

Statutory Instrument No. 63 of 1967

THE HIRE PURCHASE PROCLAMATION, 1961

EXEMPTION

In the exercise of the powers vested in him by section 2(3) of the Hire Purchase Proclamation, 1961 (No. 25 of 1961) His Excellency the President hereby gives notice that the provisions of the Hire Purchase Proclamation shall not apply to any agreement in respect of the sale of a moveable where the National Development Bank is the seller.

J.A. ALLISON,
Permanent Secretary.

Office of the President,
GABERONES.
31st October, 1967.

Statutory Instrument No. 64 of 1967.

THE FAUNA CONSERVATION PROCLAMATION, 1961

**THE FAUNA CONSERVATION (BAMANGWATO TRIBAL
TERRITORY) HUNTING REGULATIONS, 1967**

(Published on 10th November, 1967)

In the exercise of the powers vested in him by section 4(1), as read with section 93, of the Fauna Conservation Proclamation, 1961, and after consultation with the Tribal Authority of the Bamangwato Tribal Territory and the appropriate District Council, the Minister of Commerce, Industry and Water Affairs hereby makes the following regulations —

Citation and Application

1. (1) These regulations may be cited as the Fauna Conservation (Bamangwato Tribal Territory) Hunting Regulations, 1967.

(2) These regulations shall apply to members of the Bamangwato Tribe when hunting on the tribal territory.

Interpretation

2. In these regulations, unless the context otherwise requires —

“conserved animals” means the animals prescribed in Part I of the First Schedule ;

“licence” means a current and valid licence issued under regulation 8 ;

“licence fee” means the fee prescribed in the Third Schedule ;

“member” means member of the Tribe ;

“protected game” means the animals prescribed in the first column of Part II of the First Schedule ;

“Tribal Authority” means the tribal authority of the Tribe and includes any person performing the functions of tribal authority ;

“tribal game” means the animals prescribed in the Second Schedule ;

“tribal territory” means the territory of the Tribe ;

“Tribe” means the Bamangwato Tribe.

Restriction on Hunting Conserved Animals

3. (1) No member shall capture or hunt a conserved animal.

(2) Any person who contravenes the provisions of subregulation (1) shall be guilty of an offence and liable on conviction to the penalties prescribed in regulation 13.

Restriction on Hunting Protected Game

4. (1) Subject to the provisions of regulation 7 no member shall hunt protected game without being in possession of a licence permitting him to do so in the area specified in the licence.

(2) The total number of animals, being protected game, which may be killed in any year by licence holders shall not exceed the number prescribed in respect of an animal in the second column of Part II of the First Schedule and no licence shall be issued which, taking into consideration licences previously issued, authorizes the killing of any protected game in excess of this number.

(3) Any person who contravenes the provisions of subregulation (1) shall be guilty of an offence and liable on conviction to the penalties prescribed in regulation 13.

Tribal Game

5. (1) Subject to the provisions of regulation 7, no member shall hunt tribal game without being in possession of a licence permitting him to do so in the area specified in the licence.

(2) Any person who contravenes the provisions of subregulation (1) shall be guilty of an offence and liable on conviction to the penalties prescribed in regulation 13.

Licence Not Required for Hunting Certain Animals

6. A licence shall not be required by a member to hunt animals other than those specified in the First and Second Schedules.

Close Season

7. (1) Notwithstanding the provisions of regulations 4 and 5, no member shall hunt protected game or tribal game between the 1st November in any year and the 31st day of March in the year next following.

(2) Any person who contravenes the provision of subregulation (1) shall be guilty of an offence and liable on conviction to the penalties prescribed in regulation 13.

Appointment of Licensing Officers

8. (1) The Tribal Authority in Council shall appoint licensing officers for the purpose of issuing licences under these regulations.

(2) A licensing officer shall, subject to the provisions of these regulations and any direction which may be given by the Tribal Authority for the better conservation of

game and the equitable apportionment of rights to hunt between members, issue a licence to a member on receipt by him of the licence fee :

Provided that no licence authorizing the hunting of protected game shall be issued save by or on the authority of the Tribal Authority.

(3) For the purposes of subregulation (1) "Tribal Authority in Council" means the Tribal Authority acting after consultation with the Central District Council.

Licences

9 (1) In addition to any particulars which may be required under the provisions of regulation 4(2) a licence shall specify the period of validity of the licence and the name of the person to whom it is issued and the area within which hunting may take place :

Provided that no licence authorizing the hunting of protected game shall be valid for a period in excess of 30 days.

(2) A licence shall not authorize the hunting of protected game unless such authority is expressly conferred by the licence and, if so conferred, it shall authorize the hunting of the number and species of animals specified in the licence only.

(3) A licence authorizing the hunting of tribal game shall authorize the hunting of the number and species of animals specified in the licence only.

(4) The fees prescribed in the Second Schedule shall be paid for a licence.

(5) All licence fees shall be paid into the revenue of the Central District Council.

(6) No licence shall be transferable.

Destruction of Animals in Self Defence

10. (1) Notwithstanding anything contained in these regulations, it shall be lawful for any member to kill or injure any wild animal in defence of himself or other person if immediately and absolutely necessary.

(2) The burden of proving that any animal has been killed or injured in accordance with the provisions of this section shall lie upon the person who killed or injured such animal.

Destruction of Animals Causing Damage to Livestock, etc.

11. (1) Notwithstanding anything contained in these regulations, it shall be lawful for the occupier of land or any member authorized by him to destroy on such land any wild animal causing damage to any livestock, crops, water installation or fence.

(2) The Chief may authorize the killing of, and it shall be lawful to kill or injure in accordance with such authority, any wild animal, which in the opinion of the Tribal Authority has caused and is likely again to cause damage to any livestock, crops, water installation or fence.

Use and Possession of Poisoned Bait, etc. Prohibited

12. (1) No member shall, except under and in accordance with the written permission of the Tribal Authority, use for the purpose of hunting or capturing any animal, any poisoned bait, metal trap, set gun or wire snare.

Provided that nothing in this regulation shall render unlawful the setting of a metal trap or wire snare for the protection of livestock in the immediate vicinity of any enclosure in which livestock are kept.

(2) Any person who contravenes the provisions of subregulation (1) shall be guilty of an offence and shall be liable on conviction to the penalties prescribed in regulation 13.

Penalties

13. Any person convicted of an offence under these regulations shall be liable ---
- (a) in the case of a first conviction to a fine of R50 or, in default of payment, to imprisonment for a period not exceeding one month, or such imprisonment without the option of a fine, or to both such fine and such imprisonment;
 - (b) in the case of a second conviction to a fine of R100 or, in default of payment, to imprisonment for a period not exceeding three months, or such imprisonment without the option of a fine, or to both such fine and such imprisonment;
 - (c) in the case of a third conviction to a fine not exceeding R200 or, in default of payment, to imprisonment for a period not exceeding six months, or such imprisonment without the option of a fine, or to both such fine and such imprisonment.

ANNEX SCHEDULE

PART I

(Regulation 3)

Conserved Animals

Cheetah	(Lengau, Letihotse)
Giraffe	(Thutiwa)
Hippopotamus	(Kubu)
Klipspringer	(Mokabayane)

PART II

(Regulation 4)

Protected Game

<i>First Column</i>	<i>Second Column</i>
Lion (Tau)	Nil
Leopard (Nkwe)	Nil
Zebra (Pitse Yanaga)	50
Springbok (Tshepe)	Nil
(East of the Central Fence)	
Kudu (Tholo)	10
Elephant (Tlou)	10
Ostrich (Ntshe)	Nil
Eland (Phofu)	Nil
Sable Antelope (Kwalata Entsho)	Nil
Roan Antelope (Kwalata Etshetlha)	Nil
Tsessebe (Tsesebe)	Nil
Reedbuck (Motsweima)	Nil
Gemsbok (Kukama)	Nil

SECOND SCHEDULE

(Regulation 5)

Tribal Game

THIRD SCHEDULE

(Regulation 9)

Licence Fees

In the case of protected game	Free
In the case of tribal game	Free

P.W. REARDON,
Permanent Secretary,

Ministry of Commerce, Industry and Water Affairs,
GABERONES.
3rd November, 1967.

Statutory Instrument No. 65 of 1967

THE FAUNA CONSERVATION PROCLAMATION, 1961

**THE FAUNA CONSERVATION (BATAWANA TRIBAL TERRITORY) HUNTING
REGULATIONS, 1967**

(Published on 10th November, 1967).

In the exercise of the powers vested in him by section 4(1), as read with section 93, of the Fauna Conservation Proclamation, 1961 and after consultation with the Chief of the Batawana tribal territory and the appropriate District Council, the Minister of Commerce, Industry and Water Affairs hereby makes the following regulations -

Citation, Application and Commencement

1. (1) These regulations may be cited as the Fauna Conservation (Batawana Tribal Territory Hunting Regulations, 1967, and shall come into effect on the 1st January, 1968.

(2) These regulations shall apply to members of the Batawana Tribe when hunting on the tribal territory.

Interpretation

2. In these regulations, unless the context otherwise requires -

“Chief” means the Chief of the Tribe and includes any person performing the functions of Chief;