreserwe word by kennisgewing in die *Offisiële Koerant* bekend gemaak.

17. (1) Die Uitvoerende Komitee beheer en bestuur wildtuine en natuurreserwes en hou hulle in stand.

Bevoegdhede van Uitvoerende Komitee met betrekking tot wildtuine en natuurreserwes.

(2) Die Uitvoerende Komitee kan in 'n wildtuin of natuurreserwe —

(a) die paaie, brûe, geboue, waterinstallasies, heinings, seewerings, strandmure, boothuise, aanlegsteiers, vasmeerplekke en swembaddens aanlê en oprig en die ander werke uitvoer wat hy vir die beheer, bestuur of instandhouding van die wildtuin of natuurreserwe nodig ag;

- (b) take such steps as will ensure the safety of the animal and plant life and fisheries in the game park or nature reserve and the conservation of the game park or nature reserve and the animals, vegetation and fish therein in a natural state;
- (c) reserve areas as breeding places for animals or fish or nurseries for trees, shrubs, plants and flowers and set aside zones for such purposes as it may deem necessary or desirable;
- (d) provide accommodation for visitors to the game park or nature reserve and facilities in connection therewith;
- (e) provide meals and refreshments for visitors to the game park or nature reserve;
- (f) carry on any business or trade for the convenience of visitors to the game park or nature reserve;
- (g) supply any other service for the convenience of visitors to the game park or nature reserve;
- (h) establish, erect, equip and maintain any building, structure, depot or premises required in connection with any matter referred to in paragraph (a), (e), (f) or (g), or let any premises required for such a purpose;
- (i) make such charges in connection with any such matter as it may determine;
- (j) authorise any person to carry on, subject to such conditions and the payment of such charges as it may deem fit, any activities which may be carried on by the Executive Committee in terms of paragraph (e), (f) or (g).

Restriction of right to enter game parks and nature reserves and prohibition of certain acts therein.

18. (1) Notwithstanding anything to the contrary in this Ordinance contained, but subject to the provisions of subsection (2) and sections 19 and 21, no person shall without the written permission of the Executive Committee —

- (a) enter or reside in a game park or a nature reserve;
- (b) convey into a game park or a nature reserve or, within the confines thereof be in possession of, any weapon, explosive, trap or poison;

- (b) die stappe doen wat die veiligheid van die diere- en plantelewe en visserye in die wildtuin of natuurreserwe en die bewaring van die wildtuin of natuurreserwe en die diere, plantegroei en visse daarin in 'n natuurlike staat, sal verseker;
- (c) gebiede uithou as aanteelplekke vir diere of visse of kwekerye vir bome, struiken, plante en blomme en sones afsonder vir die doeleindes wat hy nodig of wenslik ag;
- (d) herberg vir besoekers aan die wildtuin of natuurreserwe en geriewe in verband daarmee, verskaf;
- (e) maaltye en verversings vir besoekers aan die wildtuin of natuurreserwe verskaf;
- (f) besigheid of handel dryf vir die gerief van besoekers aan die wildtuin of natuurreserwe;
- (g) enige ander diens vir die gerief van besoekers aan die wildtuin of natuurreserwe lewer;
- (h) 'n gebou, struktuur, depot of perseel wat benodig word in verband met 'n in paragraaf (a), (e), (f) of (g) bedoelde aangeleentheid instel, oprig, uitrus en in stand hou of 'n perseel wat vir so 'n doel benodig word, verhuur;
- (i) die gelde in verband met so 'n aangeleentheid hef wat hy bepaal;
- (j) enigiemand magtig om, onderworpe aan die voorwaardes en die betaling van die gelde wat hy goedvind, enige bedrywigheide voort te sit wat ingevolge paragraaf (e), (f) of (g) deur die Uitvoerende Komitee voortgesit kan word.

18. (1) Ondanks andersluidende bepalings in hierdie Ordonnansie vervat, maar behoudens die bepalings van subartikel (2) en van artikels 19 en 21, mag niemand sonder die skriftelike toestemming van die Uitvoerende Komitee —

Beperking van reg om wildtuine en natuurreservves te betree en verbod op sekere handelinge daarin.

- (a) 'n wildtuin of natuurreserwe betree of daarin woon nie;
- (b) enige wapen, ontploffingsmiddel, val of gif in 'n wildtuin of natuurreserwe bring of binne die grense van 'n wildtuin of natuurreserwe in besit daarvan wees nie;

- (c) within a game park or a nature reserve wilfully or negligently injure, capture or disturb any animal or remove or destroy any egg or nest of any bird;
- (d) wilfully or negligently cause any veld fire or any damage to any object of geological, ethnological, archaeological, historical or other scientific interest within a game park or a nature reserve;
- (e) introduce any animal into or permit any live-stock or domestic animal to enter a game park or a nature reserve;
- (f) remove from a game park or a nature reserve any animal, whether dead or alive, or any part of an animal, other than an animal lawfully introduced into such game park or nature reserve;
- (g) pick any indigenous plant in a game park or a nature reserve;
- (h) chop, cut or destroy any tree in a game park or a nature reserve;

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 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 or with the execution of the powers vested in him in terms of this Ordinance shall be exempted from all the provisions of this subsection.

(2) Notwithstanding the provisions of subsection (1) any person may —

- (a) without the permission of the Executive Committee travel through a game park or a nature reserve determined by the Executive Committee and made known by notice in the *Official Gazette* in a railway bus, provided such person does not within such game park or nature reserve leave such railway bus or the site of any stop thereof;

- (c) in 'n wildtuin of natuurreserwe opsetlik of uit nalatigheid enige dier beseer, vang of hinder of 'n eier of nes van enige voël wegneem of verniel nie;
- (d) opsetlik of uit nalatigheid in 'n wildtuin of natuurreserwe die veld aan die brand steek of 'n voorwerp van geologiese, etnologiese, argeologiese, historiese of ander wetenskaplike belang beskadig nie;
- (e) 'n dier in 'n wildtuin of natuurreserwe inbring of toelaat dat enige vee of huisdier 'n wildtuin of natuurreserwe binnegaan nie;
- (f) 'n dier, hetsy dood of lewendig, of enige deel van 'n dier uit 'n wildtuin of natuurreserwe verwyder nie (behalwe 'n dier wat wettiglik in sodanige wildtuin of natuurreserwe ingebring is);
- (g) enige inheemse plant in 'n wildtuin of natuurreserwe pluk nie;
- (h) in 'n wildtuin of natuurreserwe enige boom kap, saag of verniel nie;

Met dien verstaande dat —

- (i) 'n lid van die Suid-Afrikaanse Polisie wat ampshalwe 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) 'n beampte van die Afdeling Natuurbewaring en Toerisme, of 'n lid van die raad wat ampshalwe optree en wie se optrede in direkte verband staan met die uitvoering van sy ampspligte of met die uitoefening van die bevoegdhede ingevolge hierdie Ordonnansie aan hom verleen, vrygestel word van al die bepalings van hierdie subartikel.

(2) Ondanks die bepalings van subartikel (1) mag enigiemand —

- (a) sonder die verlof van die Uitvoerende Komitee in 'n spoorwegbus deur 'n wildtuin of natuurreserwe deur die Uitvoerende Komitee bepaal en by kennisgewing in die *Offisiële Koerant* bekend gemaak reis, mits so iemand nie in sodanige wildtuin of natuurreserwe sodanige spoorwegbus of die terrein van enige stilhouplek verlaat nie;

(b) convey any animal or object mentioned in subsection (1)(b) through a game park or a nature reserve determined by the Executive Committee and made known by notice in the *Official Gazette* in a railway bus, provided such animal or article is not removed from such railway bus within such game park or nature reserve;

(c) with due observance of the conditions, requirements and restrictions prescribed or imposed by or in terms of this Ordinance, convey any article mentioned in subsection (1)(b) through a game park or a nature reserve along any prescribed route.

(3) Any person who contravenes or fails to comply with any provision of this section or any condition, requirement or restriction of any permission granted thereunder shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

Purposes for which permission to enter game parks and nature reserves may be granted.

19. The permission to enter and reside in a game park or a nature reserve referred to in section 18(1)(a) may be granted only for the purposes of —

- (a) health, study, recreation or other incidental matters;
- (b) travel or transport along the routes prescribed by regulation; or
- (c) transacting any lawful business.

Prohibition of hunting in game parks and nature reserves.

20. (1) Notwithstanding anything to the contrary in this Ordinance contained, no person shall, without the written permission of the Executive Committee, hunt any animal in any game park or any nature reserve: Provided that a dangerous animal may be killed in defence of a human life or to prevent a human being from being injured.

(2) Any person who contravenes or fails to comply with any provision of subsection (1) or any condition, requirement or restriction of any permission granted thereunder, shall be guilty of an offence and liable on conviction —

- (a) to a fine not less than eight hundred rand and not exceeding two thousand rand or to imprisonment for a period of not less than two years and not exceeding six years or to both such fine and such im-

- (b) 'n dier of voorwerp vermeld in subartikel (1)(b) in 'n spoorwegbus deur 'n wildtuin of natuurreserwe deur die Uitvoerende Komitee bepaal en by kennisgewing in die *Offisiële Koerant* bekend gemaak, vervoer, mits so 'n dier of voorwerp nie in sodanige wildtuin of natuurreserwe van daardie spoorwegbus verwijder word nie;
- (c) met inagneming van die voorwaarde, vereistes en beperkings wat by of in gevolge hierdie Ordonnansie voorgeskryf of opgely word, 'n voorwerp vermeld in subartikel (1)(b) langs 'n voorgeskrewe roete deur 'n wildtuin of natuurreserwe vervoer.

(3) Iemand wat 'n bepaling van hierdie artikel of enige voorwaarde, vereiste of beperking van enige toestemming daarkragtens verleen, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd rand of met gevengenisstraf vir 'n tydperk van hoogstens ses maande of met sowel sodanige boete as sodanige gevengenisstraf.

19. Die verlof om 'n wildtuin of natuurreserwe te betree en daarin te woon, vermeld in artikel 18(1)(a), mag slegs vir die doeleindes van —

Doeleindes waarvoor toestemming om wildtuine en natuurreserwes te betree verleen mag word.

- (a) gesondheid, studie, ontspanning of ander verbandhoudende sake;
- (b) reise of vervoer langs die roetes wat by regulasie voorgeskryf word; of
- (c) verrigting van enige wettige besigheid

verleen word.

20. (1) Ondanks enige andersluidende bepalings in hierdie Ordonnansie vervat, mag niemand sonder die skriftelike toestemming van die Uitvoerende Komitee, enige dier in 'n wildtuin of natuurreserwe jag nie: Met dien verstande dat 'n gevaaarlike dier doodgemaak mag word ter verdediging van 'n menselewe of om die beseering van 'n mens te voorkom.

Verbod op jag in wildtuine en natuurreserwes.

(2) Iemand wat 'n bepaling van subartikel (1) of enige voorwaarde, vereiste of beperking van enige toestemming daarkragtens verleen, oortree of versuim om daaraan te voldoen is aan 'n misdryf skuldig en by skuldigbevinding strafbaar —

- (a) met 'n boete van minstens agthonderd rand en hoogstens tweeduiseend rand of met gevengenisstraf vir 'n tydperk van minstens twee jaar en hoogstens ses jaar of met sowel sodanige boete as sodanige

prisonment if such offence relates to the hunting of specially protected game; or

- (b) to a fine not less than four hundred rand and not exceeding one thousand rand or to imprisonment for a period of not less than twelve months and not exceeding three years or to both such fine and such imprisonment if such offence relates to the hunting of any other animal.

Killing of animals trespassing in game parks or nature reserves.

21. A nature conservator may at any time —

- (a) kill any dog found in a game park or a nature reserve, other than any such dog which is in the lawful possession or under the lawful charge of an officer, or which is being conveyed through such game park or nature reserve in accordance with the provisions of section 18;
- (b) kill any donkey, horse or other riding or pack-animal found in a game park or a nature reserve, other than any such donkey, horse or other riding or pack-animal which is in the lawful possession or under the lawful charge of an officer or which is being conveyed through such game park or nature reserve in accordance with the provisions of section 18, and may seize the saddles and bridles thereof, if any;
- (c) with the consent of the Executive Committee, kill any live-stock or domestic animal found in a game park or a nature reserve, other than any such live-stock or domestic animal which is in the lawful possession or under the lawful charge of an officer or which is being conveyed through such game park or nature reserve in accordance with the provisions of section 18.

Establishment of private game parks and private nature reserves.

22. (1) (a) Subject to the provisions of subsections (2), (3), (4) and (5) the Executive Committee may at any time and subject to such conditions as it may deem necessary or expedient declare any area a private game park or private nature reserve for the period determined by it or until the declaration of the area concerned as a private game park or private nature reserve is withdrawn.

- (b) Any such declaration of an area as a private game park or a private nature reserve shall be made known by notice in the *Official Gazette*.

gevangenisstraf indien sodanige misdryf betrekking het op die jag van spesiale beskermde wild; of

- (b) met 'n boete van minstens vierhonderd rand en hoogstens eenduisend rand of met gevangenisstraf vir 'n tydperk van minstens twaalf maande en hoogstens drie jaar of met sowel sodanige boete as sodanige gevangenisstraf indien sodanige misdryf betrekking het op die jag van enige ander dier.

21. 'n Natuurbewaarder kan te eniger tyd —

Doodmaak van diere wat in wildtuine of natuurreserwes oortree.

- (a) enige hond wat in 'n wildtuin of natuurreserwe aangetref word, behalwe enige sodanige hond wat in die wettige besit of bewaring van 'n beampete is of wat ooreenkomsdig die bepalings van artikel 18 deur sodanige wildtuin of natuurreserwe vervoer word, doodmaak;

- (b) enige donkie, perd of ander ry- of pakdier wat in 'n wildtuin of natuurreserwe aangetref word, behalwe enige sodanige donkie, perd of ander ry- of pakdier wat in die wettige besit of bewaring van 'n beampete is of wat ooreenkomsdig die bepalings van artikel 18 deur sodanige wildtuin of natuurreserwe vervoer word, doodmaak en op die saals en tooms daarvan, as daar is, beslag lê;

- (c) met die toestemming van die Uitvoerende Komitee enige vee of huisdier wat in 'n wildtuin of natuurreserwe aangetref word, behalwe enige sodanige vee of huisdier wat in die wettige besit of bewaring van 'n beampete is of wat ooreenkomsdig die bepalings van artikel 18 deur sodanige wildtuin of natuurreserwe vervoer word, doodmaak.

22. (1) (a) Behoudens die bepalings van subartikels (2), (3), (4) en (5) kan die Uitvoerende Komitee te eniger tyd, onderworpe aan die voorwaardes wat hy nodig of dienstig ag, enige gebied tot 'n private wildtuin of private natuurreserwe verklaar vir die tydperk wat hy bepaal of totdat die verklaring van die betrokke gebied tot private wildtuin of private natuurreserwe ingetrek word.

Stigting van private wildtuine en private natuurreserwes.

- (b) Enige sodanige verklaring van 'n gebied tot private wildtuin of private natuurreserwe word by kennisgewing in die *Offisiële Koerant* bekend gemaak.

(2) An area shall only be declared a private game park or a private nature reserve on the written application of the owner of the land concerned.

(3) (a) No area shall be declared a private game park or a private nature reserve unless a notice of the application to do so has at least three months previously at the cost of the applicant been published in the *Official Gazette* and in a newspaper circulating in the Territory.

(b) The notice referred to in paragraph (a) shall request any person who wishes to object to the declaration of the area concerned as a private game park or a private nature reserve to lodge his objections with the person or officer mentioned in the notice within a period mentioned in the notice, which objections shall be submitted to and considered by the Executive Committee together with the application concerned.

(4) (a) The Executive Committee may at any time withdraw the declaration of an area as a private game park or a private nature reserve.

(b) Any such withdrawal of the declaration of an area as a private game park or a private nature reserve shall be made known by notice in the *Official Gazette*.

(5) The declaration of an area as a private game park or a private nature reserve shall in no way derogate from the provisions of Chapter IV and shall apply subject to the provisions of the said Chapter IV.

Prohibition of hunting in private game parks.

23. (1) Notwithstanding anything to the contrary in this Ordinance contained, but subject to the provisions of Chapter IV, no person shall without the written approval of the Executive Committee hunt any game or any other wild animal or bird in a private game park: Provided that the owner of the land concerned may at any time hunt any game or any other wild animal or bird on such land, except specially protected and protected game.

(2) The Executive Committee shall not grant any approval in terms of subsection (1) unless the owner of the land concerned has granted his permission thereto.

(3) The approval referred to in subsection (1) shall be granted subject to the conditions, requirements and restrictions imposed by the Executive Committee with due allowance for the permission of the owner of the land concerned.

(2) 'n Gebied word slegs op die skriftelike aansoek van die eienaar van die betrokke grond tot private wildtuin of private natuurreserwe verklaar.

(3) (a) Geen gebied word tot private wildtuin of private natuurreserwe verklaar nie tensy 'n kennisgewing van die aansoek om dit te doen minstens drie maande vooraf op die aansoeker se koste in die *Offisiële Koerant* en in 'n nuusblad wat in die Gebied in omloop is, geplaas is.

(b) Die kennisgewing bedoel in paragraaf (a) moet iedereen wat beswaar wil aanteken teen die verklaring van die betrokke gebied tot private wildtuin of private natuurreserwe versoek om sy besware binne 'n tydperk genoem in die kennisgewing by die persoon of beampete wat in die kennisgewing genoem word in te dien, welke besware saam met die betrokke aansoek aan die Uitvoerende Komitee voorgeleë en deur hom oorweeg word.

(4) (a) Die Uitvoerende Komitee kan te eniger tyd die verklaring van 'n gebied tot 'n private wildtuin of private natuurreserwe, intrek.

(b) Enige sodanige intrekking van die verklaring van 'n gebied tot private wildtuin of private natuurreserwe word by kennisgewing in die *Offisiële Koerant* bekend gemaak.

(5) Die verklaring van 'n gebied tot 'n private wildtuin of private natuurreserwe doen in geen oopsig afbreuk nie aan die bepalings van Hoofstuk IV en geld behoudens die bepalings van genoemde Hoofstuk IV.

23. (1) Ondanks enige andersluidende bepalings in hierdie Ordonnansie vervat maar behoudens die bepalings van Hoofstuk IV, mag niemand sonder die skriftelike goedkeuring van die Uitvoerende Komitee enige wild of enige ander wilde dier of voël in 'n private wildtuin jag nie: Met dien verstande dat die eienaar van die betrokke grond te eniger tyd enige wild of ander wilde dier of voël behalwe spesiaal beskermde en beskermde wild, op sodanige grond mag jag.

Verbod op jag in private wildtuine.

(2) Die Uitvoerende Komitee verleen nie enige goedkeuring ingevolge subartikel (1) nie, tensy die eienaar van die betrokke grond sy toestemming daartoe verleen het.

(3) Die goedkeuring bedoel in subartikel (1) word verleen onderworpe aan die voorwaardes, vereistes en beperkings wat die Uitvoerende Komitee met inagneming van die toestemming van die eienaar van die betrokke grond ople.

(4) Any person who contravenes or fails to comply with any provision of subsection (1) or any condition, requirement or restriction of any approval granted in terms of this section shall be guilty of an offence and liable on conviction —

(a) to a fine not less than eight hundred rand and not exceeding two thousand rand or to imprisonment for a period of not less than two years and not exceeding six years or to both such fine and such imprisonment if such offence relates to the hunting of specially protected game;

(b) to a fine not less than four hundred rand and not exceeding one thousand rand or to imprisonment for a period of not less than twelve months and not exceeding three years or to both such fine and such imprisonment if such offence relates to the hunting of any other game or wild animal or bird.

Prohibition of picking of indigenous plants in private nature reserves.

24. (1) No person shall without the written approval of the Executive Committee pick any indigenous plant, or any portion of an indigenous plant, in a private nature reserve: Provided that the owner of the land concerned may at any time pick any indigenous plant, other than a protected plant, on such land.

(2) The Executive Committee shall not grant any approval in terms of subsection (1) unless the owner of the land concerned has granted his permission thereto.

(3) The approval referred to in subsection (1) shall be granted subject to the conditions, requirements and restrictions imposed by the Executive Committee with due allowance for the permission of the owner of the land concerned.

(4) Any person who contravenes or fails to comply with any provision of subsection (1) or any condition, requirement or restriction of any approval granted in terms of this section, shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

(4) Iemand wat 'n bepaling van subartikel (1) of enige voorwaarde, vereiste of beperking van enige goedkeuring ingevolge hierdie artikel verleen, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar —

- (a) met 'n boete van minstens agthonderd rand en hoogstens tweeduiseend rand of met gevangenisstraf vir 'n tydperk van minstens twee jaar en hoogstens ses jaar of met sowel sodanige boete as sodanige gevangenisstraf indien sodanige misdryf betrekking het op die jag van spesiaal beskermde wild;
- (b) met 'n boete van minstens vierhonderd rand en hoogstens eenduisend rand of met gevangenisstraf vir 'n tydperk van minstens twaalf maande en hoogstens drie jaar of met sowel sodanige boete as sodanige gevangenisstraf, indien sodanige misdryf betrekking het op die jag van enige ander wild of wilde dier of voël.

24. (1) Niemand mag sonder die skriftelike goedkeuring van die Uitvoerende Komitee enige inheemse plant of enige gedeelte van 'n inheemse plant in 'n private natuurreserwe pluk nie: Met dien verstande dat die eienaar van die betrokke grond te eniger tyd enige inheemse plant, behalwe 'n beskermde plant, op sodanige grond mag pluk.

Verbod op pluk van inheemse plante in private natuurreserwes.

(2) Die Uitvoerende Komitee verleen nie enige goedkeuring ingevolge subartikel (1) nie, tensy die eienaar van die betrokke grond sy toestemming daartoe verleen het.

(3) Die goedkeuring bedoel in subartikel (1) word verleen onderworpe aan die voorwaardes, vereistes en beperkings wat die Uitvoerende Komitee met inagneming van die toestemming van die eienaar van die betrokke grond ople.

(4) Iemand wat 'n bepaling van subartikel (1)-of enige voorwaarde, vereiste of beperking van enige goedkeuring ingevolge hierdie artikel verleen, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en is by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met sowel sodanige boete as sodanige gevangenisstraf.

CHAPTER III.

WILD ANIMALS.

Powers of Executive Committee in relation to hunting seasons and classification of game.

25. (1) The Executive Committee may from time to time —

- (a) in any year determine hunting seasons during which game mentioned in Schedule 5 or 6 or Schedules 5 and 6 or any species or sex thereof may be hunted in terms of the provisions of section 30 or 32 or sections 30 and 32, as the case may be, but subject to the other provisions of this Ordinance;
- (b) restrict the number of any species or sex of game which may be hunted during a hunting season;
- (c) amend Schedules 3, 4, 5 and 6 by deleting the name of any species or sex of game or by transferring such name from any such schedule to another or by adding to any such schedule the name of any species or sex of wild animal which is not included in any of the said schedules.

(2) Any determination of a hunting season, restriction of a species or sex of game which may be hunted during a hunting season or amendment of Schedule 3, 4, 5 or 6 in terms of subsection (1) shall be made known by notice in the *Official Gazette*.

(3) Any hunting season or amendment of any such schedule may, subject to the provisions of subsection (4), be made applicable to the entire Territory or to any part or parts of the Territory defined in such notice.

(4) No amendment of such schedules whereby the name of any species or sex of game is transferred from Schedule 5 or Schedule 6 to Schedule 3 or Schedule 4 or whereby the name of any species or sex of wild animal is added to Schedule 3 or Schedule 4 shall be applicable in respect of —

- (a) any farm; or
- (b) any piece of land which is not less than one thousand hectares in extent

which is enclosed with a game-proof fence.

Hunting of specially protected game.

26. (1) No person other than the lawful holder of a permit granted by the Executive Committee shall at any time hunt any specially protected game.

### HOOFSTUK III.

#### WILDE DIERE.

##### 25. (1) Die Uitvoerende Komitee kan van tyd tot tyd

Bevoegdhede van Uitvoerende Komitee met betrekking tot jagseisoene en klassifikasie van wild.

- (a) in enige jaar jagseisoene bepaal wanneer wild genoem in Bylae 5 of 6 of Bylaes 5 en 6 of enige soort of geslag daarvan in gevolge die bepalings van artikel 30 of 32 of artikels 30 en 32, na gelang van die geval, maar behoudens die ander bepalings van hierdie Ordonnansie gejag mag word;
  - (b) die getal beperk van enige soort of geslag van wild wat binne 'n jagseisoen gejag mag word;
  - (c) Bylaes 3, 4, 5 en 6 wysig deur die naam van enige soort of geslag van wild te skrap, of sodanige naam oor te plaas van enige sodanige bylae na 'n ander, of tot enige sodanige bylae die naam van enige soort of geslag van wilde dier wat nie by enige van die gemelde bylaes ingesluit is nie, toe te voeg.
- (2) Enige bepaling van 'n jagseisoen, beperking van 'n soort of geslag van wild wat binne 'n jagseisoen gejag mag word of wysiging van Bylae 3, 4, 5 of 6 in gevolge subartikel (1) word by kennisgewing in die *Offisiële Koerant* bekend gemaak.

(3) Enige jagseisoen of wysiging van enige sodanige bylae kan behoudens die bepalings van subartikel (4) van toepassing gemaak word ten opsigte van die hele Gebied of op enige in so 'n kennisgewing omskreve gedeelte of gedeeltes van die Gebied.

(4) Geen wysiging van sodanige bylaes waardeur die naam van enige soort of geslag van wild van Bylae 5 of Bylae 6 oorgeplaas word na Bylae 3 of Bylae 4 of waardeur die naam van enige soort of geslag van wilde dier tot Bylae 3 of Bylae 4 toegevoeg word, is van toepassing nie ten opsigte van —

- (a) enige plaas; of
  - (b) enige stuk grond wat minstens eenduisend hektaar groot is.
- wat met 'n wildwerende heining omhein is.

26. (1) Niemand behalwe die wettige houer van 'n permit verleen deur die Uitvoerende Komitee mag te eniger tyd enige spesiaal beskermde wild jag nie.

Jag van spesiaal beskermde wild.

(2) A permit granted in terms of this section authorises the lawful holder thereof subject to the conditions, requirements and restrictions imposed by or under this Ordinance to hunt the number and species of specially protected game mentioned therein at the time and place mentioned therein.

(3) Any person who contravenes or fails to comply with any provision of this section or any condition, requirement or restriction of a permit granted in terms of this section shall be guilty of an offence and liable on conviction to a fine not less than eight hundred rand and not exceeding two thousand rand or to imprisonment for a period of not less than two years and not exceeding six years or to both such fine and such imprisonment.

(4) (a) No provision contained in this section shall prohibit the owner or lessee of land from killing specially protected game on such land in defence of a human life or to prevent a human being from being injured or to protect the life of any livestock, poultry or domestic animal of such owner or lessee whilst the life of such livestock, poultry or domestic animal is actually being threatened.

(b) Any person who kills specially protected game in terms of the provisions of this subsection shall report it in writing to the nearest nature conservator or at the nearest police office within ten days thereafter.

(c) Any person who fails or neglects to comply with the provisions of paragraph (b) shall be guilty of an offence.

Hunting of protected game.

27. (1) No person other than the lawful holder of a permit granted by the Executive Committee shall at any time hunt any protected game.

(2) A permit granted in terms of this section authorises the lawful holder thereof subject to the conditions, requirements and restrictions imposed by or under this Ordinance to hunt the number and species of protected game mentioned therein at the time and place mentioned therein.

(3) Any person who contravenes or fails to comply with any provision of this section or any condition, requirement or restriction of a permit granted in terms of this section, shall be guilty of an offence, and liable on conviction to a fine not less than four hundred rand and not exceeding one thousand rand or to imprisonment for

(2) 'n Permit ingevolge hierdie artikel verleen, magtig die wettige houer daarvan om, onderworpe aan die voorwaardes, vereistes en beperkings by of kragtens hierdie Ordonnansie opgelê, die hoeveelheid en soort spesiaal beskermde wild daarin genoem, te jag op die tyd en plek daarin genoem.

(3) Iemand wat 'n bepaling van hierdie artikel of 'n voorwaarde, vereiste of beperking van 'n permit ingevolge hierdie artikel verleen, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van minstens agthonderd rand en hoogstens tweeduusend rand of met gevangenisstraf vir 'n tydperk van minstens twee jaar en hoogstens ses jaar of met sowel sodanige boete as sodanige gevangenisstraf.

(4) (a) Geen bepaling in hierdie artikel vervat, verbied die eienaar of huurder van grond om spesiaal beskermde wild op daardie grond dood te maak ter verdediging van 'n menselewe of om die besering van 'n mens te voorkom of ter beskerming van die lewe van enige vee, pluimvee of huisdier van sodanige eienaar of huurder, terwyl die lewe van sodanige vee, pluimvee of huisdier werklik bedreig word nie.

(b) Enigiemand wat spesiaal beskermde wild ingevolge die bepalings van hierdie sub-artikel doodmaak, moet dit binne tien dae daarna skriftelik by die naaste natuurbewaarder of polisiekantoor aanmeld.

(c) Iemand wat versuim of nalaat om aan die bepalings van paragraaf (b) te voldoen, is aan 'n misdryf skuldig.

27. (1) Niemand behalwe die wettige houer van 'n permit verleen deur die Uitvoerende Komitee mag te eniger tyd enige beskermde wild jag nie.

Jag van beskermde wild.

(2) 'n Permit ingevolge hierdie artikel verleen, magtig die wettige houer daarvan om, onderworpe aan die voorwaardes, vereistes en beperkings by of kragtens hierdie Ordonnansie opgelê, die hoeveelheid en soort beskermde wild daarin genoem, te jag op die tyd en plek daarin genoem.

(3) Iemand wat 'n bepaling van hierdie artikel of enige voorwaarde, vereiste of beperking van 'n permit ingevolge hierdie artikel verleen, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van minstens vierhonderd rand en hoogstens eenduisend rand of met

a period of not less than twelve months and not exceeding three years or to both such fine and such imprisonment.

(4) Notwithstanding anything to the contrary in this Ordinance contained, the owner or lessee of a farm or piece of land which is not less than 1 000 hectares in extent may, if such farm or piece of land is enclosed with jackal-proof fencing, at any time and by any means whatsoever kill any antbear or honey badger found on such farm or piece of land and any steenbok which is lawfully on such farm or piece of land shall be deemed to be huntable game to which such owner or lessee shall have the right of ownership: Provided that "owner" shall, for the purposes of this subsection, not include a town clerk or the secretary of a local authority.

(5) (a) No provision contained in this section shall prohibit the owner or lessee of land from killing protected game on such land in defence of a human life or to prevent a human being from being injured or to protect the life of any livestock, poultry or domestic animal of such owner or lessee whilst the life of such livestock, poultry or domestic animal is actually being threatened.

- (b) Any person who kills protected game in terms of the provisions of this subsection shall report it in writing to the nearest nature conservator or at the nearest police office within ten days thereafter.
- (c) Any person who fails or neglects to comply with the provisions of paragraph (b) shall be guilty of an offence.

Hunting on Administration property.

28. (1) (a) Subject to the provisions of Chapter IV no person shall, without the written permission of the Executive Committee, hunt any huntable game, huntable game bird or exotic game or any other wild animal or bird on any land owned by the Administration.

- (b) For the purposes of paragraph (a) land leased by the Administration shall unless an intention to the contrary appears from the lease be deemed not to be land owned by the Administration.
- (c) Any person who contravenes or fails to comply with any provision of paragraph (a) or any condition, requirement or restriction of any written permission granted thereunder, shall be guilty of an

dieretuyn of wetenskaplike inrigting of vir wetenskaplike doeleindes en dat geen wins daaruit gemaak sal word nie, na goeddunke, sodanige gelde kan verminder of die persoon aan wie die permit verleen word, van die betaling van sodanige gelde kan vrystel.

(3) Iemand wat 'n bepaling van hierdie artikel of 'n voorwaarde, vereiste, of beperking van 'n permit daarkragtens verleen, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

50. (1) Behoudens die bepalings van subartikel (2) mag niemand behalwe die eienaar of huurder van grond waarop enige wild dood aangetref word sodanige wild of enige deel daarvan verwijder van die plek waar dit dood aangetref word nie, tensy dit ooreenkomsdig die bepalings van hierdie Ordonnansie gedood is deur die persoon wat dit verwijder.

Verbod op verwijdering van wild wat dood aangetref word.

(2) Enige wild wat dood aangetref word of enige deel daarvan mag —

(a) indien dit —

(i) op 'n geproklameerde pad aangetref word;

(ii) binne die grense van die padreserwe van 'n geproklameerde pad aangetref word en 'n gevaar vir verkeer op sodanige geproklameerde pad veroorsaak,

deur enigiemand verwijder word vanaf die plek waar dit aldus aangetref word tot by die grens van bedoelde padreserwe wat die naaste is aan die plek waar dit aldus aangetref word;

(b) indien dit enige ander roete as 'n geproklameerde pad versper, deur enigiemand verwijder word so ver as wat noodsaaklik is om die roete wat aldus versper word, oop te stel.

(3) Enigiemand wat enige spesiaal beskermde wild of beskermde wild wat dood aangetref word, ooreenkomsdig die bepaling van subartikel (1) of (2) verwijder van die plek waar dit dood aangetref word, moet sodanige verwijdering binne tien dae daarna skriftelik by die Direkteur aanmeld.

(4) Iemand wat 'n bepaling van hierdie artikel oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

51. Iemand wat in besit gevind word van enige wild of wilde dier of enige wildsvleis of die eier van wild of 'n wilde dier ten opsigte waarvan daar redelike verdenking

Onvermoë om bevredigende rekenskap van besit te gee.

exists that it has been hunted or obtained or is possessed contrary to the provisions of this Ordinance, and who is unable to prove that he has hunted or acquired or possesses such game or wild animal or game meat or egg lawfully in accordance with the provisions of this Ordinance, shall be guilty of an offence.

## CHAPTER IV.

### PROBLEM ANIMALS.

#### *Application of Chapter.*

52. No provision of this Chapter shall be applicable within a game park: Provided that the Executive Committee may in its discretion declare that any one or more of the provisions of this Chapter shall be applicable within any game park, or any part of a game park, designated by it.

#### *Declaration as problem animal.*

53. (1) The Executive Committee may declare any wild animal a problem animal throughout the Territory or within such part or parts of the Territory as it may in its discretion determine.

(2) Whenever the Executive Committee declares any wild animal a problem animal in terms of the provision of subsection (1), the name of such wild animal and a definition of the part or parts of the Territory within which such wild animal is declared a problem animal shall be made known by notice in the *Official Gazette*.

#### *Hunting of problem animals.*

54. (1) Notwithstanding anything to the contrary in this Ordinance contained but subject to the provisions of this Chapter, the owner or lessee of land may —

(a) at any time hunt any problem animal found on such land;

(b) engage or request any other person at any time to hunt, or assist in the hunting of, any problem animal found on such land as long as such problem animal is on such land.

(2) Notwithstanding anything to the contrary in this Ordinance contained, any nature conservator, or any other person authorised or instructed thereto by the Executive Committee, may at any time hunt any problem animal and for that purpose such nature conservator or other person may enter upon any land without the consent of the owner or lessee thereof: Provided that whenever possible notice of such person's presence on such land shall be given to the occupier thereof or any other person apparently in charge thereof.

bestaan dat dit strydig met die bepalings van hierdie Ordonnansie gejag of bekom is of besit word en wat nie in staat is om te bewys dat hy sodanige wild of wilde dier of wildsvleis of eier wettiglik ooreenkomstig die bepalings van hierdie Ordonnansie gejag of bekom het of besit nie, is aan 'n misdryf skuldig.

#### HOOFSTUK IV.

##### PROBLEEMDIERE.

52. Geen bepaling van hierdie Hoofstuk is binne 'n wildtuin van toepassing nie: Met dien verstande dat die Uitvoerende Komitee na goeddunke kan verklaar dat enige of meer van die bepalings van hierdie Hoofstuk binne enige wildtuin, of enige gedeelte van 'n wildtuin, wat hy aanwys van toepassing is.

Toepassing van Hoofstuk.

53. (1) Die Uitvoerende Komitee kan enige wilde dier dwarsdeur die Gebied of binne daardie gedeelte of gedeeltes van die Gebied wat hy na goeddunke bepaal, tot probleemdier verklaar.

Verklaring tot probleemdier.

(2) Wanneer die Uitvoerende Komitee 'n wilde dier ingevolge die bepalings van subartikel (1) tot probleemdier verklaar, word die naam van sodanige wilde dier en 'n omskrywing van die gedeelte of gedeeltes van die Gebied waarbinne sodanige wilde dier tot probleemdier verklaar word, by kennisgewing in die *Offisiële Koerant* bekend gemaak.

54. (1) Ondanks enige andersluidende bepalings in hierdie Ordonnansie vervat, maar behoudens die bepalings van hierdie Hoofstuk, kan die eienaar of huurder van grond —

Jag van probleemdiere.

- (a) te eniger tyd enige probleemdier wat op sodanige grond aangetref word, jag;
- (b) enigiemand anders in diens neem of versoek om te eniger tyd enige probleemdier wat op sodanige grond aangetref word, te jag of by die jag daarvan behulpsaam te wees,

solank sodanige probleemdier op sodanige grond verkeer.

(2) Ondanks enige andersluidende bepalings in hierdie Ordonnansie vervat, kan enige natuurbewaarder, of enige ander persoon wat deur die Uitvoerende Komitee daartoe gemagtig of aangesê is, te eniger tyd enige probleemdier jag, en vir daardie doel kan sodanige natuurbewaarder of ander persoon enige grond sonder die toestemming van die eienaar of huurder daarvan betree: Met dien verstande dat daar sover moontlik kennis van sodanige persoon se teenwoordigheid op sodanige grond aan die bewoner daarvan of 'n ander persoon oënskynlik in beheer daarvan gegee moet word.

Compulsory control of  
black-backed jackal.

55. (1) (a) Whenever black-backed jackal are found in such large numbers on any land situated in the small stock area that, in the opinion of the Executive Committee, they constitute a nuisance or may possibly cause damage on any adjoining land which is also situated in the small stock area, the Executive Committee may, in writing, order the owner or lessee of the land on which the said black-backed jackal are so found, to exterminate the said black-backed jackal on such land, or to reduce their numbers to the satisfaction of the Executive Committee within a period specified by the Executive Committee.

(b) For the purposes of paragraph (a) "small stock area" means the whole of the Territory excluding that part of the Territory which is situated to the north of the twenty-third degree of latitude and to the east of the sixteenth degree of longitude.

(2) An order referred to in subsection (1) shall be deemed to have been served on the owner or lessee of any land —

- (a) if delivered to him;
- (b) if left in the care of an adult person who apparently inhabits or occupies his last-known dwellingplace or such land, or who is employed there;
- (c) if sent to his last-known address by registered post.

(3) If any owner or lessee of land on whom an order referred to in subsection (1) has been served, fails to exterminate the black-backed jackal occurring on such land, or to reduce their numbers to the satisfaction of the Executive Committee, within the period stipulated by the Executive Committee, or any extension of such period which the Executive Committee may in its discretion allow, the Executive Committee may cause the said black-backed jackal to be hunted by any nature conservator or any other person authorised or instructed thereto by the Executive Committee, and for that purpose such nature conservator or other person may enter upon such land without the consent of the owner or lessee thereof: Provided that whenever possible, notice of such person's presence on such land shall be given to the occupier thereof or any other person apparently in charge thereof.

55. (1) (a) Wanneer rooijakkalse in sulke groot getalle op enige grond geleë in die kleinveearea voorkom dat dit, na die mening van die Uitvoerende Komitee 'n oorlas is of moontlik skade kan aanrig op enige aangrensende grond wat ook in die kleinveearea geleë is, kan die Uitvoerende Komitee die eienaar of huurder van die grond waarop bedoelde rooijakkalse aldus voorkom skriftelik gelas om bedoelde rooijakkalse binne 'n tydperk deur die Uitvoerende Komitee bepaal op sodanige grond uit te roei, of hulle getalle tot bevrediging van die Uitvoerende Komitee te verminder.

Verpligte beheer van rooijakkalse.

(b) By die toepassing van paragraaf (a) beteken "kleinveearea" die hele Gebied met uitsondering van daardie deel van die Gebied wat noord van die drie-en-twintigste breedtegraad en oos van die sesstiende lengtegraad geleë is.

(2) 'n Lasgwing bedoel in subartikel (1) word geag aan die eienaar of huurder van enige grond bestel te wees —

- (a) indien aan hom afgelewer;
- (b) indien gelaat by 'n volwasse persoon wat oënskynlik sy laasbekende woonplek of sodanige grond bewoon of okkuper of daar in diens is; of
- (c) indien per aangegetekende pos gestuur na sy laasbekende adres.

(3) Indien enige eienaar of huurder van grond aan wie 'n lasgwing bedoel in subartikel (1) bestel is, in gebreke bly om die rooijakkalse wat op sodanige grond voorkom binne die tydperk deur die Uitvoerende Komitee bepaal of enige verlenging van sodanige tydperk wat die Uitvoerende Komitee na goeddunke mag toestaan, uit te roei of tot bevrediging van die Uitvoerende Komitee te verminder, kan die Uitvoerende Komitee bedoelde rooijakkalse deur enige natuurbewaarder of enige ander persoon deur die Uitvoerende Komitee daartoe gemagtig of aangesê, laat jag, en vir daardie doel kan sodanige natuurbewaarder of ander persoon sodanige grond sonder die toestemming van die eienaar of huurder daarvan betree: Met dien verstande dat daar sover moontlik kennis van sodanige persoon se teenwoordigheid op sodanige grond aan die bewoner daarvan of 'n ander persoon oënskynlik in beheer daarvan gegee moet word.

(4) The owner or lessee of any land on which black-backed jackal are killed in terms of the provisions of subsection (3) shall —

- (a) if the land on which the black-backed jackal are so killed is situated within an area in respect of which contributions towards the cost of jackal-proof fencing have been declared obligatory in terms of the Fencing Proclamation Amendment Ordinance 1957 (Ordinance 6 of 1957), pay an amount of two hundred rand; or
- (b) if the land on which the black-backed jackal are so killed is not situated within an area in respect of which contributions towards the cost of jackal-proof fencing have been declared obligatory in terms of the Fencing Proclamation Amendment Ordinance 1957 (Ordinance 6 of 1957), pay an amount of fifty rand

to the Administration in respect of every black-backed jackal killed on such land in terms of the provisions of subsection (3).

(5) An amount payable to the Administration in terms of subsection (4) shall be deemed to be a debt due to the Administration and may be recovered from the person by whom it has to be paid in terms of the said subsection in any competent court.

**Provision of aids.**

56. The Executive Committee may on the conditions and at the prices determined by it provide any person, authorised by or in terms of this Chapter to hunt problem animals, with any apparatus and aids (including poison) which can be applied for or in connection with the hunting of problem animals.

**Training of hunters.**

57. (1) The Executive Committee may train nature conservators and other persons or cause them to be trained to hunt problem animals and to use any apparatus or aid which can be applied for or in connection with the hunting of problem animals and may for that purpose present any courses, or cause any courses to be presented, on such conditions (including the payment of fees) as it may determine.

(2) Notwithstanding the provisions of section 59 the Executive Committee may supply any apparatus and aids needed at the presentation of any course referred to in subsection (1).

(3) The Director shall issue every person who has completed a course in the use, placing and setting of the coyote getter, jackal cannon or gun trap and who is, to

(4) Die eienaar of huurder van enige grond waarop rooijakkalse ingevolge die bepalings van subartikel (3) doodgemaak word, moet –

- (a) indien die grond waarop die rooijakkalse aldus doodgemaak word, geleë is binne 'n kring ten opsigte waarvan bydraes tot die koste van jakkalsdraadomheining ingevolge die Wysigingsordonnansie op die Omheiningsproklamasie 1957 (Ordonnansie 6 van 1957) as verpligtend verklaar is, 'n bedrag van tweehonderd rand; of
- (b) indien die grond waarop die rooijakkalse aldus doodgemaak word, nie geleë is binne 'n kring ten opsigte waarvan bydraes tot die koste van jakkalsdraadomheining ingevolge die Wysigingsordonnansie op die Omheiningsproklamasie 1957 (Ordonnansie 6 van 1957) as verpligtend verklaar is nie, 'n bedrag van vyftig rand

aan die Administrasie betaal ten opsigte van elke rooijakkals wat ingevolge die bepalings van subartikel (3) op sodanige grond doodgemaak word.

(5) 'n Bedrag betaalbaar aan die Administrasie ingevolge subartikel (4) word geag 'n skuld verskuldig aan die Administrasie te wees en kan in enige regsbevoegde hof op die persoon deur wie dit ingevolge genoemde subartikel betaal moet word, verhaal word.

56. Die Uitvoerende Komitee kan op die voorwaardes en teen die pryse wat hy bepaal enige apparaat en hulpmiddels (insluitende gif) wat aangewend kan word vir of in verband met die jag van probleemdiere, verskaf aan enigiemand wat by of ingevalle hierdie Hoofstuk gemagtig word om probleemdiere te jag.

Verskaffing van hulpmiddels.

57. (1) Die Uitvoerende Komitee kan natuurbewaarders en ander persone oplei of laat oplei om probleemdiere te jag en om enige apparaat of hulpmiddel wat vir of in verband met die jag van probleemdiere aangewend kan word, te gebruik en kan vir daardie doel enige kursusse aanbied of laat aanbied op sodanige voorwaardes (insluitende die betaling van gelde) soos hy bepaal.

Opleiding van jagters.

(2) Ondanks die bepalings van artikel 59 kan die Uitvoerende Komitee enige apparaat en hulpmiddels verskaf wat benodig word by die aanbieding van enige kursus bedoel in subartikel (1).

(3) Die Direkteur reik aan elkeen wat 'n kursus in die gebruik, plasing en stel van die gifskieder, jakkalskanon of stelgeweer deurloop het en tot sy oortuiging

his satisfaction, competent to use, to place and to set a coyote getter, jackal cannon or gun trap, with a certificate of competency authorising him to use, to place and to set a coyote getter, jackal cannon or gun trap subject to the conditions mentioned in such certificate: Provided that the Director may issue any person who has not completed a course in the use, placing and setting of the jackal cannon or gun trap with a certificate of competency authorising him to use, to place and to set a jackal cannon or gun trap subject to the conditions mentioned in such certificate if such person proves to the satisfaction of the Director that he is competent to use, to place and to set a jackal cannon or gun trap.

**Trade in coyote getters.**

58. (1) No person shall, without the written permission of the Executive Committee, import into the Territory, manufacture, sell or offer or possess for sale any coyote getter or cartridges therefor.

(2) Any person to whom permission has been granted in terms of subsection (1) to import into the Territory, manufacture, sell or offer or possess for sale any coyote getters or cartridges therefor, shall keep the register prescribed by regulation.

(3) Any person who contravenes or fails to comply with any provision of this section or any condition, requirement or restriction or any permission referred to in subsection (1), shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

**Prohibition of the supply of coyote getters to incompetent persons.**

59. (1) Subject to the provisions of section 57, no person shall sell, donate or in any other manner whatsoever supply a coyote getter or cartridges therefor to any other person unless such other person —

(a) is the holder of a certificate of competency; and

(b) produces such certificate of competency to him at the time of such sale, donation or supply.

(2) Any person who sells, donates or supplies a coyote getter or cartridges therefor to any other person contrary to the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or to imprisonment for a period of not exceeding six months or to both such fine and such imprisonment.

bevoeg is om 'n gifskieter, jakkalskanon of stelgeweer te gebruik, te plaas en te stel, 'n bevoegdheidsertifikaat uit wat wat hom magtig om, onderworpe aan die voorwaardes vermeld in sodanige sertifikaat, 'n gifskieter, jakkalskanon of stelgeweer te gebruik, te plaas en te stel: Met dien verstande dat die Direkteur aan enige persoon wat nie 'n kursus in die gebruik, plasing en stel van die jakkalskanon of stelgeweer deurloop het nie 'n bevoegdheidsertifikaat wat hom magtig om onderworpe aan die voorwaardes vermeld in sodanige sertifikaat 'n jakkalskanon of stelgeweer te gebruik, te plaas en te stel, kan uitreik indien sodanige persoon tot die oortuiging van die Direkteur bewys dat hy bevoeg is om 'n jakkalskanon of stelgeweer te gebruik, te plaas en te stel.

58. (1) Niemand mag 'n gifskieter of patronen daarvoor sonder die skriftelike toestemming van die Uitvoerende Komitee in die Gebied invoer, vervaardig, verkoop of vir verkoop aanbied of vir verkoop besit nie.

Handel in gifskieters.

(2) Iemand aan wie toestemming ingevolge subartikel (1) verleen is om gifskieters of patronen daarvoor in die Gebied in te voer, te vervaardig, te verkoop of vir verkoop aan te bied of vir verkoop te besit, moet die register wat by regulasie voorgeskryf word, byhou.

(3) Iemand wat 'n bepaling van hierdie artikel of 'n voorwaarde, vereiste of beperking van enige toestemming bedoel in subartikel (1) oortree of versuum om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met sowel sodanige boete as sodanige gevangenisstraf.

59. (1) Behoudens die bepalings van artikel 57 mag niemand 'n gifskieter of patronen daarvoor aan enige ander persoon verkoop, skenk of op enige ander wyse hoegenaamd verskaf nie, tensy sodanige ander persoon

Verbod op verskaffing van gifskieters aan onbevoegde persone.

(a) die houer is van 'n bevoegdheidsertifikaat; en

(b) sodanige bevoegdheidsertifikaat by sodanige verkoop, skenking of verskafing aan hom vertoon.

(2) Iemand wat 'n gifskieter of patronen daarvoorstrydig met die bepalings van subartikel (1) aan enige ander persoon verkoop, skenk of verskaf, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met sowel sodanige boete as sodanige gevangenisstraf.

Prohibition of the obtaining  
of coyote getters by in-  
competent persons.

60. (1) Subject to the provisions of section 58, no person shall —

- (a) purchase, receive or in any other manner whatsoever acquire or obtain a coyote getter or cartridges therefor;
- (b) have a coyote getter or cartridges therefor in his possession

unless he is the holder of a certificate of competency.

(2) Any person who purchases, receives, acquires, obtains or possesses a coyote getter or cartridges therefor contrary to the provisions of subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or to imprisonment for a period of not exceeding six months or to both such fine and such imprisonment.

Use of poison and coyote  
getters.

61. (1) Subject to any provisions to the contrary in any law contained, no person shall set or lay any poison other than poison approved by the Executive Committee on any land.

(2) No person shall —

- (a) use, set or place a coyote getter, jackal cannon or gun trap
  - (i) except under the authority of and in accordance with the conditions of a certificate of competency issued to him; and
  - (ii) unless warning sign boards of a design and with the wording approved by the Director have previously been erected at all entrances to the land on which such coyote getter, jackal cannon or gun trap is set or placed or is to be set or placed;
- (b) set or place a coyote getter, jackal cannon or gun trap
  - (i) between any fence erected nearer than two hundred metres to the centre line of a proclaimed road, and such road;
  - (ii) at any place nearer than two hundred metres to the centre line of a proclaimed road, unless there is a fence between the place where the said coyote getter, jackal cannon or gun trap has been set or placed, and such road;

60. (1) Behoudens die bepalings van artikel 58 mag niemand 'n gifskieter of patronē daarvoor —

Verbod op verkryging van gifskieters deur onbevoegde persone.

(a) koop, ontvang of op enige ander wyse hoegenaamd verkry of bekom nie;

(b) in sy besit hê nie,

tensy hy die houer is van 'n bevoegdheidsertifikaat.

(2) Iemand wat 'n gifskieter of patronē daarvoor strydig met die bepalings van subartikel (1) koop, ontvang, verkry, bekom of in sy besit het, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met sowel sodanige boete as sodanige gevangenisstraf.

61. (1) Behoudens enige andersluidende wetsbepalings mag niemand enige gif, behalwe gif wat deur die Uitvoerende Komitee goedgekeur is, op enige grond stel of plaas nie.

Gebruik van gif en gifskieters.

(2) Niemand mag —

(a) 'n gifskieter, jakkalskanon of stelgeweer gebruik, stel of plaas nie —

(i) behalwe kragtens magtiging en ooreenkomsdig die voorwaardes van 'n bevoegdheidsertifikaat wat aan hom uitgereik is; en

(ii) tensy waarskuwingsborde van 'n ontwerp en met die bewoording wat deur die Direkteur goedgekeur is, vooraf opgerig is by alle ingange tot die grond waarop sodanige gifskieter, jakkalskanon of stelgeweer gestel of geplaas word of gaan word;

(b) 'n gifskieter, jakkalskanon of stelgeweer

(i) tussen enige heining wat nader as tweehonderd meter aan die middellyn van 'n geproklameerde pad opgerig is en sodanige pad stel of plaas nie;

(ii) op enige plek nader as tweehonderd meter aan die middellyn van 'n geproklameerde pad stel of plaas nie, tensy daar 'n heining tussen die plek waar bedoelde gifskieter, jakkalskanon of stelgeweer gestel of geplaas is en sodanige pad is;

(c) use any poison which has not been approved by the Executive Committee in a coyote getter.

(3) Any person who contravenes or fails to comply with any provision of subsection (1) or (2) shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred rand or to imprisonment for a period of not exceeding six months or to both such fine and such imprisonment.

Research in regard to problem animals.

62. (1) The Executive Committee may instruct any nature conservator or other officer and authorise any other person to do research in connection with the control of problem animals, subject to the conditions determined by it.

(2) Any person instructed or authorised in terms of subsection (1) to do research in connection with the control of problem animals may, notwithstanding anything to the contrary in this Ordinance contained, but subject to the provisions of this Chapter and the conditions imposed by the Executive Committee, hunt any problem animals or capture or kill any problem animals by any chemical, mechanical and biological means.

(3) In the exercise of the powers or the performance of the functions or duties granted to or imposed on him by or in terms of this section, any person may, subject to the conditions determined by the Executive Committee, enter upon any land without the consent of the owner or lessee thereof: Provided that whenever possible notice of such person's presence on such land shall be given to the occupier thereof or any other person apparently in charge thereof.

Obstruction of persons in the performance of their duties.

63. Any person who —

(a) hinders, impedes or obstructs a nature conservator or the owner or lessee of land or any other officer or person in the exercise of the powers or the performance of the functions or duties granted to or imposed on him by or in terms of this Chapter;

(b) injures or kills a dog, horse or any other animal lawfully used in the course of or in connection with the hunting of problem animals in terms of this Chapter;

(c) damages, destroys or disfigures any apparatus, device or other property used in the course of or in connection with the hunting of problem animals in terms of this Chapter;

- (c) enige gifstof wat nie deur die Uitvoerende Komitee goedgekeur is nie, in 'n gifskieter gebruik nie.
- (3) Iemand wat 'n bepaling van subartikel (1) of (2) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met sowel sodanige boete as sodanige gevangenisstraf.

62. (1) Die Uitvoerende Komitee kan aan enige natuurbewaarder of ander beampete opdrag gee en aan enigiemand anders magtiging verleen om, onderworpe aan die voorwaardes wat die Uitvoerende Komitee bepaal, navorsing te doen in verband met die beheer van probleemdiere.

Navorsing betreffende probleemdiere.

(2) Enigiemand aan wie ingevolge subartikel (1) opdrag gegee of magtiging verleen is om navorsing te doen in verband met die beheer van probleemdiere kan, nieteenstaande enige andersluidende bepalings in hierdie Ordonnansie vervat, maar behoudens die bepalings van hierdie Hoofstuk en die voorwaardes wat die Uitvoerende Komitee oplê, enige probleemdiere jag of met enige chemiese, meganiese en biologiese middele vang of doodmaak.

(3) By die uitoefening van die bevoegdhede of die vervulling van die funksies of pligte by of ingevolge hierdie artikel aan hom verleen of opgedra kan enigiemand, onderworpe aan die voorwaardes wat die Uitvoerende Komitee bepaal, enige grond sonder die toestemming van die eienaar of huurder daarvan betree: Met dien verstande dat daar sover moontlik kennis van sodanige persoon se teenwoordigheid op sodanige grond aan die bewoner daarvan of 'n ander persoon oënskynlik in beheer daarvan gegee moet word.

63. Iemand wat —

Belemmering van persone by die vervulling van hulle pligte.

- (a) 'n natuurbewaarder of die eienaar of huurder van grond of enige ander beampete of persoon by die uitoefening van die bevoegdhede of die vervulling van die funksies of pligte by of ingevolge hierdie Hoofstuk aan hom verleen of opgedra, hinder, belemmer of dwarsboom;
- (b) 'n hond, perd of ander dier wat wettiglik in die loop van of in verband met die jag van probleemdiere ingevolge hierdie Hoofstuk gebruik word, beseer of doodmaak;
- (c) enige apparaat, toestel of ander eiendom wat in die loop van of in verband met die jag van probleemdiere ingevolge hierdie Hoofstuk gebruik word, beskadig, vernietig of skend;

- (d) is the owner or lessee of land and fails to render any reasonable assistance requested from him by a nature conservator or other officer acting in the exercise of any power or the performance of any function or duty in accordance with or in terms of the provisions of this Chapter,

shall be guilty of an offence.

Limitations in relation to damages.

64. If any person sustains damages as a result of the exercise or performance by a nature conservator or any other person of any power, function or duty granted to or imposed on such nature conservator or other person by or in terms of this Chapter, no person shall be compelled to compensate the damages concerned unless the person claiming the damages proves that the damages concerned was wantonly caused by such nature conservator or other person.

## CHAPTER V.

### FISH IN INLAND WATERS.

Definition of boundaries of lagoons.

65. (1) The Executive Committee may from time to time define the boundaries of any lagoon with reference to physical characteristics, whether natural or artificial.

(2) Any definition of the boundaries of a lagoon in terms of the provisions of subsection (1) shall be made known by notice in the *Official Gazette*.

Keeping of fish.

66. No person shall, without the written permission of the Executive Committee, place, release or keep any fish in inland waters (excluding aquariums, and ornamental dams).

Angling under permit.

67. No person other than —

- (a) the owner or lessee of land on which such waters are situated; or
- (b) the parents of such owner or lessee; or
- (c) the children of such owner or lessee; or
- (d) any other white person permanently employed by such owner or lessee and resident on such land

shall angle in any inland waters unless he is the holder of a permit granted by the Executive Committee, which permit he shall keep on his person while so angling.

(d) die eienaar of huurder van grond is en versuim om enige redelike hulp te verleen waar toe hy deur 'n natuurbewaarder of ander beampete wat optree in die uitoefening van enige bevoegdheid of die vervulling van enige funksie of plig ooreenkomstig of ingevolge die bepalings van hierdie Hoofstuk, versoek word,

is aan 'n misdryf skuldig.

64. Indien iemand skade ly as gevolg van die uitoefening of vervulling deur 'n natuurbewaarder of enige ander persoon van 'n bevoegdheid, funksie of plig by of ingevolge hierdie Hoofstuk aan sodanige natuurbewaarder of ander persoon verleen of opgedra, is niemand verplig om die betrokke skade te vergoed nie, tensy die persoon wat die skadevergoeding eis bewys dat die betrokke skade moedwillig deur sodanige natuurbewaarder of ander persoon veroorsaak is.

Beperkings met betrekking tot skadevergoeding.

## HOOFSTUK V.

### VIS IN BINNELANDSE WATERS.

65. (1) Die Uitvoerende Komitee kan van tyd tot tyd die grense van enige strandmeer omskryf met betrekking tot fisiese kenmerke, hetsy natuurlik of kunsmatig.

Omskrywing van grense van strandmere.

(2) Enige omskrywing van die grense van 'n strandmeer ingevolge die bepalings van subartikel (1) word by kennisgewing in die *Offisiële Koerant* bekend gemaak.

66. Niemand mag sonder die skriftelike toestemming van die Uitvoerende Komitee enige vis in binnelandse waters (uitgesonderd akwariums en sierdamme) plaas, loslaat of hou nie.

Aanhou van vis.

### 67. Niemand behalwe —

Hengel kragtens permit.

- (a) die eienaar of huurder van grond waarop sodanige waters geleë is; of
- (b) die ouers van sodanige eienaar of huurder; of
- (c) die kinders van sodanige eienaar of huurder; of
- (d) enige ander blanke persone wat in die vaste diens van sodanige eienaar of huurder is en op sodanige grond woon,

mag in enige binnelandse waters hengel nie tensy hy die houer is van 'n permit verleen deur die Uitvoerende Komitee, welke permit hy by hom moet hê wanneer hy aldus hengel.

Manner of angling permissible.

68. (1) Subject to the provisions of subsection (3) no person shall, without the written permission of the Executive Committee, catch fish in inland waters in any other manner than with a line and fish-hook: Provided that a set line shall for the purposes of this section be deemed not to be a line.

(2) No person shall use more than two lines at the same time when angling in inland waters.

(3) No person shall —

(a) use any other fish-hook than a single fish-hook when angling in inland waters;

(b) use more than two single fish-hooks on any line when angling in inland waters:

Provided that one artificial spoon, artificial fly or other artificial lure approved by the Executive Committee may be used instead of one single fish-hook.

Executive Committee may prohibit or restrict angling.

69. (1) The Executive Committee may at any time prohibit or restrict the angling of fish in general or the angling of any species of fish determined by it in any inland waters or in those inland waters determined by it on the conditions and for the period which it may deem necessary.

(2) Any prohibition or restriction imposed by the Executive Committee in terms of this section shall be made known by notice in the *Official Gazette*.

(3) Any person who contravenes or fails to comply with any provision or condition of any prohibition or restriction imposed in terms of this section shall be guilty of an offence.

Prohibition in regard to certain materials.

70. No person shall place in, or cause or allow to be dropped into, any inland waters in which fish are or might presumably be present any explosive, poisonous or intoxicating materials.

Offences.

71. Any person who contravenes or fails to comply with any provision of this Chapter, or any condition, requirement or restriction of any permit or permission granted thereunder, shall be guilty of an offence.

## CHAPTER VI.

### INDIGENOUS PLANTS.

Powers of Executive Committee in regard to indigenous plants.

72. (1) (a) The Executive Committee may from time to time amend Schedule 11 by deleting therefrom or adding thereto the name of any species of indigenous plant.

68. (1) Behoudens die bepalings van subartikel (3) mag niemand sonder die skriftelike toestemming van die Uitvoerende Komitee vis op enige ander wyse as met 'n lyn en vishoek in binnelandse waters vang nie: Met dien verstande dat 'n stellyn by die toepassing van hierdie artikel geag word nie 'n lyn te wees nie.

Wyse waarop gehengel mag word.

(2) Niemand mag meer as twee lyne gelyktydig gebruik wanneer hy in binnelandse waters hengel nie.

(3) Niemand mag –

(a) enige ander vishoek as 'n enkelvishoek gebruik wanneer hy in binnelandse waters hengel nie;

(b) meer as twee enkelvishoeke aan enige lyn gebruik wanneer hy in binnelandse waters hengel nie:

Met dien verstande dat een kunslepel, kunsvlieg of ander kunslokmiddel deur die Uitvoerende Komitee goedgekeur, in die plek van een enkelvishoek aan enige lyn gebruik mag word.

69. (1) Die Uitvoerende Komitee kan te eniger tyd die hengel van vis in die algemeen of die hengel van enige soort vis wat hy bepaal in alle binnelandse waters of in daardie binnelandse waters wat hy bepaal, verbied of beperk op die voorwaardes en vir die tydperk wat hy nodig ag.

Uitvoerende Komitee kan hengel verbied of beperk.

(2) Enige verbod of beperking wat die Uitvoerende Komitee ingevolge hierdie artikel ople word by kennisgewing in die *Offisiële Koerant* bekend gemaak.

(3) Iemand wat enige bepaling of voorwaarde van 'n verbod of beperking ingevolge hierdie artikel opgelê oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

70. Niemand mag enige ontplofbare, giftige of bedwelmingstowwe in enige binnelandse waters waarin vis is of vermoedelik mag wees, plaas of laat beland nie.

Verbod met betrekking tot sekere stowwe.

71. Iemand wat 'n bepaling van hierdie Hoofstuk of 'n voorwaarde, vereiste of beperking van enige permit of toestemming daarkragtens verleen, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Misdrywe.

## HOOFSTUK VI.

### INHEEMSE PLANTE.

72. (1) (a) Die Uitvoerende Komitee kan Bylae 11 van tyd tot tyd wysig deur die naam van enige soort inheemse plant te skrap of daaraan toe te voeg.

Bevoegdhede van Uitvoerende Komitee met betrekking tot inheemse plante.

(b) Any such amendment of Schedule 11 shall be made known by notice in the *Official Gazette*.

(2) (a) The Executive Committee may from time to time exempt any species of indigenous plant in any area determined by it, from any or all of the provisions of this Ordinance.

(b) Whenever the Executive Committee has in terms of paragraph (a) exempted any species of indigenous plant from any provision or provisions of this Ordinance, the name of that species of indigenous plant, the provision or provisions of this Ordinance from which it has been so exempted, and a definition of the area in which it has been so exempted shall be made known by notice in the *Official Gazette*.

Picking and transport of protected plants.

73. (1) No person other than the lawful holder of a permit granted by the Executive Committee shall at any time pick or transport any protected plant: Provided that —

(a) the owner or lessee of land may on that land pick the flower of a protected plant for use as a decoration in his home;

(b) the owner or lessee of land may pick a protected plant on that portion of such land —

(i) which he needs for cultivated lands, the erection of a building, the construction of a road or airfield or any other development which necessitates the removal of vegetation; or

(ii) on which such protected plant has been specially cultivated.

(2) Any person who contravenes or fails to comply with any provision of subsection (1) or any condition, requirement or restriction of a permit granted thereunder shall be guilty of an offence and liable on conviction to a fine not less than fifty rand and not exceeding five hundred rand or to imprisonment for a period of not less than one month and not exceeding twelve months or to both such fine and such imprisonment.

Sale, donation, export and removal of protected plants.

74. (1) Subject to the provisions of section 75, no person other than the lawful holder of a permit granted by the Executive Committee shall sell, donate or export or

- (b) Enige sodanige wysiging van Bylae 11 word by kennisgewing in die *Offisiële Koerant* bekend gemaak.
- (2) (a) Die Uitvoerende Komitee kan van tyd tot tyd enige soort inheemse plant in enige gebied deur hom bepaal van enige of al die bepalings van hierdie Ordonnansie uitsluit.
- (b) Wanneer die Uitvoerende Komitee 'n soort inheemse plant ingevolge paragraaf (a) van 'n bepaling of bepalings van hierdie Ordonnansie uitgesluit het, word die naam van daardie soort inheemse plant, die bepaling of bepalings van hierdie Ordonnansie waarvan dit aldus uitgesluit is en 'n omskrywing van die gebied waarin dit aldus uitgesluit is by kennisgewing in die *Offisiële Koerant* bekend gemaak.

73. (1) Niemand behalwe die wettige houer van 'n permit verleen deur die Uitvoerende Komitee mag te eniger tyd enige beskermde plant pluk of vervoer nie: Met dien verstande dat —

Pluk en vervoer van beskermde plante.

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

(2) Iemand wat 'n bepaling van subartikel (1) of 'n voorwaarde, vereiste of beperking van 'n permit daarlangs verleen, oortree of versuum om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van minstens vyftig rand en hoogstens vyfhonderd rand of met gevangenisstraf vir 'n tydperk van minstens een maand en hoogstens twaalf maande of met sowel sodanige boete as sodanige gevangenisstraf.

74. (1) Behoudens die bepalings van artikel 75 mag niemand behalwe die wettige houer van 'n permit verleen deur die Uitvoerende Komitee enige beskermde plant

Verkoop, skenking, uitvoer en wegneem van beskermde plante.

remove from the Territory, any protected plant.

(2) Any person who contravenes or fails to comply with any provision of subsection (1) or any condition, requirement or restriction of a permit granted thereunder shall be guilty of an offence.

Exemption to owner of nursery.

75. The Executive Committee may, on application, grant exemption from any or all of the provisions of this Chapter relating to the sale, donation, transport or export of protected plants to the owner of a nursery in respect of protected plants cultivated on the premises of such nursery.

Receipt of protected plants.

76. (1) Subject to any provisions to the contrary in this Ordinance contained, no person shall purchase a protected plant, or in any manner whatsoever come into possession thereof, or offer to purchase it or to come into possession thereof, except from a person who may lawfully sell it in terms of this Ordinance.

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

Picking and transport of indigenous plants.

77. (1) Subject to any provisions to the contrary in this Ordinance contained, no person shall pick any indigenous plant on land of which he is not the owner or lessee, unless he has the written permission thereto from the owner or lessee of the land.

(2) Any person who picks any indigenous plant under a written permission granted in terms of this section, shall at all times have such written permission in his possession while he is engaged in picking or transporting such indigenous plant.

(3) The provisions of this section shall not apply to the parent, spouse or child of or white employee permanently employed by the owner or lessee of land on which indigenous plants are being picked.

(4) Any person who contravenes or fails to comply with any provision of this section, shall be guilty of an offence.

## CHAPTER VII.

### GENERAL.

General powers of Executive Committee.

78. The Executive Committee may —

(a) provide for the acquisition or lease of movable or immovable property, servitudes or other rights thereon, for —

verkoop, skenk of uit die Gebied uitvoer of wegneem nie.

(2) Iemand wat 'n bepaling van subartikel (1) of 'n voorwaarde, vereiste of beperking van 'n permit daar-kragtens verleen, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

75. Die Uitvoerende Komitee kan, op aansoek, aan die eienaar van 'n kwekery vrystelling van enige of al die bepalings van hierdie Hoofstuk wat op die verkoop, skenning, vervoer of uitvoer van beskermde plante betrekking het, verleen ten opsigte van beskermde plante wat op die perseel van sodanige kwekery gekweek is.

Vrystelling aan eienaar van kwekery.

76. (1) Behoudens enige andersluidende bepalings in hierdie Ordonnansie vervat, mag niemand 'n beskermde plant koop of op enige wyse hoegenaamd in besit daarvan kom of aanbied om dit te koop of in besit daarvan te kom nie, behalwe van 'n persoon wat dit wettiglik ingevolge hierdie Ordonnansie mag verkoop of skenk.

Ontvangs van beskermde plante.

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

77. (1) Behoudens enige andersluidende bepalings in hierdie Ordonnansie vervat, mag niemand enige inheemse plant pluk op grond waarvan hy nie die eienaar of huurder is nie, tensy hy die skriftelike toestemming daar-toe van die eienaar of huurder van die grond het.

Pluk en vervoer van inheemse plante.

(2) Iemand wat enige inheemse plant pluk kragtens 'n skriftelike toestemming ingevolge hierdie artikel verleen, moet sodanige skriftelike toestemming te alle tye in sy besit hê terwyl hy besig is om sodanige inheemse plant te pluk of te vervoer.

(3) Die bepalings van hierdie artikel is nie van toepassing nie op die ouer, gade, kind of blanke werkneemer in sy vaste diens van die eienaar of huurder van grond waarop inheemse plante gepluk word.

(4) Iemand wat 'n bepaling van hierdie artikel oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

## HOOFSTUK VII.

### ALGEMEEN.

78. Die Uitvoerende Komitee kan —

Algemene bevoegdhede van Uitvoerende Komitee.

- voorsiening maak vir die verkryging of huur van roerende of onroerende goed, serwitute daarop of ander regte daaroor, vir —

- (i) the establishment, erection, extension or improvement of game parks, fisheries and nurseries;
- (ii) the preservation of nature or any part of nature;
- (b) take the measures which it may deem necessary or desirable in connection with the propagation and preservation of wild animals, exotic game, fish and plants;
- (c) take the measures which it may deem necessary or desirable for the destruction, decrease or elimination, whether in general or in any particular area, of any problem animal or any other 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 its opinion, may present a threat from the point of view of farming or stock diseases;
- (d) take the measures which it may deem necessary or desirable for the import or transfer from one area to another of wild animals, exotic game, fish and plants and the acclimatisation of such wild animals, exotic game, fish and plants in the area to which they have so been imported or transferred;
- (e) take the measures which it may deem necessary or desirable for the capture of wild animals or exotic game, the catching of fish or the collection of plants;
- (f) take the measures which it may deem necessary or desirable for the purchase and sale of wild animals, exotic game, fish and plants, whether alive or dead;
- (g) take any measures whatsoever which it may deem necessary or desirable for research in connection with wild animals, exotic game, fisheries and plants;
- (h) take the measures which it may deem necessary or desirable for the making of surveys and the conducting of investigations in connection with wild animals, exotic game, fish and plants;
- (i) take the measures which it may deem necessary or desirable for the collection and publication of statistics and information in connection with nature conservation;
- (j) take the measures which it may deem

- (i) die daarstelling, oprigting, uitbreiding of verbetering van wildtuine, visserye en kwekerye;
- (ii) die behoud van die natuur of enige gedeelte van die natuur;
- (b) die maatreëls tref wat hy nodig of wenslik ag in verband met die voortplanting en behoud van wilde diere, uitheemse wild, vis en plante;
- (c) die maatreëls tref wat hy nodig of wenslik ag vir die vernietiging, vermindering of uitskakkeling, hetsy in die algemeen of in enige besondere gebied, van enige probleemdier of enige ander soort wilde dier, uitheemse wild, vis of plant wat vir die bestaan van 'n ander soort wilde dier, vis of inheemse plant skadelik of nadelig kan wees of wat, na sy mening, uit 'n boedery- of veesiekteoogpunt 'n bedreiging inhou;
- (d) die maatreëls tref wat hy nodig of wenslik ag vir die invoer of oorplasing van een gebied na 'n ander van wilde diere, uitheemse wild, vis en plante en die inburgering van sodanige wilde diere, uitheemse wild, vis en plante in die gebied waarheen dit aldus ingevoer of oorgeplaas is;
- (e) die maatreëls tref wat hy nodig of wenslik ag vir die vang van wilde diere, uitheemse wild of vis of die insameling van plante;
- (f) die maatreëls tref wat hy nodig of wenslik ag vir die aankoop en verkoop van wilde diere, uitheemse wild, vis en plante, hetsy lewendig of dood;
- (g) enige maatreëls hoegenaamd tref wat hy nodig of wenslik ag vir navorsing in verband met wilde diere, uitheemse wild, vis en plante;
- (h) die maatreëls tref wat hy nodig of wenslik ag vir die maak van opnames en die instel van ondersoeke in verband met wilde diere, uitheemse wild, vis en plante;
- (i) die maatreëls tref wat hy nodig of wenslik ag vir die insameling en publikasie van statistiek en inligting in verband met natuurbewaring;
- (j) die maatreëls tref wat hy nodig of wenslik ag

necessary or desirable for the control of aquatic vegetation in waters;

- (k) grant any assistance, whether financial or otherwise, to anybody, society or person which or who in its opinion promotes the preservation of wild animals, fish, indigenous plants or nature in general;
- (l) take the measures which it 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 mentioned specifically in this section.

Appointment of nature conservators and honorary nature conservators.

79. (1) The Executive Committee may, subject to the provisions of the Public Service Act, 1957 (Act 54 of 1957) and the Administration Employees Ordinance, 1957 (Ordinance 17 of 1957), appoint the persons whom it may deem necessary and suitable, as nature conservators for the Territory.

(2) (a) The Executive Committee may appoint one or more persons whom it may deem suitable as honorary nature conservators for the whole of the Territory or for a part of the Territory or for a magisterial district for a period not exceeding three years at a time: Provided that the Executive Committee may in its discretion appoint any person as honorary nature conservator for life.

(b) The Executive Committee may at any time withdraw the appointment of a person as an honorary nature conservator and appoint any other person whom it may deem suitable as honorary nature conservator in the place of such person.

(3) Any person who is a member of the board shall be an honorary nature conservator for as long as he holds such office.

(4) The names of all persons appointed in terms of subsection (1) or (2) as nature conservators or honorary nature conservators, and the names of all persons who are honorary nature conservators in terms of subsection (3), shall from time to time be made known by notice in the *Official Gazette*.

Certificate of appointment.

80. Every nature conservator, except a member of the South African Police, and every honorary nature conservator shall be furnished by the Director with a certificate of appointment and a badge and shall when exercising any power or performing any function or duty in terms of this Ordinance, produce such certificate for inspection if requested to do so.

vir die beheer van watergewasse in waters;

- (k) enige hulp, hetsy finansieel 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 doeleindeste van hierdie Ordonnansie in die algemeen sonder dat die algemeenheid daarvan beperk word deur aangeleenthede wat uitdruklik in hierdie artikel genoem word.

79. (1) Die Uitvoerende Komitee kan, behoudens die bepalings van die Staatsdienswet, 1957 (Wet 54 van 1957) en die Administrasiewerknemersordonnansie 1957 (Ordonnansie 17 van 1957) die persone wat hy nodig en geskik ag as natuurbewaarders vir die Gebied aanstel.

Aanstelling van natuurbewaarders en ere-natuurbewaarders.

(2) (a) Die Uitvoerende Komitee kan een of meer persone wat hy geskik ag as ere-natuurbewaarders vir die hele Gebied of vir 'n gedeelte van die Gebied of vir 'n landdrosdistrik aanstel vir 'n tydperk van hoogstens drie jaar op 'n keer: Met dien verstande dat die Uitvoerende Komitee 'n persoon na goeddunke as lewenslange ere-natuurbewaarder kan aanstel.

(b) Die Uitvoerende Komitee kan te eniger tyd die aanstelling van 'n persoon as ere-natuurbewaarder intrek en iemand anders wat hy geskik ag in die plek van sodanige persoon as ere-natuurbewaarder aanstel.

(3) Iemand wat lid is van die raad, is solank hy daardie amp beklee, 'n ere-natuurbewaarder.

(4) Die name van alle persone wat ingevolge sub-  
-artikel (1) of (2) as natuurbewaarders of ere-natuurbewaarders aangestel is en die name van alle persone wat ingevolge subartikel (3) ere-natuurbewaarders is, word van tyd tot tyd by kennisgewing in die *Offisiële Koerant* bekend gemaak.

80. Elke natuurbewaarder, uitgesonderd 'n lid van die Suid-Afrikaanse Polisie, en elke ere-natuurbewaarder word deur die Direkteur van 'n aanstellingsertifikaat en 'n kenteken voorsien en moet by die uitoefening van enige bevoegdheid of die vervulling van enige funksie of plig ingevolge hierdie Ordonnansie, sodanige sertifikaat ter insae vertoon indien hy daartoe versoek word.

Sertifikaat van aanstelling.

Powers, functions and  
duties of nature conservators and honorary nature  
conservators.

81. (1) A nature conservator may exercise and perform all those powers, duties and functions granted to or imposed on him by or in terms of this Ordinance and may, in addition thereto —

- (a) at any time conduct any investigation which he deems necessary in order to determine whether the provisions of this Ordinance are being complied with;
- (b) at any time without warrant and without permission enter upon any land, premises, waters, building, tent, camping or other place, vehicle, vessel, boat, raft, aircraft or other means of conveyance and there conduct the investigation and inspection (including an investigation and inspection of any container or other thing found thereon or therein) which he deems necessary in order to determine whether the provisions of this Ordinance are being complied with;
- (c) at any time without warrant and without permission enter upon any land, premises, waters, building, tent, camping or other place, vehicle, vessel, boat, raft, aircraft or other means of conveyance or container of whatever description, and there conduct a search if he reasonably suspects that there is anything thereon or therein which —
  - (i) is being used or has been used for the purpose of, or in or in connection with;
  - (ii) in his opinion forms or has formed an element in;
  - (iii) in his opinion will, or may furnish proof of —  
the commission of an offence in terms of this Ordinance;
- (d) at any time in the course of any investigation or inspection which he conducts or intends conducting in terms of this Ordinance, without warrant and without permission demand that any vehicle, vessel, boat, raft, aircraft or other means of conveyance be brought to a standstill and remain stationary until he has completed his investigation or inspection and has given permission that it may depart or continue its journey;

81. (1) 'n Natuurbewaarder kan al daardie bevoeghede, pligte en funksies uitoefen en vervul wat by of ingevolge hierdie Ordonnansie aan hom verleen of opgedra word en kan daarbenewens —

Bevoeghede, funksies en pligte van natuurbewaarders en ere-natuurbewaarders.

- (a) te eniger tyd enige ondersoek instel wat hy nodig ag ten einde vas te stel of die bepalings van hierdie Ordonnansie nagekom word;
- (b) te eniger tyd sonder lasbrief en sonder toestemming enige grond, perseel, waters, gebou, tent, kampeer- of ander plek, voertuig, vaartuig, boot, vlot, vliegtuig of ander vervoermiddel betree en aldaar die ondersoek en inspeksie (met inbegrip van 'n ondersoek en inspeksie van enige houer of ander ding daarop of daarin gevind) uitvoer wat hy nodig ag ten einde vas te stel of die bepalings van hierdie Ordonnansie nagekom word;
- (c) te eniger tyd sonder lasbrief en sonder toestemming enige grond, perseel, waters, gebou, tent, kampeer- of ander plek, voertuig, vaartuig, boot, vlot, vliegtuig of ander vervoermiddel of houer van watter aard ook al betree en dit deursoek indien hy redelikerwys vermoed dat daar enig iets daarop of daarin is wat
  - (i) gebruik word of gebruik is vir die doel van of by of in verband met;
  - (ii) na sy mening 'n element uitmaak of uitgemaak het by;
  - (iii) na sy mening bewys sal of kan lewer van die pleging van 'n misdryf ingevolge hierdie Ordonnansie;
- (d) te eniger tyd in die loop van enige ondersoek of inspeksie wat hy ingevolge hierdie Ordonnansie uitvoer of beoog om aldus uit te voer sonder lasbrief en sonder toestemming vereis dat enige voertuig, vaartuig, boot, vlot, vliegtuig of ander vervoermiddel tot stilstand gebring word en stilstaande bly totdat hy sy ondersoek of inspeksie afgehandel het en toestemming gegee het dat dit mag vertrek of voortgaan;

(e) at any time without warrant seize anything —

(i) in respect of which he reasonably suspects that it is being used or has been used for the purpose of or in or in connection with;

(ii) in his opinion forms or has formed an element in;

(iii) in his opinion will, or may furnish proof of —

the commission of an offence in terms of this Ordinance;

(f) at any time question any person who in his opinion may possibly be able to furnish any information which he requires in connection with the enforcement of any provision of this Ordinance, and for that purpose, without warrant and without permission demand that any vehicle, vessel, boat, raft, aircraft or other means of conveyance be brought to a standstill and remain stationary until he has completed his questioning and has given permission that it may depart or continue its journey;

(g) at any time order any person who in his opinion may possibly have information which is material in connection with a contravention of this Ordinance, to furnish him with such information as such person may be able to give;

(h) demand the name and address of any person —

(i) who has committed an offence in terms of this Ordinance, or who is reasonably suspected of having committed such an offence;

(ii) who is reasonably considered to be able to give evidence in connection with an offence committed in terms of this Ordinance, or is reasonably suspected of having been so committed;

(i) remove any snare, trap, springtrap, pitfall, holding pen, trap-cage, net, birdlime, fish-trap, set line, fishing tackle, gun trap, jackal cannon or coyote getter or cartridges therefor, poison or any other like

(e) te eniger tyd sonder lasbrief beslag lê op enigets —

(i) ten opsigte waarvan hy redelikerwys vermoed dat dit gebruik word of gebruik is vir die doel van of by of in verband met;

(ii) wat na sy mening 'n element uitmaak of uitgemaak het by;

(iii) wat na sy mening getuienis sal of kan lewer van

die pleging van 'n misdryf ingevolge hierdie Ordonnansie;

(f) te eniger tyd enige persoon ondervra wat na sy mening moontlik in staat is om enige inligting te verstrek wat hy nodig het in verband met die toepassing van 'n bepaling van hierdie Ordonnansie en vir dié doel sonder lasbrief en sonder toestemming vereis dat enige voertuig, vaartuig, boot, vlot, vliegtuig of ander vervoermiddel tot stilstand gebring word en stilstaande bly totdat hy sy ondervraging afgehandel het en toestemming gegee het dat dit mag vertrek of voortgaan;

(g) te eniger tyd enige persoon wat, na sy mening, moontlik oor inligting beskik wat van belang is in verband met 'n oortreding van hierdie Ordonnansie, gelas om aan hom sodanige inligting te verstrek as wat sodanige persoon in staat is om te verstrek;

(h) die naam en adres vereis van iedereen —

(i) wat 'n misdryf ingevolge hierdie Ordonnansie gepleeg het of ten opsigte van wie redelikerwys vermoed word dat hy so 'n misdryf gepleeg het;

(ii) ten opsigte van wie redelikerwys vermoed word dat hy getuienis sal kan lewer in verband met 'n misdryf wat ingevolge hierdie Ordonnansie gepleeg is of na redelikerwys vermoed word aldus gepleeg is;

(i) enige strik, val, slagyster, vanggat, vangkraal, vanghok, net, voëllym, fuik, stellyn, visgerei, stelgeweer, jakkalskanon of gifskieter of patronen daarvoor, gif of enige ander dergelike artikel,

article, means or contrivance which is being used or which is suspected of being used unlawfully to hunt or catch game or any wild animal or fish, from the place where it is found, or if such removal is impossible or dangerous or difficult, destroy or render it harmless;

- (j) at any time demand from any person who performs or has performed an act, or in respect of whom it is reasonably suspected that he is performing or has performed an act, for which a licence, permit, exemption, written authority or permission or any other document is necessary in terms of this Ordinance, that he shall produce, such licence, permit, exemption, written authority or permission or other document;
- (k) at any time demand from any person who is required in terms of this Ordinance to keep a register, to produce such register and inspect such register;
- (l) without warrant seize and confiscate any game, wild animal, fish or plant which is found in possession of, or held in captivity by any person if —
  - (i) such person fails, at the demand of such nature conservator, to produce a permit, licence, exemption, written authority or permission or any other document authorising such possession or captivity;
  - (ii) such game, wild animal, fish or plant is in possession of or is being kept in captivity by such person contrary to any condition specified in a permit, licence, exemption, written authority or permission or any other document produced by such person authorising such possession or keeping;
- (m) having been instructed thereto by the Executive Committee, and with or without the permission of the owner or lessee of the land on which it is found, capture and transport to a game park any game or other wild animal which, owing to its scarcity, runs the risk of being exterminated;

middel of toestel wat gebruik word of vermoedelik gebruik word om wild, 'n wilde dier of vis onwettiglik te jag of te vang, verwyder van die plek waar dit gevind word of, indien sodanige verwydering onmoontlik of gevarelik of moeilik is, dit vernietig of onskadelik maak;

- (j) te eniger tyd van enigiemand wat 'n handeling verrig of verrig het of ten opsigte van wie redelikerwys vermoed word dat hy 'n handeling verrig of verrig het waarvoor 'n lisensie, permit, vrystelling, skriftelike magtiging of toestemming of enige ander dokument ingevolge hierdie Ordonnansie nodig is, vereis dat hy sodanige lisensie, permit, vrystelling, skriftelike magtiging of toestemming of ander dokument vertoon;
- (k) te eniger tyd van enige persoon wat ingevolge hierdie Ordonnansie 'n register moet byhou, vereis dat hy sodanige register vertoon en sodanige register nagaan;
- (l) sonder lasbrief beslag lê, op enige wild, wilde dier, vis of plant en dit konfiskeer wat in die besit gevind word van of in gevangeskap gehou word deur enige persoon indien —
  - (i) sodanige persoon versuim om op aanvraag van sodanige natuurbewaarder 'n permit, lisensie, vrystelling, skriftelike magtiging of toestemming of enige ander dokument wat sodanige besit of aanhou magtig, te vertoon;
  - (ii) sodanige wild, wilde dier, vis of plant in besit is van of in gevangeskap gehou word deur sodanige persoon in stryd met enige voorwaarde wat bepaal word in 'n permit, lisensie, vrystelling, skriftelike magtiging of toestemming of enige ander dokument deur sodanige persoon vertoon waarby sodanige besit of aanhouding gemagtig word;
- (m) in opdrag van die Uitvoerende Komitee en met of sonder die toestemming van die eienaar of huurder van die grond waarop dit gevind word enige wild of ander wilde dier wat weens sy skaarste gevare staan om uitgeroei te word, vang en na 'n wildtuin vervoer;

(n) having been instructed thereto by the Executive Committee, and with the permission of the owner or lessee of the land concerned, capture or destroy on such land any game or wild animal —

(i) destroying or damaging crops or plants on cultivated lands, or cultivated trees on such land;

(ii) found in such numbers on such land that, in the opinion of the Executive Committee, they will damage or may probably damage the grazing on such land;

(iii) which is or may possibly be a danger to human beings;

(o) whenever it is necessary for the proper exercise of his powers, or for the proper performance of his functions or duties, and whether for scientific or any other purposes —

(i) hunt, capture or keep any game or other wild animal;

(ii) catch any fish irrespective of the species or size thereof;

(iii) pick any indigenous or protected plant

on any land or in any inland waters owned by the Administration and, with the permission of the owner or lessee thereof, also on land not owned by the Administration;

(p) if it is necessary for the exercise of his powers or the performance of his functions or duties, or if he deems it necessary therefor carry a fire-arm on his person even if he is on land which is not owned by the Administration;

(q) for the better exercise of any power or the better performance of any function or duty, take with him an interpreter or an assistant who shall be an officer, and such interpreter or assistant shall, while acting under the lawful command and supervision of such nature conservator, have the same powers, duties and functions as such nature conservator.

- (n) in opdrag van die Uitvoerende Komitee en met die toestemming van die eienaar of huurder van die betrokke grond, enige wild of ander wilde dier wat —
  - (i) gesaaides of plante op beboude land of aangeplante bome op sodanige grond verniel of beskadig;
  - (ii) in sodanige getalle op sodanige grond aangetref word dat hulle na die mening van die Uitvoerende Komitee die weiveld op sodanige grond sal beskadig of waarskynlik kan beskadig;
  - (iii) 'n gevaar vir mense is of moontlik kan wees
- op sodanige grond vang of vernietig;
- (o) wanneer dit nodig is vir die behoorlike uitoefening van sy bevoegdhede of die behoorlike vervulling van sy funksies of pligte en hetsy vir wetenskaplike of enige ander doeleindes —
  - (i) enige wild of ander wilde dier jag, vang of aanhou;
  - (ii) enige vis, ongeag die soort of grootte daarvan, vang;
  - (iii) enige inheemse of beskermde plant pluk
- op enige grond of in enige binnelandse waters wat aan die Administrasie behoort en met die toestemming van die eienaar of huurder daarvan ook op enige grond wat nie aan die Administrasie behoort nie;
- (p) indien dit vir die uitoefening van sy bevoegdhede of die vervulling van sy funksies of pligte nodig is, of hy dit daarvoor nodig ag, 'n vuurwapen by hom dra selfs al verkeer hy op grond wat nie aan die Administrasie behoort nie;
- (q) vir die beter uitoefening van enige bevoegdheid of die beter vervulling van enige funksie of plig, 'n tolk of assistent wat 'n beampie moet wees, met hom saamneem en sodanige tolk of assistent het, terwyl hy onder die wettige bevel en toesig van sodanige natuurbewaarder op-tree, dieselfde bevoegdhede, pligte en funksies as sodanige natuurbewaarder.

(2) In so far as offences in terms of this Ordinance are concerned, 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) When a nature conservator who has under subsection (2) been authorised to arrest any person who has contravened any provision of Chapter III or IV or who, on reasonable grounds is suspected of the contravention thereof, attempts to arrest such person and that person flees or offers resistance and cannot be arrested and prevented from escaping in any other manner than by killing the person so fleeing or offering resistance, such homicide shall legally be held to be justifiable homicide.

(4) An honorary nature conservator shall have all the powers, functions and duties granted a nature conservator by subsection (1)(a), (f), (g), (h) and (j), and shall in addition thereto –

(a) regularly submit reports to the Director in relation to malconditions, malpractices, abuses and other matters in connection with the protection of game, other wild animals, fish and indigenous and protected plants in the area for which he has been appointed;

(b) as soon as possible after it has come to his notice report, or cause to be reported, to the nearest nature conservator any offence in terms of this Ordinance or any other law relating to the conservation of game, wild animals or nature in force in the area for which he has been appointed;

(c) at least at the end of every calendar year submit a report to the Director in connection with the game, wild animals, fish and indigenous and protected plants in his area, in which information is provided in relation to –

(i) any noticeable decrease or increase in the numbers of any particular species of game or wild animal, and the possible or probable reasons for such decrease or increase;

(ii) prominent movements of game or wild animals such as migration from one farm or area to another, and the possible or probable reasons therefor;

(2) Vir sover dit misdrywe ingevolge hierdie Ordonnansie betref, het elke natuurbewaarder al die bevoegdhede van 'n vredesbeampte om iemand sonder lasbrief in hegtenis te neem waaroor vredesbeamptes kragtens artikel 22 van die Strafprosesordonnansie 1963 (Ordonnansie 34 van 1963) beskik.

(3) Wanneer 'n natuurbewaarder wat kragtens subartikel (2) gemagtig is om 'n persoon wat enige bepaling van Hoofstuk III of IV 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 straffeloze manslag te wees.

(4) 'n Ere-natuurbewaarder het al die bevoegdhede, funksies en pligte wat sy subartikel (1)(a), (f), (g), (h) en (j) aan 'n natuurbewaarder verleen word en moet daarbenewens —

- (a) gereeld by die Direkteur verslae indien met betrekking tot wantoestande, wanpraktyke, misbruiken en ander aangeleenthede in verband met die beskerming van wild, ander wilde diere, vis en inheemse en beskermde plante in die gebied waarvoor hy aangestel is;
- (b) enige misdryf ingevolge hierdie Ordonnansie of enige ander wet betreffende die bewaring van wild, wilde diere of die natuur wat van krag is in die gebied waarvoor hy aangestel is by die naaste natuurbewaarder aanmeld of laat aanmeld so spoedig moontlik nadat dit onder sy aandag gekom het;
- (c) minstens aan die einde van elke kalenderjaar by die Direkteur 'n verslag in verband met die wild, wilde diere, vis en inheemse en beskermde plante in sy gebied indien waarin inligting verstrek word betreffende
  - (i) enige merkbare vermindering of vermeerdering in die getalle van 'n bepaalde soort wild of wilde dier en die moontlike of vermoedelike redes vir sodanige vermindering of vermeerdering;
  - (ii) opvallende bewegings van wild of wilde diere, soos die trek van een plaas of streek na 'n ander en die moontlike of vermoedelike redes daarvoor;

(iii) epidemics or diseases occurring amongst game, wild animals, fish or indigenous or protected plants;

(iv) particular difficulties caused by game or wild animals;

(v) comments on the hunting, capturing and keeping of game, the catching of fish and the picking of indigenous and protected plants in his area or any part thereof;

(vi) proposals in connection with the hunting regulations for the next hunting season;

(vii) proposals in connection with the amendment of this Ordinance or any regulations made and in force thereunder or any other law containing provisions relating to nature or game conservation and which is in force in his area;

(viii) comments on the control and development of game parks;

(ix) comments on any matter relating to nature conservation.

(5) Any person who assaults or resists or hinders or impedes a nature conservator, an honorary nature conservator or the assistant or interpreter of a nature conservator in the exercise of his powers or the performance of his functions or duties, or wilfully interferes with such nature conservator, honorary nature conservator, assistant or interpreter, shall be guilty of an offence and liable on conviction to a fine not exceeding one thousand rand or to imprisonment for a period not exceeding three years, or to both such fine and such imprisonment.

(6) A person who —

(a) falsely pretends to be a nature conservator or the assistant or interpreter of a nature conservator or an honorary nature conservator;

(b) refuses or fails to comply forthwith with any order, direction, requirement or request given or put to him by a nature conservator, an honorary nature conservator or the assistant or interpreter of a nature conservator in the exercise of any power or the performance of any func-

- (iii) epidemies of siektes wat onder wild, wilde diere, vis of inheemse of beskermde plante voorkom;
- (iv) besondere moeilikheid wat deur wild of wilde diere veroorsaak word;
- (v) kommentaar oor die jag, vang en aanhou van wild, die vang van vis en die pluk van inheemse en beskermde plante in sy gebied of enige deel daarvan;
- (vi) voorstelle in verband met die jagregulasies vir die volgende jagseisoen;
- (vii) voorstelle in verband met die wysiging van hierdie Ordonnansie of enige regulasies daarkragtens uitgevaardig en van krag of enige ander wet wat bepalings betreffende natuur- of wildbewaring bevat en wat in sy gebied van krag is;
- (viii) kommentaar oor die beheer en ontwikkeling van wildtuine;
- (ix) kommentaar oor enige aangeleentheid betreffende natuurbewaring.

(5) Iemand wat 'n natuurbewaarder, 'n ere-natuurbewaarder of die assistent of tolk van 'n natuurbewaarder by die uitoefening van sy bevoegdhede of die vervulling van sy funksies of pligte aanrand of weerstaan of hinder of belemmer of hom opsetlik met so 'n natuurbewaarder, ere-natuurbewaarder, assistent of tolk bemoei, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens eenduisend rand of met gevangenisstraf vir 'n tydperk van hoogstens drie jaar of met sowel sodanige boete as sodanige gevangenisstraf.

- (6) Iemand wat —
- (a) valslik voorgee dat hy 'n natuurbewaarder is of dat hy die assistent of tolk van 'n natuurbewaarder is of dat hy 'n ere-natuurbewaarder is;
  - (b) weier of versuim om onverwyld aan enige opdrag, lasgewing, vereiste of versoek te voldoen wat 'n natuurbewaarder, 'n ere-natuurbewaarder of die assistent of tolk van 'n natuurbewaarder aan hom gee of stel by die uitoefening van enige bevoegdheid of die vervulling van enige funksie of

tion or duty in terms of this Ordinance, or who furnishes untrue or misleading information when complying with such order, direction, requirement or request,

shall be guilty of an offence.

**Exemptions.**

82. The Executive Committee may, if it is of the opinion that it is or will be in the interests of nature conservation exempt any person from any or all of the provisions of this Ordinance.

Conditions in relation to  
permits, licences, approvals, permissions and  
exemptions.

83. (1) No person shall be entitled to claim that he has a right to obtain any permit, licence, approval, permission or exemption which is required or may be issued or granted in terms of this Ordinance and the Executive Committee shall not be obliged to furnish any reasons for the refusal by it to grant or issue any such permit, licence, approval, permission or exemption.

(2) Every permit, licence, approval, permission or exemption granted by the Executive Committee in terms of this Ordinance shall be issued against payment of the fees, if any, prescribed for such permit, licence, approval, permission or exemption by this Ordinance or the regulations: Provided that the Executive Committee may, subject to the provisions of this Ordinance, decrease such fees or grant exemption from the payment of such fees if it is of the opinion that good and sufficient reason therefor exists.

(3) Every permit, licence, approval, permission or exemption granted by the Executive Committee in terms of this Ordinance shall be subject to the conditions, requirements and restrictions prescribed by regulation, whether in general or for the particular permit, licence, approval, permission or exemption and, in addition thereto, to the conditions, requirements and restrictions which the Executive Committee may in every particular case deem necessary or expedient to impose.

(4) Every permit, licence, approval, permission or exemption granted by the Executive Committee in terms of this Ordinance shall, subject to the provisions of this Ordinance, be valid for the period determined by the Executive Committee.

(5) (a) The Executive Committee may at any time, without furnishing any reasons therefor —

(i) withdraw any permit, licence, approval, permission or exemption granted by it in terms of this Ordinance;

plig ingevolge hierdie Ordonnansie of wat onjuiste of misleidende inligting verstrek wanneer hy aan so 'n opdrag, lasgewing, vereiste of versoek voldoen,

is aan 'n misdryf skuldig.

82. Die Uitvoerende Komitee kan, indien hy van mening is dat dit in die belang van natuurbewaring is of sal wees, enigiemand van enige of al die bepalinge van hierdie Ordonnansie vrystel.

Vrystellings.

83. (1) Niemand is geregtig om daarop aanspraak te maak dat dit sy reg is om enige permit, lisensie, goedkeuring, toestemming of vrystelling wat ingevolge hierdie Ordonnansie vereis word of uitgereik of verleen kan word, te verkry nie en die Uitvoerende Komitee is nie verplig om enige redes te verstrek nie vir die weiering deur hom om enige sodanige permit, lisensie, goedkeuring, toestemming of vrystelling uit te reik of te verleen.

Voorwaarde betreffende  
permite, lisensies, goed-  
keurings, toestemmings en  
vrystellings.

(2) Elke permit, lisensie, goedkeuring, toestemming of vrystelling wat deur die Uitvoerende Komitee verleen word ingevolge hierdie Ordonnansie, word uitgereik teen betaling van die gelde, indien enige, wat by hierdie Ordonnansie of die regulasies vir sodanige permit, lisensie, goedkeuring, toestemming of vrystelling voorgeskryf word: Met dien verstande dat die Uitvoerende Komitee behoudens die bepalinge van hierdie Ordonnansie, sodanige gelde kan verminder of vrystelling van die betaling van sodanige gelde kan verleen indien daar na sy mening goeie en voldoende rede daarvoor bestaan.

(3) Elke permit, lisensie, goedkeuring, toestemming of vrystelling wat deur die Uitvoerende Komitee verleen word ingevolge hierdie Ordonnansie is onderworpe aan die voorwaardes, vereistes en beperkings wat hetsy in die algemeen of vir die besondere permit, lisensie, goedkeuring, toestemming of vrystelling by regulasie voorgeskryf word en daarbenewens ook aan die voorwaardes, vereistes en beperkings wat die Uitvoerende Komitee in elke besondere geval nodig of dienstig ag om op te lê.

(4) Elke permit, lisensie, goedkeuring, toestemming of vrystelling wat deur die Uitvoerende Komitee verleen word ingevolge hierdie Ordonnansie is, behoudens die bepalinge van hierdie Ordonnansie, geldig vir die tydperk deur die Uitvoerende Komitee bepaal.

(5) (a) Die Uitvoerende Komitee kan te eniger tyd, sonder om redes daarvoor te verstrek —

(i) enige permit, lisensie, goedkeuring, toestemming of vrystelling deur hom verleen ingevolge hierdie Ordonnansie, intrek;

(ii) amend, change or withdraw the conditions, requirements and restrictions to which a permit, licence, approval, permission or exemption so granted by it is subject;

(iii) add any further conditions, requirements and restrictions to the conditions, requirements and restrictions to which such permit, licence, approval, permission or exemption is subject.

(b) Whenever the Executive Committee exercises any of the powers granted to it by paragraph (a), it shall inform the holder of the permit, licence, approval, permission or exemption concerned thereof and such holder shall forthwith return such permit, licence, approval, permission or exemption to the Director.

(c) Any person who refuses or fails so to return such permit, licence, approval, permission or exemption shall be guilty of an offence.

(d) If any person suffers damage as a result of the exercise by the Executive Committee of any of the powers granted to it by this subsection, the Administration shall not be obliged to pay any compensation to such person for any damage which he suffered as a result of the exercise of the power concerned.

(6) (a) Any permit, licence, approval, permission or exemption issued or granted contrary to the provisions of this Ordinance shall be invalid, and the holder of any such permit, licence, approval, permission or exemption or any other person who is in possession thereof shall, at the request of the Executive Committee, forthwith return such permit, licence, approval, permission or exemption to the Director.

(b) Any person who contravenes or refuses or fails to comply with the provisions of paragraph (a) shall be guilty of an offence.

- (ii) die voorwaardes, vereistes, en beperkings waaraan 'n permit, lisensie, goedkeuring, toestemming of vrystelling aldus deur hom verleen onderworpe is, wysig, verander of intrek;
  - (iii) enige verdere voorwaardes, vereistes en beperkings toevoeg tot die voorwaardes, vereistes en beperkings waaraan sodanige permit, lisensie, goedkeuring, toestemming of vrystelling onderworpe is.
- (b) Wanneer die Uitvoerende Komitee enige van die bevoegdhede aan hom verleen by paragraaf (a) uitoefen stel hy die houer van die betrokke permit, lisensie, goedkeuring, toestemming of vrystelling daarvan in kennis en sodanige houer moet sodanige permit, lisensie, goedkeuring, toestemming of vrystelling onverwyld aan die Direkteur terugbesorg.
- (c) Iemand wat weier of versuim om sodanige permit, lisensie, goedkeuring, toestemming of vrystelling aldus terug te besorg is aan 'n misdryf skuldig.
- (d) Indien iemand skade ly as gevolg van die uitoefening deur die Uitvoerende Komitee van enige van die bevoegdhede by hierdie subartikel aan hom verleen, is die Administrasie nie verplig om aan sodanige persoon enige vergoeding te betaal vir skade wat hy as gevolg van die uitoefening van die betrokke bevoegdheid ly nie.
- (6) (a) 'n Permit, lisensie, goedkeuring, toestemming of vrystelling wat strydig met die bepalings van hierdie Ordonnansie uitgereik of verleent is, is ongeldig en die houer van so 'n permit, lisensie, goedkeuring, toestemming of vrystelling of enigmind anders wat in besit daarvan is, moet sodanige permit, lisensie, goedkeuring, toestemming of vrystelling op verzoek van die Uitvoerende Komitee onverwyld aan die Direkteur terugbesorg.
- (b) Iemand wat die bepalings van paragraaf (a) oortree, of weier of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

84. (1) Die Uitvoerende Komitee kan regulasies uitvaardig met betrekking tot — Regulasies.

- (a) any matter which is required or permitted to be prescribed in terms of this Ordinance;
- (b) (i) the conditions on which permission to enter a game park or a nature reserve or to reside therein may be granted and the periods or times during which a game park or nature reserve or any part thereof shall be open to the public;
- (ii) the conditions on which any person entering, passing through or sojourning within a game park or nature reserve, may obtain the services or attendance of officers and the fees to be paid for such services or attendance;
- (iii) the fees, if any, to be paid for permission to enter or reside in a game park or a nature reserve, the admission of motor vehicles, aircraft, vessels or other vehicles to and the taking of photographs in a game park or a nature reserve or for any other matter connected with the use and enjoyment of a game park or a nature reserve;
- (iv) the protection and preservation of a game park or a nature reserve and of the animals, fish, birds, vegetation or any other object or property therein;
- (v) the regulation of traffic and the carriage of passengers in a game park or a nature reserve, the places at which persons may enter and the routes by which they may pass through a game park or a nature reserve;
- (vi) generally for the efficient control and management of a game park or a nature reserve;
- (c) the administration and control of private game parks and private nature reserves, the protection of wild animal life and wild vegetation therein and the requirements to be complied with before any area may be declared a private game park or a private nature reserve or before the declaration of any area as a private game park or a private nature reserve shall be withdrawn;

(a) enigets wat ingevolge hierdie Ordonnansie voorgeskryf moet of kan word;

(b) (i) die voorwaardes waarop toestemming om 'n wildtuin of natuurreserwe te betree of daarin te woon verleen kan word en die tydperke of tye waartydens 'n wildtuin of natuurreserwe of enige deel daarvan vir die publiek toeganklik is;

(ii) die voorwaardes waarop iemand wat 'n wildtuin of natuurreserwe betree, deurreis of daarin vertoef, die dienste of aanwesigheid van beampies kan verkry, en die gelde wat vir daardie dienste of aanwesigheid betaal moet word;

(iii) die gelde, indien enige, wat betaal moet word vir toestemming om 'n wildtuin of natuurreserwe te betree of daarin te woon, die toelating van motorvoertuie, vliegtuie, vaartuie of ander voertuie tot en die neem van foto's in 'n wildtuin of natuurreserwe of vir enige ander aangeleentheid wat met die gebruik en genot van 'n wildtuin of natuurreserwe in verband staan;

(iv) die beskerming en behoud van 'n wildtuin of natuurreserwe en van die diere, vis, voëls, plantegroei of enige ander voorwerp of eiendom daarin;

(v) die reëling van verkeer en passiersvervoer in 'n wildtuin of natuurreserwe, die plekke waar mense 'n wildtuin of natuurreserwe kan binnegaan en die roetes waarlangs hulle dit kan deurreis;

(vi) in die algemeen, die doelmatige beheer en bestuur van 'n wildtuin of natuurreserwe;

(c) die administrasie en beheer van private wildtuine en private natuurreserwes, die beskerming van die wilde dierelewé en wilde plantelewé daarin en die vereistes waaraan voldoen moet word voordat 'n gebied tot 'n private wildtuin of private natuurreserwe verklaar word of voordat die verklaring van 'n gebied tot private wildtuin of private natuurreserwe ingetrek word;

- (d) the circumstances under which any permit, licence, approval, permission or exemption shall be granted by the Executive Committee in terms of this Ordinance and the form in which any such permit, licence, approval, permission or exemption shall be issued;
- (e) the keeping of registers relating to the obtaining, processing, sale or export of the skins of game or wild animals by licensed game dealers, dealers dealing in skins of game or wild animals, tanneries and other persons or bodies interested in the obtaining, processing, sale or export of the skins of game or wild animals;
- (f) the removal, disturbance or destruction of the eggs of any species of bird which is a wild animal or of any product or offal derived or obtained from any species of bird which is a wild animal;
- (g) the keeping in captivity, transport or removal from one place to another of any game or wild animal;
- (h) the requirements to be complied with by any person when he has wounded any game or wild animal;
- (i) the immobilisation of game or wild animals;
- (j) research in connection with problem animals and other animals which may possibly be declared problem animals;
- (k) the registers to be kept by any person who imports or sells or offers for sale or is, for the purpose of selling it, in possession of coyote getters and cartridges therefor;
- (l) the regulation, control and prohibition of the throwing or laying of poison;
- (m) the payment of a reward for the destruction or extermination of problem animals, whether in general or in any specific area, the conditions on which such reward shall be paid and the proof to be submitted in connection with the payment of such reward;
- (n) the supervision and control and the development and protection of fisheries;

- (d) die omstandighede waaronder enige permit, lisensie, goedkeuring, toestemming of vrystelling ingevolge hierdie Ordonnansie deur die Uitvoerende Komitee verleen word en die vorm waarin enige sodanige permit, lisensie, goedkeuring, toestemming of vrystelling uitgereik word;
- (e) die byhou van registers betreffende die verkryging, verwerking, verkoop of uitvoer van die velle van wild of wilde diere deur gelisensieerde wildhandelaars, handelaars wat met velle van wild of wilde diere handel dryf, looierye en ander persone of liggeme wat belang het by die verkryging, verwerking, verkoop of uitvoer van die velle van wild of wilde diere;
- (f) die verwydering, verstoring of vernietiging van die eiers van enige soort voël wat 'n wilde dier is of van enige produk of afval verkry of afkomstig van enige soort voël wat 'n wilde dier is;
- (g) die gevangehouding, vervoer of verwydering van die een plek na 'n ander van enige wild of wilde dier;
- (h) die vereistes wat deur 'n persoon nagekom moet word wanneer hy enige wild of wilde dier gekwes het;
- (i) die immobilisering van wild of wilde diere;
- (j) navorsing in verband met probleemdiere en ander diere wat moontlik tot probleemdiere verklaar kan word;
- (k) die registers wat bygehou moet word deur iemand wat gifskieters en patronen daarvoor invoer of verkoop of vir verkoop aanbied of vir verkoop besit;
- (l) die reëeling van, beheer oor en verbod op die gooï of stel van gif;
- (m) die betaling van 'n beloning vir die vernietiging of uitroeïng van probleemdiere, hetsy in die algemeen of in enige besondere gebied, die voorwaardes waarop so 'n beloning betaal sal word en die bewyse wat in verband met die betaling van so 'n beloning voorgelê moet word;
- (n) die toesig en beheer oor en die ontwikkeling en beskerming van viserye;

(o) the dimensions, mass or size of fish which may be caught and kept and the definition and determination of measuring methods;

(p) the nature, dimensions, form and construction of fishing tackle which may be used, whether in general or in regard to any particular species of fish;

(q) the sale of cultivated indigenous plants;

(r) the control and regulation of the possession of any protected plant;

(s) the regulation of the import, cultivation and control of any plant, whether it is an indigenous plant or not, which in the opinion of the Executive Committee, may be detrimental to or create less favourable conditions for, any wild animal, fish or indigenous plant;

(t) the recognition and registration of succulent associations, including the requirements which shall be satisfied by a succulent association in order to be registered, the restrictions and conditions to which such registration shall be subject, the privileges to which such registration shall entitle a succulent association and the cancellation of such registration;

(u) the recognition and registration of cage-bird associations, including the requirements which shall be satisfied by a cage-bird association in order to be registered, the restrictions and conditions to which such registration shall be subject, the privileges to which such registration shall entitle a cage-bird association and the cancellation of such registration;

(v) the recognition and registration of any other association which has the protection or conservation of nature or any aspect thereof, or of any game, wild animals, fisheries or plants as its object, including the requirements which shall be satisfied by such association in order to be registered, the restrictions and conditions to which such registration shall be subject, the privileges to which such registration shall entitle such association and the cancellation of such registration;

(w) (i) control over the hunting of trophies;

- (o) die afmetings, massa of grootte van vis wat gevang en gehou mag word en die omskrywing en bepaling van meetmetodes daarvoor;
- (p) die aard, afmetings, vorm en bou van visgerei wat gebruik mag word, hetsy in die algemeen of met betrekking tot enige besondere soort vis;
- (q) die verkoop van aangekweekte inheemse plante;
- (r) die beheer en regulering van die besit van enige beskermde plant;
- (s) die regulering van die invoer en aanplanting van en die beheer oor enige plant, hetsy dit 'n inheemse plant is al dan nie wat na die mening van die Uitvoerende Komitee nadelig kan wees of minder gunstige toestande kan skep vir enige wilde dier, vis of inheemse plant;
- (t) die erkenning en registrasie van vetplantverenigings, met inbegrip van die vereistes waaraan 'n vetplantvereniging moet voldoen om geregistreer te word, die beperkings en voorwaardes waaraan sodanige registrasie onderworpe is, die voorregte waarop sodanige registrasie 'n vetplantvereniging geregtig maak en die intrekking van sodanige registrasie;
- (u) die erkenning en registrasie van kouvoëlverenigings, met inbegrip van die vereistes waaraan 'n kouvoëlvereniging moet voldoen om geregistreer te word, die beperkings en voorwaardes waaraan sodanige registrasie onderworpe is, die voorregte waarop sodanige registrasie 'n kouvoëlvereniging geregtig maak en die intrekking van sodanige registrasie;
- (v) die erkenning en registrasie van enige ander vereniging wat die beskerming of bewaring van die natuur of enige aspek daarvan of van enige wild, wilde diere, visserye of plante ten doel het, met inbegrip van die vereistes waaraan so 'n vereniging moet voldoen om geregistreer te word, die beperkings en voorwaardes waaraan sodanige registrasie onderworpe is, die voorregte waarop sodanige registrasie so 'n vereniging geregtig maak en die intrekking van sodanige registrasie;
- (w) (i) die beheer oor die jag van trofee;

- (ii) control over advertising in relation to the hunting of trophies;
- (iii) the periods during which and the places where trophies may or may not be hunted;
- (iv) the registration of hunting farms, including the requirements which shall be satisfied by a farm in order to be registered as a hunting farm, the conditions and restrictions to which such registration shall be subject, the fees to be paid at such registration and the withdrawal of any such registration;
- (v) control over hunting farms and the running thereof as well as control over the services rendered and facilities provided by or on hunting farms;
- (vi) the registration of professional hunters, including the requirements which shall be satisfied by any person in order to be registered as a professional hunter, the conditions and restrictions to which such registration shall be subject, the fees to be paid at such registration and the withdrawal of any such registration;
- (vii) the registration of hunting guides including the requirements which shall be satisfied by any person in order to be registered as a hunting guide, the conditions and restrictions to which such registration shall be subject, the fees to be paid at such registration and the withdrawal of any such registration;
- (viii) the training of persons as professional hunters and hunting guides;
- (ix) the testing of any person in order to determine whether he satisfies the requirements for registration as a professional hunter or hunting guide;
- (x) the preservation of game, wild animals, fish and indigenous plants in general or any species of game, wild animal, fish or indigenous plant;

- (ii) die beheer oor advertering met betrekking tot die jag van trofee;
- (iii) die tydperke waartydens en die plekke waar trofee gejag mag word of nie gejag mag word nie;
- (iv) die registrasie van jagphase, met inbegrip van die vereistes waaraan 'n plaas moet voldoen om as jagplaas geregistreer te word, die voorwaardes en beperkings waaraan sodanige registrasie onderworpe is, die gelde wat by sodanige registrasie betaal moet word en die intrekking van enige sodanige registrasie;
- (v) die beheer oor jagphase en die bedryf daarvan, asook beheer oor die dienste en fasiliteite wat deur of op jagphase verskaf word;
- (vi) die registrasie van beroepsjagters, met inbegrip van die vereistes waaraan 'n persoon moet voldoen om as beroepsjagter geregistreer te word, die voorwaardes en beperkings waaraan sodanige registrasie onderworpe is, die gelde wat by sodanige registrasie betaal moet word en die intrekking van enige sodanige registrasie;
- (vii) die registrasie van jaggidse, met inbegrip van die vereistes waaraan 'n persoon moet voldoen om as jaggids geregistreer te word, die voorwaardes en beperkings waaraan sodanige registrasie onderworpe is, die gelde wat by sodanige registrasie betaal moet word en die intrekking van enige sodanige registrasie;
- (viii) die opleiding van persone as beroepsjagters en jaggidse;
- (ix) die toetsing van enige persoon om te bepaal of hy voldoen aan die vereistes om as beroepsjagter of jaggids geregistreer te word;
- (x) die behoud van wild, wilde diere, vis en inheemse plante in die algemeen of enige soort wild, wilde dier, vis of inheemse plant;

(y) generally any matter which the Executive Committee may deem necessary or desirable to prescribe in order to achieve the aims and objects of this Ordinance and to ensure the effective execution of the provisions thereof.

(2) Different regulations may be made in terms of subsection (1)(b) in relation to different game parks or nature reserves.

(3) The power to make regulations in relation to any matter mentioned in subsection (1) shall include the power to prohibit anything, either absolutely or conditionally, in connection with that matter.

(4) All regulations made in terms of this section shall, subject to the provisions of this Ordinance be applicable in general and throughout the Territory: Provided that the Executive Committee may determine that any regulations so made shall be applicable only to that game, wild animal, fish or indigenous plant or exotic plant or to that part of the Territory which it determines and which is made known by notice in the *Official Gazette*.

(5) Any person who contravenes or fails to comply with the provisions of any regulation made in terms of this section shall be guilty of an offence.

**Presumptions.**

85. (1) Whenever in any prosecution against any person upon a charge alleging that he committed upon any particular piece of land an offence in terms of the provisions of this Ordinance, it is proved that any act, forming part 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 —

(a) that it was committed on another piece of land; and

(b) that the person who committed such act had the right to commit it on such other piece of land.

(2) Whenever any person performs an act and he would commit or have committed an offence by performing that act if he had not been the holder of a licence, permit, exemption, document, written permission or written or other authority or power (hereinafter in this 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.

(y) in die algemeen enige aangeleentheid wat die Uitvoerende Komitee nodig of wenslik ag om voor te skryf ten einde die oogmerke en doelstellings van hierdie Ordonnansie te bereik en die doeltreffende uitvoering van die bepalings daarvan te verseker.

(2) Verskillende regulasies kan ingevolge subartikel (1)(b) met betrekking tot verskillende wildtuine of natuurreserwes uitgevaardig word.

(3) Die bevoegdheid om regulasies uit te vaardig met betrekking tot enige aangeleentheid genoem in subartikel 1 sluit die bevoegdheid in om, in verband met daardie aangeleentheid, enigiets volstrek of voorwaardelik te verbied.

(4) Alle regulasies ingevolge hierdie artikel uitgevaardig, is behoudens die bepalings van hierdie Ordonnansie in die algemeen en dwarsdeur die Gebied van toepassing: Met dien verstande dat die Uitvoerende Komitee kan bepaal dat enige regulasies aldus uitgevaardig van toepassing is slegs op daardie wild, wilde dier, vis of inheemse of uitheemse plant of in daardie gedeelte van die Gebied wat hy bepaal en wat by kennisgewing in die *Offisiële Koerant* bekend gemaak word.

(5) Iemand wat die bepalings van enige regulasie ingevolge hierdie artikel uitgevaardig oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

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

Vermoedens.

(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 ander stuk grond te pleeg.

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

(3) In any prosecution for an offence in terms of the provisions of 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 for a contravention of the provisions of section 40(1) or the provisions of section 42(4) any person caught in the act of removing any game or other wild animal from any snare, pitfall, trap, springtrap, net, bird lime or other device or in the act of capturing such game or other wild animal by any means whatsoever shall, unless the contrary is proved, be deemed to have brought or to have made such article, device or means on the land on which he was so caught and to have caught such game or other wild animal by means of such article, device or means.

(5) In any prosecution for an offence under the provisions of section 42, any person in whose possession a weapon or ammunition mentioned in that section is found under circumstances indicating that game has been or is being hunted or presumably was or is being hunted with such weapon or ammunition, shall be deemed to have used such weapon or ammunition contrary to the provisions of the said section, unless the contrary is proved.

(6) Every person found in possession of the game meat or trophy obviously not older than seven days, of any specially protected game, protected game or hunt-able game shall be deemed to have hunted such special-ly protected game, protected game or hunt-able game unless the contrary is proved.

(7) Whenever the game meat or the trophy of any specially protected game, protected game or hunt-able game is found on a vehicle, vessel, boat, raft or aircraft or other means of conveyance, or at a camping or other place or in a house, every person on or at such vehicle, vessel, boat, raft, aircraft or other means of conveyance or at such camping or other place or house shall be deemed to be in possession of such game meat or trophy, unless the contrary is proved.

(8) Whenever in any prosecution for an offence in terms of this Ordinance it is alleged that an offence was committed in connection with or in respect of any species of game, wild animal, fish or indigenous or protected plant or either sex or particular class thereof, such species, sex or class shall be deemed to be correct until the contrary is proved.

(9) If any person found in possession of game meat in respect of which it is reasonably suspected that it is the meat of game hunted contrary to the provisions

(3) By 'n vervolging weens 'n misdryf ingevolge die bepalings van hierdie Ordonnansie in verband met die onwettige gevangehouding 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 gevangeskap te hou of te gehou het, tensy die teendeel bewys word.

(4) By 'n vervolging weens oortreding van die bepalings van artikel 40(1) of die bepalings van artikel 42(4) word iedereen wat betrapp word terwyl hy enige wild of ander wilde dier uit enige strik, vanggat, val, slagyster, net, voëlym of ander toestel verwijder of terwyl hy sodanige wild of ander wilde dier met enige middel hoegenaamd vang, tensy die teendeel bewys word, geag sodanige artikel, toestel of middel te gebring of te gemaak het op die grond waarop hy aldus betrapp is en sodanige wild of ander wilde dier deur middel van sodanige artikel, toestel of middel te gevang het.

(5) By 'n vervolging weens 'n misdryf ingevolge die bepalings van artikel 42 word 'n persoon in wie se besit 'n wapen of ammunisie in daardie artikel genoem, gevind word in omstandighede wat daarop dui dat wild met sodanige wapen of ammunisie gejag is of gejag word of vermoedelik gejag is of word, geag sodanige wapen of ammunisie in stryd met die bepalings van bedoelde artikel te gebruik het, tensy die teendeel bewys word.

(6) Elkeen wat in besit gevind word van die wildsvleis of die trofee wat ooglopend nie ouer as sewe dae is nie van enige spesiaal beskermde wild, beskermde wild of jagbare wild word geag sodanige spesiaal beskermde wild, beskermde wild of jagbare wild te gejag het tensy die teendeel bewys word.

(7) Wanneer ook al die wildsvleis of trofee van spesiaal beskermde wild, beskermde wild of jagbare wild op 'n voertuig, vaartuig, boot, vlot of vliegtuig of ander vervoermiddel of by 'n kampeer- of ander plek of 'n woning gevind word, word elkeen wat op of by sodanige voertuig, vaartuig, boot, vlot, vliegtuig of ander vervoermiddel is of wat by sodanige kampeer- of ander plek of woning is geag in besit te wees van sodanige wildsvleis of trofee, tensy die teendeel bewys word.

(8) Wanneer ook al by enige vervolging weens 'n misdryf ingevolge hierdie Ordonnansie beweer word dat 'n misdryf begaan is in verband met of ten opsigte van enige soort wild, wilde dier, vis of inheemse of beskermde plant of die een of ander geslag of besondere klas daarvan, word sodanige soort, geslag of klas juis geag totdat die teendeel bewys word.

(9) Indien iemand wat in besit gevind word van wildsvleis ten opsigte waarvan redelikerwys vermoed word dat dit die vleis is van wild wat strydig met die

of this Ordinance, alleges that he has received such meat as a gift, the game referred to shall —

(a) if the person in whose possession the game meat concerned has been found or the person who he alleges has given it to him refuses or fails at the request of a nature conservator forthwith to point out the place where the game referred to has been killed to such nature conservator; or

(b) if the place where the game referred to has allegedly been killed, is so pointed out to a nature conservator but no clear evidence that game has been killed there is being found at that place,

in any prosecution for an offence in terms of this Ordinance, unless the contrary is proved, be deemed to have been hunted at a place other than the place where the person in whose possession the game meat has been found or the person who he alleges has given it to him, alleges it was hunted.

**General offence.**

86. Any person who contravenes or fails to comply with any provision of this Ordinance or an instruction given thereunder or a requirement put thereunder or any condition, requirement or restriction of a permit, licence, approval, permission or exemption issued or granted thereunder shall be guilty of an offence.

**General penalty.**

87. Any person who is convicted of an offence in terms of this Ordinance for which no penalty is expressly provided shall be liable on conviction —

(a) to a fine not exceeding one hundred rand or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment if such person has not previously been convicted of such offence or, in the opinion of the court, a similar offence in terms of the provisions of a repealed ordinance or the law of any province of the Republic of South Africa;

(b) to a fine not exceeding two hundred rand or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment, if such person has previously been convicted of an offence referred to in paragraph (a).

**Continuous offences.**

88. Any person convicted of an offence in terms of this Ordinance who after such conviction persists in the conduct or omission constituting such offence shall be

bepalings van hierdie Ordonnansie gejag is, aanvoer dat hy sodanige wildsvleis as geskenk ontvang het, word bedoelde wild —

- (a) indien die persoon in wie se besit die betrokke wildsvleis gevind is of die persoon wat dit, na hy aanvoer, aan hom geskenk het, weier of versuim om die plek waar bedoelde wild gedood is op versoek van 'n natuurbewaarder onmiddellik aan sodanige natuurbewaarder uit te wys; of
- (b) indien die plek waar bedoelde wild na beweer word gedood is wel aldus aan 'n natuurbewaarder uitgewys word, maar daar nie op daardie plek duidelike bewys gevind word dat wild daar gedood is nie,

by enige vervolging weens 'n misdryf ingevolge hierdie Ordonnansie, tensy die teendeel bewys word, geag op 'n ander plek gejag te wees as die plek waar die persoon in wie se besit die wildsvleis gevind is of die persoon wat dit, na hy aanvoer, aan hom geskenk het, beweer dit gejag is.

86. Iemand wat 'n bepaling van hierdie Ordonnansie of 'n opdrag daarkragtens gegee of vereiste daar-kragtens gestel, of 'n voorwaarde, vereiste of beperking van 'n permit, lisensie, goedkeuring, toestemming of vrystelling daarkragtens uitgerek of verleen, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Algemene misdryf.

87. Iemand wat skuldig bevind word aan 'n misdryf ingevolge hierdie Ordonnansie waarvoor daar geen straf uitdruklik bepaal word nie, is by skuldigbevinding strafbaar —

Algemene strafbepaling.

- (a) indien sodanige persoon nie voorheen skuldig bevind is aan sodanige misdryf of, na die mening van die hof, 'n soortgelyke misdryf ingevolge die bepaling van 'n herroepse ordonnansie of die wette van enige provinsie van die Republiek van Suid-Afrika nie, met 'n boete van hoogstens eenhonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met sowel sodanige boete as sodanige gevangenisstraf;
- (b) indien sodanige persoon wel voorheen skuldig bevind is aan 'n misdryf bedoel in paragraaf (a), met 'n boete van hoogstens tweehonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens ses maande of met sowel sodanige boete as sodanige gevangenisstraf.

88. Iemand wat ingevolge hierdie Ordonnansie aan 'n misdryf skuldig bevind is en wat na sodanige skuldigheid volhard met die oedoes af weenie,

Voortdurende misdrywe.

guilty of a continuous offence and liable on conviction to a fine not exceeding ten rand in respect of every day he so persists.

Forfeiture and other orders.

89. (1) Whenever any person is convicted of an offence in terms of this Ordinance —

- (a) the court convicting such person shall, subject to the provisions of this Ordinance, declare any game or wild animal or game meat or the skin, horn, tooth or tusk, egg, shell, ears, feet or skull of any game or wild animal or any fish or indigenous plant which is found in the possession of such person and which was used for the purpose of or in connection with the commission of such offence or in respect of which such offence has been committed, to be forfeited to the Administration;
- (b) the court convicting such person shall issue an order directing any licence or permit issued in terms of this Ordinance to the person so convicted to be withdrawn and cancelled;
- (c) the court convicting such person may, subject to the provisions of this Ordinance, declare any weapon or ammunition, lamp, battery, fishing tackle, device or article referred to in section 42, animal or any other article or object which was used for the purpose of or in connection with the commission of such offence to be forfeited to the Administration;
- (d) the court convicting such person may, subject to the provisions of this Ordinance, declare any vehicle, vessel, raft, or aircraft used for the purpose of or in connection with the commission of such offence or for the purpose of conveying or removing any game or wild animal hunted or captured contrary to the provisions of this Ordinance, to be forfeited to the Administration.

(2) Any forfeiture in terms of the provisions of subsection (1)(c) or (d) shall, notwithstanding anything to the contrary in any law, be ordered by the court irrespective of any rights which any person other than the convicted person has in respect of the forfeited weapon, ammunition, lamp, battery, fishing tackle, device or article referred to in section 42, animal or any other article or object, vehicle, vessel, raft or aircraft.

sodanige misdryf uitmaak, is aan 'n voortdurende misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tien rand ten opsigte van elke dag wat hy aldus volhard.

89. (1) Wanneer iemand ingevolge hierdie Ordonnansie aan 'n misdryf skuldig bevind word —

Verbeurdverklarings- en ander bevele.

- (a) moet die hof wat sodanige persoon skuldig bevind behoudens die bepalings van hierdie Ordonnansie, enige wild of wilde dier of wildsvleis of die vel, horing, tand, eier, dop, ore, pote of skedel van enige wild of wilde dier of enige vis of inheemse plant wat in die besit van sodanige persoon gevind word en wat vir die doel van of in verband met die pleeg van sodanige misdryf gebruik is of ten opsigte waaraan sodanige misdryf gepleeg is, ten gunste van die Administrasie verbeurd verklaar;
- (b) moet die hof wat sodanige persoon skuldig bevind 'n bevel uitreik dat enige lisensie of permit wat ingevolge hierdie Ordonnansie uitgereik is aan die persoon wat aldus skuldig bevind word, ingetrek en gekanselleer moet word;
- (c) kan die hof wat sodanige persoon skuldig bevind, behoudens die bepalings van hierdie Ordonnansie, enige wapen of ammunisie, lamp, battery, visgerei, toestel of artikel in artikel 42 bedoel, dier of enige ander artikel of voorwerp wat vir die doel van of in verband met die pleeg van sodanige misdryf gebruik is, ten gunste van die Administrasie verbeurd verklaar;
- (d) kan die hof wat sodanige persoon skuldig bevind, behoudens die bepalings van hierdie Ordonnansie, enige voertuig, vaartuig, vlot of vliegtuig wat vir die doel van of in verband met die pleeg van sodanige misdryf gebruik is of wat gebruik is vir die vervoer of verwydering van enige wild of wilde dier wat in stryd met die bepalings van hierdie Ordonnansie gejag of gevang is, ten gunste van die Administrasie verbeurd verklaar.

(2) Enige verbeurdverklaring ingevolge die bepalings van subartikel (1)(c) of (d) word ondanks andersluidende wetsbepalings deur die hof gedoen ongeag enige regte wat iemand anders as die veroordeelde persoon op die verbeurdverklaarde wapen, ammunisie, lamp, battery, visgerei, toestel of artikel in artikel 42 bedoel, dier of enige ander artikel of voorwerp, voertuig, vaartuig, vlot of vliegtuig het.

(3) A forfeiture or an order in terms of the provisions of subsection (1) shall be made or given in addition to any penalty, forfeiture or order that shall or may be imposed, made or given by the court in terms of this Ordinance.

(4) Anything forfeited in terms of the provisions of this section may be disposed of by the Executive Committee and the proceeds obtained therefrom shall be paid into the Territory Revenue Fund.

**Repeal of laws.**

90. (1) Subject to the provisions of subsections (2) and (3) the laws mentioned in Schedule 1 are hereby repealed to the extent set out in the third column thereof.

(2) Any proclamation, regulation, notice, order, prohibition, authority, permit, licence, approval, permission, exemption or document promulgated, issued, made, ordered, published, imposed, given or granted and other act performed in terms of the provisions of any law repealed by subsection (1) shall, if not inconsistent with the provisions of this Ordinance, be deemed to have been promulgated, issued, made, ordered, published, imposed, given, granted or performed in terms of the corresponding provisions of this Ordinance.

(3) Any person appointed in terms of the provisions of an ordinance repealed by subsection (1) or a proclamation or regulation promulgated thereunder to perform duties similar to those duties required of a person appointed in terms of this Ordinance shall be deemed to have been appointed in terms of the provisions of this Ordinance.

**Short title and commencement.**

91. This Ordinance shall be called the Nature Conservation Ordinance, 1975, and shall come into operation on the first day of April, 1975.

**SCHEDULE 1.**

**LAWS REPEALED.**

Number and Year of Law	Short title	Extent to which repealed
Ordinance 6 of 1935.	Extermination of Vermin Ordinance, 1935.	The whole
Ordinance 10 of 1949.	Extermination of Wild Dogs Amendment Ordinance, 1949.	The whole

(3) 'n Verbeurdverklaring of bevel ingevolge die bepalings van subartikel (1) word gedoen of verstrek bo en behalwe enige ander straf, verbeurdverklaring of bevel wat ingevolge hierdie Ordonnansie deur die hof opgelê, gedoen of verstrek moet of kan word.

(4) Enigiets wat ingevolge die bepalings van hierdie artikel verbeurd verklaar word kan deur die Uitvoerende Komitee van die hand gesit word en die opbrengs daaruit verkry word in die Gebiedsinkomstefonds gestort.

90. (1) Behoudens die bepalings van subartikels (2) en (3) word die wette genoem in Bylae 1, hierby herroep in die mate uiteengesit in die derde kolom daarvan.

Herroeping van wette.

(2) Enige proklamasie, regulasie, kennisgewing, bevel, verbod, magtiging, permit, lisensie, goedkeuring, toestemming, vrystelling of dokument uitgevaardig, uitgereik, gemaak, gedoen, afgekondig, opgelê, gegee of verleen en enige ander handeling verrig ingevolge die bepalings van 'n wet wat by subartikel (1) herroep word, word, indien dit nie in stryd met die bepalings van hierdie Ordonnansie is nie, geag uitgevaardig, uitgereik, gemaak, gedoen, afgekondig, opgelê, gegee, verleen of verrig te wees ingevolge die ooreenstemmende bepalings van hierdie Ordonnansie.

(3) Iemand wat ingevolge die bepalings van 'n by subartikel (1) herroepe ordonnansie of 'n proklamasie of regulasie daarkragtens uitgevaardig, aangestel is om dienste te verrig wat soortgelyk is aan dienste wat vereis sou word van 'n persoon aangestel ingevolge die bepalings van hierdie Ordonnansie, word geag aangestel te wees ingevolge die bepalings van hierdie Ordonnansie.

91. Hierdie Ordonnansie heet die Ordonnansie op Natuurbewaring, 1975, en tree in werking op die eerste dag van April 1975.

Kort titel en inwerkingtreding.

## BYLAE 1.

### WETTE HERROEP.

Nommer en Jaar van Wet	Kort Titel	In hoeverre herroep
Ordonnansie 6 van 1935. Uitroeïing van Ongediertes 1935.	Ordonnansie betreffende die Wysigingsordonnansie op die 10 van 1949 Uitroeïing van Wildehone 1949.	Die geheel
Ordonnansie 10 van 1949 Uitroeïing van Wildehone 1949.	Wysigingsordonnansie op die 10 van 1949 Uitroeïing van Wildehone 1949.	Die geheel

Proclamation Vermin Extermination Amend. The whole  
43 of 1949. Proclamation, 1949.

Ordinance Extermination of Vermin The whole  
11 of 1958. Amendment Ordinance, 1958

Ordinance Extermination of Vermin The whole  
23 of 1965. Amendment Ordinance, 1965.

Ordinance Nature Conservation The whole  
31 of 1967 Ordinance, 1967.

Ordinance Nature Conservation Amend- The whole  
3 of 1968. ment Ordinance, 1968.

Ordinance Nature Conservation Amend- The whole  
12 of 1969. ment Ordinance, 1969.

Ordinance Nature Conservation Further The whole.  
29 of 1969. Amendment Ordinance, 1969.

Ordinance Nature Conservation Amend- The whole  
21 of 1970. ment Ordinance, 1970.

Ordinance Nature Conservation Amend- The whole.  
21 of 1971. ment Ordinance, 1971.

Ordinance Nature Conservation Amend- The whole  
6 of 1972. ment Ordinance, 1972.

Ordinance Nature Conservation Amend- The whole  
8 of 1973. ment Ordinance, 1973.

Government Notice 74 The whole  
of 1972.

## SCHEDULE 2.

### DEFINITION OF THE BOUNDARIES OF THE ETOSHA NATIONAL PARK.

From a point where the southern boundary of the magisterial district of Owambo intersects the western road reserve boundary of trunk road 1, section 10, south-eastwards along the said road reserve boundary, but excluding the adjoining airfield, to a point where the said road reserve boundary intersects the northern boundary of the farm Cordonia 1067, situated in Registration Division "B"; thence westwards along the northern boundaries of the farms Cordonia 1067 and Onguma 314 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, all situated in Registration Division "B", namely Onguma 314, Vergenoeg 942, Kleinbegin 941,

Proklamasie Wysigingsproklamasie op die Die geheel  
43 van 1949. Uitroeiing van Ongediertes  
1949.

Ordonnansie Wysigingsordonnansie op die Die geheel  
11 van 1958 Uitroeiing van Ongediertes  
1958.

Ordonnansie Wysigingsordonnansie betref- Die geheel  
23 van 1965. fende die Uitroeiing van On-  
gediertes 1965.

Ordonnansie Ordonnansie op Natuurbe- Die geheel  
31 van 1967. waring 1967.

Ordonnansie Wysigingsordonnansie op Na- Die geheel  
3 van 1968. tuurbewaring 1968.

Ordonnansie Wysigingsordonnansie op Die geheel  
12 van 1969. Natuurbewaring 1969.

Ordonnansie Verdere Wysigingsordonnansie Die geheel  
29 van 1969. op Natuurbewaring 1969.

Ordonnansie Wysigingsordonnansie op Die geheel  
21 van 1970. Natuurbewaring 1970.

Ordonnansie Wysigingsordonnansie op Die geheel  
21 van 1971. Natuurbewaring, 1971.

Ordonnansie Wysigingsordonnansie op Die geheel  
6 van 1972. Natuurbewaring 1972.

Ordonnansie Wysigingsordonnansie op Die geheel  
8 van 1973. Natuurbewaring, 1973.

Goewerments- Die geheel  
kennisgewing  
74 van 1972.

## BYLAE 2.

### OMSKRYWING VAN DIE GRENSE VAN DIE NA- SIONALE ETOSHA WILDTUIN.

Van 'n punt waar die suidelike grens van die landdrosdistrik Owambo die westelike padreserwegrens van hoofpad 1, seksie 10, kruis, suidooswaarts al langs gemelde padreserwegrens, maar met uitsluiting van die aanliggende vliegveld, tot 'n punt waar gemelde padreserwegrens die noordelike grens van die plaas Cordonia 1067, geleë in die registrasie-afdeling "B", kruis; van daar weswaarts al langs die noordelike grense van die plase Cordonia 1067 en Onguma 314 tot by die noordwestelike hoekbaken van laasgenoemde plaas; van daar algemeen suidwaarts langs die grense van, maar uitsluitende die volgende plase na mekaar, almal geleë in die registrasie-afdeling "B", naamlik Onguma 314, Vergenoeg 942, Kleinbegin 941, Leeudrink 940, Plaas

Leeudrink 940, Farm 858, Nadubib 1083, Heliodor 857, Obab 856, Mara 840, Lynplaas 436, Vrede 435, Olifantslaagte 433, Nooitgedag 418 and 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, all situated in Registration Division "A", 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, Burgershof 432, Avondvrede 439, Stillerus 429, Willina 427, Volouiga 424, Moesamoeroep 421, Safari 663, Leeurante 660, Seringetti 659, Farm 656, Grenswag 655, Vlakwater 652, Helaas 649, Pionier 648, Robyn 647 and Ermo 646 to the north-western corner beacon of the last-mentioned farm; thence southwards along the western boundary of the said farm Ermo 646 to the south-western corner beacon thereof; thence eastwards along the northern boundaries of the following properties in succession namely Portion 4 of the farm Kaross 237 and Portion 2 of the farm Kaross 237 to the north-eastern corner beacon of the last-mentioned property; thence southwards along the boundary of the said property, Portion 2 of the farm Kaross 237, to the south-eastern corner beacon thereof; thence westwards along the boundaries of the following properties in succession namely Portion 2 of the farm Kaross 237, Portion 4 of the farm Kaross 237, Portion 3 of the farm Kaross 237 and the farm Swartskamp 640 to a point on the southern boundary of the last-mentioned farm where the said boundary intersects the eastern road reserve boundary of main road 67; thence northwards along the eastern boundary of the said road reserve to a point where it intersects the northern boundary of the farm Kowares 276; thence north-eastwards in a straight line to a point 5 kilometres due east of the waterhole Onaiso; thence north-westwards in a straight line to the south-eastern corner beacon of Quarantine Station 740; thence generally northwards along the boundary of but excluding the said Quarantine Station 740 to the south-western corner beacon of Quarantine Station 742; thence eastwards along the southern boundary of the last-mentioned Quarantine Station to the south-eastern corner beacon thereof; thence generally eastwards to a point south-east of Ojivalunda East Salt Pan; thence generally north-eastwards in a straight line, but excluding the said pan, to a point where the said straight line meets the southern boundary of the magisterial district of Owambo; thence eastwards along the southern boundary of the said magisterial district to a point where the said boundary intersects the western road reserve boundary of trunk road 1, section 10, being the point of beginning.

858, Nadubib 1083, Heliodor 857, Obab 856, Mara 840, Lynplaas 436, Vrede 435, Olifantslaagte 433, Nootgedag 418 en Hestria 417 tot by die noordwestelike hoekbaken van laasgenoemde plaas; van daar algemeen weswaarts langs die grens van, maar uitsluitende die volgende plase na mekaar, almal geleë in die registrasie-afdeling "A", 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, Burgershof 432, Avondvrede 439, Stillerus 429, Willina 427, Volouiga 424, Moesamoeroep 421, Safari 663, Leeurante 660, Seringetti 659, Plaas 656, Grenswag 655, Vlakwater 652, Helaas 649, Pionier 648, Robyn 647 en Ermo 646 tot by die noordwestelike hoekbaken van laasgenoemde plaas; van daar suidwaarts langs die westelike grens van gemelde plaas Ermo 646 tot by die suidwestelike hoekbaken daarvan; van daar ooswaarts langs die noordelike grense van die volgende eiendomme na mekaar naamlik Gedeelte 4 van die plaas Kaross 237 en Gedeelte 2 van die plaas Kaross 237 tot by die noordoostelike hoekbaken van laasgenoemde eiendom; van daar suidwaarts langs die grens van die gemelde eiendom, Gedeelte 2 van die plaas Kaross 237, tot by die suidoostelike hoekbaken daarvan; van daar weswaarts langs die grense van die volgende eiendomme na mekaar naamlik Gedeelte 2 van die plaas Kaross 237, Gedeelte 4 van die plaas Kaross 237, Gedeelte 3 van die plaas Kaross 237 en die plaas Swartskamp 640 tot by 'n punt op die suidelike grens van laasgenoemde plaas waar gemelde grens die oostelike padreserwegrens van grootpad 67 kruis; van daar noordwaarts al langs die oosgrens van gemelde padreserwegrens tot 'n punt waar dit die noordelike grens van die plaas Kowares 276 kruis; van daar noordooswaarts in 'n reguit lyn tot 'n punt 5 kilometer reg oos van die watergat Onaiso; van daar noordweswaarts in 'n reguit lyn tot by die suidoostelike hoekbaken van Kwarantkamp 740; van daar algemeen noordwaarts langs die grens van maar uitsluitende gemelde Kwarantynkamp 740 tot by die suidwestelike hoekbaken van Kwarantynkamp 742; van daar ooswaarts langs die suidelike grens van laasgenoemde Kwarantynkamp tot by die suidoostelike hoekbaken daarvan; van daar algemeen ooswaarts tot 'n punt suidoos van Otjivalunda Oos-soutpan; van daar algemeen noordooswaarts in 'n reguit lyn maar met uitsluiting van gemelde pan tot by 'n punt waar gemelde reguit lyn by die suidelike grens van die landdrosdistrik Owambo aansluit; van daar ooswaarts langs die suidelike grens van genoemde landdrosdistrik tot by 'n punt waar genoemde grens die westelike padreserwegrens van hoofpad 1, seksie 10, kruis, synde die aanvangspunt.

**SCHEDULE 3.****SPECIALLY PROTECTED GAME.**

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

**SCHEDULE 4.****PROTECTED GAME.**(i) *Animals.*

Aardwolf (*Proteles cristatus*)  
 Bat-eared Fox (*Otocyon megalotis*)  
 Roan Antelope (*Hippotragus equinus*)  
 Tsessebe (*Damaliscus lunatus*)  
 Dikdik (*Madoqua Kirkii damarensis*)  
 Blue Wildebeest (*Connochaetes taurinus*)  
 Bushbuck (*Tragelaphus scriptus ornatus*)  
 Duiker (*Sylvicapra grimmia*)  
 Antbear (*Orycteropus afer*)  
 Clawless Otter (*Aonyx capensis*)  
 Scaly Anteater (*Manis temmincki*)  
 Cheetah (*Acinonyx jubatus*)  
 Spotted-necked Otter (*Lutra maculicollis*)  
 Hedgehog (*Erinaceus frontalis*)  
 Monitor (*Veranus niloticus*; *V. albigularis*)  
 Leopard (*Panthera pardus*)  
 Pythons (*Python sebae*, *Python anchietae*)  
 Bush Baby (*Galago senegalensis*)  
 Oribi (*Ourebia ourebi*)  
 Honey Badger (*Mellivora capensis*)  
 Reedbuck (*Redunca arundinum*)  
 Red Hartebeest (*Alcelaphus buselaphus*)  
 Silver Jackal (*Vulpes chama*)  
 Tortoise (*Testudinidae*)  
 Steenbok (*Rhaphicerus campestris*)  
 Sable Antelope (*Hippotragus niger*)  
 Plains Zebra (*Equus burchelli*)  
 Waterbuck (*Kobus ellipsiprymnus*)  
 Sitatunga (*Tragelaphus spekii*)

(ii) *Birds.*

All species of birds except the huntable game birds mentioned in Schedule 6 and the following birds:

Weaver (All *Ploceus* sp.)  
 Sparrow (*Passer ingoensis*; *P. melanurus*; *P. diffusus*;  
*Petronia superciliaris*)  
 Mousebird (*Colius colius*; *Urocolius indicus indicus*)  
 Redheaded Quelea (*Quelea quelea*)

BYLAE 3.

SPESIAAL BESKERMDE WILD.

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

BYLAE 4.

BESKERMDE WILD.

(i) *Diere.*

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

(ii) *Voëls.*

Alle soorte voëls behalwe die jagbare wildvoëls genoem in Bylae 6 en die volgende voëls:

Geelvink (Alle *Ploceus* sp.)  
Mossie (*Passer ingoensis; P. melanurus; P. diffusus*;  
*Petronia superciliaris*)  
Muisvoël (*Colius colius; Urocolius indicus indicus*)  
Rooibekvink (*Quelea quelea*)

Bulbul (*Pycnonotus nigricans*; *P. barbatus*)  
Pied Crow (*Corvus albus*).

## SCHEDULE 5.

## HUNTABLE GAME.

- Bushpig (*Potamochoerus porcus*)
- Buffalo (*Syncerus caffer*)
- Eland (*Taurotragus oryx*)
- Oryx (*Oryx gazella*)
- Kudu (*Tragelaphus strepsiceros*)
- Springbok (*Antidorcas marsupialis*)
- Warthog (*Phacochoerus aethiopicus*)

## **SCHEDULE 6.**

## HUNTABLE GAME BIRDS.

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

**SCHEDULE 7.**

**AUTHORITY TO HUNT HUNTABLE GAME.**  
(Section 30 of Nature Conservation Ordinance, 1975)

## PART A.

N.B. This part must be completed fully in ink or indelible pencil by the owner or lessee of the land on which the hunt is being authorised before it is handed to the person to whom it is granted.

I, .....  
(name of person granting authority)

residing at . . . . .

.....

ANSWER: The answer is 1000. The total number of students in the school is 1000.

(full residential address of person granting authority)

hereby authorise . . . . .

(name or person to whom authority is granted)

residing at .....

.....

.....

(2, 11, 11, 11, 11, 6, 1, 1, 1, 1, 1, 1, 1, 1)

(as defined in section 16 of the Act)  
granted)

Tiptol (*Pycnonotus nigricans*; *P. barbatus*)  
Witbors-kraai (*Corvus albus*).

BYLAE 5.

JAGBARE WILD.

Bosvark (*Potamochoerus porcus*)  
Buffel (*Syncerus caffer*)  
Eland (*Taurotragus oryx*)  
Gemsbok (*Oryx gazella*)  
Koedoe (*Tragelaphus strepsiceros*)  
Springbok (*Antidorcas marsupialis*)  
Vlakvark (*Phacochoerus aethiopicus*).

BYLAE 6.

JAGBARE WILDVOËLS.

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

BYLAE 7.

MAGTIGING OM JAGBARE WILD TE JAG.  
(Artikel 30 van die Ordonnansie op Natuurbewaring,  
1975)

DEEL A.

L.W. Hierdie deel moet volledig in ink of inkpotlood  
deur die eienaar of huurder van die grond waarop  
die jag gemagtig word, ingevul word voordat dit  
aan die persoon aan wie dit verleen word, oorhan-  
dig word.

EK, .....  
(naam van persoon wat magtiging verleen)

woonagtig te .....

.....

.....

.....  
(volledige woonadres van persoon wat magtiging  
verleen)

magtig .....  
(naam van persoon aan wie magtiging verleen word)

woonagtig te .....

.....

.....

.....  
(volledige woonadres van persoon aan wie magtiging  
verleen word)

to hunt one .....  
(species of huntable game that may be hunted under this authority)

on .....  
(date or dates on which may be hunted under this authority)

on the \*farm/farms/piece of land .....

.....  
(complete description of land and names of all farms on which may be hunted under this authority)

which is enclosed with \*a game-proof fence/ an adequate fence and of which I am the \*owner/lessee.

.....  
SIGNATURE.

\* Delete whichever is not applicable.

PART B.

N.B. This part must be completed fully in ink or indelible pencil by the person who has hunted game under the authority contained in Part A hereof before leaving the land on which he has so hunted.

I, .....  
(name of person who has hunted)

hereby declare that I have today, .....  
.....  
(date on which hunting took place)

hunted one .....  
.....  
(species and sex of huntable game hunted)

on the farm .....  
.....  
(name of farm on which hunting took place)

in terms of the authority contained in Part A hereof.

.....  
SIGNATURE.

hierby om op .....  
(datum of datums waarop kragtens hierdie magtiging  
gejag mag word)

een .....  
(soort jagbare wild wat kragtens hierdie magtiging gejag  
mag word)

op die \*plaas/plase/stuk grond .....

(volledige beskrywing van grond en name van alle plase  
waarop kragtens hierdie magtiging gejag mag word)

wat met 'n \*wildwerende heining/voldoende omheining  
omhein is en waarvan ek die \*eienaar/huurder is, te jag.

.....  
**HANDTEKENING.**

\* Skrap wat nie van toepassing is nie.

**DEEL B.**

L.W. Hierdie deel moet volledig deur die persoon wat  
wild kragtens die magtiging vervat in Deel A, ge-  
jag het, in ink of inkpotlood ingevul word voordat  
hy die grond verlaat waarop hy aldus gejag het.

EK, .....  
(naam van persoon wat gejag het)

verklaar hereby dat ek, vandag, .....  
.....  
(datum waarop gejag is)

een .....  
.....  
(soort en geslag van wild wat gejag is)

op die plaas .....  
.....  
(naam van plaas waarop bedoelde wild gejag is)

gejag het kragtens die magtiging vervat in Deel A hier-  
van.

.....  
**(HANDTEKENING)**

**SCHEDULE 8.**

AUTHORITY TO HUNT HUNTABLE GAME  
BIRDS.

## PART A.

N.B. This part must be completed fully in ink or indelible pencil by the owner or lessee of the farm on which the hunt is being authorised before it is handed to the person to whom it is granted.

I, . . . . .

(name of person granting authority)

residing at . . . . .

.....

(full residential address of person granting authority)

*(A handwritten signature is also acceptable.)*

hereby authorise .....  
(name of person to whom authority is granted)

residing at . . . . .

• •

(full residential address of person to whom authority is granted)

to hunt . . . . .

(species of huntable game birds and number of each such species which may be hunted under this authority)

on . . . . .

(date or dates on which may be hunted under this authority)

on the farm

(name of farm on which may be hunted under this authority)

which is enclosed with \*a game-proof fence/an adequate fence and of which I am the \*owner/lessee.

.....  
SIGNATURE.

\* Delete whichever is not applicable.

PART B.

N.B. This part must be completed fully in ink or indeli-

BYLAE 8.

MAGTIGING OM JAGBARE WILDVOËLS TE  
JAG.

(Artikel 32 van die Ordonnansie op Natuurbewaring,  
1975)

DEEL A.

L.W. Hierdie deel moet volledig in ink of inktlood  
deur die eienaar of huurder van die plaas waarop  
die jag gemagtig word, ingevul word voordat dit  
aan die persoon aan wie dit verleen word, oorhan-  
dig word.

EK, .....  
(naam van persoon wat magtiging verleen)

woonagtig te .....

.....  
(volledige woonadres van persoon wat magtiging  
verleen)

magtig .....  
(naam van persoon aan wie magtiging verleen word)

woonagtig te .....

.....  
(volledige woonadres van persoon aan wie magtiging  
verleen word)

hierby om op .....  
(datum of datums waarop kragtens hierdie magtiging  
gejag mag word)

.....  
(soort of soorte jagbare wildvoëls en hoeveelheid van  
elke sodanige soort wat kragtens hierdie magtiging gejag  
mag word)

op die plaas .....  
(naam van plaas waarop kragtens hierdie magtiging ge-  
jag mag word)

wat met 'n \*wildwerende heining/voldoende omheining  
omhein is en waarvan ek die \*eienaar/huurder is, te jag.

.....  
HANDTEKENING.

\* Skrap wat nie van toepassing is nie.

DEEL B.

L.W. Hierdie deel moet volledig deur die persoon wat

ble pencil by the person who has hunted game birds under the authority contained in Part A before leaving the land on which he has so hunted.

I, .....  
(name of person who has hunted)

hereby declare that I have today, .....

.....  
(date on which hunting took place)

hunted .....  
(species and number of game birds hunted)

on the farm .....  
(name of farm on which hunting took place)

under the authority contained in Part A hereof.

.....  
**SIGNATURE.**

wild kragtens die magtiging vervat in Deel A gejag het, in ink of inkpotlood ingevul word voordat hy die grond verlaat waarop hy aldus gejag het.

EK, .....  
(naam van persoon wat gejag het)

verklaar hierby dat ek vandag, .....

.....  
(datum waarop gejag is)

.....  
(soort en hoeveelheid jagbare wildvoëls wat gejag is)

op die plaas .....  
(naam van plaas waarop gejag is)

gejag het kragtens die magtiging vervat in Deel A hiervan.

.....  
HANDTEKENING.

SCHEDULE 9.  
ADMINISTRASIE – S.W.A. – ADMINISTRATION

**AANSOEK OM 'N WILDHANDELAARSLISENSIE/APPLICATION FOR A GAME DEALER'S LICENCE**  
(Ordonnansie op Natuurbewaring, 1975/Nature Conservation Ordinance, 1975)

Jaar eindigende ..... Year ending

Naam van applikant ..... Name of applicant

Adres ..... Address

Ligging van grond waar ) ..... ( Situation of land on  
wild of wilde diere aan- ) ..... ( which game or wild  
gehou sal word ) ..... ( animals will be kept

Besonderhede van lisenzie ) ..... ( Particulars of licence  
verlang ) ..... ( required

Vorige ondervinding ..... Previous experience

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

.....  
**HANDTEKENING/SIGNATURE.**

**DATUM** ..... **DATE.**

BYLAE 9.

**AANSOEK OM 'N WILDHANDELAARSSENSIE/APPLICATION FOR A GAME DEALER'S LICENCE  
(Ordonnansie op Natuurbewaring, 1975/Nature Conservation Ordinance, 1975)**

Jaar eindigende . . . . . Year ending

Naam van applikant . . . . . Name of applicant

Adres ..... Address .....

Ligging van grond waar ) ..... ( Situation of land on  
 wild of wilde diere aan- ) ..... ( which game or wild  
 gehou sal word ) ..... ( animals will be kept

Besonderhede van lisensie ) ..... ( Particulars of licence  
verlang ) ..... ( required

Vorige ondervinding . . . . . Previous experience

### HANDTEKENING/SIGNATURE.

DATUM ..... DATE.

## SCHE DULE 10.

ADMINISTRASIE — S.W.A. — ADMINISTRATION

WILDHANDELAARSLISENSIE/ GAME DEALER'S LICENCE

(Ordonnansie op Natuurbewaring, 1975/ Nature Conservation Ordinance, 1975)

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

6  
 Ligging van grond waar ) . . . . . ( Situation of land on  
 wild or wilde diere aan- ) . . . . . ( which game or wild  
 gehou sal word ) . . . . . ( animals will be kept

LISENSIEBEAMPTE/LICENCING OFFICER.

## BYLAE 10.

## ADMINISTRASIE – S.W.A. – ADMINISTRATION

## WILDHANDELAARSLISENSIE/GAME DEALER'S LICENCE

(Ordonnansie op Natuurbewaring, 1975/Nature Conservation Ordinance, 1975)

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 ) . . . . . ( Situation of land on  
wild of wilde diere aan- ) . . . . . ( which game or wild  
gehou sal word ) . . . . . ( animals will be kept

LISENSIEBEAMPTE/LICENCING OFFICER.

## SCHEDULE 11.

## PROTECTED PLANTS.

Common name.	Scientific name.
--------------	------------------

## AIZOACEAE.

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
Thorn Vygie	Dracophilus all species
Mountain Vygie	Ebracteola montis-moltkii
Window plant, yellow	Fenestraria aurantiaca
Window Plant, white	Fenestraria rhopalophylla
Herero Vygie	Hereroa all species
Jensenobotrya	Jensenobotrya lossowiana
Juttadinteria	Juttadinteria all species
Vygie	Lapidaria margaretae
Namib Vygie	Lithops all species
Plains Vygie	Namibia all species
Vygie	Nananthus aloides
Rusch's Vygies	Nycteranthus all species
Vygie	Ophthalmophyllum all species
Kalk Vygie	Psammophora all species
Vygie	Ruschia all species
	Schwantesia all species
	Stoeberia all species
	Titanopsis all species
	Trichodiadema all species

## APOCYNACEAE.

Bottle tree	Pachypodium lealii
Elephant's trunk	Pachypodium namaquanum

## ASCLEPIADACEAE.

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
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## BYLAE 11.

## BESKERMDE PLANTE.

Gewone naam Wetenskaplike naam.

## AIZOACEAE.

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
Doringvygie	Dracophilus alle soorte
Bergvygie	Ebracteola montis-moltkii
Vensterplantjie, geel	Fenestraria aurantiaca
Vensterplantjie, wit	Fenestraria rhopalophylla
Hererovygie	Hereroa alle soorte
Jensenobotrya	Jensenobotrya lossowiana
Juttadinteria	Juttadinteria alle soorte
Vygie	Lapidaria margaretae
Beesklotjie	Lithops alle soorte
Namibvygie	Namibia alle soorte
Vlaktevygie	Nananthus aloides
Vygie	Nycteranthus alle soorte
	Ophthalmophyllum alle soorte
Rusch's vygies	Psammophora alle soorte
Vygie	Ruschia alle soorte
	Schwantesia alle soorte
Kalkvygie	Stoeberia alle soorte
Vygie	Titanopsis alle soorte
	Trichodiadema alle soorte

## APOCYNACEAE.

Bottelboom	Pachypodium lealii
Halfmens	Pachypodium namaquanum

## ASCLEPIADACEAE.

Aasblomsoorte	Caralluma alle soorte
	Ceropogia alle soorte
Katstert	Decabalone barklyi
	Duvalia alle soorte
Wolwe-Ghaapsoorte	Hoodia alle soorte
Bitterghwapiesoorte	Huernia alle soorte
Kalkoennetjiesoorte	Huerniopsis alle soorte
Boesmantoontjiesoorte	Piaranthus alle soorte
Aasblomsoorte	Stapelia alle soorte
	Tavaresia: Sien Decabalone soorte

Ghaap species

Trichocaulon all species

## CRASSULACEAE.

Adromischus all species  
Crassula all species

## LILIACEAE.

	Aloe all species
Small Aloe	Chortolirion bergerianum
Variegated Aloe	Gasteria ernestii-ruschii
Gloriosa	Gloriosa virescens
Small Haworthia	Haworthia tessellata var. engleri

## MORINGACEAE.

Monringa Moringa ovalifolia

## ORCHIDACEAE.

Orchids Orchidaceae all genera and  
species

## PORTULACACEAE.

	Anacampseros all species
Small Elephant's	Portulacaria pygmaea
Food	

## VITACEAE.

Butter Tree species	Cyphostemma (Cissus)
Stem Succulent species	

## WELWITSCHIACEAE.

Welwitschia Welwitschia mirabilis.

Ghaapsoorte Trichocaulon alle soorte.

CRASSULACEAE.

Bontplakkiesoorte Adromischus alle soorte  
Crassulasoorte Crassula alle soorte.

LILIACEAE.

Aalwynsoorte Aloe alle soorte  
Klein Aalwyn Chortolirion bergerianum  
Bont Aalwyn Gasteria ernesti-ruschii  
Rooiboslelie Gloriosa virescens  
Klein Kanniedood Haworthia tessellata var.  
engleri.

MORINGACEAE.

Moringa Moringa ovalifolia

ORCHIDACEAE.

Orgideësoorte Orchidaceae alle ge-  
slagte en soorte.

POTULACACEAE.

Haaskossoorte Anacampseros alle soorte  
Klein Spekboom Portulacaria pygmaea.

VITACEAE.

Botterboomsoorte Cyphostemma (Cissus)  
Stamsukkulentesoorte

WELWITSCHIASEAE.

Welwitschia Welwitschia mirabiliss.