

**Statutory Instrument No. 17 of 1968**

**THE FAUNA CONSERVATION PROCLAMATION 1961**

**THE FAUNA CONSERVATION (STATE LAND CONTROLLED HUNTING AREAS)  
REGULATIONS, 1968**

(Published on 8th March, 1968)

In the exercise of the powers vested in him by section 11 as read with section 93 of the Fauna Conservation Proclamation, 1961 (Proclamation No. 22 of 1961) 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 (State Land Controlled Hunting Areas) Regulations, 1968, and shall apply in relation to the following Controlled Hunting Areas, being areas of State Land the boundaries of which are defined in Statutory Instrument No. 15 of 1968 :—

- (a) Kachikau Controlled Hunting Area;
- (b) Kasane Controlled Hunting Area;
- (c) Masame Controlled Hunting Area;
- (d) Tamafupa Controlled Hunting Area;
- (e) Mababe Controlled Hunting Area;
- (f) Botletle Controlled Hunting Area;
- (g) Western Kgalagadi Controlled Hunting Area;
- (h) Eastern Kgalagadi Controlled Hunting Area;
- (i) Makalamabedi Controlled Hunting Area;
- (j) Odeakwe Controlled Hunting Area;
- (k) Nata Controlled Hunting Area;
- (l) Okwa Controlled Hunting Area;
- (m) Anderssen's Vlei Controlled Hunting Area;
- (n) Tshabeng Controlled Hunting Area;

(2) These regulations shall come into force upon the commencement of the Fauna Conservation (Amendment) Act, 1967.

(3) Nothing in these regulations shall apply to a person of the class described in section 4 (3) of the Proclamation.

**Interpretation**

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

“controlled hunting area” means controlled hunting area declared as such under the provisions of Statutory Instrument No.15 of 1968;

“guide” means guide approved by the licensing officer;

“licensing officer” means licensing officer designated by the Chief Game Warden by notice in the Gazette in relation to any Controlled Hunting Area;

“permit” means permit issued under these regulations;

“Proclamation” means the Fauna Conservation Proclamation, 1961, as amended;

“resident” means a person ordinarily resident within the controlled hunting area but shall exclude an employee of the Government who resides within the area solely by reason of his employment.

(2) Where the boundary of a controlled hunting area passes through any village or settlement the Chief Game Warden may by notice in the Gazette declare all the persons ordinarily resident in such village or settlement to be residents of such controlled hunting area for the purposes of these regulations.

#### **Certain Animals Not to be Hunted Except Under Licence**

3. (1) No person shall within a controlled hunting area hunt or capture any animal listed in the First Schedule without a permit issued in terms of these Regulations save under and in accordance with a permit issued under section 34 of the Proclamation.

(2) Notwithstanding anything to the contrary in the Proclamation a permit issued under these regulations shall be sufficient authority for the hunting of an animal listed in the First Schedule within a controlled hunting area by a resident thereof, but in the case of a person who is not a resident of that area shall only authorise the hunting of an animal if such person would have been entitled to hunt such animal had the area not been a controlled hunting area.

(3) Nothing in these regulations shall authorise the hunting of any animal during the close season.

#### **Hunting by Certain Persons in a Controlled Hunting Area**

4. Notwithstanding anything to the contrary in these regulations it shall be lawful for any person —

- (a) who is resident within a controlled hunting area to hunt or capture any animal, not being a conserved animal or any animal listed in the First Schedule, within a controlled hunting area without a licence or permit issued under the provisions of these regulations or the provisions of the Proclamation;
- (b) who is the holder of a bird licence issued under the provisions of section 17 of the Proclamation to hunt birds in accordance with that licence within a controlled hunting area;
- (c) who is a public officer and who hold either a permit issued under the provisions of section 35 (a) of the Proclamation or a licence issued under Part II of that Proclamation to hunt any animal (not being a conserved animal) within a controlled hunting area while on duty.

#### **Duty of Licensing Officer**

5. A licensing officer shall in the exercise of his functions under these regulations comply with such directions as may be given him, being directions consistent with the provisions of these regulations, by the Chief Game Warden.

**Number and Species of Animals which May be Hunted in Any Area to be Determined by the Chief Game Warden**

6. (1) The Chief Game Warden shall determine the number and species of animals, being animals listed in the First Schedule, which may be hunted in a controlled hunting area in any year —

- (a) by residents of the area;
- (b) by non-residents;

and shall notify the licensing officer thereof and shall further publish any such determination in the *Gazette*.

(2) The licensing officer shall post a notice at his office and at such other places as he may determine containing the substance of any notification which he has received in accordance with subregulation (1).

**Permits to Hunt in Controlled Hunting Areas**

7. (1) A permit to hunt in a controlled hunting area shall be issued by a licensing officer and shall be in the form prescribed in the Second Schedule in the case of a resident and in the Third Schedule in the case of a non-resident.

(2) A permit shall not be issued to a non-resident save —

- (a) on production of proof that he is entitled under the provisions of the Proclamation to hunt the animal in respect of which a permit is applied for; and
- (b) on payment of the fees prescribed in the Fourth Schedule:

Provided that the Chief Game Warden may direct the licensing officer to waive any such fee in the case of a lessee of hunting rights within the controlled hunting area; and

- (c) on payment of such sum of money as may be required under the provisions of regulation 10.

(2) A permit issued under the provisions of subregulation (1) shall authorise the hunting within the controlled hunting area to which it relates, of animals of the number, species and sex specified in the permit during the period of validity of the permit, which shall be —

- (a) in the case of residents, the open season;
- (b) in the case of non-residents, fourteen days, which period shall commence and terminate at midday on a Friday;

and subject to such restrictions relating to the number of animals which may be hunted in any specified period of time as may be imposed by the licensing officer.

(3) A permit issued under the provisions of subregulation (1) shall not be transferable.

**Refusal of Permits**

8. (1) A Licensing officer shall refuse to issue a permit —

- (a) if its issue would result in the hunting of animals other than in accordance with a determination of the Chief Game Warden under regulation 6;

(b) where by reason of the grant of any rights by the Government to any person within the controlled hunting area, the applicant for the permit has no right of entry into the area for the purposes of hunting.

(2) A licensing officer may refuse to issue a permit where the applicant has been convicted of any offence under the Fauna Conservation Proclamation, 1961 or any statutory instrument thereunder, or under these regulations and may cancel any permit which has been issued, for the same reason, and, upon the holder of such permit being notified of such cancellation he shall, for the purposes of these regulations, be deemed not to be the holder of a permit in part only.

#### **Rights of Entry Conferred by a Permit**

9. A permit shall not authorise the holder thereof to enter any part of a controlled hunting area in respect of which any rights have been granted by the State to any other person if such entry would be inconsistent with such grant.

#### **Deposits**

10. (1) Prior to issuing a permit to a non-resident under the provisions of regulation 7 the licensing officer may require the payment to him of such sum of money, not exceeding R300, as he may determine, as security for the due performance by the permit holder of his obligations under these regulations and the Fauna Conservation Proclamation, 1961.

(2) On the expiry of the period of validity of a permit, and in the event of the holder thereof having complied with the provisions of these regulations and of the Fauna Conservation Proclamation, 1961, the sum paid under the provisions of subregulation (1) shall, on application, be refunded to the person who made the payment.

#### **Reporting to Police**

11. Except with the written permission of the licensing officer the holder of a permit, not being a resident, shall report at a police station designated for the purpose by the Chief Game Warden by notice in the Gazette —

- (a) prior to hunting within a controlled hunting area in accordance with such permit;
- (b) after hunting within a controlled hunting area in accordance with such permit:

Provided that he shall so report by midday on the day on which his permit expires.

#### **Guides**

12. (1) Except with the written permission of the licensing officer no holder of a permit, other than a resident, may hunt in terms of such permit unless he is accompanied by a guide.

(2) Guides shall be entitled to remuneration at such rate as may, from time to time, be approved of by the Chief Game Warden.

#### **Register of Animals to be Kept**

13. The holder of a permit shall, upon killing or wounding an animal and in any event before such animal is abandoned, moved, or cut up, as the case may be, endorse upon the reverse of his permit the species and sex of that animal:

Provided that the licensing officer may be endorsement on the permit dispense with the requirements of this regulation in the case of a resident who because of illiteracy or other reasons cannot, in the opinion of the licensing officer, comply with the provisions of this regulation.

**Penalties**

14. Any person who hunts or captures any animal in a controlled hunting area except in accordance with the provisions of these regulations shall be guilty of an offence and liable, on conviction, to the penalties prescribed in section 11 of the Proclamation.

**FIRST SCHEDULE**

(Regulation 3)

Bat-eared fox  
Buffalo  
Bushbuck  
Caracal  
Civet  
Crocodile  
Duiker  
Eland  
Elephant  
Gemsbok  
Genet  
Hartebeest  
Impala  
Kudu  
Lechwe  
Leopard  
Lion  
Ostrich  
Reedbuck  
Roan Antelope  
Sable Antelope  
Serval  
Side-striped jackal  
Silver Fox  
Sitatunga  
Springbok  
Steenbok  
Tsessebe  
Warthog  
Waterbuck  
Wildebeest  
Wild Pig  
Zebra  
Lesser Korrhaan.



**SECOND SCHEDULE**  
**THE FAUNA CONSERVATION (STATE LAND CONTROLLED HUNTING AREAS)**  
**REGULATIONS, 1968**

**NON-RESIDENT'S PERMIT TO HUNT IN A CONTROLLED HUNTING AREA**

(not transferable)

(regulation 3)

In terms of regulation 3 of the Fauna Conservation (State Land Controlled Hunting Areas) Regulations, 1968 permission is hereby granted to ..... of ..... to hunt the following number, sex and species of game animals in the ..... Controlled Hunting Area during the period from noon, Friday the ..... of .....; 19 to noon on Friday the ..... of .....; 19 on payment of a fee of .....

This permit is issued subject to the condition that the holder is in possession of a valid game licence issued under the Fauna Conservation Proclamation, 1961 to cover all game animals for which this permit is issued.

Details of game killed or wounded must be entered on the register on the reverse of this permit before such game is either abandoned or cut up or the carcass removed.

Species	Sex	No.	Species	Sex	No.

The holder of this permit has paid a deposit of .....\*

The holder of this permit has been exempted from the necessity of paying a deposit\*

In terms of regulation 12 (1) the holder of this permit must be accompanied by a guide\*

The holder of this permit is exempted from the necessity of being accompanied by a guide\*

The holder of this permit must report to a Police Station\*

The holder of this permit is exempted from the necessity of reporting to a Police Station\*

Date: .....

Licencing Officer

\*Delete whichever is not applicable



THIRD SCHEDULE  
 THE FAUNA CONSERVATION (STATE LAND CONTROLLED HUNTING AREAS)  
 REGULATIONS 1968

**RESIDENTS PERMIT TO HUNT IN A CONTROLLED HUNTING AREA**

(not transferable)

(regulation 3)

In terms of the Fauna Conservation (State Land Controlled Hunting Areas) Regulations, 1968 permission is hereby granted to.....  
 .....of.....  
 to hunt the following number, species and sex of game animals in the..... Controlled  
 Hunting Area during the period..... to the close of the current season,  
 on payment of a fee of .....

Species	Sex	No.	Fee	Species	Sex	No.	Fee

and: Each calendar fortnight  
 either  
 or  
 or  
 or any two of the following species:

and unlimited numbers of the following animals:

\*The holder of this permit has been exempted from the necessity of entering game killed or wounded in the register on the reverse side of this licence.

\*The holder of this permit has not been exempted from the necessity of entering game killed or wounded in the register on the reverse side of this licence, provided that no register need be kept of animals of which unlimited numbers may be hunted.

Date.....  
.....  
 Licencing Officer

\*Delete whichever is not applicable

(To be printed on the reverse of RESIDENT'S PERMIT TO HUNT IN A CONTROLLED HUNTING AREA)

**Register**

a. Game for which a fee is paid:

Species	Date	Time	Area	Signature

b. Game for which a fee is not paid excluding fur-bearing game:

fortnight	Species	Date	Species	Date	Signature
March 15th					
March 31st					
April 14th					
April 28th					
May 12th					
May 26th					
June 9th					
June 23rd					
July 7th					
July 21st					
August 4th					
August 18th					
September 1st					
September 15th					
September 29th					
October 13th					
October 27th					

**FOURTH SCHEDULE**  
**THE FAUNA CONSERVATION (STATE LAND CONTROLLED HUNTING AREAS)**  
**REGULATIONS, 1968**

(Regulation 7)

(a) The following fees shall be paid by Non-residents of the Controlled Hunting Area to hunt in such area:

Resident of Botswana	R 5.00
Non-resident of Botswana	20.00

(b) The following fees shall be paid by residents of the Controlled Hunting Area to hunt game as follows:

<i>Species</i>	<i>Fee</i>
Buffalo	Free
Bushbuck	R 3.00
Crocodile	R 1.00
Duiker	Free
Eland	R10.00
Elephant	R10.00
Gemsbok	R 5.00
Hartebeest	R 1.00
Impala	Free
Kudu	R 5.00
Lechwe	R 2.00
Leopard	R10.00
Lion	R10.00
Ostrich	Free
Reedbuck	R 1.00
Roan	R 5.00
Sable	R 5.00
Sitatunga	R 5.00
Springbok	Free
Steinbok	Free
Tsessebe	Free
Warthog	Free
Waterbuck	R 2.00
Wildebeest	Free
Wild Pig	Free
Zebra	R 3.00
Bat-eared Fox	Free
Caracal	Free
Civet	Free
Genet	Free
Serval	Free
Side-striped Jackal	Free
Silver Fox	Free

Ministry of Commerce, Industry and Water Affairs,  
 GABERONES,  
 1st March, 1968.

P.W. REARDON,  
 Permanent Secretary