

Statutory Instrument No. 72 of 1976

FAUNA CONSERVATION PROCLAMATION, 1961  
(22 of 1961)

**FAUNA CONSERVATION (BATAWANA TRIBAL TERRITORY)  
HUNTING (AMENDMENT) REGULATIONS, 1976**

*(Published on the 14th May, 1976)*

IN EXERCISE of the powers conferred by section 4 of the Fauna Conservation Proclamation, 1961, and after consultation with the appropriate District Council, the Minister of Commerce and Industry hereby makes the following Regulations —

Citation **1. These Regulations may be cited as the Fauna Conservation (Batawana Tribal Territory) Hunting (Amendment) Regulations, 1976.**

Amendment of regulation 9 of S.I. 65 of 1967 **2. Regulation 9 of the Fauna Conservation (Batawana Tribal Territory) Hunting Regulations, 1967, (hereinafter referred to as "the principal Regulations"), is amended —**

(a) by inserting, immediately after subregulation (2) thereof, the new subregulation following —

“(2A) (a) A licence authorizing the hunting of elephant or buffalo shall be issued only after production of an arms certificate showing the firearm to be used to be of a calibre not lower than 9.3 mm.

(b) Any person who uses a firearm of a calibre lower than that specified in paragraph (a) for the hunting of elephant or buffalo shall be guilty of an offence.”; and

(b) by substituting for subregulation (9) thereof the new subregulation following —

“(9) Any holder of a licence who fails to enter, or cause to be entered, the species, sex and date of killing of any animal killed by him, in pursuance of such licence, in the register provided for in subregulation (8), immediately after such kill, shall be guilty of an offence.”; and

(c) by inserting at the end thereof the new subregulation following —

“(10) (a) A holder of a game licence shall, at all times while hunting, have in his possession such licence with him.

(b) Any person who contravenes the provisions of paragraph (a) shall be guilty of an offence.”.

Substitution of regulation 12D of principal Regulations **3. The principal Regulations are amended by substituting for regulation 12D thereof the new regulation following —**

“12D. (1) Any holder of a licence who wounds without killing any animal specified hereunder shall endorse on such licence such animal as killed, and also any other person, being not a holder of a licence, who wounds without killing any such animal shall further report such wounding without unnecessary delay to a member of the Department of Wildlife and Tourism or a member of the Botswana Police, or a District Officer, a Chief's Representative, or a District Councilor —

Elephant  
Buffalo

Lion  
Leopard  
Hippopotamus  
Rhinoceros

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

**4.** The principal Regulations are amended by inserting, immediately after regulation 12F, the new regulation following —

“Hunting of immature animals      12G. (1) No holder of a game licence shall hunt or cause to be hunted an immature animal, and, in the case of elephant, an elephant which appears to have less than 5 kg weight in respect of each tusk.

(2) Any person who contravenes the provisions of subregulation (1) shall be guilty of an offence.”.

**5.** The principal Regulations are amended by substituting for regulation 13 thereof the new regulation following —

“Penalties      13. (1) Any person convicted of an offence under these Regulations shall be liable —

(a) in the case of a first conviction, to a fine of R80 and to imprisonment for 3 months; and

(b) in the case of a second or subsequent conviction, to a fine of R200 and to imprisonment for 6 months.

(2) If any person is convicted of an offence under these Regulations any licence held by him personally shall thereupon be deemed to be cancelled and shall be surrendered by him to the court convicting him and he shall be disqualified for a period of 12 months from holding any licence on a first conviction and for a period of 24 months on a second and subsequent conviction.”.

**6.** Part II of the First Schedule to the principal Regulations is amended by inserting, in its appropriate alphabetical place, the new entry following —

“Warthog (Kolobe)                      200                      1”.

**7.** The Second Schedule to the principal Regulations is amended by substituting for Part II thereof the new Part following —

**“PART II**

<i>First column</i>	<i>Second column</i>
Duiker	1
Impala	5
Wildebeest	2
Steenbok	1”.

**8.** The Third Schedule to the principal Regulations is amended —

(a) by inserting, in the appropriate place, the new addition following —

“Warthog (Kolobe)      0,50”;

(b) by substituting for paragraph (b) thereof the new paragraph following —

“(b) in the case of Tribal Game listed in the Second Schedule R2.00.”.

MADE this 7th day of May, 1976.

R.N. MANNATHOKO,  
*Permanent Secretary,*  
*Ministry of Commerce and Industry.*

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