

Statutory Instrument No. 33 of 1970.

THE FAUNA CONSERVATION PROCLAMATION, 1961

**THE FAUNA CONSERVATION (BATAWANA TRIBAL TERRITORY)
HUNTING (AMENDMENT) REGULATIONS, 1970**

(Published on 3rd April, 1970)

In the exercise of the powers vested in him by section 4(1) read with section 93 of the Fauna Conservation Proclamation, 1961 (No. 22 of 1961), the Minister of Commerce, Industry and Water Affairs, after consultation with the Chief of the Batawana Tribal Territory and the North-West District Council, makes the following regulations —

Citation

1. These regulations may be cited as the Fauna Conservation (Batawana Tribal Territory) Hunting (Amendment) Regulations, 1970.

Amendment of Regulation 9 in Statutory Instrument No. 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 by the addition of the following subregulations —

“(7) In any open season no member shall be issued with more than one licence of any particular type: Provided that a member may be issued with more than one licence in respect of protected game but may in any open season kill no more of any species specified in Part II of the First Schedule than the number specified in the third column thereof.

(8) Every licence shall have printed on the reverse a register in which provision shall be made for the entry of the species, sex and date of killing of each animal killed by the holder during the currency of the licence.

(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) within 30 days of such killing shall be guilty of an offence.”

Insertion of Regulations 12A – E into Statutory Instrument No. 65 of 1967

3. The principal regulations are amended by the insertion of the following regulations immediately after regulation 12 —

“Licence to be produced on disposal of trophies

12A. (1) No trophy obtained by hunting under a licence shall be sold or otherwise disposed of to another person by, or acquired from, the person who killed the animal from which such trophy was obtained unless the relevant licence be produced by the person disposing of the trophy to the person acquiring it and seen by the latter at the time of disposal.

(2) Any person who disposes of or acquires a trophy in contravention of subregulation (1) shall be guilty of an offence.

Sale of live animals prohibited

12B. (1) No person shall buy or sell a live animal captured in the tribal territory.

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

Certain methods of hunting prohibited

12C. (1) No person shall hunt any animal —

(a) by means of a dazzling lamp used at night;

(b) by chasing an animal with or shooting at it from a mechanically propelled vehicle;

(c) by chasing or hunting the animal while mounted on a horse, mule or donkey.

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

Wounding of animals to be reported

12D. (1) Any person who wounds without killing any animal specified hereunder shall report such wounding without unnecessary delay to an officer of the Department of Wildlife and National Parks, a member of the Botswana Police, a Chief's Representative or a District Councillor —

Elephant

Buffalo

Lion

Leopard

Hippopotamus

Rhinoceros

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

Elephant tails to be produced

12E. (1) Any person who kills an elephant shall, when producing the ivory to an authorised officer in accordance with section 68 of the Proclamation, produce to him also the tail of such elephant for marking.

(2) Any person who fails without reasonable excuse to comply with subregulation (1) shall be guilty of an offence.

Amendment of Regulation 13 in Statutory Instrument No. 65 of 1967

4. Regulation 13 of the principal regulations is amended by the addition of the following subregulation, the existing regulation becoming subregulation (1) —

“(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 twelve months from holding any licence.”

Amendment of Part I of First Schedule to Statutory Instrument No. 65 of 1967

5. Part I of the First Schedule to the principal regulations is amended —

(a) by the deletion of —

“Leopard	(Nkwe)
Zebra	(Pitse yanaga)’’;

(b) by the addition of —

“Roan Antelope (Kwalata etshetlha)
Eggs of all Birds”

Substitution of Part II of First Schedule to Statutory Instrument No. 65 of 1967

6. Part II of the First Schedule to the principal regulations is deleted and there is substituted therefor —

“PART II
(Regulation 4)
Protected Game

<i>First Column</i>		<i>Second Column</i>	<i>Third Column</i>
Eland	(Phofu)	55	1
Elephant	(Tlou)	100	1
Leopard	(Nkwe)	15	1
Lion	(Tau)	15	1
Sable Antelope	(Kwalata entsho)	55	1
Waterbuck	(Letimoga)	40	1
Zebra	(Pitse yanaga)	200	2”

Substitution of Second Schedule to Statutory Instrument No. 65 of 1967

7. The Second Schedule to the principal regulations is deleted and there is substituted therefor —

“SECOND SCHEDULE
(Regulation 5)

Tribal Game

PART I

<i>First Column</i>		<i>Second Column</i>
Buffalo	(Nare)	3
Bushbuck	(Serolobothoko)	1
Gemsbok	(Kukama)	1
Hartebeest	(Kgama)	1
Kudu	(Tholo)	2
Lechwe	(Letswee)	3
Ostrich	(Ntshe)	2
Reedbuck	(Sebogata)	1
Sitatunga	(Naakong)	1
Springbok	(Tshephe)	2
Tsessebe	(Kabole)	3”

Substitution of Third Schedule to Statutory Instrument No. 65 of 1967

8. The Third Schedule to the principal regulations is deleted and there is substituted therefor —

"THIRD SCHEDULE

(Regulation 9)

<i>Game</i>		<i>Licence Fee</i>
(a) <i>Protected Game</i>		
Eland	(Phofu)	R5
Elephant	(Tlou)	R10
Leopard	(Nkwe)	R5
Lion	(Tau)	R5
Sable Antelope	(Walata entsho)	R5
Waterbuck	(Letimoga)	R5
Zebra	(Pitse yanaga)	R5
(b) In the case of Tribal Game listed in Part I of the Second Schedule.		R7
(c) In the case of other Tribal Game		Free

P.W. REARDON,
Permanent Secretary.

Ministry of Commerce, Industry and Water Affairs,
GABORONE.
23rd March, 1970.
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