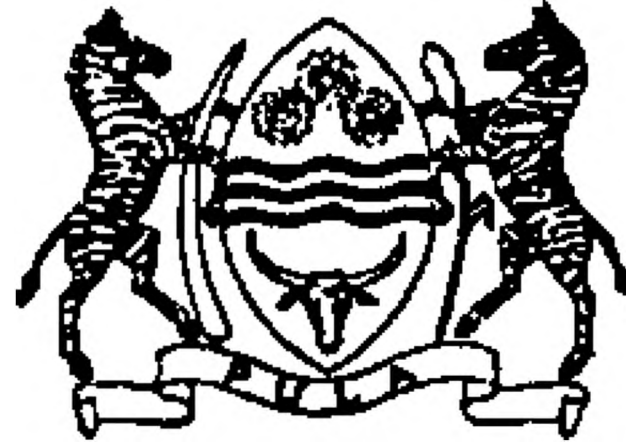


# WILDLIFE CONSERVATION AND NATIONAL PARKS ACT, 1992

No. 28



of 1992

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**An Act to make further and better provision for the conservation and management of the wildlife of Botswana, giving effect to CITES and any other international convention for the protection of fauna and flora to which Botswana is, from time to time, a party, to provide for the establishment, control and management of national parks and game reserves, and for matters incidental thereto or connected therewith.**

*Date of Assent:* 10th November, 1992.

*Date of Commencement:* 11th December, 1992.

ENACTED by the Parliament of Botswana

#### PART I — *Preliminary*

Short title

**1. This Act may be cited as the Wildlife Conservation and National Parks Act, 1992.**

2. (1) In this Act unless the context otherwise requires — Inter-pretation
- “animal” means and includes any vertebrate or invertebrate animal or bird and the eggs and young thereof, but does not include a fish, except in a national park or a game reserve, or a domestic animal or bird, or the eggs and the young thereof;
- “capture” includes any act immediately directed at the taking alive of any animal or the taking of any nest, eggs or young of any animal;
- “CITES” means the Convention on International Trade in Endangered Species of Wild Fauna and Flora to which Botswana is a Party as set out in the Fifth Schedule to this Act, and includes any Appendices thereto and any Resolutions of the Conferences of the Parties;
- “close season”, in relation to any game animal and any area, means any period which is not an open season in respect of that animal and that area;
- “controlled hunting area” means an area of land declared to be a controlled hunting area under section 16 and specified in the Fourth Schedule;
- “dangerous animal” means any animal specified as a dangerous animal in the Ninth Schedule ;
- “Director” means any person for the time being holding the public office of Director of Wildlife and National Parks;
- “district office” means an office of a district administrative officer;
- “domestic animal” means any horse, mare, gelding, ass, mule, bull, cow, ox, ram, ewe, wether, goat, pig, camel, dog or cat, commonly regarded as a domestic animal, or the young of any such animal;
- “domestic bird” means any fowl, duck, goose, turkey, or pigeon commonly regarded as a domestic bird or the eggs or young thereof;
- “game” or “game animal” means any animal specified in the Sixth and Seventh Schedules of this Act;
- “game reserve” means an area of land declared to be a game reserve by or under section 12 and specified in the Second Schedule;
- “gate attendant” means any person employed in a national park or game reserve as a gate attendant;
- “Government trophy” means anything which under this Act is declared to be a Government trophy;
- “honorary officer” means a person appointed as an honorary officer under section 4;
- “horn” includes rhinoceros horn;
- “hunt” means and includes —
- (a) kill, injure, shoot at or follow;
  - (b) wilfully disturb or molest by any method;
  - (c) lie in wait for, or search for, with intent to kill, injure or shoot at;
- “ivory” means elephant ivory in whatever form;
- “land board” means a land board established as such under the provisions of the Tribal Land Act;

**“licence”** means a licence issued under this Act;

**“licensing officer”** means a person appointed as a licensing officer under section 3;

**“meat”** includes the fat, blood and flesh of any animal, whether fresh, dried, tinned or otherwise preserved;

**“national park”** means a national park declared as such under this Act and specified in the First Schedule;

**“night”** in any year from the 1st March to 30th September means the period of time between half past six in the evening and six o'clock in the morning, and from the 1st October to the last day of February means the period of time between half past seven in the evening and half past five o'clock in the morning;

**“non-designated animal”** means any animal which is not a game animal;

**“occupier”**, in relation to land, means the person in actual lawful occupation of the land who has the right to exercise general control over such land and actually resides thereon;

**“open season”**, in relation to any game animal, other than a protected game animal, and any area, means the period declared by the Minister under section 36 as the period during which such game animal may be lawfully hunted in such area;

**“owner”**, in relation to any land, means —

- (a) in the case of private land, the person in whose name such land is registered in the Deeds Registry;
- (b) in the case of land vested in a city or town council or a township authority, the said council or authority;
- (c) in the case of State Land, the President;
- (d) in the case of a tribal area, the land board established in respect of that tribal area;

**“partially protected game animal”** means any animal which is so declared under section 18 and specified in Part I of the Seventh Schedule;

**“permit”** means a permit granted in accordance with the provisions of section 39 or section 40 of this Act;

**“possession”** shall have the same meaning as is given to the word “possession” in section 2 of the Penal Code;

**“private game reserve”** means an area of land declared to be a private game reserve under section 13;

**“private land”** means any land the ownership of which has, by law, grant or title deed, become vested in any person other than the State or a tribe;

**“professional guide”** means any person, other than a tracker, driver, beater, bearer or domestic servant who, for hire or reward, conducts or assists any other person or party for the purpose of visiting, viewing or photographing animals or places of interest or beauty, or of botanical, historical, geological, ethnological or archaeological significance, or for the purpose of sport fishing, but which purpose shall not include the hunting or capture of animals;

**“professional hunter”** means any person who, for hire or reward, conducts hunting or photographic parties, or any person other than a tracker, driver, beater, bearer or domestic servant who, for hire or reward, assists any person or party in the hunting or photographing of any animal;

**“protected game animal”** means any animal which is so declared under section 17 and specified in the Sixth Schedule;

**“purchase”** includes barter or exchange;

**“sanctuary”** means an area of land declared to be a sanctuary under the provisions of this Act;

**“season”** means, in relation to any game animal and any area, the open season or, where no open season has been declared, a year commencing on the first Tuesday in April in such year;

**“sell”** means sell, barter, exchange, hawk, offer or expose for sale;

**“trap”** means any net, rod, hook, spring, gin, snare, contrivance or device by means of which an animal can be captured, netted or snared;

**“tribal area”** has the same meaning as in the Tribal Land Act;

**“tribe”** has the same meaning as in the Chieftainship Act, and includes a tribal community as defined in that Act;

**“trophy”** means any horn, ivory, tooth, tusk, bone, claw, hoof, hide, skin, hair, feather, egg or other durable portion whatsoever of any animal, whether processed or not, which is recognizable as a durable portion of such animal;

**“trophy dealer”** means a person who carries on the business of buying trophies for resale or export, or who carries on the business of processing trophies;

**“water installation”** means a canal, channel, reservoir, embankment, weir, dam, borehole, well, pipeline, pumping plant, filter-bed, filter, purification plant, machinery, appliance, apparatus, fitting or accessory or anything constructed, erected or used for or in connexion with the impounding, storage, passage, drainage, control or abstraction of water, or the development of water power, or the filtration or purification of water, or the use of water, or the conservation of rainfall;

**“weapon”** means any firearm or ammunition therefor, or any other instrument capable of propelling a projectile or capable of being propelled or used in such manner that any animal can be killed or injured thereby;

**“wildlife management area”** means an area of land declared to be a wildlife management area under section 15 and specified in the Third Schedule;

**“wildlife officer”** means any person for the time being holding the public office of Director or any other public officer of the Department of Wildlife and National Parks charged with the implementation and administration of the provisions of this Act, and, to the extent to which an honorary officer is permitted to act, includes an honorary officer.

(2) For the purposes of this Act, a person shall be deemed to be a resident of Botswana if —

- (a) he is a public officer or a teacher employed by the Unified Teaching Service, or the spouse or child of such an officer or teacher;
- (b) he is a member of a class of persons designated for the purposes of this subsection by the Minister by notice in the Gazette; or
- (c) he holds a residence permit or an exemption certificate which he has held for a continuous period of 12 months, and has been present within Botswana for at least 9 months of the immediately preceding period of 12 months.

Wildlife  
officers

3. (1) There shall be designated a public officer to be the Director of Wildlife and National Parks, and there shall be within the public service such wildlife officers as are necessary for the purposes of this Act.

(2) The Director shall designate suitable wildlife officers to be licensing officers for the purposes of this Act.

(3) The Director shall be the Scientific Authority and the Management Authority for the purposes of CITES in respect of animals, but may delegate his responsibilities as such Authorities to any wildlife officer, subject to his own overriding control.

Honorary  
officers

4. (1) The Minister may, by notice published in the Gazette, appoint fit and proper persons to be honorary officers for the purpose of assisting in carrying out the duties imposed on wildlife officers by this Act.

(2) In carrying out their duties under this Act, honorary officers shall have such powers as are conferred by the Act on wildlife officers, unless otherwise specifically provided.

(3) An honorary officer shall hold office for a period of three years, unless the Minister sooner revokes his appointment, and shall be eligible to be reappointed.

## PART II — *National Parks, Game Reserves, Sanctuaries and Private Game Reserves*

Declaration  
of national  
parks

5. (1) Any area specified in the First Schedule to this Act is hereby declared to be a national park for the propagation, protection and preservation therein of wild animal life, vegetation and objects of geological, ethnological, archaeological, historical or other scientific interest for the benefit and advantage and enjoyment of the inhabitants of Botswana.

(2) The President may, by order published in the Gazette, declare any area of State Land or any land bequeathed or donated to him or to any other person, to be a national park, either on its own or adding it to an existing national park:

Provided that the President shall not declare to be a national park or add to a national park any land so bequeathed or donated to any other person or persons, unless he is satisfied that such person has or all such persons have, as the case may be, consented thereto.

(3) Where circumstances exist that in his opinion so warrant, the President may, by order published in the Gazette, amend the boundaries of a national park by adding new areas thereto or by excising part thereof.

(4) Before the President makes an order under subsection (2) or subsection (3), the Minister shall cause public notice of the intended order to be given, and shall, in such notice, call for any intended objections to such order to be lodged, in writing, with him within such reasonable time as shall be specified, and any objections so received shall be laid before the President for his consideration.

(5) For the purposes of subsection (4) "public notice" means a notice published once in the Government Gazette and at least once during each of three successive weeks in a newspaper circulating in the area to which the notice relates, the first insertion in the newspaper being made in the same week as the publication in the Government Gazette.

(6) Any order made under subsection (2) shall be laid before Parliament as soon as possible after it has been published in the Gazette, and shall, unless confirmed by resolution of Parliament during the session it is so laid before it, lapse and cease to have effect as from the date of the conclusion of that session.

6. (1) The Minister shall be responsible for the control, management and maintenance of national parks, and without derogation from the generality of the foregoing the Minister shall for such purposes, within such parks, have power to —

Control of  
national  
parks

- (a) construct such roads, bridges, aerodromes, soil and water conservation works, irrigation works, buildings and fences, and to carry out such other works as he may consider necessary for the purposes of such national parks;
- (b) take such steps as will ensure the security of the animals and vegetation in national parks and the preservation of such parks and the animals and vegetation therein in a natural state;
- (c) reserve or set aside any areas of such parks as breeding places for indigenous animals, and nurseries for indigenous trees, shrubs, plants and flowers;
- (d) let sites for the erection of shops, hotels, restaurants or other buildings for the accommodation or recreation of visitors, to let sites to yachting clubs, boating clubs, boatwrights and persons plying boats for hire, and to control the manner in which such undertakings are carried on;
- (e) construct, maintain, administer or let hotels, restaurants, rest camps and other buildings and let accommodation therein;
- (f) control the charges which may be made by shopkeepers, hotel keepers, restaurant proprietors, boatwrights and persons plying boats for hire;
- (g) sell or exchange any specimen of animal or vegetation in a national park;

- (h) purchase, exchange or otherwise acquire any specimen of indigenous animal or vegetation which he may consider it desirable to introduce into a national park;
  - (i) authorize any person to take or collect and remove any specimen of animal or vegetation from a national park, or do anything otherwise prohibited under this Act, for scientific purposes;
  - (j) authorize any scientific investigations on such terms and conditions as he may approve; and
  - (k) authorize the killing or capturing of any animal, or the destruction or removal of any species of vegetation in the interest of the conservation of the fauna and flora of such parks, and of their management and control.
- (2) The Minister may delegate to the Director or to any wildlife officer such of his powers under this section as he considers necessary or desirable.

Entry into  
national  
park

7. (1) Except as is otherwise provided in this Act, and notwithstanding the provisions of any other written law, no person other than a wildlife officer or a gate attendant shall enter, be in or reside in a national park except under and in accordance with the permission of the Minister or of any wildlife officer authorized to grant such permission:

Provided that —

- (i) the Minister may by notice exhibited at the entrance to a national park grant permission to persons to enter therein on such days and during such hours as may be stated in the notice, and on payment of such fees and subject to such conditions as may be prescribed by regulations;
- (ii) this subsection shall not apply to persons in the employment of the Government who, with the written permission of the Director enter, are in or reside in a national park in the execution of their official duties as employees of the Government.

(2) Permission may be given in accordance with the provisions of subsection (1) subject to such terms and conditions as may be prescribed or as may be deemed necessary by the person granting permission, and shall be granted only for the purposes of —

- (a) health, study or recreation, or matters incidental thereto;
  - (b) travel or transport along such roads as may be prescribed;
  - (c) transacting any lawful business with or concerning any person within a national park,
- or if the person seeking permission was, or belongs to a community which was, resident in the national park prior to the date when the area was declared as a national park.

Certain acts  
in a park  
prohibited

8. (1) Except as provided in subsection (2), no person other than a wildlife officer or a gate attendant acting in the exercise of his official duties or any other employee of the Government with the written permission of the Director and acting in the exercise of his official duties as such employee, shall —

- (a) convey into or be in possession of any weapon, explosive, trap or poison within a national park;
  - (b) without lawful excuse, be in possession of, or kill, hunt, injure, capture or disturb any animal, or take or destroy any egg or nest, in a national park;
  - (c) cause any damage to or disturb any object of geological, ethnological, historical, archaeological or other scientific interest within a national park, or remove any such object from a national park;
  - (d) introduce any wild or domestic animal or any fish or any vegetation into a national park, or permit any domestic animal to stray into a national park;
  - (e) remove from a national park any animal or part of an animal or any vegetation, whether alive or dead, other than an animal he has lawfully introduced into the park;
  - (f) cut, damage or destroy any tree or other vegetation in a national park;
  - (g) erect any structure, whether permanent or otherwise, or make any road or airstrip, or otherwise alter the natural environment, except as may be expressly permitted by the Minister or by a wildlife officer authorized to give such permission;
  - (h) destroy or deface any object, whether animate or inanimate, in a national park; or
  - (i) wilfully or negligently cause any veld fire in a national park.
- (2) Notwithstanding the provisions of subsection (1), it shall not be an offence for any person —
- (a) to kill any dangerous animal in a national park where such killing is necessary in defence of human life or to prevent the infliction of personal injury; or
  - (b) with the permission of the Minister or a wildlife officer authorized to grant such permission, to convey into or through a national park any animal or weapon required in connexion with lawful travel or transport in or through a national park, or lawful residence or sojourn therein.
- (3) (a) Any domestic animal found within a national park, other than an animal in the lawful possession of a wildlife officer or a gate attendant, or introduced into the park in accordance with subsection (2) (b), may be destroyed by a wildlife officer or a park attendant.
- (b) Any vegetation introduced into a national park in contravention of the provisions of this Act may be destroyed by or on the instructions of a wildlife officer.
9. Regulations made by the Minister under section 92 may, in respect of national parks, include the following —
- (a) the powers and duties of wildlife officers and gate attendants in relation to national parks;
  - (b) the exclusion of members of the public from certain areas within a park;

Regulations  
in respect of  
national parks

- (c) the killing, capturing or impounding of any animal within a park and the disposal thereof;
- (d) the burning of grass and the cutting of trees and vegetation within a park;
- (e) the conditions subject to which permission to enter, be or reside in a park may be granted under section 7, and the periods or times during which a park or any part thereof shall be open to the public;
- (f) the conditions under which domestic animals may be introduced into and conveyed through a park in accordance with the provisions of section 8 (2) (b);
- (g) the conditions under which the services or attendance of wildlife officers or gate attendants may be obtained by any person entering, passing through or sojourning within a park, and the fees to be paid in respect of such services or attendance;
- (h) the protection and preservation of parks and of the animal life and vegetation therein in a natural state;
- (i) the regulation of traffic and the carriage of passengers in a park, including the closing of public roads as defined in the Public Roads Act and other roads, at specified times;
- (j) conditions governing the use therein of vehicles, aeroplanes and microlight aircraft;
- (k) defining and controlling the points at which persons may enter a park and the roads by which they may pass through a park;
- (l) the protection from damage or defacement, by writing or other wise, of any tree, rock, bridge, fence, seat or any other object in a park;
- (m) the regulation, control, restriction or prohibition of boating and yachting on, or fishing in, any waters in a park, the issue of permits or licences in respect thereof and any fees to be paid in respect thereof;
- (n) any matter, including the setting up of local committees, to advise on the administration of any park, and defining the functions of such committees; and
- (o) the fees, if any, to be paid by persons entering therein or doing any specified thing therein or for the use of any article or facility therein.

Mining in a national park

10. Subject to any mining rights lawfully acquired in any area by any person before the date on which such area became a national park, any prospecting or mining in the area or the acquisition of any prospecting or mining rights in the area in terms of the Mines and Minerals Act shall be prohibited except with the written permission of the Minister.

Offences in a national park

11. (1) Any person who kills, hunts or captures any animal in a national park shall be guilty of an offence and without derogation from his liability under any other provision of this Act shall be liable to a fine of P10 000 and to imprisonment for 7 years.

(2) Any person who contravenes or fails to comply with any other provision of section 7 (1), 8 (1) or 10 shall be guilty of an offence and

without derogation from his liability under any other provision of this Act shall be liable to a fine of P2 000 and to imprisonment for 2 years.

12. (1) Each of the areas defined in the Second Schedule is hereby declared to be a game reserve or a sanctuary in respect of the animals, species, or variety, specimen or sex of animal specified in relation thereto.

Game  
reserves and  
sanctuaries

(2) The President may, from time to time, by order published in the Gazette declare any other area of land to be a game reserve or a sanctuary, or alter the boundaries of, or abolish, any game reserve or sanctuary:

Provided that in respect of any particular game reserve or sanctuary, the President may declare that it shall be a game reserve or a sanctuary only in respect of animals of such species, variety, specimen or sex of animal or animals as may be specified, and may amend any such declaration.

(3) In any game reserve or sanctuary, no person shall hunt or capture any animal, or species or variety, specimen or sex of any animal specified in relation to such game reserve or sanctuary, except only under and in accordance with the terms and conditions of a permit issued under section 39, and any person who contravenes the provisions of this section shall be guilty of an offence and, without derogation from his liability under any other provision of this Act, shall be liable to a fine of P5 000 and to imprisonment for 5 years.

13. (1) The owner of private land may apply in writing to the President to have his land declared a private game reserve, and the President may, by order published in the Gazette, and subject to such terms and conditions as the President may determine, declare such land to be a private game reserve for the protection and preservation therein of all wild animal life or of such species or variety of animals as may be specified in the order.

Private game  
reserves

(2) The President may similarly amend or revoke an order published under this section.

(3) Within a private game reserve, no person shall hunt or capture any animal or any species or variety of animal which is specified in the order declaring it to be a private game reserve, and any person who contravenes the provisions of this subsection shall be guilty of an offence and, without derogation from his liability under any other provision of this Act, shall be liable to a fine of P5 000 and to imprisonment for 5 years:

Provided that the provisions of this subsection shall not apply to the hunting or capture of an animal by the owner of the land, or by a person acting under his written authority, when such hunting or capture is under and in accordance with such terms and conditions as were determined by the President under subsection (1), or as the Director may, in the interest of proper wildlife management, approve.

Regulations  
in respect of  
reserves and  
sanctuaries

14. Regulations made by the Minister under section 92 may, with regard to game reserves, sanctuaries and private game reserves, or any one such reserve or sanctuary, or any part thereof, include the following

- (a) the administration thereof;
- (b) the prohibition, restriction, control or regulation of entry therein, passage through or sojourn therein;
- (c) the control of persons who, or animals, including domestic animals, which are therein, either permanently or temporarily;
- (d) the prohibition, restriction, control or regulation of introduction therein, passage or conveyance through or keeping therein of any domestic animal;
- (e) the prohibition, restriction, control or regulation of the burning of vegetation or the felling, cutting and removal of trees therein or therefrom;
- (f) the prohibition, restriction, control or regulation of the searching for honey therein or the removal of honey therefrom;
- (g) the prohibition, restriction, control or regulation of fishing therein;
- (h) the prohibition, restriction, control or regulation of the carrying or possession of weapons therein;
- (i) conditions governing the use therein of vehicles, aeroplanes, microlight aircraft and boats; and
- (j) the fees, if any, to be paid by persons entering therein or doing any specified thing therein or for the use of any article or facility therein.

### PART III — *Wildlife Management Areas and Controlled Hunting Areas*

Wildlife  
management  
areas

15. (1) The areas specified in the Third Schedule are hereby declared to be wildlife management areas.

(2) The President may, by order published in the Gazette, declare any area to be a wildlife management area, or in like manner abolish any such wildlife management area, or amend the boundaries of any such wildlife management area by adding new areas or by deleting areas.

(3) Regulations made by the Minister under section 92 may, in respect of wildlife management areas or any wildlife management area, include the following —

- (a) any matter referred to in section 14 paragraphs (a) to (i), except paragraph (g);
- (b) the hunting or capture of animals therein by virtue of any licence or permit to hunt or capture;
- (c) the erection of any dwelling house or other building therein, or the residence therein of any person, or the size of any settlement therein;
- (d) the grazing of any stock therein and any conditions or limitations concerning the husbandry of stock therein;

- (e) the cultivation of any land therein, the conditions under which persons may cultivate, and the allocation of land for cultivation;
- (f) conditions governing the drilling, allocation and use of boreholes;
- (g) conditions governing the use therein of vehicles, aeroplanes, microlight aircraft and boats;
- (h) the entry or the presence therein of persons other than residents thereof; and
- (i) the culling of animals therein in accordance with any approved game animal utilization scheme.

(4) In his duties relating to the development of wildlife management areas, their management plans and their administration, the Director shall consult with the land boards and district councils responsible for the areas concerned.

16. (1) The areas specified in the Fourth Schedule are hereby declared to be controlled hunting areas. Controlled hunting areas

(2) The Minister may, by order published in the Gazette, declare any area of land in Botswana to be a controlled hunting area, and may, in like manner, abolish declared controlled hunting areas or amend the boundaries of declared controlled hunting areas by adding other areas thereto or by deleting areas therefrom.

(3) Except for persons authorized therefor under sections 30, 39 and 40, and notwithstanding the issue of any licence to hunt under this Act, no person shall hunt or capture any animal in a controlled hunting area without such authority to hunt in that area as shall be endorsed on his licence, and without paying such fee, as may be prescribed.

(4) The Minister may, by order published in the Gazette, direct that any fees collected in accordance with subsection (3), shall be paid to such district council or councils as may be specified in the order.

(5) Any person hunting in a controlled hunting area shall, as soon as possible and in any event within 7 days of the completion of such hunting, unless otherwise authorized by a licensing officer and endorsed on his licence, report such completion to a wildlife officer, and any person who fails to comply with the provisions of this subsection shall be guilty of an offence and liable to a fine of P500 and imprisonment for 6 months.

(6) Any person hunting or capturing any animal in a controlled hunting area without such authority and paying such fee as may be prescribed in accordance with subsection (3), or contrary to the terms of such authority, shall be guilty of an offence and, without derogation from his liability under any other provision of this Act, shall be liable to a fine of P2 000 and to imprisonment for 2 years.

#### **PART IV — Protected Game Animals**

17. (1) The animals specified in the Sixth Schedule shall be protected game animals throughout Botswana. Protected game animals

(2) No person shall, except only under and in accordance with the terms and conditions of a permit issued by the Director under section 39 or section 40, hunt or capture any protected game animal, and any person who contravenes the provisions of this subsection shall be guilty of an offence and liable to a fine of P10 000 and to imprisonment for 7 years:

Provided that, where the animal in respect of which the offence is committed is a rhinoceros, the offender shall be liable to a fine of P100 000, and to imprisonment for 15 years.

#### **PART V — *Hunting and Capturing of Animals***

Partially  
protected  
game animals

18. The animals specified in Part I of the Seventh Schedule shall be partially protected game animals throughout Botswana, and no person shall, except under and in accordance with the terms and conditions of a licence or permit issued under this Act, hunt or capture any partially protected game animal.

Hunting and  
capturing of  
animals  
generally

19. (1) Except as, or to such extent as may be, specially provided in this Act no person shall hunt or capture any animal (other than a non-designated invertebrate animal outside of a national park or a game reserve) otherwise than under and in accordance with the terms and conditions of a licence issued, or a permit granted, under this Act:

Provided that a citizen of Botswana may hunt any non-designated animal, other than in a national park or a game reserve, for consumption by himself or his dependants, without a licence or permit.

(2) The animals specified in Parts II and III of the Seventh Schedule are animals that may be hunted under and in accordance with the terms and conditions of a licence issued under this Act:

Provided that where an area is or areas are specified in relation to a particular animal, that animal may only be hunted in that area or in those areas, as the case may be.

(3) Any person who contravenes the provisions of section 18 or subsection (1) of this section shall be guilty of an offence and shall be liable —

(a) if the contravention is in respect of a partially protected game animal, to a fine of P5 000 and to imprisonment for 5 years:

Provided that where the animal in respect of which the offence is committed is an elephant, the offender shall be liable to a fine of P50 000, and to imprisonment for 10 years;

(b) if the contravention is in respect of any animal specified in Part II of the Seventh Schedule, to a fine of P2 000 and to imprisonment for 2 years;

(c) if the contravention is in respect of a bird specified in Part III of the Seventh Schedule, to a fine of P1 000 and to imprisonment for 1 year;

(d) if the contravention is in respect of any non-designated animal, or in respect of any term or condition of any licence or permit issued to that person, to a fine of P500 and to imprisonment for 6 months.

20. (1) A person shall be entitled to landholder's privileges under this section if — Landholder's  
privileges

- (a) he is the owner of private land or the owner of not less than a quarter undivided share in private land in Botswana;
- (b) in the case of land elsewhere than in a game reserve or national park, he is the occupier of such land under an agreement of lease or of purchase granted to him by the State or a land board other than for the purpose of hunting;
- (c) he is the occupier of private land in Botswana and has occupied that land for the immediately preceding period of not less than three months and has the written permission of the owner of the land to enjoy landholder's privileges in respect of that land, which written permission shall be in such form as may be prescribed.

(2) A person shall be entitled to enjoy landholder's privileges under this section if —

- (a) he is the bona fide employee of any person such as is referred to in subsection (1) (a) or (1) (b) and has the written permission of that person to enjoy landholder's privileges in respect of the land in question, which written permission shall be in such form as may be prescribed;
- (b) he is the bona fide employee of any person such as is referred to in subsection (1) (c) and has the written permission of the owner of the land in question to enjoy landholder's privileges in respect of such land, which written permission shall be in such form as may be prescribed;
- (c) he is the spouse or child of any person such as is referred to in subsection (1) (a) or (1) (b);
- (d) he is the spouse or child of any person such as is referred to in subsection (1) (c) or (2) (b) and has the written permission of the owner of the land in question to enjoy landholder's privileges in respect of that land, which written permission shall be in such form as may be prescribed;
- (e) he is the spouse or child of any person such as is referred to in subsection (2)(a) and has the written permission of the employer of that person to enjoy landholder's privileges in respect of the land in question, which written permission shall be in such form as may be prescribed.

(3) No person shall be entitled to landholder's privileges or to enjoy landholder's privileges under this section unless he is a citizen or resident of Botswana, or, being a company, has its registered office in Botswana, or at least 51% of its beneficial shareholders are citizens of Botswana, or the Minister has, by notice in writing, declared, in the interests of wildlife management, that such person shall be entitled to such privileges.

(4) A person shall be entitled to landholder's privileges or to enjoy landholder's privileges under this section only in respect of the land from which in terms of this section the privileges are derived.

(5) Notwithstanding any other provision of this Act, an individual entitled to landholder's privileges or to enjoy landholder's privileges in accordance with the provisions of subsection (1) or subsection (2) may, subject to such fees as may be prescribed, hunt and kill, without a licence or permit, any animals, other than protected and partially protected game animals, within the limits of the land in respect of which he is entitled to or to enjoy such privileges, but shall not kill any animal which is listed in the Eighth Schedule in excess of the number specified in relation to that animal in the second column of that Schedule within any one period such as is specified in the corresponding entry in the third column of that Schedule.

(6) Any person who contravenes the provisions of subsection (5) shall be guilty of an offence and, where no other penalty is provided under this Act in respect of the hunting of the animal concerned, shall be liable to a fine of P500 and to imprisonment for 6 months.

(7) Where, in any case such as is referred to in subsection (2), the owner or occupier of land has given written permission under this section to another person to enjoy landholder's privileges in respect of that land, the owner or occupier may, by notice in writing to that person, at any time withdraw such permission, and such notice shall have the effect of cancelling that person's entitlement to enjoy landholder's privileges in respect of that land with effect from the time when the notice is personally delivered to him.

(8) The owner or occupier of land in respect of which he is entitled to landholder's privileges shall not give permission to any other person to hunt and kill any game animal on such land unless such other person is either the holder of a valid licence or permit entitling or authorizing him to hunt and kill such animal on such land, or is otherwise entitled to hunt and kill such animal on such land, and any owner or occupier who contravenes the provisions of this subsection and has failed to take all reasonable steps to satisfy himself that such other person was so entitled or authorized to hunt and kill such animal on that land shall be guilty of an offence and liable to a fine of P500 and to imprisonment for 6 months.

Use of  
landholder's  
privileges  
for profit

21. Any owner or occupier of land entitled to landholder's privileges may, for his own profit, with the approval of the Director, authorize, in writing, any person who is not so entitled, to hunt on such land those animals that he himself would be entitled to hunt:

Provided that —

- (a) nothing in this section shall entitle or authorize such person to hunt any animal on such land without being in possession of such licence or permit to hunt such animal as may be otherwise prescribed in this Act; and
- (b) the owner or occupier shall not give such authority unless he has taken all reasonable steps to satisfy himself that such person is in possession of such licence or permit, and any owner or occupier who contravenes or fails to comply with the provisions of this paragraph shall be guilty of an offence and liable to a fine of P500 and to imprisonment for 6 months.

22. (1) Every owner or occupier of land in respect of which he is entitled to landholder's privileges, shall keep and maintain a record of every animal killed on that land by himself or by any other person hunting on that land with his permission or authority, and shall make that record available forthwith for inspection by any wildlife officer or any police officer who requires him so to do.

Record of  
animals  
killed in  
exercise of  
landholder's  
privileges

(2) The record maintained under this section shall contain, in respect of every animal killed, the following particulars —

- (a) its species and sex;
- (b) the date on which it was killed;
- (c) the location where it was killed;
- (d) the full name of the person who killed it.

(3) Every owner or occupier of land in respect of which he is entitled to landholder's privileges shall, not later than the 15th February in each year, produce to a licensing officer, the record kept by him under this section, or a true copy of every entry made therein, during the immediately preceding year commencing on the 1st January.

(4) Every owner or occupier of such land as is referred to in this section, who contravenes or fails to comply with any of the provisions of this section shall be guilty of an offence and liable to a fine of P500 and to imprisonment for 6 months.

23. Any written permission or authority of the owner or occupier of land required in accordance with section 20 or section 21 shall be valid only if signed personally by such owner or occupier, or, where such owner or occupier is a company, by the person duly authorized by the company to sign such permission or authority.

Permission  
or authority  
of owner or  
occupier of  
land

#### PART VI — *Game Farms and Ranches*

24. (1) Any owner of land or leaseholder, or any person authorized by the Minister for the purposes of this section, who wishes to farm or ranch game animals on the land he owns or occupies may apply therefor, in such form as may be prescribed, to the Director, and the Director may, in conformity with any land use plan, and with any other written law, and subject to the payment of such fees as may be prescribed, and such terms and conditions as he considers necessary or desirable, grant such permission in writing.

Game farms  
and ranches

(2) (a) Any permission given in accordance with subsection (1) shall be for a period of not less than 10 years, and may be renewed, or, if the applicant is a leaseholder and the unexpired portion of his lease is less than 10 years, for the period of such unexpired portion.

(b) The Director shall cause notice of such permission to be published in the Gazette, and a notice shall be posted at the entrance, or the entrances, of the farm or ranch referring to such Gazette notice.

(3) Any permission given by the Director in accordance with subsection (1) may be withdrawn by him forthwith if the person to whom such permission is given is convicted of an offence under this Act, or

contravenes any of the terms and conditions subject to which such permission was given.

(4) Any person granted permission under subsection (1) shall be entitled to farm, ranch, hunt or capture animals on his land, for commercial purposes, subject to the provisions of this section and any terms and conditions subject to which such permission was granted:

Provided that protected game animals and partially protected game animals shall only be farmed, ranched, hunted or captured on such land if specifically authorized by the Director.

(5) The terms and conditions subject to which permission may be given under subsection (1), may include the requirement that the land concerned should be enclosed by a game proof fence of such type and specifications as the Director considers suitable and satisfactory.

(6) Where the game farm or ranch is enclosed by a game proof fence to the satisfaction of the Director, there shall be no limit to the number of animals that are specified in Part II of the Seventh Schedule that may be killed or captured on the farm or ranch, unless the Director otherwise directs, but where the farm or ranch is not enclosed by a game proof fence to the satisfaction of the Director, the culling of animals shall be subject to the written permission of the Director, who shall also, if satisfied that such culling is a sustainable form of game utilization, specify the number of animals that may be culled, and such culling shall be subject to the payment of such fees as may be prescribed.

(7) Where the land in respect of which permission is granted under this section is not enclosed by a game proof fence, the Director may require that its boundaries be marked in such manner as he may specify.

(8) (a) The provisions of sections 21, 22, and 23 shall apply, *mutatis mutandis*, with respect to the hunting or capture of animals on game farms and ranches and the keeping of records.

(b) The provisions of section 39 (1) (c) shall apply in respect of obtaining permission for the sale of animals, or meat or trophies from such animals, and such animals, meat or trophies shall not be otherwise disposed of in any manner not approved by the Director.

(9) The hunting or capture of animals on game farms or ranches may be permitted throughout the year, and at night, and in respect of animals of any age or either sex, as provided for under this Act, but unlawful methods of hunting or capture as specified under sections 55 and 57 may only be used with the written permission of the Director.

(10) The operation of a live capture business on a game farm or ranch, or anywhere else, shall only be undertaken with the written permission of the Director.

(11) Where dangerous animals, or animals not indigenous to Botswana are on a game farm or ranch in accordance with the terms and conditions of permission granted under subsection (1), the owner or occupier of such farm or ranch shall take all reasonably possible steps to ensure that they do not escape therefrom, and if they do so escape shall take all reasonably possible steps to recapture or kill them.

(12) No person shall hunt or capture any animal on a game farm or ranch, or be on such farm or ranch with intent to hunt or capture any animal, without the permission of the owner or occupier thereof.

(13) Any person who contravenes any provision of this section shall be guilty of an offence and, without derogation from his liability under any other provision of this Act or any other written law, shall be liable, in respect of an offence under subsections (4), (6), (8) (b) or (12) to a fine of P5 000 and to imprisonment for 5 years, and in respect of any offence under any other subsection, to a fine of P500 and to imprisonment for 6 months.

25. Regulations made by the Minister may, in respect of game farms or ranches, and without prejudice to his general power to make regulations, include regulations governing the conditions under which animals should be kept on a game farm or ranch, the methods of killing or capturing animals on a game farm or ranch, the fees to be paid for the killing or capturing or selling of animals on a game farm or ranch which is not enclosed by a game proof fence, and any other fees in connexion with the operation of game farms or ranches.

Regulations  
in respect of  
game farms  
or ranches

#### PART VII — *Licences to Hunt*

26. Licences to hunt game shall be in such form as may be prescribed, and shall be of the following kinds —

Game  
licences

- (a) a bird licence;
- (b) a single game licence;
- (c) a small game licence; or
- (d) a special game licence of a kind prescribed under section 30.

27. (1) Subject to the provisions of this Act, a bird licence shall entitle the holder thereof to hunt such birds as are listed in Part III of the Seventh Schedule, in such areas, and in such numbers as shall be specified in the licence.

Bird  
licence

(2) A bird licence issued to a citizen or a resident of Botswana shall be issued for one year, commencing on the day of issue.

(3) A bird licence issued to a person who is neither a citizen nor a resident of Botswana may be issued for one week, one month or one year, as required, commencing on the day of issue.

(4) No person shall hold more than one bird licence at any one time.

28. (1) Subject to the provisions of this Act, a single game licence shall entitle the holder thereof to hunt on the land specified in the licence one animal only of such species and kind, listed in Parts I and II of the Seventh Schedule, as may be specified in the licence, and for such period only as may be therein specified.

Single  
game  
licence

(2) Regulations made under this Act may provide for the maximum number of valid single game licences which may be held by one person at any one time or during any year.

(3) Where a person is entitled to hunt on any land by virtue of the authority of the owner or occupier of that land in accordance with the provisions of section 21, a single game licence will only be issued to him

on production of the written consent of such owner or occupier to the issue of such licence, and the withdrawal of such consent subsequent to the issue of the licence shall have the effect of cancelling such licence.

Small game  
licence

29. (1) Subject to the provisions of this Act, a small game licence shall entitle the holder thereof to hunt within such area or areas as may be specified in the licence, animals of such species and kind, listed in Part II of the Seventh Schedule and of such numbers as may be specified in such licence.

(2) A small game licence shall be issued only to a person who is a citizen of Botswana, and shall be valid only for the period specified therein, and only one such licence may be held by one person at any one time.

(3) Regulations made under this Act may provide for the maximum number of animals of each species and kind which may be hunted by the holder of a small game licence in any one season, the period for which such a licence may be issued, and the categories of persons to whom such a licence may be issued.

Special game  
licence

30. (1) Regulations made under this Act may provide for the issue of special game licences in respect of any animals other than protected game animals to citizens of Botswana who are principally dependent on hunting and gathering veld produce for their food, and such regulations may provide for —

- (a) the types of special game licence which may be issued;
- (b) the animals for the hunting of which each type of special game licence may be issued;
- (c) the categories of persons to whom such licences may be issued;
- (d) the periods for which such licences may be issued; and
- (e) the maximum number of animals of each species and kind which may be hunted by virtue of such a licence in any one period, and the area or areas within which they may be hunted.

(2) Subject to the provisions of this Act and any regulations made thereunder, a special game licence shall entitle the holder thereof to hunt, on the land and during the period specified in the licence, animals of the kind and of the number therein specified.

(3) The holder of a special game licence shall not be entitled to and shall not be issued with any other type of licence.

Issue of  
licences

31. (1) Every application for the issue of a licence referred to in section 26 shall be made to a licensing officer in such form as may be prescribed, and any licensing officer to whom such an application is made may, provided that the applicant is of or above the age of 15 years and subject to the provisions of subsections (2) and (3) and any regulations made under this Act, issue the licence applied for on payment of such fee as may be prescribed for that licence.

(2) (a) A licensing officer may, before issuing any licence, require the applicant to appear before him in person, to produce for inspection proof of his identity and age and such other information as he considers necessary or desirable, and any arms certificate or permit granted to him

in terms of the Arms and Ammunition Act entitling him to have arms in his possession, and if the applicant fails to appear, or fails to satisfy the licensing officer on any matter arising out of his application, the licensing officer may refuse to grant the licence applied for.

(b) A licensing officer may, before issuing any licence, require the applicant to undergo such tests as he considers necessary or desirable to satisfy himself that the applicant is a fit and proper person to be granted a licence.

(3) The previous holder of a licence who has failed, without a satisfactory explanation, to keep, maintain and produce for inspection when so requested, the register required to be kept and maintained in accordance with the provisions of section 38, or has failed, without a satisfactory explanation, to submit the return required to be submitted in accordance with the provisions of section 38 (3), shall have any current licence cancelled and shall not be eligible for the issue of a licence for the following season.

(4) A licensing officer shall not issue a licence to a person who is not a citizen or a resident of Botswana unless he is satisfied that such person will, at all times when hunting, be accompanied by a professional hunter, and may in any other instance when issuing a licence add as a condition of such issue that the holder of the licence shall not hunt without being accompanied by such person as he may stipulate.

(5) (a) Any person aggrieved by the refusal of a licensing officer to issue the licence applied for, or by any request made by the licensing officer under subsection (2), or by any condition imposed by the licensing officer under subsection (4), may ask that the matter be referred to the Director for his decision, and the Director, after such further enquiries as he considers necessary, confirm the decision of the licensing officer, or reverse it, or vary it to such extent as he considers desirable.

(b) Any person aggrieved by any decision of the Director under paragraph (a) may appeal therefrom to the Minister, and the Minister's decision thereon shall be final.

(6) Where a licensing officer issues a licence under this section, other than a bird licence, a special game licence or a small game licence, there shall be attached to such licence as an integral part thereof a register in the prescribed form, and a detachable return in the prescribed form shall be annexed to every licence other than a bird licence and a small game licence.

(7) A licence issued under this section shall bear the stamp of the Department of Wildlife and National Parks in red, and no licence shall be valid or accepted unless it is the original licence and bears such stamp.

(8) A licence issued under this section shall be personal to the person to whom it is issued and shall not be transferable, and may not be amended to permit hunting thereunder to be transferred from one controlled hunting area to another, except only under and in accordance with regulations made under this Act.

Number of  
licences and  
animals

32. (1) Regulations under this Act may provide for the maximum number of licences that may be held by any person at any one time or during any one season, and the maximum number of animals of each species that may be hunted in accordance with each licence, but such regulations shall be subject to any determination made by the Director under subsection (2).

(2) The Director may, after consultation with the appropriate local authorities and land boards, determine the number of animals of each species, or of a particular sex, that may be hunted during any season in any specified controlled hunting area, or any other specified area, and shall cause to be displayed a notice to this effect, at offices of the Department of Wildlife and National Parks, and at such other places as he may determine.

(3) Any person who makes any statement which to his knowledge or which he should have known is false or in any way misleading in connexion with an application for a licence, which leads to or is likely to lead to his being issued with more licences than he is entitled to, or to the issue of licences purporting to entitle him to hunt more animals than he is entitled to hunt, shall be guilty of an offence and liable to a fine of P1 000 and to imprisonment for one year.

Disqualific-  
ation for  
grant of  
licence

33. (1) A person who has been convicted of any contravention of the provisions of the game laws of Botswana or any other country shall be disqualified for the grant of a licence under this Act for a period of three years from the date of such conviction, or for such other period as the Minister may determine in any particular case.

(2) Any person who fails to inform a licensing officer, at the time of his application for any licence under this Act, of any fact which might disqualify him for the grant of a licence, or that he has been previously refused any licence or who makes a false declaration in or in connexion with an application for any such licence, shall be guilty of an offence and liable to a fine of P1 000 and to imprisonment for 1 year.

Hunting card

34. (1) There shall be issued together with the first licence, other than a special game licence, to be granted to any person, a hunting card in the prescribed form, on which the holder thereof shall enter particulars of all licences, permits or other authorizations issued to or held by such person, and such other information as may be prescribed.

(2) A hunting card shall be personal to the person to whom it is issued, shall not be transferable and shall be carried by the holder at all times whilst hunting.

(3) When a hunting card has no room for further entries the holder may apply to a licensing officer for the issue of a new card, and any such new card issued shall be endorsed by the licensing officer to indicate whether it is a second or subsequent card, and shall be pinned or attached to the previous card or to all the previous cards, as the case may be.

(4) The holder of a hunting card shall make it available for inspection —

(a) when required to do so by a wildlife officer;

(b) whenever the holder applies for another licence.

(5) The loss of a hunting card shall be reported to a wildlife officer or to a police officer without delay and in any case within 30 days of the loss being detected, and if the loss is so reported, a licensing officer may issue a new hunting card to replace the one lost, on payment of such fee as may be prescribed, but shall endorse on such card the fact that it is a duplicate card.

(6) Any person who —

(a) makes a false statement to a licensing officer for the purpose of obtaining a hunting card;

(b) uses another person's hunting card;

(c) obtains or attempts to obtain another person's hunting card;

(d) fails to record on it information which he is required to record on it, or records on it information which he knows or ought to know is false or misleading; or

(e) refuses or fails to produce it for inspection when required to do so in accordance with the provisions of subsection (4), shall be guilty of an offence and liable to a fine of P500 and to imprisonment for six months.

35. The Minister may, where he considers it just, direct the refund of any licence fees, or any part thereof, to any person whose licence is surrendered or cancelled during the period of its validity:

Refund of  
licence fees

Provided that no such refund shall be made in respect of any licence fee if the cancellation of such licence is the result of, or in connexion with, a contravention of any provision of this Act.

36. The Minister may, from time to time, by order published in the Gazette, declare the period during which game animals may be hunted, either throughout Botswana or in any defined part of Botswana, and such order may make different provisions in respect of different areas, different species of game animals or in respect of animals of a specified sex.

Open season

37. (1) If a licence is lost or destroyed, the licence holder shall, within 21 days of such loss report the event to the licensing officer who issued it, and shall at the same time furnish the licensing officer with a written statement setting out to the best of his recollection the entries that had been recorded in the register attached to the licence, or, but for the loss or destruction thereof, would have been recorded therein.

Loss or  
destruction  
of licence

(2) Any person who contravenes the provisions of this section shall be guilty of an offence and liable to a fine of P500 and to imprisonment for 6 months.

38. (1) Every single game licence holder shall, in animals the register attached to his licence, make a record of any animal killed by him, including any animal killed by accident or in error, and any animal deemed to have been killed by him in terms of such licence under section 44, and any animal wounded by him.

Register of  
animals  
killed

(2) Where under this section any person is required to keep and maintain a register, he shall —

- (a) where an animal is killed or deemed to have been killed by him, at the time of the killing where possible, and in any event before the animal is moved or dismembered, record the event in such register, and the date and time of the killing;
  - (b) where an animal is wounded, record the date time and circumstances of the event in such register as soon as pursuit of the wounded animal is abandoned.
- (3) Every licence holder shall, in addition to keeping and maintaining a register under this section, within thirty days of the termination of hunting, or of the termination of his licence, or the termination of the hunting season, whichever is the soonest, submit to a licensing officer the return attached to his licence, duly completed, whether or not any animals were killed or wounded by him in accordance with the terms of the licence.
- (4) Any person who, being required under this section to keep and maintain a register, or submit a return within the specified period —
- (a) fails to do so;
  - (b) fails to record therein any particular which he is required to record therein;
  - (c) makes, or is party to the making of, any false entry therein;
  - (d) fails to produce his register upon the request of a licensing officer or any other person entitled under this Act to request its production; or
  - (e) fails to furnish a true copy of his register to a licensing officer within twenty one days of being requested to do by a licensing officer, shall be guilty of an offence and liable to a fine of P500 and to imprisonment for 6 months.

#### PART VIII — *Permits*

Permits that  
may be  
granted by  
the Director

39. (1) Notwithstanding anything in this Act, the Director may, acting in accordance with such directions as may be given by the Minister, grant permits authorizing —
- (a) the killing or capturing of any animal for the purposes of education or scientific research, providing specimens for museums, zoological gardens and similar institutions, or the breeding, farming or domestication of any animal;
  - (b) the killing or capturing of animals in the interests of the conservation, management, control or utilization of wildlife; or
  - (c) the selling of animals killed or captured under the authority of a licence or permit and the selling of any meat, trophy or eggs from such animals, where the Director is satisfied that such selling is in the interests of wildlife conservation and the proper regulation of commercial development connected with wildlife.
- (2) The Director shall not grant a permit authorizing the killing or capturing of any animal in a national park, game reserve or sanctuary for any of the purposes mentioned in subsection (1), except only on the

ground that, and where he is satisfied that, such killing or capturing is necessary for scientific purposes or for the protection of life or property, or in the interests of the conservation, management, control or utilization of wildlife.

(3) The Director may, acting in accordance with any instructions as may be given by the Minister, delegate any of the powers referred to in sub-section (1) (c) to a licensing officer.

40. (1) Notwithstanding anything in this Act, a licensing officer may grant a permit authorizing, elsewhere than in a national park, game reserve or sanctuary, —

Permits which  
licensing  
officer may  
grant

- (a) the killing, capturing and driving of animals for the purpose of the control of disease; or
- (b) the killing or capturing of animals in the interests of public safety or for the protection of livestock, grazing, crops, water installations or fences.

(2) Notwithstanding the provisions of subsection (1), where the animals in respect of which the permit is sought are protected game animals, the licensing officer shall refer the matter to the Director, and the grant of the permit shall be by the Director at his discretion.

41. (1) Every permit issued under this Act shall be subject to such terms and conditions as may be prescribed and to all such other terms, conditions and requirements as the Minister, the Director or the licensing officer, as the case may be, deems fit to impose in each case, and as shall be endorsed on the permit, and any person to whom such permit is issued who contravenes or fails to comply with any of the terms, conditions or requirements subject to which it is issued shall be guilty of an offence and liable to a fine of P1 000 and to imprisonment for 1 year, and where the contravention is in respect of the killing or capturing of any animal, shall be liable to the same penalties as are provided in sections 17, 18 and 19 in respect of the hunting or capture of the same animal.

Conditions  
applicable  
to permits

(2) The applicant for any permit which may be issued under this Act shall pay such fees as may be prescribed, unless the Minister, in any particular case, and for good cause, grants exemption from the payment of such fees.

(3) The Minister may, at any time, and without assigning a reason therefor, cancel, amend or modify a permit issued under this Act, forthwith so informing the holder of the permit, and such holder shall return such permit to the Minister for cancellation, amendment or modification, as the case may be, within 21 days from the date of his being so informed.

(4) Any permit holder who is required under subsection (3) to return such permit and who fails to do so within the period prescribed, shall be guilty of an offence and liable to a fine of P500 and to imprisonment for 6 months.

Appeal to the  
Minister

42. Any person who is aggrieved by the refusal of a licencing officer or the Director to grant a permit under section 39 or section 40, or by any terms and conditions imposed by them in accordance with the provisions of section 41(1), may appeal against that refusal or those terms and conditions to the Minister, whose decision thereon shall be final.

#### PART IX — *General Provisions with Regard to Hunting*

Professional  
guides

43. (1) No person shall act as a professional guide unless he is in possession of such valid professional guide's licence as may be prescribed, and any person who contravenes the provisions of this subsection shall be guilty of an offence and liable to a fine of P2 000 and to imprisonment for 2 years.

(2) Application for a professional guide's licence shall be made to the Director in such form as may be prescribed, and the Director may, require the applicant to take and pass such examination as he thinks fit.

(3) The Director may, at his discretion, issue a professional guide's licence, subject to such terms and conditions as he may approve, and on payment of such fee as may be prescribed, and such licence shall be valid until the 31st day of December in the year of its issue:

Provided that the Director may revoke the licence of any professional guide who fails to comply with any term or condition of the licence or who is guilty of any offence under this Act or under section 131 of the Penal Code, or who permits a client to contravene any of the provisions of this Act or of any regulations made under the Act.

(4) A professional guide's licence shall not be transferable, and no person other the person to whom it is issued shall operate under the authority of a professional guide's licence, and any person who contravenes the provisions of this subsection shall be guilty of an offence and liable to a fine of P2 000 and to imprisonment or 2 years.

(5) Any person aggrieved by the refusal of the Director to issue a licence under this section, or by any of the terms and conditions subject to which it is issued may appeal against such refusal or those terms and conditions to the Minister whose decision thereon shall be final.

Professional  
hunters

44. (1) No person shall act as a professional hunter unless he is in possession of such professional hunter's licence as may be prescribed, and any person who contravenes the provisions of this subsection shall be guilty of an offence and liable to a fine of P5 000 and to imprisonment for 5 years.

(2) Application for such licence as is referred to in subsection (1) shall be made to the Director in such form as may be prescribed, and the Director may require the applicant to take and pass such examination as he thinks fit.

(3) The Director may, at his discretion, issue such licence, subject to such terms and conditions as he may approve, and on payment of such fee as may be prescribed, and such licence shall be valid until the 31st day of December in the year of its issue:

Provided that the Director may revoke the licence of any professional hunter who fails to comply with any term or condition of the licence or is guilty of any offence under this Act or under section 131 of the Penal Code, or who permits a client to contravene any of the provisions of this Act or any regulations made under the Act.

(4) A professional hunter's licence shall not be transferable, and no person other than the person to whom it is issued shall operate under the authority of such licence, and any person who contravenes the provisions of this subsection shall be guilty of an offence and liable to a fine of P2 000 and to imprisonment for 2 years.

(5) A professional hunter's licence shall, subject to the provisions of this section, entitle the holder thereof to act as a professional guide and in addition shall entitle the holder to assist any other person who is the holder of any licence or permit issued under this Act, to do any act or thing which the holder of such licence or permit is authorized to do under his licence or permit.

(6) A professional hunter's licence shall not entitle the holder to shoot at any animal except as provided in section 47, or to prevent the escape of an animal already wounded, and any such licence holder who contravenes the provisions of this subsection shall be guilty of an offence and liable to a fine of P5 000 and to imprisonment for 5 years.

(7) If a professional hunter, while assisting any other person, kills any animal which he is not otherwise entitled under this Act to kill, and the person whom he is assisting is the holder of a licence or permit entitling such holder to hunt or kill an animal of that species, such animal shall be deemed to have been killed by such holder under that licence or permit, and shall be counted as an animal killed in terms of such licence or permit, and the holder thereof shall record the killing in accordance with the provisions of section 38:

Provided that nothing in this subsection shall be construed as relieving the professional hunter of liability for any contravention of the provisions of subsection (6).

(8) (a) A professional hunter shall take all reasonable steps to ensure that his client understands the terms and conditions of any licence or permit issued to him and does not contravene any of those terms and conditions or any of the provisions of this Act, and where his client commits an offence under this Act or any regulations made under this Act he shall report the commission of such offence to a wildlife officer.

(b) Without derogating from the liability of his client in respect of any contravention of this Act or any regulations under this Act, any professional hunter who fails to comply with any provision of paragraph (a) shall be guilty of an offence and liable to a fine of P5 000 and to imprisonment for 5 years.

(c) Where a client is convicted of an offence under this Act or any regulations made thereunder it shall be presumed that the professional hunter with whom he was hunting failed to take all reasonable steps to ensure that the client understood the terms and conditions of his licence

or permit or to prevent the client from contravening the Act or the regulations, unless the contrary is proved.

(9) Any person aggrieved by the refusal of the Director to issue a licence under this section, or by any terms and conditions subject to which such licence is issued, may appeal against that refusal or those terms and conditions to the Minister, whose decision thereon shall be final.

Prohibition  
of certain  
activities in  
specified areas

**45.** (1) The Minister may, by order published in the Gazette, prohibit, for periods not exceeding 12 months at a time, the hunting or disturbance of any animals, or any species or sex of animals or any specimen of animal, in any defined area or areas, or the removal of any animal or part of any animal from any defined area or areas, for purposes of control of the spread of disease, protection of life or property, or for administrative purposes:

Provided that where the area to which the order relates, or any part thereof, is private land, the Minister shall, in addition to the publication of the order in the Gazette, cause it to be published for seven consecutive days on the notice board of the district office for the area in which that land is situated.

(2) No person shall, in any such defined area, hunt, capture or wilfully disturb any animal or any species or sex of animal or any specimen of animal, the hunting or disturbance of which is prohibited in accordance with an order issued under subsection (1), and no person shall remove or cause to be removed any animal or any part of an animal from any such area, the removal from which is prohibited by the order, and any person who contravenes the provisions of this subsection shall be guilty of an offence and without derogation from his liability under any other provision of this Act shall be liable to a fine of P2 000 and to imprisonment for 2 years.

Killing of  
animals  
causing  
damage

**46.** (1) Notwithstanding anything to the contrary in this Act, the owner or occupier of land, or any agent of such owner or occupier may, subject to the provisions of this Act, kill any animal which caused, is causing or threatens to cause damage to any livestock, crops, water installation or fence on such land:

Provided that nothing in this section shall authorize the killing of an animal which is in a national park or a game reserve, or the use of any poisoned weapon, pitfall or snare for the killing of any animal.

(2) Any person who has killed an animal in terms of subsection (1) shall, as soon as possible, and in any case not later than 7 days after the event, report the circumstances of such killing, and deliver the trophies of such animal, to the nearest wildlife officer or police station.

(3) Where the report required under subsection (2) has been made and it is established that the animal was killed in accordance with the terms of subsection (1), the licensing officer shall issue a certificate of ownership of the trophy of such animal to the owner or occupier of the land or his agent, as the case may be, and such certificate shall be evidence of the lawful possession of, and may be used for the lawful disposal of, the said trophy:

Provided that —

- (a) the Director or the licensing officer may, in addition, issue a permit for the sale of the meat; and
  - (b) the trophies and meat of any elephant, rhinoceros or cheetah killed, or of any animal that was killed because it was threatening to cause damage, shall be Government trophies, and a certificate of ownership of such trophies and meat shall not be issued.
- (4) The Minister may pay compensation or arrange for compensation to be paid to any person —
- (a) whose livestock is killed by a lion, leopard, cheetah, brown hyaena, spotted hyaena, crocodile, baboon, monkey or jackal, and it is established that such animal escaped into a game reserve or national park before it could be killed; or
  - (b) who kills an elephant which has damaged his property, where the trophy of such elephant is delivered in accordance with the provisions of subsection (2), and where the ownership of such trophy remains with the Government in accordance with the provisions of subsection (3) (b).
- (5) No compensation shall be payable for damage to property caused by any animal, where the person suffering such damage has a right in terms of this section to kill such animal, but fails without reasonable cause to do so.
- (6) The Minister may, by notice in the Gazette, determine rates of compensation to be paid in respect of claims made under the provisions of this section, where he considers such claims and such rates to be justified.
- (7) Any person who —
- (a) kills any animal in defence of property otherwise than in accordance with the provisions of subsection (1);
  - (b) fails to report the killing of any animal in accordance with the provisions of subsection (2); or
  - (c) uses, retains or disposes of any trophy or meat of the animal so killed otherwise than under or in accordance with the terms of a certificate of ownership or a permit for sale issued under subsection (3),

shall be guilty of an offence and without derogation from his liability under any other provision of this Act shall be liable to a fine of P1 000 and to imprisonment for 1 year.

47. (1) Notwithstanding anything in this Act, it shall not be unlawful for any person to kill or wound any animal in defence of himself or any other person if immediately and absolutely necessary. Killing of animals in self defence

(2) The burden of proving that an animal has been killed or wounded in accordance with the provisions of this section shall lie upon the person who did the killing or wounding.

(3) Where any game animal is killed in circumstances such as are referred to in subsection (1) by any person who is not the holder of a licence or permit entitling or authorizing him to kill such animal, such

Killing of  
animals by  
accident or  
in error

animal shall be a Government trophy and such person shall as soon as possible, and in any event not later than 7 days after the killing, report such killing to the nearest convenient wildlife officer or police station, and shall, if so directed, deliver the animal or such parts thereof as may be specified, to such wildlife officer or police station, as the case may be, and any person who fails to comply with the provisions of this subsection shall be guilty of an offence and liable to a fine of P500 and to imprisonment for 6 months.

48. (1) Where any game animal is killed by accident or in error by any person whilst he is hunting, and such person is not the holder of a licence or permit entitling or authorizing him to kill such animal, such animal shall be a Government trophy and such person shall as soon as possible and in any event not later than 7 days after the event report the killing to the nearest convenient wildlife officer or police station, and shall, if so directed, deliver the animal or such parts thereof as may be specified, to such wildlife officer or police station, as the case may be.

(2) Where any animal is killed by accident or in error by any person while he is hunting and such person is the holder of a licence or permit entitling or authorizing him to kill such animal it shall be counted as an animal killed in terms of such licence or permit, and the person who killed it shall record the killing thereof in his register in accordance with the provisions of section 38.

(3) Where any game animal is killed by accident or in error by any person whilst he is driving a vehicle upon any road, he shall, if he retrieves the animal or any part thereof, as soon as possible, report the killing to the nearest convenient wildlife officer or police station, and shall, if so directed, surrender to such wildlife officer or police station, as the case may be, the animal or such of the parts retrieved by him as may be specified.

(4) Any person who contravenes the provisions of subsection (1) or (3) shall be guilty of an offence and liable to a fine of P1 000 and to imprisonment for 1 year:

Provided that —

- (a) where the animal killed is a rhinoceros the offender shall be liable to a fine of P100 000, and to imprisonment for 15 years; and
- (b) where the animal killed is an elephant the offender shall be liable to a fine of P50 000, and to imprisonment for 10 years.

Hunting or  
capturing of  
animals  
without  
permission of  
land owner or  
occupier

49. (1) No person shall enter upon any land for the purpose of hunting or capturing any animal without the written permission of the owner or occupier of such land or unless he is accompanied by such owner or occupier or by the duly appointed representative of such owner or occupier, and any person who contravenes the provisions of this subsection shall be guilty of an offence and shall be liable to a fine of P1 000 and to imprisonment for 1 year.

(2) Any person seen or found on any land in possession of any firearm, or of any other weapon capable of killing any animal by the discharge of any missile, or by the use of any poisoned bait, poisoned weapon,

birdlime or trap, or with a dog, shall be deemed to have entered upon such land in contravention of the provisions of this section, unless he proves to the contrary or proves that he had the permission of the owner or occupier of such land to enter upon the land for the purpose of hunting or capturing animals, as is required under subsection (1).

(3) Any police officer or any owner or occupier of land who finds any person such as is mentioned in subsection (2) upon such land, may require such person to satisfy him that he is not on the land in contravention of the provisions of subsection (1), and if such person is unable so to give satisfactory proof, may demand from him his full name and address and may forthwith direct him to leave the land, and if such person fails to give his name and address, or gives a false or incomplete name and address, or fails forthwith to leave the land after being directed to do so, he shall be guilty of an offence and liable to a fine of P1 000 and to imprisonment for 1 year.

(4) The powers conferred on the owner or occupier of land under this section shall be without prejudice to any other power conferred by any other written law, and liabilities and penalties prescribed for contraventions of the provisions of this section shall be without prejudice to any liability or penalty prescribed under any other written law in respect of a contravention of that law.

50. (1) Any person who conveys in any vehicle any loaded weapon, other than a revolver or pistol, whilst travelling along a road to which the public has access, traversing private land in any area where game is or is likely to be found, not being the owner or occupier of such land, or not having the permission of the owner or occupier of the land to hunt any animal thereon, or not having been given the permission of the owner or occupier to convey such weapon across such land in such vehicle, shall be guilty of an offence and liable to a fine of P1 000 and to imprisonment for 1 year.

Conveyance  
of loaded  
weapon in  
certain  
circumstances

(2) For the purposes of this section a loaded weapon means a weapon having a bullet or cartridge in the breach thereof.

51. The owner or occupier of private land on which there are any game animals, may kill any dog found hunting on such land if such dog is not in the keeping of and accompanied by a person who is lawfully on such land:

Killing of  
dogs in certain  
circumstances

Provided that the provisions of this section shall not apply in respect of land within a township, and nothing in this section shall in any way affect or derogate from the right of such owner or occupier to kill the dog in terms of any other law.

52. (1) The owner or occupier of private land, or any person authorized thereto by him may, without warrant, search any premises, hut, tent, camping place, vehicle or receptacle on such land or any road traversing such land, if such owner, occupier or authorized person has reasonable cause to suspect that there is contained therein any animal, meat or trophy, or any thing or article by means of which, or in

Prohibition  
of certain  
activities in  
specified areas

respect of which, any provision of this Act has been contravened, and may seize any such animal, meat, trophy, thing or article found by him.

(2) Any person obstructing or hindering any person carrying out a search in terms of the provisions of subsection (1), shall be guilty of an offence and liable to a fine of P500 and to imprisonment for 6 months.

Permission  
in respect  
of tribal  
land

53. Where under this Act the authority or permission of the owner or occupier of land is required for the doing of any act, such authority or permission shall in the case of any tribal area, unless otherwise specifically provided in this Act, be valid for the purposes of this Act only if given by the land board established in respect of that tribal area, or by any person authorized by that land board to give such authority or permission.

Wounding of  
animals

54. (1) Any person who, in any circumstances, wounds any animal, shall take all such steps as may be reasonable in the circumstances to kill such animal at the earliest opportunity.

(2) Any person who, in any circumstances, wounds but does not kill a dangerous animal, shall make a report thereof at the nearest convenient police station or to a wildlife officer at the earliest opportunity after the failure of his efforts to kill such animal, and such report shall specify the date on which and the place at which it was wounded, the type of wound and the weapon with which it was inflicted, the efforts made to kill the animal after it was wounded, the time and place at which the animal was finally lost, and any other information likely to be of use in locating or identifying the animal, and shall include the name of any other person who witnessed the wounding or who participated in the efforts made to kill the animal.

(3) Any person who, whilst hunting, witnesses the wounding of a dangerous animal, shall make a report thereof at the nearest convenient police station or to a wildlife officer at the earliest opportunity after witnessing the event, stating the name of the person who inflicted the wound, unless to his knowledge some other person has already made such report.

(4) Any person who fails to comply with any provision of this section with which it is his duty to comply shall be guilty of an offence and liable to a fine of P5 000 and to imprisonment for 5 years.

(5) Where the holder of a licence such as is referred to in section 28, or a professional hunter whilst assisting such licence holder, wounds but does not kill any animal which such licence holder is entitled to hunt by virtue of such licence, such animal shall be counted as an animal killed by him in terms of such licence, and shall be recorded as such by him in the register he is required to maintain under the provisions of section 38.

Hunting or  
capturing  
by night

55. (1) Subject to the provisions of subsection (2) no person shall hunt or capture any game animal by night or use any dazzling light for the purpose of hunting or capturing any game animal, and any person who contravenes the provisions of this subsection shall be guilty of an offence and without derogation from his liability under any other provision of this Act shall be liable to a fine of P5 000 and to imprisonment for 5 years.

(2) Nothing in subsection (1) shall apply to the holder of a valid permit granted under this Act which specifically authorizes the holder thereof to kill or to capture any game animal by night or by means of a dazzling light, or to any person acting in accordance with the terms of section 46 (1) or section 47 (1).

56. No person shall hunt or capture any game animal during the closed season, and any person who contravenes the provisions of this section shall, without prejudice to his liability to be prosecuted under any other section of this Act, be guilty of an offence and liable to a fine of P5 000 and to imprisonment for 5 years:

Hunting or capturing during closed season

Provided that the provisions of this section shall not apply to the holder of a valid permit granted under this Act which specifically authorizes the holder thereof to hunt or capture such game animal during the closed season, or to the holder of a special game licence issued under section 30(2), or to any person acting in accordance with the provisions of section 46(1) or section 47(1).

57. (1) Subject to subsections (2) and (3), no person shall —

Unlawful methods of hunting

- (a) whilst he is in or on any vehicle, aircraft or mechanically propelled vessel, discharge any weapon at or towards any game animal;
- (b) use any vehicle, aircraft or mechanically propelled vessel in such manner as to drive, stampede or disturb any animal for any purpose ;
- (c) use any vehicle or mechanically propelled vessel for the purpose of capturing any game animal; or
- (d) in any vehicle or mechanically propelled vessel approach nearer than 200 metres to any animal for the purpose of hunting or capturing the animal.

(2) Nothing in subsection (1) shall apply to the use of a vehicle, aircraft or mechanically propelled vessel for —

- (a) the hunting or capture of any animal by any person acting in accordance with the provisions of section 46 (1) or section 47 (1);
- (b) the hunting or capture of any animal by the holder of a valid permit granted under this Act which authorizes the use of a vehicle, aircraft or mechanically propelled vessel in the hunting or capture of such animal; or
- (c) the driving away of any animal from any Government aerodrome or any licensed aerodrome by any person concerned with the maintenance of such aerodrome, or the driving away of any animal from an emergency landing ground by any person when it is necessary so to drive the animal to ensure the safety of any aircraft which is on, or about to land on, or about to take off from such emergency landing ground.

(3) Nothing in subsection (1) shall apply to the use of a mechanically propelled vessel for the hunting of any waterfowl specified in Part III of the Seventh Schedule or the hunting or capture of any crocodile or sitatunga.

(4) No person shall, for the purpose of hunting or capturing of any animal, drive or surround such animal by means of fire or, for the purpose of such hunting or capturing, cause any grass or bush fire, or use any other method of hunting or capture which the Minister may, by regulations, declare to be unlawful.

(5) No person shall, except under and in accordance with the written permission of a licensing officer, use for the purpose of hunting or capturing any animal any immediate means other than a hunting rifle, a shotgun or a dog used subject to such limitations as may be imposed by regulations:

Provided that the provisions of this subsection shall not apply to any person acting in accordance with the provisions of section 46 (1) or section 47 (1), or to the extent that regulations made for the purposes of section 30 provide otherwise in respect of persons hunting in accordance with the provisions of a special game licence.

(6) Any person who contravenes the provisions of this section shall be guilty of an offence and without derogation from his liability under any other provision of this Act shall be liable to a fine of P5 000 and to imprisonment for 5 years.

Elephant and  
buffalo  
hunting

58. (1) No person shall use a Martini Henry or a muzzle loader or any firearm other than a rifle of a calibre not less than 9,3mm or ,375 magnum and capable of firing a cordite cartridge, for the purpose of hunting any elephant or buffalo, and a licence or permit authorizing the hunting of an elephant or a buffalo will only be issued on production by the applicant of an arms certificate or a temporary permit for a rifle which conforms to the requirements of this subsection.

(2) Any person who hunts an elephant or a buffalo with a weapon other than one of a calibre and type specified for such hunting in subsection (1) shall be guilty of an offence and, without prejudice to his liability to any other penalty in respect of any other offence under this Act, shall be liable to a fine of P500 and to imprisonment for 6 months.

Killing of  
lion or  
leopard

59. Any licence holder who kills a lion or a leopard shall produce its skull to a licensing officer for inspection, and any person who fails to comply with the provisions of this subsection shall be guilty of an offence and liable to a fine of P500 and to imprisonment for 6 months.

Sale of  
animals or  
eggs thereof

60. (1) No person shall, except under and in accordance with the terms and conditions of a permit granted in terms of section 39 (1) (c), sell any game animal or non-designated animal, or the meat, eggs or trophy of any such animal:

Provided that the provisions of this section shall not apply to —

- (i) the holder of a trophy dealer's licence, or to any person in effecting a sale to the holder of a trophy dealer's licence in accordance with the terms and conditions of that licence; or
- (ii) any person entitled to landholder's privileges, or to enjoy landholder's privileges, in accordance with section 20 in respect of any land, in effecting a sale, with the written

approval of the Director, of any game animal or the meat, eggs or trophy of any game animal lawfully killed on that land by such person; or

- (iii) the sale of a trophy where a single game licence pertaining to that trophy is handed over with the trophy, or to the sale of a trophy obtained in accordance with the terms of a small game licence, or to the sale of a trophy obtained outside a national park or a game reserve by the holder of a special game licence, where the buyer records and retains the number of the licence and the name and address of the holder of such licence.

(2) Any game animal or non-designated animal, or the meat, eggs or trophy of any such animal found in any shop, store or other place of business, shall be presumed to have been acquired for the purpose of sale, and the person in whose possession it is found shall be presumed to have dealt therewith in contravention of the provisions of this section unless he is the holder of a valid permit granted to him in terms of section 39 (1) (c) or unless he proves to the contrary.

(3) Any person who contravenes the provisions of subsection (1) shall be guilty of an offence and liable to a fine of P1 000 and to imprisonment for 1 year.

61. (1) No person shall purchase from another person any game animal or non-designated animal or the meat, eggs or trophy thereof without satisfying himself, by reasonable evidence, that such other person is the holder of a valid permit granted to him in terms of section 39 (1) (c) authorizing him to sell such animal, meat, eggs or trophy, or that he is entitled to do so in accordance with the provisions of section 60 or by virtue of regulations made under section 30, and any person who contravenes the provisions of this subsection shall be guilty of an offence and liable to a fine of P2 000 and to imprisonment for 2 years.

Purchases of  
animals or  
parts or  
eggs thereof

(2) Notwithstanding the provisions of subsection (1), a person shall not be guilty of an offence under that subsection if he purchases such animal, meat, eggs or trophy —

- (a) from a stall at any fete, bazaar or other like function which is open to the public;
- (b) from any person who lawfully exhibits his goods for sale in any road, street or other public place; or
- (c) in the ordinary course of business from a person who carries on business in a shop, store or other fixed place of business.

#### PART X — *Export and Import of Animals, Trophies and Meat, and Sale and Manufacture of Articles from Trophies*

62. (1) No person shall, except under and in accordance with the terms and conditions of a permit granted to him by the Director under subsection (2), export from or import into or transport through or re-export from Botswana any animal, or trophy, meat or eggs thereof.

Export and  
import of  
animals etc.

(2) The export, import, transport through and re-export of animals listed under the Appendices to CITES, and any trophy, meat or eggs thereof shall be permitted only in accordance with the provisions of CITES, and before any permit is issued under subsection (1), the Director, as Management Authority in accordance with the terms of CITES, shall require to be satisfied that —

- (a) the animal, trophy, meat or eggs has or have been lawfully acquired;
- (b) the issue of the permit will not in any way be detrimental to the survival of the species;
- (c) where required, the Management Authority of the importing country has granted an import permit in respect of the animal, trophy, meat or eggs; and
- (d) in the case of a live animal, all necessary steps have been taken to minimize the risk of injury, cruelty or damage to its health during transport or transshipment of the animal to its destination.

(3) Subject to compliance with the provisions of any other written law relating to the export or import of goods, to the provisions of subsections (2) and (4), and to any regulations made or directions given, or terms and conditions imposed by the Minister in respect of certain or specified animals, a licensing officer may, on application being made in such form and on payment of such fee as may be prescribed, grant permits for the export from or import into or re-export from Botswana of any animal, or trophy, meat or eggs thereof.

(4) Where, subject to the provisions of subsection (2), a permit for the export of any elephant tusk is granted, the weight thereof and the distinctive mark and number placed thereon in terms of section 67 (2) shall be endorsed on the permit.

(5) Any person who contravenes the provisions of subsection (1) shall be guilty of an offence and liable to a fine of P10 000 and to imprisonment for 7 years:

Provided that —

- (a) where the contravention is in respect of a rhinoceros or any trophy thereof, the penalty shall be a fine of P100 000, and imprisonment for 10 years; or
- (b) where the contravention is in respect of an elephant or any trophy thereof, the penalty shall be a fine of P50 000, and imprisonment for 10 years.

Export duty  
to be paid

63. Export duty at such rate as the Minister may, by order in the Gazette, from time to time determine, shall be paid to the licensing officer to whom application is made for an export permit, on all animals, or trophies, meat, hide, skins or eggs thereof exported from Botswana:

Provided that —

- (a) the provisions of this section shall not apply in respect of any animal, or trophy, meat, hide, skin or eggs thereof acquired by the holder of a Minister's licence issued in accordance with the

provisions of section 89, by virtue of such licence, or lawfully imported into Botswana and then re-exported; and

- (b) no order by the Minister that has the effect of imposing such a duty, or of increasing the existing rate of duty, in respect of any animal or item, shall have force or effect until the expiration of a period of two months from the date of publication of the order in the Gazette.

64. No person shall sell or otherwise deal in, or manufacture any article from, any trophy that has not been lawfully imported into, or which has not been obtained from an animal lawfully killed or captured in, Botswana, and any person who contravenes the provisions of this section shall be guilty of an offence and liable to a fine of P5 000 and to imprisonment for 5 years: Dealing in trophies

Provided that where the offence is in respect of a trophy from a rhinoceros or an elephant, the penalties shall be as provided respectively in paragraphs (a) and (b) of the proviso to section 62 (5).

65. (1) No person shall carry on the business of a trophy dealer except under the authority of and in accordance with the terms and conditions of a trophy dealer's licence, and no person other than the holder of a trophy dealer's licence shall employ or engage any other person to manufacture any article from any trophy. Trophy dealer's licence

(2) Application for a trophy dealer's licence shall be made to the Director in such form as may be prescribed, and the Director may, at his discretion, where the circumstances so warrant, and on payment of such fee as may be prescribed, issue the licence in the prescribed form, subject to such terms and conditions as he may determine, and as shall be endorsed on the licence.

(3) A trophy dealer's licence may be issued in respect of certain classes of trophy only, as may be endorsed on the licence, and the holder thereof shall not deal in trophies other than those so endorsed.

(4) A trophy dealer's licence shall not be transferable, and no person other than the person to whom it is issued shall make use of such licence.

(5) A trophy dealer's licence shall be valid for one year from the date on which it is issued:

Provided that the Director may forthwith cancel the licence of any trophy dealer convicted of an offence under this Act.

(6) Any person aggrieved by the refusal of the Director to issue a licence under this section, or by any terms and conditions subject to which such licence is issued, or by the cancellation of a licence by the Director, may appeal therefrom to the Minister whose decision thereon shall be final.

(7) Any person who contravenes or fails to comply with the provisions of this section or with the terms and conditions subject to which his licence was issued, shall be guilty of an offence and liable to a fine of P5 000 and to imprisonment for 5 years.

Records and  
returns by  
trophy  
dealers

66. (1) A trophy dealer shall keep and maintain a register in such form and shall make such returns as may be prescribed, and any trophy dealer who contravenes or fails to comply with the provisions of this section shall be guilty of an offence and liable to a fine of P2 000 and to imprisonment for 2 years.

(2) A wildlife officer or a police officer may, at all reasonable times, enter the licensed premises of a trophy dealer and inspect the register and returns which he is required to keep or make under subsection (1).

#### PART XI — *Ivory and Rhinoceros Horn*

Killing of  
elephant and  
rhinoceros

67. (1) Any person who kills an elephant shall produce its lower jaw, its tail and its tusks to a licensing officer at such wildlife office as may be prescribed for such purpose, within 7 days immediately after the killing, or within such extended period as the licensing officer may, in any special circumstances, authorize, together with the appropriate licence or permit, and where the licence or permit holder fails to produce any one of such parts, or the licence, the licensing officer may refuse to register the tusks.

(2) The licensing officer to whom such tusks are produced shall, if satisfied after such enquiry as he may consider necessary that they have been lawfully obtained, and that possession and ownership thereof will not be contrary to the terms of CITES, weigh them and cause them to be marked with a distinctive mark and number and the name of the owner, the date and such other information as may be required in a register to be kept for that purpose, and, subject to subsection (3), return them to the person producing them together with a certificate of ownership in the prescribed form, on which shall be endorsed the registered particulars.

(3) Where a licensing officer is not satisfied that the tusks have been lawfully obtained, or that possession or ownership thereof will be in accordance with the terms of CITES, he may retain them pending further investigation:

Provided that if no criminal proceedings are instituted against the person producing the tusks within three months of their being produced, the licensing officer shall, subject to the terms of CITES, proceed to deal with the tusks in accordance with subsection (2).

(4) Where a tusk is of an immature elephant, as determined in accordance with regulations made under section 92, it shall be a Government trophy, and the licensing officer shall not register it or return it to the licence holder.

(5) Any person who fails to comply with the provisions of subsection (1), or who is found in possession of tusks which have not been registered in accordance with the provisions of subsection (2), shall be guilty of an offence and liable to a fine of P50 000 and to imprisonment for 10 years.

(6) Any person who kills a rhinoceros shall produce the horn thereof to a licensing officer, at such wildlife office as may be prescribed for that purpose, as soon as possible, and in any event within 7 days immediately after the killing, and report the circumstances of the killing, the location

and the date and time thereof, and any person who fails to comply with the provisions of this subsection or who is found in possession of a rhinoceros horn which has not been produced in accordance with the provisions of this subsection shall be guilty of an offence and liable to a fine of P100 000 and to imprisonment for 15 years.

68. (1) Any person who imports any ivory or any tusk into Botswana, or who acquires, within Botswana, any ivory, or any tusk, without a certificate of ownership issued under section 67 (2) shall, within 7 days of so importing or acquiring it, produce such ivory or tusk to a licensing officer, at such wildlife office as may be prescribed for that purpose, for registration, together with such reasonable proof of the lawful importation or acquisition thereof as the licensing officer may require, and where appropriate the provisions of section 67 (2) or (3) shall mutatis mutandis apply in respect thereof:

Ivory or  
tusks imported  
into or  
acquired in  
Botswana

Provided that the provisions of this subsection shall not apply in respect of any tusk or ivory which is imported into Botswana by any museum or scientific or educational institution, or in respect of any ivory which is in such form, or is acquired from such source, as the Minister may, bearing in mind the terms of CITES, by regulations made under this Act, or in any particular case exempt therefrom.

(2) Any person who fails to comply with or contravenes the provisions of subsection (1), or who is found in possession of any tusk or ivory and cannot produce a certificate of ownership issued under section 67 (2) therefor, or proof of registration thereof or any reasonable proof of lawful importation or possession thereof, shall be guilty of an offence and liable to a fine of P50 000 and to imprisonment for 10 years.

69. (1) Except as otherwise specially provided in CITES, and as may be provided in regulations made under this Act, no person shall transfer to another person any tusk or any ivory which, under the provisions of this Act, is required to be registered and which has not been so registered.

Transfer of  
ivory

(2) Where any tusk or ivory that has been registered under the provisions of this Act is transferred, the transferor shall hand over to the transferee the certificate of ownership in respect thereof, or proof of registration thereof, as the case may be, after he has endorsed thereon the fact of such transfer and such endorsement has been signed by both the transferor and the transferee.

(3) Any person who contravenes the provisions of this section shall be guilty of an offence and liable to a fine of P50 000 and to imprisonment for 10 years.

70. Any rhinoceros horn shall be a Government trophy and, except only as provided in section 67 (6), no person shall have in his possession, transfer or in any way deal in rhinoceros horn, and any person who contravenes the provisions of this section shall be guilty of an offence and liable to a fine of P100 000 and to imprisonment for 15 years:

Rhinoceros  
horn

Provided that the provisions of this section shall not apply in respect of the possession of any duly registered rhinoceros horn by a person who acquired it lawfully prior to the commencement of this Act and who

registers such possession with a licensing officer, at such wildlife office as may be prescribed for the purpose, within three months after the commencement of this Act.

## PART XII — *Government Trophies*

Government trophies

71. (1) The following are declared to be Government trophies, in addition to any other Government trophies so declared in any other provision of this Act —

- (a) any game animal found dead, and any trophy or part thereof;
- (b) any animal killed or captured in contravention of any provision of this Act, and any trophy or part of such animal;
- (c) any trophy in respect of which a breach of this Act has been committed;
- (d) any animal or trophy which is, on reasonable grounds, suspected of being stolen or otherwise unlawfully obtained, and which is in the possession of any person who is unable to give a reasonable explanation to a licensing officer as to how he came by it; and
- (e) any other animal or trophy which may be prescribed as a Government trophy.

(2) Except as otherwise specially provided in this Act, any person who by any means obtains possession of a Government trophy, shall forthwith make a report thereof to the nearest wildlife officer or police station and shall, if so directed, deliver such trophy to such wildlife officer or police station, as the case may be.

(3) Any person who contravenes the provisions of subsection (2) or who is found in unlawful possession of a Government trophy shall be guilty of an offence and, without derogation from his liability under any other provision of this Act, shall be liable to a fine of P5 000 and to imprisonment for 5 years.

(4) Government trophies shall be disposed of in such manner as the Minister may, where relevant in accordance with the terms of CITES, direct.

## PART XIII — *Evidence, Prevention and Detection of Offences and Forfeitures*

Evidence and presumptions

72. (1) The possession of any animal or the meat or trophy of a freshly killed animal shall be prima facie evidence against a person accused of contravening any provision of this Act, that he has hunted, killed or captured such animal.

(2) Any holder of a licence or permit issued or granted under this Act who is found in possession of animals, or the meat or trophies thereof, in excess of the numbers specified in such licence or permit, or of any animal or species or sex of animal not authorized therein shall be presumed, unless the contrary is proved, to have hunted, killed or captured such animal or animals in contravention of the provisions of this Act.

(3) Where any animal, or the meat or trophy of an animal is found upon or in any vehicle, boat or aircraft, or at any camping place, every person who is upon or in or in any way associated with such vehicle, boat or aircraft, or who is at or in any way associated with such camping place, shall be presumed, unless the contrary is proved, to be in possession of such animal, meat or trophy.

(4) Any person charged with doing any act which constitutes an offence under this Act if done without a licence, permit, authority or permission, shall be presumed to have done such act without such licence, permit, authority or permission, as the case may be, unless the contrary is proved.

(5) The burden of proving any fact which would be a defence to a charge of contravening or failing to comply with any provision of this Act shall lie on the person charged with such contravention or failure.

(6) In any prosecution for an offence under this Act, whenever —

(a) the question whether any fresh, dried, unprocessed or partly processed meat is or was the meat of any animal, is relevant to the issue before the court, such meat shall be presumed to be or to have been the meat of such animal, unless the contrary is proved;

(b) the question whether any unprocessed or partly processed hide or skin, which has been rendered unidentifiable as the hide or skin of any particular animal or species or sex of animal, is or was the hide or skin of any animal or species or sex of any animal is relevant to the issue before the court, such hide or skin shall be presumed to be or to have been the hide or skin of such animal or species or sex of animal, unless the contrary is proved.

(7) Whenever, in any proceedings against any person upon a charge alleging that he committed an offence under this Act on any particular piece of land, it is proved that any act constituting or forming an element of such offence was committed in or near the locality wherein such land is situated, such act shall be presumed to have been committed on such piece of land, unless it is proved that it was committed on another piece of land.

(8) Whenever the hunting of one or other sex, or of any particular class or species of animal is unlawful, and the hunting of the other sex or any other class or species of such animal is lawful, any carcass of such animal from which the distinguishing features of sex or of such particular class or species have been removed shall be presumed to be the carcass of an animal of the sex or class or species which it is unlawful to hunt, unless the contrary is proved.

(9) Whenever, in any prosecution under this Act it is alleged that an offence was committed in connexion with or in respect of any species of animal, it shall be presumed that the offence, if committed, was committed in connexion with or in respect of such species of animal, unless the contrary is proved.

(10) Whenever, in any prosecution under this Act, it is alleged that the person charged has failed to report any matter, or to deliver any article or thing to a wildlife officer or to a police station, it shall be presumed that he so failed to report the matter or to deliver the article or thing, as the case may be, unless the contrary is proved.

(11) Any person found at night on any land on which there are any animals or where animals may reasonably be expected to be, and has in his possession any dazzling light and any firearm or other weapon capable of killing or capturing any animal by the discharge of any missile, or any trap or other contrivance capable of being used in the hunting or capture of any animal, shall be presumed to be acting or to have acted in contravention of the provisions of section 55, unless the contrary is proved.

(12) Any person found at night conveying any game animal, or any meat, trophy or egg thereof, and not being in possession of a valid licence or permit to hunt or capture such animal, shall be presumed to have hunted or captured such animal in contravention of the provisions of section 55, unless the contrary is proved.

(13) In any prosecution under this Act, any record, book or document kept by a wildlife officer or gate attendant, and any other person authorized thereto under this Act, in the course of his duties under this Act, shall, upon production to the court by such wildlife officer, gate attendant or other person, be prima facie evidence of the facts recorded therein.

(14) If any vehicle fails to stop when required or signalled to do so by any person authorized to stop such vehicle under this Act, it shall be presumed that the person in whose name the vehicle is registered was driving the vehicle at the time it failed to stop, unless the contrary is proved.

(15) Any person found traversing any land in an area where game is or is likely to be found, conveying any loaded weapon, other than a pistol or revolver, and not being the owner or occupier of such land, or having the permission of the owner or occupier to convey such weapon across such land shall be presumed to be hunting or to have hunted unlawfully on such land, unless the contrary is proved.

(16) Any person who is found in or leaving a national park, game reserve or a sanctuary, and to have in his possession any object of geological, ethnological, archaeological, historical or other scientific interest shall be presumed to have acquired such object unlawfully in such national park, game reserve or sanctuary unless the contrary is proved.

Powers of  
wildlife  
officers, gate  
attendants and  
police officers

73. (1) If any wildlife officer or police officer has reasonable grounds for believing that any person has committed an offence under this Act, he may —

(a) stop and search such person or require him, or enter upon any land and there search or require him, to produce for inspection any animal, meat, trophy or weapon in his possession, or any

licence, permit or other document issued to him or required to be kept by him under this Act or the Arms and Ammunition Act;

- (b) enter and search any land, building (including a dwelling house), tent, vehicle, boat or aircraft in the possession of or being used by such person, and open and search any baggage or thing in his possession;
- (c) stop, seize and search any vehicle, boat or aircraft which he believes to have been used in the commission of the offence, or to contain anything which might provide evidence of the offence;
- (d) require such person, or the driver of such vehicle, or the pilot of such aircraft, or the person in charge of such boat, or any passenger in such vehicle, boat or aircraft to furnish his full name and address and the details of any licence, permit, authority or permission issued to him under this Act.
- (e) seize any animal, meat, trophy or weapon in the possession of any person, which he believes, on reasonable grounds, to constitute evidence of the offence and, unless he is satisfied that such person will appear and answer any charge that may be preferred against him, arrest and detain him;
- (f) undertake any inspection which he may deem necessary to determine whether the provisions of this Act and any other written law relating to the hunting, capture, acquisition, game farming, keeping in captivity, destruction or disposal of animals in Botswana are being complied with; and
- (g) destroy any pitfall or trap suspected of being used for the unlawful hunting or capture of any animal, and which cannot be removed from the place where it is found, or the removal of which is difficult.

(2) Within a national park or a game reserve, a gate attendant may exercise such powers conferred on a wildlife officer by subsection (1) as are appropriate.

(3) Where it is necessary for the discharge of his duties or the exercise of his powers under this Act, and notwithstanding the provisions of the Arms and Ammunition Act, a wildlife officer may carry a firearm with him, even on land of which he is not the owner, for the protection of himself or any other person, the prevention or investigation of offences against this Act, or the arrest of any person committing or suspected of committing an offence under this Act, and where the Director so directs, such firearm may be of a type not otherwise permitted under the Arms and Ammunition Act.

(4) Every wildlife officer and gate attendant shall, when discharging his duties or exercising his powers under this Act, have in his possession and produce on request, an identity card in such form as may be prescribed, signed by the Director, as evidence of his identity and his appointment as a wildlife officer or gate attendant, and such identity card shall be sufficient proof of identity and such appointment.

(5) Every person who is detained, and every thing seized under powers conferred by this Act shall be taken as soon as possible before a court of competent jurisdiction, to be dealt with according to law.

(6) Any person who fails to comply with any request or direction made or given in accordance with powers conferred by this section, or who gives information which he knows or ought reasonably to know is false, shall be guilty of an offence and liable to a fine of P2 000 and to imprisonment for 2 years

(7) Any person who assaults, wilfully obstructs or resists arrest by a wildlife officer or a gate attendant in the performance of his duties under this Act, and any person assisting or encouraging such person, shall be guilty of an offence and liable to a fine of P5 000 and to imprisonment for 5 years.

Erection of  
road barriers

74. (1) For the effective carrying out of the provisions of this Act, and notwithstanding the provisions of any written law relating to the obstruction of roads, any wildlife officer may erect a temporary barrier across any road:

Provided that at the same time the officer shall erect warning signs or notices in such form as may be prescribed at such distances either side of such barrier as may be prescribed and take all such other steps as may be reasonably necessary to protect users of the road from injury to themselves or their property.

(2) Where a person is required to do so by a uniformed wildlife officer in the exercise of his duties under subsection (1), whether by word, sign or signal, he shall stop, and any person who fails to comply with such request shall be guilty of an offence and liable to a fine of P1 000 and to imprisonment for 1 year.

Forfeitures  
etc.

75. (1) Where any person is convicted of an offence under this Act, the court may order, and shall order where the offence is one punishable with a fine of P2 000 or over, that any weapon, trap, animal, vehicle, aircraft or boat used for the purpose of or in connexion with the commission of the offence, shall be forfeited to the State.

(2) Where the holder of a licence, permit, authority or permission issued or granted under this Act is convicted of an offence under the Act for which the penalty prescribed is P1 000 or over, such conviction shall have the effect of cancelling such licence, permit, authority or permission, unless the court in any particular case decides otherwise.

(3) Anything forfeited to the State under this section shall be disposed of as the Minister may direct:

Provided that such disposal shall not in any way include returning any of the items to the offender or any party to the offence.

Admission of  
guilt

76. (1) Notwithstanding any provision contained in this or any other written law, it shall be lawful for any wildlife officer specially authorized therefor by the Minister, to serve personally on any person reasonably suspected of having committed an offence under this Act or any regulations made under this Act, for which the prescribed penalty does not exceed a fine of P500 and imprisonment for 6 months, or such other

offence as the Minister may by order published in the Gazette prescribe, a notification in the form set out in the Tenth Schedule, charging such person with having committed the offence or offences indicated in the notification, and requiring such person to attend court to answer such charge or charges at such time, which shall not be sooner than 21 days after the date of delivery of the notification, as is indicated in the notification.

(2) Such notification shall for all purposes be deemed to be a summons issued under the provisions of the Criminal Procedure and Evidence Act:

Provided that the person served with the notification shall not be obliged to attend court in answer to the charge or charges if he has pleaded guilty in writing, and sent the plea together with the notification and a sum equal to half the prescribed maximum fine for the offence or offences, or such other amount as the Minister may, by order published in the Gazette, prescribe for the purposes of this section, to such police station as shall be specified in the notification, within 14 days from the date on which the notification was served on him.

(3) If any person, having been served with a notification issued under this section, fails either to attend court on the day and at the time specified in such notification, or to plead guilty and pay the fine as provided in subsection (2), he may be brought before the court to answer the charge or charges either by summons or by warrant.

(4) The provisions of this section shall be without prejudice to the power to proceed in the normal manner against the accused person.

77. (1) Notwithstanding anything to the contrary contained in any law relating to magistrates' courts, a court presided over by a Magistrate Grade I or over shall have special jurisdiction to hear any case under this Act, to impose any penalty provided in this Act for an offence thereunder, and to exercise the powers conferred by subsection (2).

Magistrates' courts' special jurisdiction

(2) Where any person is convicted of an offence under this Act punishable by a fine of P5 000 or over, and where the Director is satisfied that the offender has received pecuniary benefit resulting from the contravention or contraventions of this Act giving rise to the conviction, he may make or cause to be made an application to the court before which the conviction was obtained, or to the High Court, for a confiscation order in accordance with the provisions of the Proceeds of Serious Crime Act, 1990, and for the purpose of that Act the offence giving rise to the conviction shall be deemed to be a serious crime.

78. Where any person is charged with contravening any particular provision of this Act, and the evidence discloses that he was not guilty of contravening that provision, but such evidence supports a conviction for a lesser offence under the Act, the court trying him may find him guilty of such lesser offence notwithstanding that he was not so charged.

Alternative verdicts

79. Where any person is convicted of any offence under this Act, having previously been convicted for a contravention of the Act or of regulations under the Act, the maximum penalty prescribed for such offence shall be increased by fifty percent:

Second or subsequent offence

Provided that where the offence is one in connexion with a rhinoceros or an elephant the penalty for a second or subsequent offence shall be a term of imprisonment without the option of a fine, in addition to the imposition of a fine.

#### PART XIV — *General*

Destruction  
of animals by  
wildlife officers  
in certain  
circumstances

80. (1) Any wildlife officer may, with the consent of the owner or occupier in respect of private land, where it is necessary for the purpose, go onto any land, and destroy any animal which —

(a) has caused or is causing or is likely to cause damage to any livestock, crops, water installation or fence;

(b) is or is likely to be dangerous to human life;

(c) he has been directed to destroy as part of his official duties:

Provided that, where the animal is a dangerous animal which has been previously wounded or otherwise injured so as to make it a potential source of danger to human life, the wildlife officer may follow such animal with the intention of killing it on any land notwithstanding that the consent of the owner or occupier of the land has not been first obtained, but he shall as soon as possible inform such owner or occupier of the fact that he has followed such animal on to the land and whether he was successful in killing it or whether it is still at large.

(2) Any wildlife officer may destroy any dog found hunting an animal on land other than private land, if such dog is not in the keeping of or accompanied by a person who is lawfully on such land.

Hunting in  
forest areas

81. Nothing in this Act, and no licence, permit authority or permission issued or granted under this Act shall, or shall be deemed to, authorize any person to hunt or capture any animal in an area declared to be a reserved area under the Forest Act except under and in accordance with such permit, authorization or permission as maybe required by that Act, and any person who contravenes the provisions of this section shall be guilty of an offence and, without derogation from his liability under any other provision of this Act or the Forest Act, shall be liable to a fine of P2 000 and to imprisonment for 2 years.

Keeping of  
animals

82. (1) No person shall keep or possess any live animals in confinement except only under and in accordance with a permit issued therefor by the Director:

Provided that this shall not apply to the temporary keeping or possession of a sick or injured animal for the purpose of affording it treatment, or to animals within private game farms, ranches or reserves surrounded by game proof fences, or to such animals and in such circumstances as may be specified in regulations and sold or kept as pets.

(2) A permit issued by the Director in terms of subsection (1) may be granted subject to such conditions relating to the manner in which the animal is to be kept as the Director may see fit to impose, or as may be prescribed

(3) No person shall exhibit any animal to the public, or to any section thereof, except in accordance with a permit issued by the Director and such conditions thereof as the Director may see fit to impose relating to the manner in which the animal is to be kept and members of the public are to be allowed access to it, or as may be prescribed.

(4) Any person keeping an animal in accordance with a permit issued under this section shall not release such animal or otherwise dispose of it without first obtaining the approval of the Director.

(5) Where a dangerous animal or an animal not indigenous to Botswana is kept in confinement in accordance with the provisions of subsection (1), or is confined within a game proof fence on a private game reserve, ranch or farm, the person keeping it shall take all reasonably possible steps to ensure that it does not escape, and if it does so shall take all reasonably possible steps to recapture it or kill it.

(6) Any person who contravenes or fails to comply with the provisions of this section, or who fails to comply with the provisions of any permit issued under this section shall be guilty of an offence and liable to a fine of P2 000 and to imprisonment for 2 years.

83. (1) Notwithstanding the provisions of any other written or unwritten law, the owner of land on which any animal is kept or confined, and which is enclosed by a game proof fence or in such other manner as may be approved by the Director, shall enjoy rights of ownership over such animal.

Rights of  
ownership  
in animals

(2) Such rights of ownership shall not be lost merely because the animal escapes from such land or confinement, and any person who, knowing or having reason to know that the animal came from such land or confinement, appropriates it, shall be guilty of the offence of stealing it in accordance with the provisions of section 274 of the Penal Code, or, if he kills it with intent to appropriate the carcass or skin thereof, shall be guilty of an offence in accordance with the provisions of section 285 of the Penal Code.

84. (1) Any person who is lawfully on any land by virtue of any licence or permit to hunt or capture animals thereon, or being entitled to or to enjoy landholder's privileges in respect of that land, may require any other person found by him on such land and whom he reasonably believes to be hunting or capturing animals on that land, to produce any licence, permit, authority or permission authorizing him to be on such land, or to furnish him with his full name and address.

Powers of  
licence and  
permit holders  
etc. in respect  
of other  
hunters

(2) Any person who, upon being requested to do so in accordance with subsection (1), —

(a) refuses, or being able to do so fails to produce any such licence, permit, authority or permission; or

(b) refuses or fails to furnish his full name and address, or furnishes a false or incomplete name and address, shall be guilty of an offence and liable to a fine of P500 and to imprisonment for 6 months.

Personation  
of officers  
etc

**85.** Any person who —

- (a) falsely represents himself to be a wildlife officer, honorary officer or a gate attendant; or
- (b) without lawful excuse wears any uniform, or carries or displays any badge or letter or other document of appointment or identity authorized or required under this Act to be worn or carried by a wildlife officer, honorary officer or gate attendant, or so nearly resembling any such uniform, badge, letter or other document as to be calculated to deceive, shall be guilty of an offence and liable to a fine of P2 000 and to imprisonment for 2 years.

Delivery of  
firearms to  
gate attendant  
Cap 24:01

**86.** Without obtaining an arms certificate or permit under the Arms and Ammunition Act to authorize the delivery or possession of firearms, the Minister, the Director and any wildlife officer may deliver arms and ammunition to any gate attendant which he may require for the performance of his duties as such gate attendant, and any gate attendant may possess such arms and ammunition for such purpose.

Freedom from  
liability

**87.** No liability shall attach to the State or to the Minister or the Director or any wildlife officer or gate attendant for any loss of life or property or any damage or injury sustained by any person anywhere in Botswana by reason of the presence, action or depredations of any non-captive animal, whether or not such animal is within a national park, game reserve or sanctuary.

Directions by  
Minister

**88.** (1) Where he considers it in the public interest to do so, and in particular where he considers it necessary or expedient to do so in order to facilitate compliance by Botswana with CITES and any other international agreement to which Botswana is a party, or the discharge by Botswana of any other international obligation by which it is bound, the Minister may give directions, either generally or in a particular case, to all or any public officers, or to all or any wildlife officers or other persons appointed by him under this Act as to the carrying out of their functions or the performance of their duties under this Act, and any person to whom such directions are given shall comply therewith.

(2) Subject to the provisions of this Act and to any directions that may have been given to him by the Minister under subsection (1), where any person is vested by this Act with a power to allow, give consent to, grant, specify or revoke or cancel any matter or thing, that person may, without giving any reasons therefor and in his absolute discretion, allow or disallow, give or withhold consent, grant or not grant, specify or not specify, revoke or cancel or not revoke or cancel that matter or thing as he thinks most conducive to the public good:

Provided that nothing in this section shall be construed as referring to any function of or any power vested in any court by or under this Act.

Minister's  
licence

**89.** (1) Notwithstanding anything in this Act, the Minister may, upon such terms and conditions as he deems fit, grant to any person a complimentary licence, to be known as a Minister's licence.

(2) A Minister's licence shall, subject to the terms of CITES, entitle the holder thereof to hunt any animals, other than protected game

animals, in any area of Botswana which is not in a national park, a game reserve or private land, in any season, whether or not such area is an area in which hunting is prohibited or restricted, and whether or not such season is the open season for such animals in that area, and as may be specified in the licence.

(3) The Minister may at any time, and without assigning any reason therefor, cancel any licence issued under this section.

90. The Minister may, by order published in the Gazette, suspend, restrict or limit the application of any of the provisions of this Act, either generally or in respect of any area, for such period and subject to such conditions as he deems fit:

Power to  
suspend etc  
operation of  
Act

Provided that such suspension, restriction or limitation does not contravene the terms of CITES.

91. (1) In order to enable Botswana to give full effect to the terms of CITES and to Resolutions of the Conferences of the Parties, as they may from time to time be amended, the Minister may by order published in the Gazette amend the Fifth Schedule and the list of animals contained in the Appendices to the Convention.

Amendment of  
Schedules

(2) Where the President has, by order published in the Gazette declared any area of land to be a national park, a game reserve or sanctuary or a wildlife management area, or has amended the boundaries of such a park, reserve, sanctuary or area, or has abolished the same, the Minister may by order published in the Gazette amend the First, Second, Third or Fourth Schedule, as appropriate, to reflect such additions or changes.

(3) The Minister may, at any time, or from time to time, as necessary or desirable, by order published in the Gazette, amend any of the other Schedules to this Act.

92. (1) The Minister may make regulations to give force and effect to the provisions of this Act and for its better administration, and without derogating from the generality of the foregoing such regulations may provide for the following matters —

Regulations

- (a) any matters which this Act specially provides may be prescribed or may be made by regulations;
- (b) forms of applications, licences, permits, certificates, registers, returns and other forms that may be required for the purposes of this Act, and any fees to be paid in respect thereof;
- (c) the administration of controlled hunting areas or any such area or any part thereof the restriction, control or regulation of the hunting or capture of animals in such areas or any such area or part thereof, and the terms and conditions under which animals may be hunted or captured therein and the fees to be paid for such hunting or capture or in respect of the doing of any specified thing therein or the use of any article or facility provided therein;
- (d) the terms and conditions to be complied with by the holder of any licence or permit;

- (e) facilitating the compliance by Botswana with CITES and any other international agreement to which Botswana is or becomes a party;
- (f) the payment of royalties by holders of permits, the circumstances in which such royalties shall be paid, and fixing and altering such royalties;
- (g) prohibiting, restricting, controlling or regulating the coursing of animals with dogs, or the driving of animals by beaters;
- (h) the care and handling during and after capture of animals captured under the authority of a permit, the stabling and feeding of such animals and the conditions under which they may be transported;
- (i) prohibiting, restricting, controlling and regulating the sale of any trap or similar contrivance, which may be used in the trapping, snaring or capture of animals;
- (j) the payment of rewards to persons finding and surrendering trophies generally, or particular trophies, the amounts of such rewards and the conditions subject to which they shall be paid;
- (k) the payment of the costs of transporting trophies generally or particular trophies surrendered or delivered to district offices or police stations, and the manner of calculating the amounts to be paid;
- (l) the wearing of uniforms or badges by wildlife officers, gate attendants and honorary officers, and the type or description of such uniforms or badges;
- (m) the provision of a code of conduct to regulate the conduct and discipline of wildlife officers; and
- (n) the control of the use of and the administration of firearms within the Department.

(2) Different regulations may be made in respect of different animals or classes or species of animals, or in respect of the same animals, classes or species in different circumstances, or in respect of different or particular areas.

(3) Different regulations, including the prescribing of different fees to be paid, may be made in respect of citizens of Botswana, residents of Botswana and other persons.

(4) Regulations made under this Act may provide that any offence thereunder may be punishable by a fine of P1 000 and by imprisonment for one year.

Payment of  
fees to  
district  
councils

**93.** Where the Minister so recommends, any revenue deriving from the payment of fees for licences or permits to hunt, capture, sell or farm any animals or in respect of any other wildlife activity in its area, other than in a national park or game reserve, shall be paid to the district council concerned.

Repeal and  
saving  
Cap 38:01  
Cap 38:03

**94.** (1) The Fauna Conservation Act and the National Parks Act are hereby repealed.

(2) Any subsidiary legislation made under and in accordance with the provisions of the Fauna Conservation Act or the National Parks Act shall continue of force and effect as if made under the provisions of this Act, to the extent that it is not inconsistent with such provisions, until revoked or amended by or under this Act.

(3) Any licence, permit or authorization issued or granted under the Acts repealed by this Act shall, in so far as it is not inconsistent with the provisions of this Act, remain of force and effect as though issued or granted under the responding provisions of this Act.

## FIRST SCHEDULE (Section 5)

### *NATIONAL PARKS*

#### *1. Chobe National Park*

Commencing at a point in the middle of the Chobe River, being a point on the International Boundary between Botswana and Namibia (Caprivi Strip), northwest of beacon "A" of Lease Area 6-RO as shown on diagram DSL No. 1/70, also being the southwestern beacon of the Kasane Township boundary, the boundary runs in an east southeast direction in a straight line through the said beacon "A" of the aforesaid Lease Area 6-RO and beacon "A" thereof to beacon "B" thereof; thence in a northeast direction to beacon "C" of Lot 2 Kasane (formerly Farm 1-RO) as shown on diagram DSL No. 5667/61; thence continuing in a north northeasterly direction along the eastern boundary of the said Lot 2 Kasane to a beacon TS3 coordinates Y-16696.59, X-1969 864.10 situated at the junction of firebreak No. 5 with the Kazungula-Ngoma Road, to that point where the aforesaid straight line intersects the western edge of firebreak No. 2 approximately 5 metres south of the junction of firebreak No. 5 with firebreak No. 2; thence in a generally southwesterly direction along the northwestern edge of firebreak No. 2 for approximately 4 km to a beacon FR16 at the intersection of firebreak No. 2 with firebreak No. 7; thence in a southeasterly direction for approximately 2,2 km to beacon FR14 in the Sidudu Valley, being the point of intersection with firebreak No. 8; thence generally southeastwards along the west side of firebreak No. 8 following the Sidudu Valley for approximately 7,1 km to beacon FR10, being the point of intersection with firebreak No. 17; thence southwestwards along the eastern edge of the cutline for approximately 21,3 km to a beacon on the south side of the Lesomo-Ngwezumba Bridge Road; thence south for approximately 17,6 km to the point of intersection with the northern edge of the Kakulwane Seloko, approximately 500 metres northwest of Makororo Pan; thence generally northwestwards along the northern edge of the said Seloko for approximately 7,6 km; thence southeastwards for approximately 28 km to a point on the Ngwezumba Bridge-Nunga Valley road; thence generally westwards along the south side of this road for 27 km to a beacon marked Chobe Game Reserve, situated at the point of intersection with a cutline from the southwest; thence south southwestwards for approximately 50,8 km to the southern edge of the cutline; thence in the same direction along the prolongation of the said cutline for approximately 11,8 km to the point of intersection with latitude 19°S; thence due west along the said latitude 19°S for approximately 85 km to the point of intersection with longitude 24°02'E; thence south southwestwards for approximately 13 km to a point, being the point of intersection of latitude 19°07'S with longitude 24°E; thence southwestwards for approximately 26,4 km to a point being the point of intersection for latitude 19°20'S with longitude 23°53'E, being also a point on the Batawana Tribal Territory boundary and corresponding to point N of the Moremi Game Reserve boundary; thence due north along the

Batawana Tribal Territory boundary to a point of intersection with the International Boundary between the Republic of Botswana and the Caprivi Strip; thence along the said International Boundary in a generally northeastwards direction for 2,5 km to a point S; thence southeastwards for approximately 28 km to a beacon Chobe 2 in Sisuma Pan, latitude 18°21'43"S, longitude 24°10'32"E; thence continuing southeastwards for approximately 41,0 km to a beacon Chobe 3 at Nxunxutsha Pan in the Kashaba Valley, latitude 18°29'14"S, longitude 24°32'32"E; thence generally northeastwards up the said Kasahaba valley to a point at Sikiylana Pan situated at the junction of the Namuchira Valley and the Molapow-adiphofu; thence generally northwards and northeastwards up the said Namuchira Valley to a point at its source at Namuchira Pan; thence due east for approximately 1,7 km to the southern end of firebreak No. 19; thence generally northwards for approximately 34 km along the eastern edge of the said firebreak No. 19 to a beacon at Ngoma; thence due north to a point in the middle of the Chobe River, being a point on the International Boundary between the Republic of Botswana and the Caprivi Strip; thence generally northwestwards and eastwards along the said International Boundary to the point of commencement, as will more fully appear from Plan BP 205F deposited with the Director of Surveys and Lands, Gaborone.

## *2. Gemsbok National Park*

Commencing at a boundary beacon V167 at latitude 26°28'17.4"S, longitude 20°36'56.5"E, being a beacon in the middle of the Nossop River at Tweerivieren on the International Boundary between Botswana and South Africa, the boundary runs east northeastwards for approximately 16 km to a point at latitude 26°27'05.3"S, longitude 20°46'30.2"E; thence east northeastwards for 24 km along the northern boundary of the Kgalagadi Tribal Area to a beacon on Flys Kop at latitude 26°24'51.6"S, longitude 21°00'56.8"E; thence northeastwards for 144 km along the northwestern boundary of the Kgalagadi Tribal Area to a point latitude 25°21'38.7"S, longitude 21°50'21.8"E; thence due east for 32 km to latitude 25°21'38.7"S, longitude 22°09'28.7"E; thence north for 56 km to latitude 24°51'07.4"S, longitude 27°09'28.7"E; thence west for 32 km to latitude 24°51'07.4"S, longitude 21°50'21.8"E; thence west northwestwards to meridian 20° of East longitude being the International Border between Botswana and Namibia; thence south along the said International Boundary for 72 km to a beacon at Unions End on the Nossop River being that point when the borders of Botswana, Namibia and South Africa meet; thence generally southeastwards and southwestwards along the middle of the Nossop River, being the International Boundary between Botswana and South Africa, to the point of commencement.

## *3. Nxai Pan National Park*

Commencing at a point marked NG/47/48/49 (app. coord. 35E244500N7786900), being a point 5 km west of the old Bushman Pits-Pandamatenga trek route on the 20° latitude, the boundary runs in a straight line in a northeastwards direction (26°) to a point marked NG/42/48 (app. coord. 35E270900N7838700), being a point 5 km west of Trig. Station BPP168, which is located on the old Bushman Pits-Pandamatenga trek route road; thence in a straight line due East to a point marked NG/42/48/CT1 (app. coord. 35E290200N7838900) being the point of intersection with the Ngamiland and Central District boundaries, formed here by the 25° longitude; thence due South along the said longitude to a point marked NG/48/51/CT7 (app. coord. 35E290700N7787500), being the point of intersection of longitude 25° and latitude 20°; thence in a straight line southwestwards (221°) to a point marked NG/48/51/A (app. coord. 35E284500N7780200), being the northwest corner point of the Odiakwe BLDC ranch and located approximately 200 metres northeast of Trig. Station BPP126; thence in a straight line southwards following the fence line of the said ranch to a point marked NG/48/51/B (app. coord. 35E285150N7764100), being the point of intersection of the fence line

with the new Nata-Maun public road; thence following the northern edge of the said road westwards to a point marked NG/48/49/A (app. coord. 35E254600N7761700), being the point of turn-off from the said road to the main access track to the Nxai Pan National Park wildlife office; thence following the said track north and northeastwards to a point marked NG/48/49/B (app. coord. 35E261100N7787100), being the point of intersection with latitude 20°; thence due West along the said latitude to the point of commencement.

#### 4. *Makgadikgadi Pans National Park.*

##### *Section 1-Ngamiland District.*

Commencing at a point on the Ngamiland and Central Districts boundary at the intersection of the Boteti River and the southern edge of the ford at Matime the boundary runs northeastwards along the southern and eastern side of the road from Matime to Bushman Pits to a point where it is intersected by the southern side of the new Nata to Maun public road; thence generally eastwards following the southern side of the said Nata to Maun road to a point 0,8 km west of Xhaneo Road Camp; thence southwards on a straight line having the same longitude as the aforesaid point 0,8 km west of Xhaneo Road Camp to the intersection of the Central District boundary; thence generally westwards to the point of intersection of the Boteti River with the meridian of 24°31'E, thence following the thalweg of the Boteti River in a northwesterly direction to the point of commencement.

##### *Section 2-Central District.*

Commencing at a point on the Ngamiland and Central Districts' boundary at the point of intersection of the Boteti River with the meridian of 24°31'E, the boundary runs in an easterly direction along the District boundary to a point at the intersection of a line whose longitude is the same as a point 0,8 km west of Xhaneo Road Camp; thence southwards on a line of the same longitude of the aforesaid point to a point at latitude 20°50'S, thence in a straight line due West to the intersection with the Boteti River, thence following the thalweg of the Boteti River generally northwards to the point of commencement.

## SECOND SCHEDULE

(Section 12)

### GAME RESERVES AND SANCTUARIES

#### *First column*

#### *Second column*

- |                                                                                                                                                                                                       |                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| 1. Mogobane Bird Sanctuary<br>That part of the Bamalete Tribal Territory which lies within 1,61 km of the Mogobane Dam.                                                                               | All wild birds other than game birds |
| 2. Bathoen Dam Bird Sanctuary<br>That part of the Bangwaketse Tribal Territory which lies within 1,61 km of the Bathoen Dam.                                                                          | All wild birds other than game birds |
| 3. The Central Kalahari Game Reserve<br>That part of the Ghanzi District which lies to the east of the meridian of longitude which passes through the highest point of the hills known as Great Tsau. | All animals                          |

#### 4. *Moremi Game Reserve*

All animals

Commencing at a point marked NG/27/28/32 (app. coord. 34E731500N7835100), being a point on the southern bank of Nxaraga lagoon, the boundary follows the Boro River northwards to a point marked NG/27/28/A (app. coord. 34E710400N7842700), being a point in the middle of the Tshwaralengwana (middle Boro) River, west of Xakae island; thence in a straight line southwestwards (244°) to a point marked NG/27/28/30 (app. coord. 34E705700N7840500), being a point on the northern bank of an island on a hunting track from Bobo Island in the direction of the Xo flats; thence in a straight line northwestwards (298°) to a point marked NG/27/28/B (app. coord. 34E688700N789900), being a bridge site at Nxabega island on the Maun-Xighera road; thence following the said road in a generally northwesterly direction to a point marked NG/25/26/28 (app. coord. 34E675400N7863000), being a point at the north-western tip of an island east of the last stretch of the Maun-Xighera road; thence in a straight line northwestwards (70°) to a point marked NG/25/28/A (app. coord. 34E676900N7863500), being a point at the top of Ganga island; thence due East in a straight line to a point marked NG/25/28/B (app. coord. 34E679300N7863500), being a point in the middle of the Jao (upper Boro) River; thence following the Jao (Upper Boro) River northwards to a point marked NG/23/24/28 (app. coord. 34E665900N7900100), being a point where the Okavango River branches into the Nqoga and Jao (upper Boro) Rivers; thence following the Nqoga River eastwards to a point marked NG/22/28 (app. coord. 34E708600N7890400), being a point where the Nqoga River flows into the Mwanachira River; thence following the Mwanachira River to a point marked NG/21/22/28 (app. coord. 34E712500N7888900), being the middle of Dxherega (Dobe) lagoon, thence in a straight line southeastwards (111°) to a point marked NG/21/28/B (app. coord. 34E721800N7881200), being a point on an island in the middle of Jerejere lagoon; thence in a straight line southeastwards (117°) to a point marked NG/21/29/A (app. coord. 34E6719500N7885100), being a point in the middle of Mboroga channel; thence following the said channel to a point marked NG/21/28/C (app. coord. 34E721600N7880900), being a point in the middle of Mboroga channel, thence in a straight line northwestwards (64°30') to a point marked NG/21/28/H (app. coord. 34E728622N7884226), being a point on the southern side of Shindi lagoon; thence in a straight line eastwards (82°) to a point marked NG/20/28 I (app. coord. 34E743295N7886159), being a point approximately 1,5 km north of the Mwanachira River; thence in a straight line eastwards (98.30°) to a point marked NG/18/28/J (app. coord. 34E767220N7882187), being a point 5,5 km away on a southeasterly bearing 124° from Trig. Station BPS257; thence in a straight line southeastwards (115°) to a point 18/28/K (app. coord. 34E781159N7875928), being a point on the southerly tip of an island approximately 3 km east of Dombo lagoon; thence in a straight line northeastwards (57°) to a point marked NG/18/19/28 (app. coord. 34E785500N78900), being a point on the northern bank of the Khwai River; thence following the Khwai River eastwards to a point marked NG/19/28/40 (appr. coord. 34E803345N7882652), being the point of intersection of the Khwai River with the stateland boundary (being longitude 23.53°); thence following the stateland boundary southwards to a point marked NG/28/34/40/41/43 (app. coord. 34E802968N7859948); thence in a straight line due West to a point marked NG/28/34/0 (app. coord. 34E782291N7860281);

thence in a straight line southwards (201°) to a point marked NG/28/33/34/B (app. coord. 34E773700N7840500); being a point in the middle of the Mogogelo River; thence in a straight line westwards (261°) to a point marked NG/28/32/34 (app. coord. 34E765700N7839200), being a point in the middle of the Gomoti River; thence following the most southeastern channel of the Gomoti River northwards to a point marked NG/28/31/B (app. coord. 34E752400N7851400), being a point on the western bank of the Gomoti River; thence in a straight line westwards (267°) to a point marked NG/28/31/A (app. coord. 34E742500N7850800); being a point on the western bank of Qahetaa lagoon; thence in a straight line southwestwards (206°) to a point marked NG/17/28/B (app. coord. 34E739132N7843060); being a point at the northerly end of Motsebe channel; thence following the easterly branch of Motsebe channel southwards to a point marked NG/17/28/A (app. coord. 34E741325N783572); thence in a straight line southwestwards (212°) to a point marked NG/17/28/32 (app. coord. 34E740046N7830713); thence in a straight line northwestwards (294°) to the point of commencement.

#### 5. *Maun Game Sanctuary*

All animals

Commencing at the junction of the middle of the Thamalakane River with the middle of the Boro River the boundary runs southeastwards to a point in the middle of the old Maun to Bushman Pits Road, the geographical coordinates of which point are approximate latitude 19°55'30"S, approximate longitude 23°31'30"E; thence southwestwards for a distance of approximately 20,93 km to a point 2,41 km southeast of the confluence of the Shashe and the Thamalakane Rivers, the geographical coordinates of which point are approximate latitude 20°03'45"S, approximate longitude 23°23'15"E; thence northwestwards to the junction of the middle of the Thamalakane River with the middle of the Shashe River; thence northwards along the middle of the Shashe River for a distance of 4,83 km; thence northeastwards for a distance of approximately 16,42 km to a point in the middle of the Boro River 3,22 km upstream from the junction of the middle of the Thamalakane River with the middle of the Boro River; thence southeastwards along the middle of the Boro River to the point of commencement.

#### 6. *Nnywane Dam Game Reserve*

All animals

The area of land comprising portion 1 of the farm "Moroekwe" No. 4-JO and portion 3 (a portion of portion 1) of the farm "Request" No. 5-JO as fully described on approved diagrams S.G. Nos. 6/66 and 7/66 respectively.

#### 7. *Khutse Game Reserve*

All animals

Commencing at a point 24,15 km due north of Borehole No. 302 at Dutlwe Village the boundary runs due east to a point on the line of longitude which passes through a point 24,15 km due west of Borehole No. 735 at Mosero, thence in a straight line in a northeasterly direction passing through a point 2,42 km due east of the most eastern edge of Galalabadimo Pan to its intersection with the northern boundary of the Bakwena Tribal Territory; thence westwards following the said Bakwena Tribal Territory boundary to a point on the boundary due north of the point of commencement, thence due south to the point of commencement.

8. *Gaborone Game Reserve* All animals  
The areas known as Lots 10028 and 13042, Gaborone City, as delineated on Diagram D.S.L. Nos. 128/78 and 178/80 respectively.
9. *Mannyelanong Game Reserve* All animals  
The area of Mannyelanong Hill, as delineated on Plan JO-4 desposited with the Director of Surveys and Lands, Gaborone.

THIRD SCHEDULE  
(Section 15)

WILDLIFE MANAGEMENT AREAS

1. *Kwando Wildlife Management Area*

Commencing at a point marked NG/13/14/NA (app. coord. 34E743200N8008500), being the point of intersection of the International Boundary with Namibia with the Kwando River; thence following the International Boundary, being the middle of the Kwando and Linyanti Rivers, southwards and subsequently northeastwards to a point marked NG/15/CH3/NA (app. coord. 34E805300N7977700), being the point of intersection of the International Boundary with Namibia with the Chobe National Park boundary; thence following the Chobe National Park boundary due South to a point marked NG/19/28/40 (app. coord. 34E803400N7882700) being the point of intersection with the boundary of the Moremi Game Reserve in the middle of the Khwai River; thence following the northern Moremi Game Reserve boundary in a westerly direction to a point marked NG/23/24/28 (app. coord. 34E665900N7900100), being a point where the Okavango River branches into the Nqoga and Jao (upper Boro) Rivers; thence following the Okavango River northwards to a point marked NG/12/23/24 (app. coord. 34E666200N7901100) being the start of the northern buffalo fence on the western bank of Dube island; thence following the fence line in a north-easterly and northerly direction to a point marked NG/11/13/14 (app. coord. 34E715966N7961673), being Trig. Station BPS566.

2. *Okavango Wildlife Management Area*

Commencing at a point marked NG/7/10/24 (app. coord. 34E637100N7920000), being a point in the middle of the Okavango River, north of Ikoga lagoon, where the defunct Thaoge channel branches off from the Okavango River, the boundary follows the Okavango River in a southerly direction to a point marked NG/23/24/28 (app. coord. 34E665900N7900100), being a point where the Okavango River branches into the Nqoga and Jao (upper Boro) Rivers; thence following the Jao (upper Boro) River, which forms the Moremi Game Reserve boundary here, in a southerly direction to a point marked NG/25/28/B (app. coord. 34E679300N7863500); thence following the western and southern boundary of the Moremi Game Reserve in a generally southerly and easterly direction to a point marked NG/28/34/40/41/43 (app. coord. 34E803000N7860150), being the point of intersection of the Moremi Game Reserve boundary with the Ngamiland Statelands boundary; thence following the Statelands boundary southwards to a point marked NG/34/35/43 (app. coord. 34E802500N7827000), being the point of intersection of the southern buffalo fence with the Statelands boundary; thence following the southern buffalo fence in a generally westerly,

southwesterly, northwesterly and northerly direction to a point marked NG/7/8/25 (app. coord. 34E650400N7868300), being the top end of the buffalo fence; thence in a straight line in a northwesterly direction (336°) to a point marked NG/7/24/25 (app. coord. 34E643800N7884100), being a point in the middle of the Thaoge River, east of Wabe lagoon; thence following the Thaoge River northwards to the point of commencement.

### ***3. Ngamiland Statelands Wildlife Management Area***

Commencing at a point latitude 19°S, longitude 24°02'E, the boundary runs due east along the said latitude 19°S being also the boundary of the Chobe National Park, to a point of intersection with the meridian of longitude 25°E, being the most northeasterly point of the Ngamiland Statelands; thence due south along the said meridian of longitude to the point of intersection with the northeast corner of the boundary of the Nxai Pan National Park; thence following the said boundary of the Nxai Pan National Park west, southwest, east and south to the point of intersection with the new Nata-Maun public road; thence westwards along the said road to the eastern boundary of the Makalamabedi B.L.D.C. Ranch; thence north and then west along the said boundary to the point of intersection with the veterinary cordon fence at longitude 23°53'E; thence due north along the said fence to the point where it turns west, continuing in a straight line due north to the point of intersection with the southernmost extension of the boundary of the Chobe National Park at latitude 19°20'S; thence northeast and north along the boundary of the Chobe National Park to the point of commencement.

### ***4. Nunga Wildlife Management Area***

Commencing at a point "S", being a point on the southwestern corner of the Maikaelelo Forest Reserve boundary and the southeastern boundary of the Chobe National Park; the boundary runs due East along the said Maikaelelo Forest Reserve boundary to point "R", being also, a point on an old cattle track; thence southeastwards along the said Maikaelelo Forest Reserve boundary and track to point "Q" being also a point of intersection of the said track and a dry valley constituting the southeastern boundary of the said Maikaelelo Forest Reserve; thence southeastwards along a straight line to a point of intersection of the southern edge of the Ngwezumba Bridge-Nunga Valley road with the meridian of longitude 25°30'E being also on the western boundary of the Sibuyu Forest Reserve; thence due south along the said meridian and boundary to a point of intersection with parallel of latitude 19°S, corresponding to point "AA" of the southwestern corner of the said Sibuyu Forest Reserve boundary; thence due west along the said parallel of latitude to a point on the southeastern corner of the Chobe National Park boundary; thence northeastwards along the said Chobe National Park boundary to the point of commencement, as will more fully appear on Plan BP 245, deposited with the Director of Surveys and Lands, Gaborone.

### ***5. Nata Statelands Wildlife Management Area***

Commencing at a point latitude 19°S, longitude 25°E, the boundary runs due east along the said latitude 19°S, being the boundary between Chobe District and Central District, to the point of intersection with the International Border of Botswana with Zimbabwe; thence southeast along the said International Border to the point of intersection with the veterinary cordon fence; thence following the said fence in a westerly direction to its point of intersection with the meridian of longitude 25°E, being the boundary of Central District with the Ngamiland Statelands; thence due north along the said boundary to the point of commencement.

#### ***6. Southern District Wildlife Management Area***

Commencing at a point "WA" (app. latitude 24°51'20"S, longitude 23°03'40"E), being the ultimate southwest corner of Southern District, the boundary runs due north along the boundary between Southern District and Kgalagadi District to point "WB" (app. latitude 24°28'40"S, longitude 23°03'40"E); thence eastwards to point "WC" (app. latitude 24°28'40"S, longitude 23°10'E); thence northeastwards to point "WD" (app. latitude 24°05'S, longitude 23°21'30"E), being a point on the boundary between Southern District and Kweneng District, thence southeastwards along the said boundary to point "WE" (app. latitude 24°10'S, longitude 23°36'40"E), thence southwestwards to point "WF" (app. latitude 24°40'S, longitude 23°21'20"E), thence southwards to point "WG" (app. latitude 24°51'10"S, longitude 23°21'E), being a point on the boundary between the Southern District and Kgalagadi District, thence westwards following the said boundary to the point of commencement.

#### ***7. Matlho-a-Phuduhudu Wildlife Management Area***

Commencing at a point on the Ghanzi-Lobatse public road, being the point of intersection with latitude 22°40'S; the boundary runs due West along the said latitude to the point of intersection with longitude 21°02'32"E; thence due south along the said longitude to the point of intersection with the northeastern corner of the stateland Ncojane Ranches; thence south, following the eastern boundaries of the Ncojane Ranches; thence westwards following the southern boundary of Ncojane Ranch-21 IJ; thence southwards following the eastern boundary of the Ncojane A.I. Camp; thence westwards following the southern boundaries of the Ncojane Ranches to the southwestern corner of Ncojane Ranch 22-LJ from where the boundary runs due south following longitude 20°35'34"E to the point of intersection with latitude 23°19'13.6664"S, being also a point on the common boundary between Ghanzi Tribal Area and Kgalagadi Tribal Area; thence due east along the said latitude to the point of intersection with the Ghanzi-Lobatse public road; thence north-westwards along the said Ghanzi-Lobatse road to the point of commencement.

#### ***8. Okwa Wildlife Management Area***

Commencing at a point of intersection of latitude 21°S on the common boundary between Ghanzi Tribal Area and the Batawana Tribal Territory, with the longitude passing through Tsau Hill, being longitude 22°47'52.9491"E; the boundary runs due south along the said longitude to the point of intersection with latitude 23°19'13.6664S, being the common boundary between Ghanzi District and Kgalagadi District; thence westwards along the said latitude to the point of intersection with the Ghanzi-Lobatse public road; thence northwestwards to the point of intersection with the southern boundary of Ghanzi Farm 120-NK; thence eastwards along the southern boundary of Ghanzi Farm 120-NK to the northeastern corner of Stateland Extension Farm 174-NK; thence southeastwards along the western boundary of Farm 174-NK to its southwestern corner from where the boundary runs eastwards along the southern boundary of Farm 174-NK; thence east along the southern boundary of the TGLP Second Development Area, thence north following the eastern boundary of the said Second Development Area, turning west where the boundary intersects with the eventual eastern corner point of Ghanzi Stateland Extension Farms 181-NL and 182-NL; thence north following the western boundaries of Farms 182-NL, 183-NL, 184-NL and 185-NL; thence eastwards along the southern boundary of Farms 186-NL and 187-NL; thence eastwards along the southern boundaries of Farms 188-NL and 189-NL; thence northwards along the western boundaries of Farms 189-NL, 190-NL, 191-NL and 192-NL to the point of intersection with latitude 21°S, being a point on the common boundary between Ghanzi Tribal Area and the Batawana Tribal Territory; thence due east along the said latitude 21°S to the point of commencement.

#### **9. *Quago Wildlife Management Area***

Commencing at a point on the International Boundary between Botswana and Namibia, being a point of intersection with the parallel of latitude 21°S with the meridian of longitude 21°E, being also a point on the common boundary between Ghanzi Tribal Area and the Batawana Tribal Territory; the boundary runs due east along the said parallel of latitude and common boundary to the intersection point with the northern prolongation of the western boundary of Farm 176-NI; thence generally southwards along the said prolonged western boundary of farm 176-NI and the western boundary of Farm 175-NL to the point of intersection with the northern boundary of Farm 163-NK; thence westwards along the northern boundaries of Farms 163-NK, 162-NK and 161-NK and southwards along the western boundary of Farm 161-NK to the northeast corner of Farm 160-NK; thence westwards along the northern boundaries of Farms 160-NK, 159-NK and 158-NK and southwards along the western boundary of Farm 158-NK to the northeast corner of Farm 157-NK; thence westwards and southwards along the northern and western boundaries of Farm 157-NK to the northeast corner of Farm 156-NK; thence westwards along the northern boundaries of farms 156-NK, 155-NK and 154-NK and southwards along the western boundary of Farm 154-NK to the northeast corner of Farm 153-NK; thence westwards and southwards along the northern and western boundaries of Farm 153-NK to the northeast corner of Farm 152-NK; thence westwards along the northern boundaries of Farms 152-NK and 151-NK to the point of intersection with the meridian of longitude 21°E being a point on the International Boundary between Botswana and Namibia; thence due north along the said meridian of longitude 21°E to the point of commencement.

### **FOURTH SCHEDULE (Section 16)**

#### **CONTROLLED HUNTING AREAS**

##### **1. *Controlled Hunting Area NG/13***

Commencing at a point marked NG/11/13/NA (app. coord. 34E630200N7990900) being a point at the International Boundary of Botswana with Namibia at boundary beacon BP18/19-14, the boundary follows the International Boundary with Namibia eastwards to a point marked NG 13/14/NA (app. coord. 34E743200N8008500), being the point of intersection with the Kwando River; thence in a straight line southwestwards (219°) to a point marked NG/13/14 (app. coord. 34E723589N7984710), being Trig. Station BPS564; thence in a straight line southwestwards (198°) to a point marked NG/11/13/14 (app. coord. 34E715966N7961673), being Trig. Station BPS566; thence in a straight line northwestwards (279°) to a point marked NG/11/13/A (app. coord. 34E652600N7970800); thence in a straight line north-northwestwards (339°) to a point marked NG/11/13/B (app. coord. 34E646400N7986700), thence in a straight line in a northwesterly direction (284°) to the point of commencement.

##### **2. *Controlled Hunting Area NG/14***

Commencing at a point marked NG/11/13/14 (app. coord. 34E715966N7961673), being Trig. Station BPS566, the boundary runs in a straight line in a northeasterly direction (18°) to a point marked NG/13/14 (app. coord. 34E723579N7984710), being Trig. Station BPS564; thence in a straight line in a northerly direction (39°) to a point marked NG/13/14/NA (app. coord. 34E743200N8008500), being the point of intersection of the International Boundary with Namibia and the Kwando River; thence following the International Boundary, being the middle of the Kwando River, southwards to a point marked NG/14/15/16/NA (app. coord. 34E771200N7955000); thence in a straight line in a westerly direction (274°) to a point marked NG/14/16/C (app. coord. 34E768400N7955200), thence in a straight line

southwestwards (254°) to a point marked NG/14/16/B (app. coord. 34E755900N7951800), being a point where the road to Shumamorei crosses the Selinda spillway; thence following the most northern channel of the said spillway in a southwesterly direction to a point marked NG/14/16/A (app. coord. 34E739600N7940400), being the point of intersection of the spillway with the Seronga-Savuti road; thence following the said road in a northwesterly direction (285°) to a point marked NG/11/12/14/16 (app. coord. 34E714800N7947300), being the point of intersection of the said road with the north-south section of the northern buffalo fence. Thence following the fence line northwards to the point of commencement.

### *3. Controlled Hunting Area NG/15*

Commencing at a point marked NG/15/16/18/20 (app. coord. 34E763489N7934129), being Trig. Station BPS288, the boundary runs in a straight line in a northeasterly direction (23°) to a point marked NG/15/16 (app. coord. 34E767800N7943900), being a point on the southern bank of the beginning of the Savuti Channel; thence in a straight line in a northeasterly direction (16°) to a point marked NG/14/15/16/NA (app. coord. 34E771200N7955000), being a point in the middle of the Kwando River, which forms the International Boundary with Namibia; thence following the International Boundary north-eastwards to a point marked NG/15/CH3/NA (app. coord. 34E805300N7977700), being the point of intersection with the Chobe National Park boundary; thence following the said boundary due south to a point marked NG/15/18/CH3 (app. coord. 34E804700N7926300), being the point of intersection of the said Chobe National Park boundary with the Savuti-Seronga road; thence following the said road in a westerly and northwesterly direction to the point of commencement.

### *4. Controlled Hunting Area NG/16*

Commencing at a point marked NG/11/12/14/16 (app. coord. 34E714800N7947300) being the point of intersection of the Seronga-Savuti road with the south-north section of the northern buffalo fence, the boundary follows the said road in a southeasterly direction (105°) to a point marked NG/14/16/A (app.coord. 34E739600N7940400), being the point of intersection of the road with the Magwegana or Selinda spillway; thence following the most northern channel of the said spillway in a northeasterly direction to a point marked NG/14/16/B (app. coord. 34E755900N7951800), being a point where the road to Shumamorei crosses the spillway; thence following a straight line in a northeasterly direction (74°) to a point marked NG/14/16/C (app. coord. 34E768400N7955200), thence in an easterly direction (94°) to a point marked NG/14/15/16/NA (app. coord. 34E771200N7955000), being a point in the middle of the Kwando River which forms the International Boundary with Namibia; thence in a straight line in a southwesterly direction (196°) to a point marked NG/15/16 (app. coord.34E767800N7943900), being a point on the southern bank of the beginning of the Savuti Channel; thence in a straight line in a southwesterly direction (203°) to a point marked NG/15/16/18/20 (app. coord. 34E763489N7934129), being Trig. Station BPS288; thence in a straight line in a southwesterly direction (246°) to a point marked NG/16/20/22 (app. coord. 34E716397N7910854), being Trig. Station BPS262; thence in a straight line in a northerly direction (338°) to a point marked NG/12/16/22 (app. coord. 34E710900N7925400), being the corner of the northern buffalo fence at Sandoroka lagoon; thence following the fence line due North to the point of commencement.

### *5. Controlled Hunting Area NG/17*

Commencing at a point marked NG/17/28/31 (app. coord. 34E739500N7844900), being a point of intersection of the Moremi Game Reserve boundary and the Santantadibe River, the boundary follows the Santantadibe River in a southeasterly direction to a point marked NG/17/31/32 (app. coord. 34E749300N7833900), being a point on the northern bank of

Gporoku island, east of Ikamkum lagoon, thence in a straight line southwestward (253°) to a point marked NG/17/28/32 (app. coord. 34E740300N7831200), being a corner point in the Moremi Game Reserve boundary; thence following the Moremi Game Reserve boundary (formed by the easterly branch of the Motshebe channel) northwards to the point of commencement.

#### *6. Controlled Hunting Area NG/18*

Commencing at a point marked NG/15/16/18/20 (app. coord. 34E763489N7934129), being Trig. Station BPS288, the boundary runs southeastwards and eastwards along the Seronga-Savuti road to a point marked NG/15/18/CH3 (app. coord. 34E804700N7926300), being the point of intersection of the said road with the Chobe National Park boundary; thence following the said Chobe National Park boundary due South to a point marked NG/18/19/40 (app. coord. 34E803400N7892900); thence in a straight line due west to a point marked NG/18/19/C (app. coord. 34E798900N7892900), being a point at the top end of the Khwai north airstrip; thence following the airstrip in a southwesterly direction to a point marked NG/18/19/B (app. coord. 34E797900N7892400), being a point just south of the airstrip at the road from the airstrip to beacon BPS256; thence following the said road in a west-southwesterly direction to a point marked NG/18/19/A (app. coord. 34E785500N7888200); thence in a straight line due south to a point marked NG/18/19/28 (app. coord. 34E785500N7878900) on the northern bank of the Khwai River; thence following the Moremi Game Reserve boundary in a southwesterly direction to a point marked NG/18/20/28 (app. coord. 34E763500N7883000); thence in a straight line due North to a point marked NG/18/20 (app. coord. 34E763585N7885868), being Trig. Station BPS257; thence in a straight line due north to the point of commencement.

#### *7. Controlled Hunting Area NG/19*

Commencing at a point marked NG/18/19/28 (app. coord. 34E785500N7878900) on the northern bank of the Khwai River, the boundary runs in a straight line due north to a point marked NG/18/19/A (app. coord. 34E785500N7888200) on the road from Trig. Station BPS256 to the old Khwai north airstrip; thence following the said road in an east-northeasterly direction to a point marked NG/18/19/B (app. coord. 34E797900N7892400), being a point just south of the airstrip; thence following the airstrip in a northeasterly direction to a point marked NG/18/19/C (app. coord. 34E798900N7892900) at the end of that airstrip; thence in a straight line due east to a point marked NG/18/19/40 (app. coord. 34E803400N7892900), being a point on the Ngamiland Statelands boundary; thence due south along the said boundary to a point marked NG/19/28/40 (app. coord. 34E803400N7882700), being the point of intersection with the Khwai River; thence following the Khwai River in a westerly direction to the point of commencement.

#### *8. Controlled Hunting Area NG/20*

Commencing at a point marked NG/16/20/22 (app. coord. 34E716397N7910854), being Trig. Station BPS262, the boundary runs in a straight line in a northeasterly direction (66°) to a point marked NG/15/16/18/20 (app. coord. 34E763489N7934129), being Trig. Station BPS288, thence in a straight line due south to a point marked NG/18/20 (app. coord. 34E763585N7885868), being Trig. Station BPS257; thence due south to a point marked NG/18/20/28 (app. coord. 34E763500N7883000), being a point on the Moremi Game Reserve boundary; thence following the said Moremi Game Reserve boundary in a westerly direction to a point marked NG/20/21/28 (app. coord. 34E735800N7885000); thence in a straight line due North to a point marked NG/20/21/B (app. coord. 34E735800N7889600); thence in a straight line in a northwesterly direction (288°) to a point marked NG/20/21/A (app. coord. 34E719749N7895230), being Trig. Station BPS260; thence in a straight line in a north-

westerly direction (309°) to a point marked NG/20/21/22 (app. coord. 34E713931N7900106), being Trig. Station BPS261; thence in a straight line in a north-northeasterly direction (12°) to the point of commencement.

**9. *Controlled Hunting Area NG/21***

Commencing at a point marked NG/21/22/28 (app. coord. 34E708600N7890400), being the middle of Dxheraga (Dobe) Lagoon, the boundary runs in a straight line in a north-northeasterly direction (29°) to a point marked NG/20/21/22 (app. coord. 34E713931N7900106), being Trig. Station BPS261; thence in a straight line in a southeasterly direction (129°) to a point marked NG/20/21/A (app. coord. 34E719749N7895230), being Trig. Station BPS260; thence in a straight line in a southeasterly direction (108°) to a point marked NG/20/21/B (app. coord. 34E735800N7889600); thence in a straight line due south in the direction of Gadikwe Lagoon to a point marked NG/20/21/28 (app. coord. 34E735800N7885000), being the point of intersection with the Moremi Game Reserve boundary; thence following the Moremi Game Reserve boundary in a westerly, southwesterly and northwesterly direction respectively, to the point of commencement.

**10. *Controlled Hunting Area NG/22***

Commencing at a point marked NG/12/22/23 (app. coord. 34E690173N7906584), being Trig. Station BPS264, the boundary follows the northern buffalo fence in a northeasterly direction to a point marked NG/12/16/22 (app. coord. 34E710900N7925400), being the corner of the fence line at Sandoroka Lagoon, where the fence turns northwards; thence in a straight line in a southerly direction (158°) to a point marked NG/16/20/22 (app. coord. 34E716397N7910854), being Trig. Station BPS262; thence in a south-southeasterly direction (167°) to a point marked NG/20/21/22 (app. coord. 34E719749N7895230), being Trig. Station BPS260; thence in a straight line in a southwesterly direction (244°) to a point marked NG/21/22/28 (app. coord. 34E708600N7890400), being the middle of the Dobe Lagoon, thence following the Mwanachira and Nqoga channels respectively in a westerly direction to a point marked NG/22/23/28 (app. coord. 34E691800N7891200), being a point on the northern bank of Xaenga Island; thence in a straight line northwards (354°) to the point of commencement.

**11. *Controlled Hunting Area NG/23***

Commencing at a point marked NG/12/23/24 (app. coord. 34E666200N7901100), being the start of the northern buffalo fence on the western bank of Duba Island, the boundary follows the fence line in a northeasterly direction (77°) to a point marked NG/12/22/23 (app. coord. 34E69073N7906584), being Trig. Station BPS264; thence in a straight line in a southerly direction (174°) to a point marked NG/22/23/28 (app. coord. 34E691800N7891200), being a point on the northern bank of Xaenga Island; thence following the Nqoga channel in a westerly and then northwesterly direction to the point of commencement.

**12. *Controlled Hunting Area NG/24***

Commencing at a point marked NG/7/10/24 (app. coord. 34E637100N7920000), being a point in the middle of the Okavango River, north of Ikoga Lagoon, where the defunct Thaoge channel branches off from the Okavango River, the boundary follows the Okavango River in a southerly direction to a point marked NG/23/24/28 (app. coord. 34E665900N7900100), being a point where the Okavango River branches into the Nqoga and Jao (upper Boro) Rivers; thence following the Jao (upper Boro) River to a point marked NG/24/25/28 (app. coord. 34E670100N7883800), being a point in the middle of the Jao (upper Boro) River, west of Xhamae (Moshupatsile) island; thence in a straight line due west (270°) to a point marked NG/7/24/25 (app. coord. 34E643800N7884100), being a point in the middle of the Thaoge

River, east of Wabe Lagoon; thence following the Thaoge River northwards to the point of commencement.

**13. *Controlled Hunting Area NG/25***

Commencing at a point marked NG/7/24/25 (app. coord. 34E643800N7884100), being a point in the middle of the Thaoge River east of Wabe Lagoon, the boundary runs in a straight line due East to a point marked NG/24/25/28 (app. coord. 34E665900N7900100), being a point in the middle of the Jao (Upper Boro) River, west of Xhamae (Moshupatsile) Island, thence following the Jao (Upper Boro) River in a southerly direction to a point marked NG/25/28/B (app. coord. 34E679300N7863500); thence due West (270°) in a straight line to a point marked NG/25/28A (app. coord. 34E676900N7863500), being a point at the top of Ganga Island; thence in a southwesterly direction (250°) to a point marked NG/25/26/28 (app. coord. 34E675400N7863000), being a point at the northwestern tip of an island east of the last stretch of the Maun-Xighera road; thence in a straight line in a westerly direction (269°) to a point marked NG/8/25/26 (app. coord. 34E648200N7862500), being a point on the western buffalo fence; thence following the fence line in a northeastern direction to a point marked NG/7/8/25 (app. coord. 34E650400N7868300), being the top end of the fence; thence in a straight line in a northwesterly direction (336°) to the point of commencement.

**14. *Controlled Hunting Area NG/26***

Commencing at a point marked NG/8/25/26 (app. coord. 34E648200N7862500), being a point on the buffalo fence, the boundary runs in a straight line in a northwesterly direction (89°) to a point marked NG/25/26/28 (app. coord. 34E675400N7863000), being a point at the northwestern tip of an island east of the last stretch of the Maun-Xighera road; thence following the said road to a point marked NG/26/27/28 (app. coord. 34E684100N7851600), being a bridge site at Nxabega Island on the Maun-Xighera road; thence in a straight line due south to a point marked NG/26/27 (app. coord. 34E684100N7842600), being a point on the southwestern bank of Nxabega island; thence in a straight line in a southeasterly direction (141°) to a point marked NG/26/27/29 (app. coord. 34E692700N7832000), being a point at the western tip of PomPom Island; thence in a straight line in a southwesterly direction (243°) to a point marked NG/8/26/29 (app. coord. 34E650700N7810400), being a corner point in the southern buffalo fence; thence following the fence line in a northwesterly and northerly direction respectively to the point of commencement.

**15. *Controlled Hunting Area NG/27***

***Sector a.***

Commencing at a point marked NG/26/27/28 (app. coord. 34E684100N7851600), being a bridge site at Nxabega Island on the Maun-Xighera road, the boundary follows the Maun-Xighera road in a southeasterly direction to a point marked NG/27/28/B (app. coord. 34E688700N7849900), being another bridge site at Nxabega Island; thence in a straight line southeastward (118°) to a point NG/27/28/30 (app. coord. 34E705700N7840500), being a point on the northern bank of an island on a hunting track from Bobo Island in the direction of the Xo flats; thence in a straight line in a south-southwesterly direction (216°) to a point marked NG/27/29/30 (app. coord. 34E69800N7829600), being a point on the western bank of the Xudum river; thence in a straight line in a west-northwesterly direction (292°) to a point marked NG/26/27/29 (app. coord. 34E692700N7832000), on the western tip of PomPom Island; thence in a straight line in a northwesterly direction (321°) to a point marked NG/26/27 (app. coord. 34E684100N7842600), being a point at the southwestern bank of Nxabega island; thence due north to the point of commencement.

*Sector b.*

Commencing at a point NG/27/28 (app. coord. 34E710400N7842700), being a point in the middle of the Tshwaralengwana (middle Boro River), west of Xakae Island; thence following the said river/Moremi Game Reserve boundary in a southeasterly direction until it comes to the southern bank of Nxharaga Lagoon at a point marked NG/27/28/32 (app. coord. 34E731500N7835100); from there it runs in a straight line in a west-southwesterly direction (244°) until it hits the southern bank of the Kiri River at a point marked NG/27/30/32 (app. coord. 34E718100N7829000), at the Department of Water Affairs (DWA) staff camp; thence in a straight line in a northwesterly direction (313°) to a point marked NG/27/30 (app. coord. 34E705700N7840500), being a point on the northern bank of an island on a hunting track from Bobo Island in the direction of the Xo flats; thence in a straight line in a northwesterly direction (64°) to the point of commencement.

*16. Controlled Hunting Area NG/29*

Commencing at a point NG/8/26/29 (app. coord. 34E650700N7810400), being a corner point in the southern buffalo fence, the boundary runs in a straight line in a northwesterly direction (63°) to a point marked NG/26/37/29 (app. coord. 34E6922700N7832000), being a point on the western tip of PomPom Island; thence in a straight line in a southwesterly direction (112°) to a point marked NG/27/29/30 (app. coord. 34E698000N7832000), being a point on the western bank of the Xudum River; thence in a straight line in a southeasterly direction (155°) to a point marked NG/29/30/35 (app. coord. 34E717600N7785900), being the point of intersection of the buffalo fence with the Xudum River; thence following the buffalo fence in a southwesterly direction and northwesterly direction to the point of commencement.

*17. Controlled Hunting Area NG/30*

Commencing at a point marked NG/27/29/30 (appr. coord. 34E698000N7829600), being a point on the western bank of the Xudum River; the boundary runs in a straight line in a northeasterly direction (36°) to a point marked NG/27/28/30 (appr. coord. 34E705700N7840500), being a point on the northern bank of an island on a hunting track from Bobo Island in the direction of the Xo flats; thence in a straight line in a southeastern direction to a point marked NG/27/30/32 (appr. coord. 34E718100N7829000), being a point on the southern bank of the Kiri River where there is a Department of Water Affairs (DWA) staff camp; thence following the Kiri River in a southern direction to a point marked NG/30/32 (appr. coord. 34E731500N7811200); thence in a straight line in a southerly direction (167°) to a point marked NG/30/32/35 (appr. coord. 34E733300N7802900), being a corner point in the southern buffalo fence; thence following the fence in a southwesterly direction to a point marked NG/29/30/35 (appr. coord. 34E717600N7785900), being a point of intersection of the buffalo fence with the Xudum River; thence in a straight line in a northwesterly direction (335°) to the point of commencement.

*18. Controlled Hunting Area NG/31*

Commencing at a point marked NG/17/28/31 (appr. coord. 34E739500N7844900), being a point of intersection of the Moremi Game Reserve boundary and the Santantadibe River, the boundary runs in a straight line northwestwards (27°) to a point marked NG/28/31/A (appr. coord. 34E742500N7855800), being a point on the western bank of Qahetaa Lagoon; thence in a straight line eastwards (87°) to a point marked NG/28/31/B (appr. coord. 34E752400N7851400), being a point on the western bank of the Gomoti River; thence following the most southwestern channel of the Gomoti River southward to a point marked NG/28/31/32 (appr. coord. 34E761400N7843200); thence in a straight line southwestwards (232°) to a point marked NG/17/31/32 (appr. coord. 34E749300N7833900), being a point on

the northern bank of Gporoku Island, east of Ikamkum Lagoon; thence following the Santantadibe River northwards to the point of commencement.

*19. Controlled Hunting Area NG/32*

Commencing at a point marked NG/27/28/32 (appr. coord. 34E731500N7835100), being a point on the southern bank of Nxharaga Lagoon, the boundary follows the Moremi Game Reserve boundary in a southeasterly direction (114°) to a point marked NG/17/28/32 (appr. coord. 34E740300N7831200); thence in a straight line in an easterly direction (73°) to a point marked NG/17/31/32 (appr. coord. 34E749300N7833900), being a point on the northern bank of Gporoku Island, east of Ikamkum Lagoon; thence in a straight line northeastward (52°) to a point marked NG/28/31/32 (appr. coord. 34E761400N7843200), being a point on the southern bank of the most southwestern channel of the Gomoti River; thence following the most southwestern channel of the Gomoti River to a point marked NG/32/34/35 (appr. coord. 34E772100N7827500), being the point of intersection of the Gomoti River with the southern buffalo fence; thence following the southern buffalo fence in a westerly, southwesterly and northwesterly direction to a point marked NG/30/32/35 (appr. coord. 34E733300N7802900), being a corner point in the southern buffalo fence; thence in a straight line northwards to a point marked NG/30/32 (appr. coord. 34E731500N7811200), being a point on the southern bank of the Kiri River; thence following the Kiri River northwards to a point marked NG/27/30/32 (appr. coord. 34E718100N7829000), being a point on the southern bank of the Kiri River where there is a Department of Water Affairs (DWA) staff camp; thence in a straight line in a northeasterly direction (64°) to the point of commencement.

*20. Controlled Hunting Area NG/33*

Commencing at a point marked NG/28/33/34/A (appr. coord. 34E777500N7849700), being the entrance point to Moremi Game Reserve, known as South Gate, the boundary follows the road from South Gate to Maun in a southeasterly direction to a point marked NG/33/34/A (appr. coord. 34E780800N7846900); thence in a straight line in a southerly direction (182°) to a point marked NG/33/34/B (appr. coord. 34E780500N7835500), being a point on the southern bank of Mogogelo River; thence in a straight line westward (305°) to a point marked NG/28/33/34/B (appr. coord. 34E773700N7840500), being a point in the middle of the Mogogelo River and being a corner point in the boundary of the Moremi Game Reserve; thence following the Moremi Game Reserve boundary in a northerly direction to the point of commencement.

*21. Controlled Hunting Area NG/34*

Commencing at a point marked NG/28/33/34/A (appr. coord. 34E777500N7849700), being the entrance point to Moremi Game Reserve, known as South Gate, the boundary follows the Moremi Game Reserve boundary northwards to a point marked NG/28/34 (appr. coord. 34E782200N7860150), being a corner point in the Moremi Game Reserve boundary; thence due East following the Moremi Game Reserve boundary to a point marked NG/28/34/40/41/43 (appr. coord. 34E803000N7860150), being the point of intersection of the Moremi Game Reserve boundary with the Ngamiland Statelands boundary; then following the statelands boundary southwards to a point marked NG/34/35/43 (appr. coord. 34E802500N7827000), being the point of intersection of the southern buffalo fence with the statelands boundary, thence following the southern buffalo fence westwards to a point marked NG/32/34/35 (appr. coord. 34E772100N7827500), being the point of intersection of the Gomoti River with the southern buffalo fence; thence following the Gomoti River northwards to a point marked NG/28/32/34 (appr. coord. 34E765700N7839200), being a corner point in the Moremi Game Reserve boundary; thence following the Moremi Game

Reserve boundary in an easterly direction (81°) to a point marked NG/28/33/34/B (appr. coord. 34E773700N7840500), being a point in the middle of the Mogogelo River; thence in a straight line southeastwards (125°) to a point marked NG/33/34/B (appr. coord. 34E780500N7835500), being a point on the southern bank of the Mogogelo River; thence in a straight line northwards (02°) to a point marked NG/33/34/A (appr. coord. 34E780800N7846900), being a point on the road from Maun to South Gate; thence following the said road northwards to the point of commencement.

## FIFTH SCHEDULE

### (Section 2)

**Convention on International Trade in Endangered Species of Wild Fauna and Flora**  
**The Contracting States,**

***Recognizing* that wild fauna and flora in their many beautiful and varied forms are an irreplaceable part of the natural systems of the earth which must be protected for this and the generations to come;**

***Conscious* of the ever-growing value of wild fauna and flora from aesthetic, scientific, cultural, recreational and economic points of view;**

***Recognizing* that peoples and States are and should be the best protectors of their own wild fauna and flora;**

***Recognizing*, in addition, that international cooperation is essential for the protection of certain species of wild fauna and flora against over-exploitation through international trade;**

***Convinced* of the urgency of taking appropriate measures to this end;**

***Have agreed* as follows:**

## Article I

### *Definitions*

For the purpose of the present Convention, unless the context otherwise requires:

- (a) "Species" means any species, subspecies, or geographically separate population thereof;
- (b) "Specimen" means:
  - (i) any animal or plant, whether alive or dead;
  - (ii) in the case of an animal: for species included in Appendices I and II, any readily recognizable part or derivate thereof; and for species included in Appendix III, any readily recognizable part or derivative thereof specified in Appendix III in relation to the species; and
  - (iii) in the case of a plant: for species included in Appendix I, any readily recognizable part or derivative thereof; and for species included in Appendices II and III, any readily recognizable part or derivative thereof specified in Appendices II and III in relation to the species;
- (c) "Trade" means export, re-export, import and introduction from the sea;
- (d) "Re-export" means export of any specimen that has previously been imported;
- (e) "Introduction from the sea" means transportation into a State of specimens of any species which were taken in the marine environment not under the jurisdiction of any State;
- (f) "Scientific Authority" means a national scientific authority designated in accordance with Article IX;
- (g) "Management Authority" means a national management authority designated in accordance with Article IX;
- (h) "Party" means a State for which the present Convention has entered into force.

Article II  
*Fundamental Principles*

1. Appendix I shall include all species threatened with extinction which are or may be affected by trade. Trade in specimens of these species must be subject to particularly strict regulation in order not to endanger further their survival and must only be authorized in exceptional circumstances.

2. *Appendix II shall include:*

- (a) all species which although not necessarily now threatened with extinction may become so unless trade in specimens of such species is subject to strict regulation in order to avoid utilization incompatible with their survival; and
- (b) other species which must be subject to regulation in order that trade in specimens of certain species referred to in sub-paragraph (a) of this paragraph may be brought under effective control.

3. Appendix III shall include all species which any Party identified as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation, and as needing the cooperation of other parties in the control of trade.

4. The Parties shall not allow trade in specimens of species included in Appendices I, II and III except in accordance with the provisions of the present Convention.

Article III  
*Regulation of Trade in Specimens of Species included in Appendix I*

1. All trade in specimens of species included in Appendix I shall be in accordance with the provisions of this Article.

2. The export of any specimen of a species included in Appendix I shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:

- (a) a Scientific Authority of the State of export has advised that such export will not be detrimental to the survival of that species;
- (b) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora;
- (c) a Management Authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment; and
- (d) a Management Authority of the State of export is satisfied that an import permit has been granted for the specimen.

3. The import of any specimen of a species included in Appendix I shall require the prior grant and presentation of an import permit and either an export permit or a re-export certificate. An import permit shall only be granted when the following conditions have been met:

- (a) a Scientific Authority of the State of import has advised that the import will be for purposes which are not detrimental to the survival of the species involved;
- (b) a Scientific Authority of the State of import is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it; and
- (c) a Management Authority of the State of import is satisfied that the specimen is not to be used for primarily commercial purposes.

4. The re-export of any specimen of a species included in Appendix I shall require the prior grant and presentation of a re-export certificate. A re-export certificate shall only be granted when the following conditions have been met:

- (a) a Management Authority of the State of re-export is satisfied that the specimen was imported into that State in accordance with the provisions of the present Convention;
- (b) a Management Authority of the State of re-export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment; and
- (c) a Management Authority of the State of re-export is satisfied that an import permit has been granted for any living specimen.

5. The introduction from the sea of any specimen of a species included in Appendix I shall require the prior grant of a certificate from a Management Authority of the State of introduction. A certificate shall only be granted when the following conditions have been met:

- (a) a Scientific Authority of the State of introduction advises that the introduction will not be detrimental to the survival of the species involved;
- (b) a Management Authority of the State of introduction is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it; and
- (c) a Management Authority of the State of introduction is satisfied that the specimen is not to be used for primarily commercial purposes.

#### Article IV

##### *Regulation of Trade in Specimens of Species included in Appendix II*

1. All trade in specimens of species included in Appendix II shall be in accordance with the provisions of this Article.

2. The export of any specimen of a species included in Appendix II shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:

- (a) a Scientific Authority of the State of export has advised that such export will not be detrimental to the survival of that species;
- (b) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora; and
- (c) a Management Authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.

3. A Scientific Authority in each Party shall monitor both the export permits granted by that State for specimens of species included in Appendix II and the actual exports of such specimens. Whenever a Scientific Authority determines that the export of specimens of any such species should be limited in order to maintain that species throughout its range at a level consistent with its role in the ecosystems in which it occurs and well above the level at which that species might become eligible for inclusion in Appendix I, the Scientific Authority shall advise the appropriate Management authority of suitable measures to be taken to limit the grant of export permits for specimens of that species.

4. The import of any specimen of a species included in Appendix II shall require the prior presentation of either an export permit or a re-export certificate.

5. The re-export of any specimen of a species included in Appendix II shall require the prior grant and presentation of a re-export certificate. A re-export certificate shall only be granted when the following conditions have been met:

- (a) a Management Authority of the State of re-export is satisfied that the specimen was imported into that State in accordance with the provisions of the present Convention; and
- (b) a Management Authority of the State of re-export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.

6. The introduction from the sea of any specimen of a species included in Appendix II shall require the prior grant of a certificate from a Management Authority of the State of introduction. A certificate shall only be granted when the following conditions have been met:

- (a) a Scientific Authority of the State of introduction advises that the introduction will not be detrimental to the survival of the species involved; and
- (b) a Management Authority of the State of introduction is satisfied that any living specimen will be so handled as to minimize the risk of injury, damage to health or cruel treatment.

7. Certificates referred to in paragraph 6 of this Article may be granted on the advice of a Scientific Authority, in consultation with other national scientific authorities or, when appropriate, international scientific authorities, in respect of periods not exceeding one year for total numbers of specimens to be introduced in such periods.

## Article V

### *Regulation of Trade in Specimens of Species included in Appendix III*

1. All trade in specimens of species included in Appendix III shall be in accordance with the provisions of this Article.

2. The export of any specimen of a species included in Appendix III from any State which has included that species in Appendix III shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:

- (a) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora; and
- (b) a Management Authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.

3. The import of any specimen of a species included in Appendix III shall require, except in circumstances to which paragraph 4 of this Article applies, the prior presentation of a certificate of origin and, where the import is from a State which has included that species in Appendix III, an export permit.

4. In the case of re-export, a certificate granted by the Management Authority of the State of re-export that the specimen was processed in that State or is being re-exported shall be accepted by the State of import as evidence that the provisions of the present Convention have been complied with in respect of the specimen concerned.

## Article VI

### *Permits and Certificates*

1. Permits and certificates granted under the provisions of Articles III, IV and V shall be in accordance with the provisions of this Article.

2. An export permit shall contain the information specified in the model set forth in Appendix IV, and may only be used for export within a period of six months from the date on which it was granted.

3. Each permit or certificate shall contain the title of the present Convention, the name and any identifying stamp of the Management Authority granting it and a control number assigned by the Management Authority.

4. Any copies of a permit or certificate issued by a Management Authority shall be clearly marked as copies only and no such copy may be used in place of the original, except to the extent endorsed thereon.

5. A separate permit or certificate shall be required for each consignment of specimens.

6. A Management Authority of the State of import of any specimen shall cancel and retain the export permit or re-export certificate and any corresponding import permit presented in respect of the import of that specimen.

7. Where appropriate and feasible a Management Authority may affix a mark upon any specimen to assist in identifying the specimen. For these purposes "mark" means any indelible imprint, lead seal or other suitable means of identifying a specimen, designed in such a way as to render its imitation by unauthorized persons as difficult as possible.

## Article VII

### *Exemptions and Other Special Provisions Relating to Trade*

1. The provisions of Articles III, IV and V shall not apply to the transit or trans-shipment of specimens through or in the territory of a Party while the specimens remain in Customs control.

2. Where a Management Authority of the State of export or re-export is satisfied that a specimen was acquired before the provisions of the present Convention applied to that specimen, the provisions of Articles III, IV and V shall not apply to that specimen where the Management Authority issues a certificate to that effect.

3. The provisions of Articles III, IV and V shall not apply to specimens that are personal or household effects. This exemption shall not apply where:

(a) in the case of specimens of a species included in Appendix I, they were acquired by the owner outside his State of usual residence, and are being imported into that State; or

(b) in the case of specimens of species included in Appendix II:

(i) they were acquired by the owner outside his State of usual residence and in a State where removal from the wild occurred;

(ii) they are being imported into the owner's State of usual residence; and

(iii) the State where removal from the wild occurred requires the prior grant of export permits before any export of such specimens;

unless a Management Authority is satisfied that the specimens were acquired before the provisions of the present Convention applied to such specimens.

4. Specimens of animal species included in Appendix I bred in captivity for commercial purposes, or of a plant species included in Appendix I artificially propagated for commercial purposes, shall be deemed to be specimens of species included in Appendix II.

5. Where a Management Authority of the State of export is satisfied that any specimen of an animal species was bred in captivity or any specimen of a plant species was artificially propagated, or is a part of such an animal or plant or was derived therefrom, a certificate by that Management Authority to that effect shall be accepted in lieu of any of the permits or certificates required under the provisions of Articles III, IV or V.

6. The provisions of Articles III, IV and V shall not apply to the non-commercial loan, donation or exchange between scientists or scientific institutions registered by a Management Authority of their State, of herbarium specimens, other preserved, dried or embedded museum specimens, and live plant material which carry a label issued or approved by a Management Authority.

7. A Management Authority of any State may waive the requirements of Articles III, IV and V and allow the movement without permits or certificates of specimens which form part of a travelling zoo, circus, menagerie, plant exhibition or other travelling exhibition provided that:

(a) the exporter or importer registers full details of such specimens with that Management Authority;

(b) the specimens are in either of the categories specified in paragraphs 2 or 5 of this Article; and

- (c) the Management Authority is satisfied that any living specimen will be so transported and cared for as to minimize the risk of injury, damage to health or cruel treatment.

## Article VIII

### *Measures to be Taken by the Parties*

1. The Parties shall take appropriate measures to enforce the provisions of the present Convention and to prohibit trade in specimens in violation thereof. These shall include measures:

- (a) to penalize trade in, or possession of, such specimens, or both; and
- (b) to provide for the confiscation or return to the State of export of such specimens.

2. In addition to the measures taken under paragraph 1 of this Article, a Party may, when it deems it necessary, provide for any method of internal reimbursement for expenses incurred as a result of the confiscation of a specimen traded in violation of the measures taken in the application of the provisions of the present Convention.

3. As far as possible, the Parties shall ensure that specimens shall pass through any formalities required for trade with a minimum of delay. To facilitate such passage, a Party may designate ports of exit and ports of entry at which specimens must be presented for clearance. The Parties shall ensure further that all living specimens, during any period of transit, holding or shipment, are properly cared for so as to minimize the risk of injury, damage to health or cruel treatment.

4. Where a living specimen is confiscated as a result of measures referred to in paragraph 1 of this Article:

- (a) the specimen shall be entrusted to a Management Authority of the State of confiscation;
- (b) the Management Authority shall, after consultation with the State of export, return the specimen to that State at the expense of that State, or to a rescue centre or such other place as the Management Authority deems appropriate and consistent with the purposes of the present Convention; and
- (c) the Management Authority may obtain the advice of a Scientific Authority, or may, whenever it considers it desirable, consult the Secretariat in order to facilitate the decision under subparagraph (b) of this paragraph, including the choice of a rescue centre or other place.

5. A rescue centre as referred to in paragraph 4 of this article means an institution designated by a Management Authority to look after the welfare of living specimens, particularly those that have been confiscated.

6. Each Party shall maintain records of trade in specimens of species included in Appendices I, II and III which shall cover:

- (a) the names and addresses of exporters and importers; and
- (b) the number and type of permits and certificates granted; the States with which such trade occurred; the numbers or quantities and types of specimens, names of species as included in Appendices I, II and III and, where applicable, the size and sex of the specimens in question.

7. Each Party shall prepare periodic reports on its implementation of the present Convention and shall transmit to the Secretariat:

- (a) an annual report containing a summary of the information specified in sub-paragraph (b) of paragraph 6 of this Article; and
- (b) a biennial report on legislative, regulatory and administrative measures taken to enforce the provisions of the present Convention.

8. The information referred to in paragraph 7 of this Article shall be available to the public where this is not inconsistent with the law of the Party concerned.

## Article IX

### *Management and Scientific Authorities*

1. Each Party shall designate for the purpose of the Present Convention:
  - (a) one or more Management Authorities competent to grant permits or certificates on behalf of that Party; and
  - (b) one or more Scientific Authorities.
2. A State depositing an instrument of ratification, acceptance, approval or accession shall at that time inform the Depositary Government of the name and address of the Management Authority authorized to communicate with other Parties and with the Secretariat.
3. Any changes in the designations or authorizations under the provisions of this Article shall be communicated by the Party concerned to the Secretariat for transmission to all other Parties.
4. Any Management Authority referred to in paragraph 2 of this Article shall if so requested by the Secretariat or the Management Authority of another Party, communicate to it impression of stamps, seals or other devices used to authenticate permits or certificates.

## Article X

### *Trade with States not Party to the Convention*

Where export or re-export is to, or import is from, a State not a party to the present Convention, comparable documentation issued by the competent authorities in that State which substantially conforms with the requirements of the present Convention for permits and certificates may be accepted in lieu thereof by any Party.

## Article XI

### *Conference of the Parties*

1. The Secretariat shall call a meeting of the Conference of the Parties not later than two years after the entry into force of the present Convention.
2. Thereafter the Secretariat shall convene regular meetings at least once every two years, unless the Conference decides otherwise, and extraordinary meetings at any time on the written request of at least one-third of the Parties.
3. At meetings, whether regular or extraordinary, the Parties shall review the implementation of the present Convention and may:
  - (a) make such provision as may be necessary to enable the Secretariat to carry out its duties and adopt financial provisions;
  - (b) consider and adopt amendments to Appendices I and II in accordance with Article XV;
  - (c) review the progress made towards the restoration and conservation of the species included in Appendices I, II and III;
  - (d) receive and consider any reports presented by the Secretariat or by any Party; and
  - (e) where appropriate, make recommendations for improving the effectiveness of the present Convention.
4. At each regular meeting, the Parties may determine the time and venue of the next regular meeting to be held in accordance with the provisions of paragraph 2 of this Article.
5. At any meeting the Parties may determine and adopt rules of procedure for the meeting.
6. The United Nations, its Specialized Agencies and the International Atomic Energy Agency, as well as any State not a Party to the present Convention, may be represented at meetings of the Conference by observers, who shall have the right to participate but not to vote.

7. Any body or agency technically qualified in protection, conservation or management of wild fauna and flora, in the following categories, which has informed the Secretariat of its desire to be represented at meetings of the Conference by observers, shall be admitted unless at least one-third of the Parties present object:

- (a) international agencies or bodies, either governmental or non-governmental, and national governmental agencies and bodies; and
- (b) national non-governmental agencies or bodies which have been approved for this purpose by the State in which they are located.

Once admitted, these observers shall have the right to participate but not to vote.

## Article XII

### *The Secretariat*

1. Upon entry into force of the present Convention, a Secretariat shall be provided by the Executive Director of the United Nations Environment Programme. To the extent and in the manner he considers appropriate, he may be assisted by suitable inter-governmental or non-governmental, international or national agencies and bodies technically qualified in protection, conservation and management of wild fauna and flora.

2. The functions of the Secretariat shall be:

- (a) to arrange for and service meetings of the Parties;
- (b) to perform the functions entrusted to it under the provisions of Articles XV and XVI of the present Convention;
- (c) to undertake scientific and technical studies in accordance with programmes authorized by the Conference of the Parties as will contribute to the implementation of the present Convention, including studies concerning standards for appropriate preparation and shipment of living specimens and the means of identifying specimens;
- (d) to study the reports of Parties and to request from Parties such further information with respect thereto as it deems necessary to ensure implementation of the present Convention;
- (e) to invite the attention of the Parties to any matter pertaining to the aims of the present Convention;
- (f) to publish periodically and distribute to the Parties current editions of Appendices I, II and III together with any information which will facilitate identification of specimens of species included in those Appendices;
- (g) to prepare annual reports to the Parties on its work and on the implementation of the present Convention and such other reports as meetings of the Parties may request;
- (h) to make recommendations for the implementation of the aims and provisions of the present Convention, including the exchange of information of a scientific or technical nature;
- (i) to perform any other function as may be entrusted to or by the Parties.

## Article XIII

### *International Measures*

1. When the Secretariat in the light of information received is satisfied that any species included in Appendices I or II is being affected adversely by trade in specimens of that species or that the provisions of the present Convention are not being effectively implemented, it shall communicate such information to the authorized Management Authority of the Party or Parties concerned.

2. When any Party receives a communication as indicated in paragraph 1 of this Article, it shall, as soon as possible, inform the Secretariat of any relevant facts insofar as its laws permit and, where appropriate, propose remedial action. Where the Party considers that an

inquiry is desirable, such inquiry may be carried out by one or more persons expressly authorized by the Party.

3. The information provided by the Party or resulting from any inquiry as specified in paragraph 2 of this Article shall be reviewed by the next Conference of the Parties which may make whatever recommendations it deems appropriate.

#### Article XIV

##### *Effect on Domestic Legislation and International Conventions*

1. The provisions of the present Convention shall in no way affect the right of Parties to adopt:

- (a) stricter domestic measures regarding the conditions for trade, taking possession or transport of specimens of species included in Appendices I, II and III, or the complete prohibition thereof; or
- (b) domestic measures restricting or prohibiting trade, taking possession, or transport of species not included in Appendices I, II or III.

2. The provisions of the present Convention shall in no way affect the provisions of any domestic measures or the obligations of Parties deriving from any treaty, convention, or international agreement relating to other aspects of trade, taking, possession or transport of specimens which is in force or subsequently may enter into force for any Party including any measure pertaining to the Customs, public health, veterinary or plant quarantine fields.

3. The provisions of the present Convention shall in no way affect the provisions of, or obligations deriving from, any treaty, convention or international agreement concluded or which may be concluded between States creating a union or regional trade agreement establishing or maintaining a common external customs control and removing customs control between the parties thereto insofar as they relate to trade among the States members of that union agreement.

4. A State party to the present Convention, which is also a party to any other treaty, convention or international agreement which is in force at the time of the coming into force of the present Convention and under the provisions of which protection is afforded to marine species included in Appendix II, shall be relieved of the obligation imposed on it under the provisions of the present Convention with respect to trade in specimens of species included in Appendix II that are taken by ships registered in that State and in accordance with the provisions of such other treaty, convention or international agreement.

5. Notwithstanding the provisions of Articles III, IV and V, any export of a specimen taken in accordance with paragraph 4 of this Article shall only require a certificate from a Management Authority of the State of introduction to the effect that the specimen was taken in accordance with the provisions of the other treaty, convention or international agreement in question.

6. Nothing in the present Convention shall prejudice the codification and development of the law of the sea by the United Nations Conference on the Law of the Sea convened pursuant to Resolution 2750 C (XXV) of the General Assembly of the United Nations nor the present or future claims and legal views of any State concerning the law of the sea and the nature and extent of coastal and flag State jurisdiction.

#### Article XV

##### *Amendments to Appendices I and II*

The following provisions shall apply in relation to amendments to Appendices I and II at meetings of the Conference of the Parties:

- (a) any Party may propose an amendment to Appendix I or II for consideration at the next meeting. The text of the proposed amendment shall be communicated to the Secretariat at least 150 days before the meeting. The Secretariat shall consult the

- other Parties and interested bodies on the amendment in accordance with the provisions of sub-paragraph (b) and (c) of paragraph 2 of this Article and shall communicate the response to all Parties not later than 30 days before the meeting;
- (b) amendments shall be adopted by a two-thirds majority of Parties present and voting. For these purposes "Parties present and voting" means Parties present and casting an affirmative or negative vote. Parties abstaining from voting shall not be counted among the two-thirds required for adopting an amendment;
  - (c) amendments adopted at a meeting shall enter into force 90 days after that meeting for all Parties except those which make a reservation in accordance with paragraph 3 of this Article.

2. The following provisions shall apply in relation to amendments to Appendices I and II between meetings of the Conference of the Parties:

- (a) any Party may propose an amendment to Appendix I or II for consideration between meetings by the postal procedures set forth in this paragraph;
- (b) for marine species, the Secretariat shall, upon receiving the text of the proposed amendment, immediately communicate it to the Parties. It shall also consult inter-governmental bodies having a function in relation to those species especially with a view to obtaining scientific data these bodies may be able to provide and to ensuring coordination with any conservation measures enforced by such bodies. The Secretariat shall communicate the views expressed and data provided by these bodies and its own findings and recommendations to the Parties as soon as possible;
- (c) for species other than marine species, the Secretariat shall, upon receiving the text of the proposed amendment, immediately communicate it to the Parties, and, as soon as possible thereafter, its own recommendations;
- (d) any Party may, within 60 days of the date on which the Secretariat communicated its recommendations to the Parties under sub-paragraphs (b) or (c) of this paragraph, transmit to the Secretariat any comments on the proposed amendment together with any relevant scientific data and information;
- (e) the Secretariat shall communicate the replies received together with its own recommendations to the Parties as soon as possible;
- (f) if no objection to the proposed amendment is received by the Secretariat within 30 days of the date the replies and recommendations were communicated under the provisions of sub-paragraph (e) of this paragraph, the amendment shall enter into force 90 days later for all Parties except those which make a reservation in accordance with paragraph 3 of this Article;
- (g) if an objection by any Party is received by the Secretariat, the proposed amendment shall be submitted to a postal vote in accordance with the provisions of sub-paragraphs (h), (i) and (j) of this paragraph;
- (h) the Secretariat shall notify the Parties that notification of objection has been received;
- (i) unless the Secretariat receives the votes for, against or in abstention from at least one half of the Parties within 60 days of the date of notification under sub-paragraph (h) of this paragraph, the proposed amendment shall be referred to the next meeting of the Conference for further consideration;
- (j) provided that votes are received from one half of the Parties, the amendment shall be adopted by a two-thirds majority of Parties casting an affirmative or negative vote;
- (k) the Secretariat shall notify all Parties of the result of the vote;
- (l) if the proposed amendment is adopted it shall enter into force 90 days after the date of notification by the Secretariat of its acceptance for all Parties except those which make a reservation in accordance with paragraph 3 of this Article.

3. During the period of 90 days provided for by sub-paragraph (c) of paragraph 1 or sub-paragraph (l) of paragraph 2 of this Article any Party may by notification in writing to the Depositary Government make a reservation with respect to the amendment. Until such reservation is withdrawn the Party shall be treated as a State not a Party to the present Convention with respect to trade in the species concerned.

#### Article XVI

##### *Appendix III and Amendments thereto*

1. Any Party may at any time submit to the Secretariat a list of species which it identifies as being subject to regulation within its jurisdiction for the purpose mentioned in paragraph 3 of Article II. Appendix III shall include the names of the Parties submitting the species for inclusion therein, the scientific names of the species so submitted, and any parts or derivatives of the animals or plants concerned that are specified in relation to the species for the purposes of sub-paragraph (b) of Article I.

2. Each list submitted under the provisions of paragraph 1 of this article shall be communicated to the Parties by the Secretariat as soon as possible after receiving it. The list shall take effect as part of Appendix III 90 days after the date of such communication. At any time after the communication of such list, any Party may by notification in writing to the Depositary Government enter a reservation with respect to any species or any parts or derivatives, and until such reservation is withdrawn, the State shall be treated as a State not a Party to the present Convention with respect to trade in the species or part or derivative concerned.

3. A Party which has submitted a species for inclusion in Appendix III may withdraw it at any time by notification to the Secretariat which shall communicate the withdrawal to all Parties. The withdrawal shall take effect 30 days after the date of such communication.

4. Any Party submitting a list under the provisions of paragraph 1 of this Article shall submit to the Secretariat a copy of all domestic laws and regulations applicable to the protection of such species, together with any interpretations which the Party may deem appropriate or the Secretariat may request. The Party shall, for as long as the species in question is included in Appendix III, submit any amendment of such laws and regulations or any new interpretations as they are adopted.

#### Article XVII

##### *Amendment of the Convention*

1. An extraordinary meeting of the Conference of the Parties shall be convened by the Secretariat on the written request of at least one-third of the Parties to consider and adopt amendments to the present Convention. Such amendments shall be adopted by a two-thirds majority of Parties present and voting. For these purposes "Parties present and voting" means Parties present and casting an affirmative or negative vote. Parties abstaining from voting shall not be counted among the two-thirds required for adopting an amendment.

2. The text of any proposed amendment shall be communicated by the Secretariat to all Parties at least 90 days before the meeting.

3. An amendment shall enter into force for the Parties which have accepted it 60 days after two-thirds of the Parties have deposited an instrument of acceptance of the amendment with the Depositary Government. Thereafter, the amendment shall enter into force for any other Party 60 days after that Party deposits its instrument of acceptance of the amendment.

#### Article XVIII

##### *Resolution of Disputes*

1. Any dispute which may arise between two or more Parties with respect to the interpretation or application of the provisions of the present Convention shall be subject to negotiation between the Parties involved in the dispute.

2. If the dispute cannot be resolved in accordance with paragraph 1 of this Article, the Parties may, by mutual consent, submit the dispute to arbitration, in particular that of the Permanent Court of Arbitration at The Hague and the Parties submitting the dispute shall be bound by the arbitral decision.

#### Article XIX

##### *Signature*

The present Convention shall be open for signature at Washington until 30th April 1973 and thereafter at Berne until 31st December 1974.

#### Article XX

##### *Ratification, Acceptance, Approval*

The present Convention shall be subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Government of the Swiss Confederation which shall be the Depositary Government.

#### Article XXI

##### *Accession*

The present Convention shall be open indefinitely for accession. Instruments of accession shall be deposited with the Depositary Government.

#### Article XXII

##### *Entry into Force*

1. The present Convention shall enter into force 90 days after the date of deposit of the tenth instrument of ratification, acceptance, approval or accession, with the Depositary Government.

2. For each State which ratifies, accepts or approves the present Convention or accedes thereto after the deposit of the tenth instrument of ratification, acceptance, approval or accession, the present Convention shall enter into force 90 days after the deposit by such State of its instrument of ratification, acceptance, approval or accession.

#### Article XXIII

##### *Reservations*

1. The provisions of the present Convention shall not be subject to general reservations. Specific reservations may be entered in accordance with the provisions of this Article and Articles XV and XVI.

2. Any State may, on depositing its instrument of ratification, acceptance, approval or accession, enter a specific reservation with regard to:

(a) any species included in Appendix I, II or III; or

(b) any parts or derivatives specified in relation to a species concluded in Appendix III.

3. Until a Party withdraws its reservation entered under the provisions of this article, it shall be treated as a State not a party to the present Convention with respect to trade in the particular species or parts or derivatives specified in such reservation.

#### Article XXIV

##### *Denunciation*

Any Party may denounce the present Convention by written notification to the Depositary Government at any time. The denunciation shall take effect twelve months after the Depositary Government has received the notification.

## Article XXV

### *Depositary*

1. The original of the present Convention, in the Chinese, English, French, Russian and Spanish languages, each version being equally authentic, shall be deposited with the Depositary Government, which shall transmit certified copies thereof to all States that have signed it or deposited instruments of accession to it.

2. The Depositary Government shall inform all signatory and acceding States and the Secretariat of signatures, deposit of instruments of ratification, acceptance, approval or accession, entry into force of the present Convention, amendments thereto, entry and withdrawal of reservations and notifications of denunciation.

3. As soon as the present Convention enters into force, a certified copy thereof shall be transmitted by the Depositary Government to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

*In witness whereof* the undersigned Plenipotentiaries, being duly authorized to that effect, have signed the present Convention.

*Done* at Washington this third day of March, One Thousand Nine Hundred and Seventy-three.

## APPENDIX I ANIMAL SPECIES

### *Common Name*

### *Scientific Name*

#### MAMMALS

#### Order: MARSUPIALIA

#### Family: DASYURIDAE

Long-tailed marsupial mouse  
Large desert marsupial mouse

*Sminthopsis longicaudata*  
*Sminthopsis psammophila*

#### Family: THYLACINIDAE

Thylacine

*Thylacinus cynocephalus*

#### Family: PERAMELIDAE

Pig-footed bandicoot  
Barred bandicoot

*Chaeropus ecaudatus*  
*Perameles bougainville*

#### Family: THYLACOMYIDAE

Greater rabbit-eared bandicoot  
Lesser rabbit-eared bandicoot

*Macrotis lagotis*  
*Macrotis leucura*

#### Family: WOMBATIDAE

Kreffft's wombat

*Lasiorhinus krefftii*

#### Family: MACROPODIDAE

Rat-kangaroo  
Desert rat-kangaroo  
Western hare-wallaby  
Banded hare-wallaby  
Brindled wallaby  
Crescent nail-tail wallaby

*Bettongia* spp.  
*Caloprymnus campestris*  
*Lagorchestes hirsutus*  
*Lagostrophus fasciatus*  
*Onychogalea fraenata*  
*Onychogalea lunata*

Order: CHIROPTERA

Family: PTEROPODIDAE

|                        |                               |
|------------------------|-------------------------------|
| Truk flying fox        | <i>Pteropus insularis</i>     |
| Marianna flying fox    | <i>Pteropus mariannus</i>     |
| Pohnpei flying fox     | <i>Pteropus molossinus</i>    |
| Mortlock flying fox    | <i>Pteropus phaeocephalus</i> |
| Large palau flying fox | <i>Pteropus pilosus</i>       |
| Samoan flying fox      | <i>Pteropus samoensis</i>     |
| Insular flying fox     | <i>Pteropus tonganus</i>      |

Order: PRIMATES

Family: LEMURIDAE

|            |                       |
|------------|-----------------------|
| All lemurs | <i>Lemuridae spp.</i> |
|------------|-----------------------|

Family: CHEIROGALEIDAE

|            |                            |
|------------|----------------------------|
| All lemurs | <i>Cheirogaleidae spp.</i> |
|------------|----------------------------|

Family: INDRIIDAE

|                         |                       |
|-------------------------|-----------------------|
| Indris, avahis, sifakas | <i>Indriidae spp.</i> |
|-------------------------|-----------------------|

Family: DAUBENTONIIDAE

|         |                                         |
|---------|-----------------------------------------|
| Aye-aye | <i>Daubentonia<br/>madagascariensis</i> |
|---------|-----------------------------------------|

Family: CALLITHRICIDAE

|                           |                                         |
|---------------------------|-----------------------------------------|
| Buffy-tufted-ear marmoset | <i>Callithrix jacchus aurita</i>        |
| Buffy-tufted-ear marmoset | <i>Callithrix jacchus<br/>flaviceps</i> |

|                          |                            |
|--------------------------|----------------------------|
| All golden lion tamarins | <i>Leontopithecus spp.</i> |
| Bare-face tamarin        | <i>Saguinus bicolor</i>    |
| White-footed tamarin     | <i>Saguinus leucopus</i>   |
| Cotton-top tamarin       | <i>Saguinus oedipus</i>    |

Family: CALLIMICONIDAE

|                   |                          |
|-------------------|--------------------------|
| Goeldi's marmoset | <i>Callimico goeldii</i> |
|-------------------|--------------------------|

Family: CEBIDAE

|                             |                                        |
|-----------------------------|----------------------------------------|
| Howler monkey               | <i>Alouatta palliata</i>               |
| Spider monkey               | <i>Ateles geoffroyi<br/>frontatus</i>  |
| Spider monkey               | <i>Ateles geoffroyi<br/>panamensis</i> |
| Woolly spider monkey        | <i>Brachyteles arachnoides</i>         |
| Uakaris                     | <i>Cacajao spp.</i>                    |
| White-nosed saki            | <i>Chiropotes albinasus</i>            |
| Yellow-tailed woolly monkey | <i>Lagothrix flavicauda</i>            |
| Squirrel monkey             | <i>Saimiri oerstedii</i>               |

Family: CERCOPITHECIDAE

|                      |                                       |
|----------------------|---------------------------------------|
| Tana river mangabey  | <i>Cercocebus galeritus galeritus</i> |
| Diana monkey         | <i>Cercopithecus diana</i>            |
| Zanzibar red colobus | <i>Colobus pennantii kirkii</i>       |
| Red colobus          | <i>Colobus rufomitratus</i>           |
| Lion-tailed macaque  | <i>Macaca silenus</i>                 |
| Proboscis monkeys    | <i>Nasalis spp.</i>                   |
| Drill                | <i>Papio leucophaeus</i>              |
| Mandrill             | <i>Papio sphinx</i>                   |
| Hanuman langur       | <i>Presbytis entellus</i>             |
| Golden langur        | <i>Presbytis geei</i>                 |
| Capped langur        | <i>Presbytis pileata</i>              |
| Mentawai leaf-monkey | <i>Presbytis potenziani</i>           |
| Douc langurs         | <i>Pygathrix spp.</i>                 |

Family: HYLOBATIDAE

|             |                         |
|-------------|-------------------------|
| All gibbons | <i>Hylobatidae spp.</i> |
|-------------|-------------------------|

Family: PONGIDAE

|                                    |                      |
|------------------------------------|----------------------|
| Orang-utans, gorillas, chimpanzees | <i>Pongidae spp.</i> |
|------------------------------------|----------------------|

Order: EDENTATA

Family: DASYPODIDAE

|                 |                           |
|-----------------|---------------------------|
| Giant armadillo | <i>Priodontes maximus</i> |
|-----------------|---------------------------|

Order: PHOLIDOTA

Family: MANIDAE

|                |                         |
|----------------|-------------------------|
| Giant pangolin | <i>Manis temminckii</i> |
|----------------|-------------------------|

Order: LAGOMORPHA

Family: LEPORIDAE

|                |                            |
|----------------|----------------------------|
| Hispid hare    | <i>Caprolagus hispidus</i> |
| Volcano rabbit | <i>Romerolagus diazi</i>   |

Order: RODENTIA

Family: SCIURIDAE

|                     |                          |
|---------------------|--------------------------|
| Mexican prairie dog | <i>Cynomys mexicanus</i> |
|---------------------|--------------------------|

Family: MURIDAE

|                         |                             |
|-------------------------|-----------------------------|
| Australian native mouse | <i>Leporillus conditur</i>  |
| Shark bay mouse         | <i>Pseudomys praeconis</i>  |
| False water rat         | <i>Xeromys myoides</i>      |
| Australian native mouse | <i>Zyzomys pedunculatus</i> |

Family: CHINCHILLIDAE

|                                 |                        |
|---------------------------------|------------------------|
| Chinchilla (South America only) | <i>Chinchilla spp.</i> |
|---------------------------------|------------------------|

Order: CETACEA

Family: PLATANISTIDAE

White flag dolphin  
Susus

*Lipotes vexillifer*  
*Platanista spp.*

Family: ZIPHIIDAE  
Fourtooth whales  
Bottlenose whales

*Berardius spp.*  
*Hyperoodon spp.*

Family: PHYSETERIDAE

Sperm whale

*Physeter macrocephalus*

Family: DELPHINIDAE

Tucuxis  
Hump-backed dolphins

*Sotalia spp.*  
*Sousa spp.*

Family: PHOCOENIDAE

Finless porpoise  
Cochito

*Neophocaena phocaenoides*  
*Phocaena sinus*

Family: ESCHRICHTIDAE

Grey whale

*Eschrichtius robustus*

Family: BALAENOPTERIDAE

Minke whale (other than West Greenland)  
Sei whale  
Bryde's whale  
Blue whale  
Fin whale  
Humpback whale

*Balaenoptera acutorostrata*  
*Balaenoptera borealis*  
*Balaenoptera edeni*  
*Balaenoptera musculus*  
*Balaenoptera physalus*  
*Megaptera novaeangliae*

Family: BALAENIDAE

Bowhead whales, right whales  
Pygmy right whale

*Balaena spp.*  
*Caperea marginata*

Order: CARNIVORA

Family: CANIDAE

Indian grey wolf (Bhutan, India  
Nepal and Pakistan only)  
Bush dog

*Canis lupus*  
*Speothos venaticus*

Family: URSIDAE

Giant panda  
Sun, Malayan or honey bear  
Sloth bear  
Asiatic or Himalayan black bear  
Spectacled bear  
Himalayan brown bear

*Ailuropoda melanoleuca*  
*Helarctos malayanus*  
*Melursus ursinus*  
*Selenarctos thibetanus*  
*Tremarctos ornatus*  
*Ursus arctos isabellinus*

Mexican grizzly bear  
Tibetan or Chinese brown bear

*Ursus arctos*  
*Ursus arctos pruinosus*

Family: MUSTELIDAE

Small-clawed otter (Cameroon  
and Nigeria only)  
Southern sea otter  
Marine otter  
Long-tailed otter  
European otter  
Southern river otter  
Black-footed ferret  
Giant otter

*Aonyx congica*  
*Enhydra lutris nereis*  
*Lutra felina*  
*Lutra longicaudis*  
*Lutra lutra*  
*Lutra provocax*  
*Mustela nigripes*  
*Pteroneura brasiliensis*

Family: VIVERRIDAE

Spotted linsang

*Prionodon pardicolor*

Family: HYAENIDAE

Brown hyaena

*Hyaena brunnea*

Family: FELIDAE

Cheetah  
Leopard cat (other than China)

*Acinonyx jubatus*  
*Felis bengalensis*  
*bengalensis*  
*Felis caracal*  
*Felis concolor coryi*  
*Felis concolor*  
*costaricensis*  
*Felis concolor cougar*  
*Felis jacobita*  
*Felis marmorata*  
*Felis nigripes*  
*Felis pardalis*  
*Felis pardina*  
*Felis planiceps*  
*Felis rubiginosa*  
*Felis rufa escuinapae*  
*Felis temmincki*  
*Felis tigrina*  
*Felis wiedii*  
*Felis yagouaroundi*

Caracal (Asia only)  
Florida puma  
Costa Rican puma

Eastern puma  
Andean cat  
Marbled cat  
Black-footed cat  
Ocelot  
Spanish lynx  
Flat-headed cat  
Rusty-spotted cat (India only)  
Lynx  
Temminck's cat  
Tiger cat  
Margay  
Jaguarundi (Central and North  
America only)  
Clouded leopard  
Indian lion  
Jaguar  
Leopard  
Tiger  
Snow leopard

*Neofelis nebulosa*  
*Panthera leo persica*  
*Panthera onca*  
*Panthera pardus*  
*Panthera tigris*  
*Panthera uncia*

|                                                                                         |                        |                                |
|-----------------------------------------------------------------------------------------|------------------------|--------------------------------|
|                                                                                         | Order: PINNIPEDIA      |                                |
|                                                                                         | Family: OTARIIDAE      |                                |
| Guadalupe fur seal                                                                      |                        | <i>Arctocephalus townsendi</i> |
|                                                                                         | Family: PHOCIDAE       |                                |
| All monk seals                                                                          |                        | <i>Monachus spp.</i>           |
|                                                                                         | Order: PROBOSCIDEA     |                                |
|                                                                                         | Family: ELEPHANTIDAE   |                                |
| Asian elephant                                                                          |                        | <i>Elephas maximus</i>         |
| African elephant (other than<br>Botswana, Malawi,<br>South Africa, Zambia and Zimbabwe) |                        | <i>Loxodonta africana</i>      |
|                                                                                         | Order: SIRENIA         |                                |
|                                                                                         | Family: DUGONGIDAE     |                                |
| Dugong (other than Australia)                                                           |                        | <i>Dugong dugon</i>            |
|                                                                                         | Family: TRICHECHIDAE   |                                |
| South American manatee                                                                  |                        | <i>Trichechus inunguis</i>     |
| West Indian manatee                                                                     |                        | <i>Trichechus manatus</i>      |
|                                                                                         | Order: PERISSODACTYLA  |                                |
|                                                                                         | Family: EQUIDAE        |                                |
| African wild ass                                                                        |                        | <i>Equus africanus</i>         |
| Grevy's zebra                                                                           |                        | <i>Equus grevyi</i>            |
| Asian wild ass                                                                          |                        | <i>Equus hemionus hemionus</i> |
| Asian wild ass                                                                          |                        | <i>Equus hemionus khur</i>     |
| Przewalski's horse                                                                      |                        | <i>Equus przewalskii</i>       |
| Cape mountain zebra                                                                     |                        | <i>Equus zebra zebra</i>       |
|                                                                                         | Family: TAPIRIDAE      |                                |
| All tapirs                                                                              |                        | <i>Tapiridae spp.</i>          |
|                                                                                         | Family: RHINOCEROTIDAE |                                |
| All rhinoceroses                                                                        |                        | <i>Rhinocerotidae spp.</i>     |
|                                                                                         | Order: ARTIODACTYLA    |                                |
|                                                                                         | Family: SUIDAE         |                                |
| Babiroussa                                                                              |                        | <i>Babirousa babyrussa</i>     |
| Pygmy hog                                                                               |                        | <i>Sus salvanius</i>           |
|                                                                                         | Family: TAYASSUIDAE    |                                |
| Tagua                                                                                   |                        | <i>Catagonus wagneri</i>       |

|                                                                            |                                           |
|----------------------------------------------------------------------------|-------------------------------------------|
| Family: CAMELIDAE                                                          |                                           |
| Vicugna (other than parts of Chile and Peru)                               | <i>Vicugna vicugna</i>                    |
| Family: CERVIDAE                                                           |                                           |
| Marsh deer                                                                 | <i>Blastocerus dichotomus</i>             |
| Persian fallow deer                                                        | <i>Cervus dama mesopotamicus</i>          |
| Swamp deer                                                                 | <i>Cervus duvauceli</i>                   |
| Kashmir red deer                                                           | <i>Cervus elephas hanglu</i>              |
| Thamin                                                                     | <i>Cervus eldi</i>                        |
| Hog deer                                                                   | <i>Cervus porcinus annamiticus</i>        |
| Phillipine deer                                                            | <i>Cervus porcinus calamianensis</i>      |
| Kuhl's deer                                                                | <i>Cervus porcinus kuhli</i>              |
| Huemals                                                                    | <i>Hippocamelus spp.</i>                  |
| Musk deer (parts of Afghanistan, Bhutan, Burma, India, Nepal and Pakistan) | <i>Moschus spp.</i>                       |
| Black muntjac                                                              | <i>Muntiacus crinifrons</i>               |
| Pampas deer                                                                | <i>Ozotoceros bezoarticus</i>             |
| Southern pudu                                                              | <i>Pudu pudu</i>                          |
| Family: BOVIDAE                                                            |                                           |
| Addax                                                                      | <i>Addax nasomaculatus</i>                |
| Baja pronghorn                                                             | <i>Antilocapra americana peninsularis</i> |
| Sonoran pronghorn                                                          | <i>Antilocapra americana sonoriensis</i>  |
| Wood bison                                                                 | <i>Bison bison athabasca</i>              |
| Gaur or seladang                                                           | <i>Bos gaurus</i>                         |
| Yak                                                                        | <i>Bos mutus</i>                          |
| Kouprey                                                                    | <i>Bos sauveli</i>                        |
| Lowland anoa                                                               | <i>Bubalus depressicornis</i>             |
| Tamarau                                                                    | <i>Bubalus mindorensis</i>                |
| Mountain anoa                                                              | <i>Bubalus quarlesi</i>                   |
| Chiltan markhor                                                            | <i>Capra falconeri chialtanensis</i>      |
| Straight-horned markhor                                                    | <i>Capra falconeri jerdoni</i>            |
| Kabal markhor                                                              | <i>Capra falconeri megaceros</i>          |
| Sumatran serow                                                             | <i>Capricornis sumatrensis</i>            |
| Jentink's duiker                                                           | <i>Cephalophus jentinki</i>               |
| Dama gazelle                                                               | <i>Gazella dama</i>                       |
| Giant sable                                                                | <i>Hippotragus niger variati</i>          |
| Goral                                                                      | <i>Nemorhaedus goral</i>                  |
| Scimitar-horned oryx                                                       | <i>Oryx dammah</i>                        |
| Arabian oryx                                                               | <i>Oryx leucoryx</i>                      |
| Argali                                                                     | <i>Ovis ammon hodgsoni</i>                |
| Urial                                                                      | <i>Ovis orientalis ophion</i>             |
| Shapo                                                                      | <i>Ovis vignei</i>                        |
| Chiru                                                                      | <i>Panthalops hodgsoni</i>                |
| Abruzzi chamois                                                            | <i>Rupicapra rupicapra ornata</i>         |

## BIRDS

### Order: STRUTHIONIFORMES

#### Family: STRUTHIONIDAE

Ostrich (Algeria, Burkina Faso,  
Central African Republic,  
Chad, Mali, Mauritania,  
Morocco, Niger, Nigeria,  
Senegal and Sudan only)

*Struthio camelus*

### Order: RHEIFORMES

#### Family: RHEIDAE

Rhea

*Pterocnemia pennata*

### Order: TINAMIFORMES

#### Family: TINAMIDAE

Solitary tinamou

*Tinamous solitarius*

### Order: SPHENISCIFORMES

#### Family: SPHENISCIDAE

Jackass penguin

*Spheniscus humboldti*

### Order: PODICIPEDIFORMES

#### Family: PODICIPEDIDAE

Atitlan grebe

*Podilymbus gigas*

### Order: PROCELLARIIFORMES

#### Family: DIOMEDEIDAE

Short-tailed albatross

*Diomedea albatrus*

### Order: PELECANIFORMES

#### Family PELECANIDAE

Dalmatian pelican

*Pelecanus crispus*

#### Family: SULIDAE

Abbot's booby

*Sula abbotti*

#### Family: FREGATIDAE

Frigate bird

*Fregata andrewsi*

Order: CICONIIFORMES

Family: CICONIIDAE

Oriental white stork  
Jabiru  
Milky stork

*Ciconia ciconia boyciana*  
*Jabiru mycteria*  
*Mycteria cinerea*

Family: THRESKIORNITHIDAE

Waldrapp  
Japanese crested ibis

*Geronticus eremita*  
*Nipponia nippon*

Order: ANSERIFORMES

Family: ANATIDAE

Campbell Island flightless teal  
Laysan duck  
Marianas mallard  
Aleutian Canada goose

Hawaiian goose  
White-winged wood duck  
Pink-headed duck

*Anas aucklandica nesiotis*  
*Anas laysanensis*  
*Anas oustaleti*  
*Branta canadensis*  
*leucopareia*  
*Branta sandvicensis*  
*Cairina scutulata*  
*Rhodonessa caryophyllacea*

Order: FALCONIFORMES

Family: CATHARTIDAE

California condor  
Andean condor

*Gymnogyps californianus*  
*Vultur gryphus*

Family: ACCIPITRIDAE

Imperial eagle  
Cuban hook-billed kite

White-tailed eagle  
Bald eagle  
Harpy eagle  
Monkey-eating eagle

*Aquila heliaca*  
*Chondrohierax uncinatus*  
*wilsonii*  
*Haliaeetus albicilla*  
*Haliaeetus leucocephalus*  
*Harpia harpyja*  
*Pithecophaga jefferyi*

Family: FALCONIDAE

Seychelles kestrel  
Laggar falcon  
Aldabra kestrel  
Peregrine falcon  
Mauritius kestrel  
Gyr Falcon

*Falco araea*  
*Falco jugger*  
*Falco newtoni aldabranus*  
*Falco peregrinus*  
*Falco punctatus*  
*Falco rusticolus*

Order: GALLIFORMES

Family: MEGAPODIIDAE

Maleo

*Macrocephalon maleo*

Family: CRACIDAE

Black-fronted piping-guan  
Trinidad white-headed curassow  
Red-billed curassow  
Mitu  
Horned guan  
White-winged guan

*Aburria jacutinga*  
*Aburria pipile pipile*  
*Crax blumenbachi*  
*Crax mitu mitu*  
*Oreophasis derbianus*  
*Penelope albipennis*

Family: PHASIANIDAE

Cheer pheasant  
Masked bobwhite

White-eared pheasant  
Brown-eared pheasant  
Monals  
Edward's pheasant  
Imperial pheasant  
Swinhoe's pheasant  
Palawan peacock pheasant  
Crested argus pheasant  
Elliot's pheasant  
Bar-tail pheasant  
Mikado pheasant  
Caspian snowcock  
Tibetan snowcock  
Cabot's tragopan  
Western tragopan  
Attwater's prairie chicken

*Catreus wallichi*  
*Colinus virginianus*  
*ridgwayi*  
*Crossoptilon crossoptilon*  
*Crossoptilon mantchuricum*  
*Lophophorus spp.*  
*Lophura edwardsi*  
*Lophura imperialis*  
*Lophura swinhoii*  
*Polyplectron emphanum*  
*Rheinartia ocellata*  
*Syrmaticus ellioti*  
*Syrmaticus humiae*  
*Syrmaticus mikado*  
*Tetraogallus caspius*  
*Tetraogallus tibetanus*  
*Tragopan caboti*  
*Tragopan melanocephalus*  
*Tympanuchus cupido*  
*attwateri*

Order: GRUIFORMES

Family: GRUIDAE

Whooping crane  
Cuba sandhill crane  
Mississippi sandhill crane  
Japanese crane  
Siberian white crane  
Hooded crane  
Black-necked crane  
White-naped crane

*Grus americana*  
*Grus canadensis nesiotis*  
*Grus canadensis pulla*  
*Grus japonensis*  
*Grus leucogeranus*  
*Grus monacha*  
*Grus nigricollis*  
*Grus vipio*

Family: RALLIDAE

Lord Howe wood rail

*Tricholimnas sylvestris*

Family: RHYNOCHETIDAE

Kagu

*Rhynchetos jubatus*

Family: OTIDIDAE

Houbara bustard

*Chlamydotis undulata*

Great Indian bustard  
Bengal floricon

*Choriotis nigriceps*  
*Houbaropsis bengalensis*

Order: CHARADRIIFORMES

Family: SCOLOPACIDAE

Eskimo curlew  
Slender-billed curlew  
Nordmann's greenshank  
Family: LARIDAE

*Numenius borealis*  
*Numenius tenuirostris*  
*Tringa guttifer*

Relict gull

*Larus relictus*

Order: COLUMBIFORMES

Family: COLUMBIDAE

Nicobar pigeon  
Mindoro Imperial pigeon

*Caloenas nicobarica*  
*Ducula mindorensis*

Order PSITTACIFORMES

Family: PSITTACIDAE

Red-necked amazon  
Yellow-shouldered amazon  
Red-tailed amazon  
Red-crowned amazon

*Amazona arausiaca*  
*Amazona barbadensis*  
*Amazona brasiliensis*  
*Amazona dufresniana*  
*rhodocorytha*

St. Vincent amazon  
Imperial amazon  
Cuban amazon  
Red-spectacled amazon  
Alder amazon  
St. Lucia amazon  
Vinaceous-breasted amazon  
Puerto Rican amazon

*Amazona guildingii*  
*Amazona imperialis*  
*Amazona leucocephala*  
*Amazona pretrei*  
*Amazona tucumana*  
*Amazona versicolor*  
*Amazona vinacea*  
*Amazona vittata*

Macaws  
Buffon's macaw  
Blue-throated macaw  
Scarlet macaw  
Illiger's macaw  
Military macaw  
Red-fronted macaw  
Golden parakeet  
Salmon-crested or Molucca cockatoo  
Little blue mac  
Forbe's parakeet

*Andorhynchus spp.*  
*Ara ambigua*  
*Ara glaucogularis*  
*Ara macao*  
*Ara maracana*  
*Ara militaris*  
*Ara rubrogenys*  
*Aratinga guarouba*  
*Cacatua moluccensis*  
*Cyanopsitta spixii*  
*Cyanoramphus auriceps*  
*forbesi*

Red-fronted parakeet

*Cyanoramphus*  
*novaezelandiae*

Australian night parrot  
Orange-bellied parakeet

*Geopsittacus occidentalis*  
*Neophema chrysogaster*

Yellow-eared conure  
Coxen's double-eyed fig parrot  
Ground parrot  
Red-capped parrot  
Palm cockatoo  
Golden-shouldered parrot  
Paradise parakeet  
Mauritius parakeet  
Principe grey parrot

Blue-throated conure  
Thick-billed parrots  
Kakapo

*Ognorhynchus icterotis*  
*Opopsitta diophthalma*  
*Pezoporus wallicus*  
*Pionopsitta pileata*  
*Probosciger aterrimus*  
*Psephotus chrysopterygius*  
*Psephotus pulcherrimus*  
*Psittacula echo*  
*Psittacula erithacus*  
*princeps*  
*Pyrrhura cruentata*  
*Rhynchopsitta spp.*  
*Strigops habroptilus*

Order: STRIGIFORMES

Family: TYTONIDAE

Soumagne's owl

*Tyto soumagnei*

Family: STRIGIDAE

Forest little owl  
Norfolk Island boobook owl

*Athene blewitti*  
*Ninox novaeseelandiae*  
*royana*  
*Ninox squamipila natalis*  
*Otus gurneyi*

Christmas Island owl  
Giant scops owl

Order: APODIFORMES

Family: TROCHILIDAE

Hook-billed hermit

*Glaucis dohrnii*

Order: TROGONIFORMES

Family: TROGONIDAE

Resplendent quetzal

*Pharomachrus mocinno*

Order: CORACIIFORMES

Family: BUCEROTIDAE

Northern great pied hornbill  
Helmeted hornbill

*Buceros bicornis homrai*  
*Rhinoplax vigil*

Order: PICIFORMES

Family: PICIDAE

Imperial woodpecker  
Tristaan's woodpecker

*Campephilus imperialis*  
*Dryocopus javensis*  
*richardsi*

Order: PASSERIFORMES

Family: COTINGIDAE

Banded cotinga

*Cotinga maculata*

Family: PITTIDAE

Gurney's pitta

*Pitta gurneyi*

Koch's pitta

*Pitta kochi*

Family: ATRICHORNITHIDAE

Noisy scrub-bird

*Atrichornis clamosus*

Family: HIRUNDINIDAE

White-eyed river martin

*Pseudochelidon sirintarae*

Family: MUSCICAPIDAE

Western rufous bristlebird

*Dasyornis broadbenti*  
*litoralis*

Western bristlebird

*Dasyornis longirostris*

Rock-fowls

*Picathartes spp.*

Family: ZOSTEROPIDAE

White-breasted silveryeye

*Zosterops albogularis*

Family: MELIPHAGIDAE

Helmeted honeyeater

*Meliphaga cassidix*

Family: FRINGILLIDAE

Red siskin

*Carduelis cucullata*

Family: STURNIDAE

Rothschild's starling

*Leucospar rothschildi*

REPTILES

Order: TESTUDINATA

Family: EMYDIDAE

River terrapin

*Batagur baska*

Spotted pond turtle

*Geoclemys hamiltonii*

Indian sawback turtle

*Kachuga tecta tecta*

Three-keeled Asian turtle

*Melanochelys tricarinata*

Burmese peacock turtle

*Morenia ocellata*

Water box turtle

*Terrapene coahuila*

Family: CHELONIIDAE

Turtles

*Chelonoodae spp.*

Family: DERMOCHELYIDAE'

Leatherback turtle

*Dermochelys coriacea*

Family: TRIONYCHIDAE

|                                  |                                   |
|----------------------------------|-----------------------------------|
| Indian flap-shell turtle         | <i>Lissemys punctata punctata</i> |
| Cuatro Cienegas softshell turtle | <i>Trionyx ater</i>               |
| Indian softshell turtle          | <i>Trionyx gangeticus</i>         |
| Peacock softshell turtle         | <i>Trionyx hurum</i>              |
| Black softshell turtle           | <i>Trionyx nigricans</i>          |

Family: CHELIDAE

|                          |                             |
|--------------------------|-----------------------------|
| Shortnecked swamp turtle | <i>Pseudemydura umbrina</i> |
|--------------------------|-----------------------------|

Order: CROCODYLIA

Family: ALLIGATORIDAE

|                       |                                       |
|-----------------------|---------------------------------------|
| Chinese alligator     | <i>Alligator sinensis</i>             |
| Apaporis River caiman | <i>Caiman crocodilus apaporiensis</i> |
| Broad-snouted caiman  | <i>Caiman latirostris</i>             |
| Black caiman          | <i>Melanosuchus niger</i>             |

Family: CROCODYLIDAE

|                                                                                                                                    |                                            |
|------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| American crocodile                                                                                                                 | <i>Crocodylus acutus</i>                   |
| African slender-snouted crocodile (other than the Congo)                                                                           | <i>Crocodylus cataphractus</i>             |
| Orinoco crocodile                                                                                                                  | <i>Crocodylus intermedius</i>              |
| Morelet's crocodile                                                                                                                | <i>Crocodylus moreletii</i>                |
| Nile crocodile (other than Cameroon, Congo, Ethiopia, Kenya, Madagascar, Malawi, Mozambique, Sudan, Tanzania, Zambia and Zimbabwe) | <i>Crocodylus niloticus</i>                |
| Philippine crocodile                                                                                                               | <i>Crocodylus novaeguineae mindorensis</i> |
| Mugger crocodile                                                                                                                   | <i>Crocodylus palustris</i>                |
| Saltwater crocodile (other than Australia, Papua New Guinea and Indonesia)                                                         | <i>Crocodylus porosus</i>                  |
| Cuban crocodile                                                                                                                    | <i>Crocodylus rhombifer</i>                |
| Siamese crocodile                                                                                                                  | <i>Crocodylus siamensis</i>                |
| African dwarf crocodile (other than Congo)                                                                                         | <i>Osteolaemus tetraspis</i>               |
| Tomistoma                                                                                                                          | <i>Tomistoma schlegelii</i>                |

Family: GAVIALIDAE

|        |                            |
|--------|----------------------------|
| Gavial | <i>Gavialis gangeticus</i> |
|--------|----------------------------|

Order: RHYNCHOCEPHALIA

Family: SPHENODONTIDAE

|         |                            |
|---------|----------------------------|
| Tuatara | <i>Sphenodon punctatus</i> |
|---------|----------------------------|

Order: SAURIA

Family: IGUANIDAE

Fiji iguanas  
West Indian rock iguanas  
Piebald or San Esteban chuckwalla

*Brachylophus* spp.  
*Cyclura* spp.  
*Sauromalus varius*

Family: LACERTIDAE

Hierro giant lizard

*Galliotia simonyi*

Family: VARANIDAE

Bengal monitor  
Yellow monitor  
Desert monitor  
Komodo dragon

*Varanus bengalensis*  
*Varanus flavescens*  
*Varanus griseus*  
*Varanus komodensis*

Order: SERPENTES

Family: BOIDAE

Madagascar boas  
Boa constrictor or Argentine boa

Round Island boa  
Keel-scaled boa  
Puerto Rican boa  
Mona Island boa  
Jamaican boa  
Indian python  
Madagascar boa

*Acrantophis* spp.  
*Boa constrictor*  
*occidentalis*  
*Bolyeria multocarinata*  
*Casarea dussumieri*  
*Epicrates inornatus*  
*Epicrates monensis*  
*Epicrates subflavus*  
*Python molurus molurus*  
*Sanzinia madagascariensis*

Family: VIPERIDAE

European meadow viper (Europe except  
the USSR)

*Vipera ursinii*

AMPHIBIANS

Order: CAUDATA

Family: CRYPTOBRANCHIDAE

Giant salamander

*Andrias* spp.

Order: ANURA

Family: BUFONIDAE

Panamanian golden frog  
Cameroon toad  
African viviparous toads

*Atelopus varius zeteki*  
*Bufo superciliaris*  
*Nectophrynoides* spp.

Family: MICROHYLIDAE

Tomato frog

*Dyscophus antongilii*

## INSECTS

### Order: LEPIDOPTERA

#### Family: PAPILIONIDAE

Queen Alexandra's birdwing  
Luzon peacock swallowtail  
Homerus swallowtail  
Corsican swallowtail

*Ornithoptera alexandrae*  
*Papilio chikae*  
*Papilio homerus*  
*Papilio hospiton*

## MOLLUSCANS

### Order: UNIONOIDA

#### Family: UNIONIDAE

Birdwing pearly mussel  
Dromedary pearly mussel  
Curtis pearly mussel  
Yellow-blossom pearly mussel  
Sampson's pearly mussel  
White cat's paw  
  
Green-blossom pearly mussel  
  
Tuberculed-blossom pearly mussel  
  
Turgid-blossom pearly mussel  
Brown-blossom pearly mussel  
Fine-rayed pigtoe  
Shiny pigtoe  
Higgin's eye  
Pink mucket  
  
Plain pocketbook  
Alabama lamp pearly mussel  
White wartyback  
Orange-footed pimpleback  
Rough pigtoe  
Fat pocketbook  
Cumberland monkeyface  
Pale lilliput pearly mussel  
Appalachian monkey face  
Nicklin's pearly mussel  
Tampico  
  
Cumberland bean

*Conradilla caelata*  
*Dromus dromas*  
*Epioblasma curtisi*  
*Epioblasma florentina*  
*Epioblasma sampsoni*  
*Epioblasma sulcata*  
*perobliqua*  
*Epioblasma torulosa*  
*gubernaculum*  
*Epioblasma torulosa*  
*torulosa*  
*Epioblasma turgidula*  
*Epioblasma walkeri*  
*Fusconaia cuneolus*  
*Fusconaia edgariana*  
*Lampsilis higginsii*  
*Lampsilis orbiculata*  
*orbiculata*  
*Lampsilis satura*  
*Lampsilis virescens*  
*Plethobasus cicatricosus*  
*Plethobasus cooperianus*  
*Pleurobema plenum*  
*Potamilus capax*  
*Quadrula intermedia*  
*Quadrula sparsa*  
*Toxoplasma cylindrella*  
*Unio nickliniana*  
*Unio tampicoensis*  
*tecomatensis*  
*Villosa trabalis*

### Order: STYLOMMATOPHORA

#### Family: ACHATINELLIDAE

Giant snails

*Achatinella* spp.

## APPENDIX II ANIMAL SPECIES

*Common Name*

*Scientific Name*

### MAMMALS

#### Order: MONOTREMATA

##### Family: TACHYGLOSSIDAE

Long-beaked echidnas

*Zaglossus spp.*

#### Order: MARSUPIALIA

##### Family: PHALANGERIDAE

Common spotted cuscus

*Phalanger maculatus*

Grey cuscus

*Phalanger orientalis*

Mountain pygmy possum

*Burramys parvus*

##### Family: MACROPODIDAE

Bennett's tree-kangaroo

*Dendrolagus bennettianus*

Grizzled tree-kangaroo

*Dendrolagus inustus*

Lumholtz' tree-kangaroo

*Dendrolagus lumholtzi*

Black tree-kangaroo

*Dendrolagus ursinus*

#### Order: CHIROPTERA

##### Family: PTEROPODIDAE

All flying foxes

*Acerodon spp.*

All flying foxes

*Pteropus spp.*

#### Order: PRIMATES

All primates

*Primates spp.*

#### Order: EDENTATA

##### Family: MYRMECOPHAGIDAE

Giant anteater

*Myrmecophaga tridactyla*

Southern collared tamandua

*Tamandua tetradactyla*

*chapadensis*

##### Family: BRADYPODIDAE

Brown-throated tree sloth

*Bradypus variegatus*

#### Order: PHOLIDOTA

##### Family: MANIDAE

Indian pangolin

*Manis crassicaudata*

Malayan pangolin

*Manis javanica*

Chinese pangolin

*Manis pentadactyla*

|                                                                                         |                     |                              |
|-----------------------------------------------------------------------------------------|---------------------|------------------------------|
|                                                                                         | Order: RODENTIA     |                              |
|                                                                                         | Family: SCIURIDAE   |                              |
| Oriental giant squirrels                                                                |                     | <i>Ratufa spp.</i>           |
|                                                                                         | Order: CETACEA      |                              |
| All whales, dolphins and porpoises                                                      |                     | <i>Cetacea spp.</i>          |
|                                                                                         | Order: CARNIVORA    |                              |
|                                                                                         | Family: CANIDAE     |                              |
| Grey wolf (other than Bhutan, India,<br>Nepal and Pakistan)                             |                     | <i>Canis lupus</i>           |
| Maned wolf                                                                              |                     | <i>Chrysocyon brachyurus</i> |
| Dhole                                                                                   |                     | <i>Cuon alpinus</i>          |
| Colpeo fox                                                                              |                     | <i>Dusicyon culpaesus</i>    |
| Chiloe gray fox                                                                         |                     | <i>Dusicyon griseus</i>      |
| Argentine grey fox                                                                      |                     | <i>Dusicyon gymnocerus</i>   |
| Blandford's fox                                                                         |                     | <i>Vulpes cana</i>           |
| Fennec fox                                                                              |                     | <i>Vulpes zerda</i>          |
|                                                                                         | Family: URSIDAE     |                              |
| Brown or grizzly bear (all North<br>American subspecies, all<br>Europe except the USSR) |                     | <i>Ursus arctos</i>          |
| Polar bear                                                                              |                     | <i>Ursus maritimus</i>       |
|                                                                                         | Family: PROCYONIDAE |                              |
| Lesser panda                                                                            |                     | <i>Ailurus fulgens</i>       |
|                                                                                         | Family: MUSTELIDAE  |                              |
| Patagonian skunk                                                                        |                     | <i>Conepatus humboldtii</i>  |
| All otters                                                                              |                     | <i>Lutrinae spp.</i>         |
|                                                                                         | Family: VIVERRIDAE  |                              |
| Fossa                                                                                   |                     | <i>Cryptoprocta ferox</i>    |
| Otter-civet                                                                             |                     | <i>Cynogale bennettii</i>    |
| Eastern falanouc                                                                        |                     | <i>Eupleres goudotii</i>     |
| Malagasy civet                                                                          |                     | <i>Fossa fossa</i>           |
| Banded palm civet                                                                       |                     | <i>Hemigalus derbyanus</i>   |
| Banded linsang                                                                          |                     | <i>Prionodon linsang</i>     |
|                                                                                         | Family: FELIDAE     |                              |
| All felids                                                                              |                     | <i>Felidae spp.</i>          |
|                                                                                         | Order: PINNIPEDIA   |                              |
|                                                                                         | Family: OTARIIDAE   |                              |
| Fur seals                                                                               |                     | <i>Arctocephalus spp.</i>    |

|                                                                                                                                                                                                                   |                         |                                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|----------------------------------|
| Elephant seals                                                                                                                                                                                                    | Family: PHOCIDAE        | <i>Mirounga spp.</i>             |
|                                                                                                                                                                                                                   | Order: TUBULIDENTATA    |                                  |
| Aardvark                                                                                                                                                                                                          | Family: ORYCTEROPODIDAE | <i>Orycteropus afer</i>          |
|                                                                                                                                                                                                                   | Order: SIRENIA          |                                  |
| Dugong (Australia only)                                                                                                                                                                                           | Family: DUGONGIDAE      | <i>Dugong dugong</i>             |
| West African manatee                                                                                                                                                                                              | Family: TRICHECHIDAE    | <i>Trichecus senegalensis</i>    |
|                                                                                                                                                                                                                   | Order: PERISSODACTYLA   |                                  |
| Asian wild ass                                                                                                                                                                                                    | Family: EQUIDAE         | <i>Equus hemionus</i>            |
| Hartmann's zebra                                                                                                                                                                                                  |                         | <i>Equus zebra hartmannae</i>    |
|                                                                                                                                                                                                                   | Family TAPIRIDAE        |                                  |
| Brazilian tapir                                                                                                                                                                                                   |                         | <i>Tapirus terrestris</i>        |
|                                                                                                                                                                                                                   | Order: ARTIODACTYLA     |                                  |
| Peccaries (other than the USA)                                                                                                                                                                                    | Family: TAYASSUIDAE     | <i>Tayassuidae spp.</i>          |
| Pygmy hippo                                                                                                                                                                                                       | Family: HIPPOPOTAMIDAE  | <i>Choeropsis liberiensis</i>    |
| Guanaco                                                                                                                                                                                                           | Family: CAMELIDAE       | <i>Lama guanicoe</i>             |
| Vicugna (parts of Chile and Peru,<br>cloth made from wool of<br>live-sheared animals only<br>and stamped on reverse with<br>logo of signatories to the<br>Convenio para la Conservacion<br>y Manejo de la Vicuna) |                         | <i>Vicugna vicugna</i>           |
|                                                                                                                                                                                                                   | Family: CERVIDAE        |                                  |
| Bactrian deer                                                                                                                                                                                                     |                         | <i>Cervus elaphus bactrianus</i> |
| Musk deer (other than Afghanistan,<br>Bhutan, Burma, India,<br>Nepal and Pakistan)                                                                                                                                |                         | <i>Moschus spp.</i>              |
| Northern pudu                                                                                                                                                                                                     |                         | <i>Pudu mephistopheles</i>       |

Family: BOVIDAE

Barbary sheep  
Mexican pronghorn antelope

*Ammotragus lervia*  
*Antilocapra americana*  
*mexicana*  
*Budorcas taxicolor*  
*Capra falconeri*  
*Cephalophus dorsalis*  
*Cephalophus monticola*  
*Cephalophus ogilbyi*  
*Cephalophus sylvicultor*  
*Cephalophus zebra*  
*Damaliscus dorcas dorcas*  
*Hippotragus equinus*  
*Kobus leche*  
*Ovis ammon*  
*Ovis canadensis*

Takin  
Markhor  
Bay duiker  
Blue duiker  
Ogilby's duiker  
Yellow-backed duiker  
Banded duiker  
Bontebok  
Roan antelope  
Lechwe  
Argali or Marco Polo sheep  
Bighorn sheep (Mexico only)

BIRDS

Order: RHEIFORMES

Family: RHEIDAE

Nandu suri

*Rhea americana albescens*

Order: TINAMIFORMES

Family: TINAMIDAE

Bolivian red-winged tinamou  
Argentine red-winged tinamou  
Brazilian red-winged tinamou

*Rhynchotus rufescens*  
*maculicollis*  
*Rhynchotus rufescens*  
*pallascens*  
*Rhynchotus rufescens*  
*rufescens*

Order: SPHENISCIFORMES

Family: SPHENISCIDAE

Jackass penguin

*Spheniscus demersus*

Order: CICONIIFORMES

Family: BALAENICIPITIDAE

Whale-headed or shoebill stork

*Balaeniceps rex*

Family: CICONIIDAE

Black stork

*Ciconia nigra*

Family: THRESKIORNITHIDAE

Scarlet ibis  
Southern bald ibis  
Spoonbill

*Eudocimus ruber*  
*Geronticus calvus*  
*Platalea leucorodia*

|                                                      |                          |                                                           |
|------------------------------------------------------|--------------------------|-----------------------------------------------------------|
| All flamingoes                                       | Family: PHOENICOPTERIDAE | <i>Phoenicopteridae spp.</i>                              |
| Order: ANSERIFORMES                                  |                          |                                                           |
| Family: ANATIDAE                                     |                          |                                                           |
| Auckland Island flightless teal                      |                          | <i>Anas aucklandica aucklandica</i>                       |
| New Zealand brown teal                               |                          | <i>Anas aucklandica chlorotis</i>                         |
| Madagascar teal                                      |                          | <i>Anas bernieri</i>                                      |
| Red-breasted goose                                   |                          | <i>Branta ruficollis</i>                                  |
| Coscoroba swan                                       |                          | <i>Coscoroba coscoroba</i>                                |
| Jankowski's swan                                     |                          | <i>Cygnus columbianus jankowskii</i>                      |
| Black-necked swan                                    |                          | <i>Cygnus melanocoryphus</i>                              |
| Cuban tree duck                                      |                          | <i>Dendrocygna arborea</i>                                |
| White-headed duck                                    |                          | <i>Oxyura leucocephala</i>                                |
| Knob-billed duck                                     |                          | <i>Sarkidiornis melanotos</i>                             |
| Order: FALCONIFORMES                                 |                          |                                                           |
| Falcons, kites, eagles, buzzards, hawks and harriers |                          | All <i>Falconiformes</i> except Family <i>Cathartidae</i> |
| Order: GALLIFORMES                                   |                          |                                                           |
| Family: PHASIANIDAE                                  |                          |                                                           |
| Great Argus pheasant                                 |                          | <i>Argusianus argus</i>                                   |
| Montezuma quail (other than USA)                     |                          | <i>Cyrtonyx montezumae mearnsi</i>                        |
| Montezuma quail                                      |                          | <i>Cyrtonyx montezumae montezumae</i>                     |
| Grey jungle fowl                                     |                          | <i>Gallus sonneratii</i>                                  |
| Blood pheasant                                       |                          | <i>Ithaginis cruentus</i>                                 |
| Green peafowl                                        |                          | <i>Pavo muticus</i>                                       |
| Peacock pheasant                                     |                          | <i>Polyplectron bicalcaratum</i>                          |
| Malaysian peacock pheasant                           |                          | <i>Polyplectron malacense</i>                             |
| Order: GRUIFORMES                                    |                          |                                                           |
| Family: TURNICIDAE                                   |                          |                                                           |
| Black-breasted buttonquail                           |                          | <i>Turnix melanogaster</i>                                |
| Family: PEDIONOMIDAE                                 |                          |                                                           |
| Plains wanderer                                      |                          | <i>Pedionomus torquatus</i>                               |
| Family: GRUIDAE                                      |                          |                                                           |
| All cranes                                           |                          | <i>Gruidae spp.</i>                                       |

|                                                                                           |                       |                                                                                                                                     |
|-------------------------------------------------------------------------------------------|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| Eastern weka                                                                              | Family: RALLIDAE      | <i>Gallirallus australis hectori</i>                                                                                                |
| All bustards                                                                              | Family: OTIDIDAE      | <i>Otididae spp.</i>                                                                                                                |
|                                                                                           | Order: COLUMBIFORMES  |                                                                                                                                     |
| Bleeding heart pigeon<br>Crowned pigeons                                                  | Family: COLUMBIDAE    | <i>Gallicolumba luzonica</i><br><i>Goura spp.</i>                                                                                   |
|                                                                                           | Order: PSITTACIFORMES |                                                                                                                                     |
| All parrots, parakeets and cockatoos                                                      |                       | <i>Psittaciformes spp.</i><br>(except <i>Melopsittacus undulatus</i> , <i>Nymphicus hollandicus</i> and <i>Psittacula krameri</i> ) |
|                                                                                           | Order: CUCULIFORMES   |                                                                                                                                     |
| Knysna loerie<br>Purple-crested loerie                                                    | Family: MUSOPHAGIDAE  | <i>Tauraco corythaix</i><br><i>Tauraco porphyreolophus</i>                                                                          |
|                                                                                           | Order: STRIGIFORMES   |                                                                                                                                     |
| All owls                                                                                  |                       | <i>Strigiformes spp.</i>                                                                                                            |
|                                                                                           | Order: APODIFORMES    |                                                                                                                                     |
| All hummingbirds                                                                          | Family: TROCHILIDAE   | <i>Trochilidae spp.</i>                                                                                                             |
|                                                                                           | Order: CORACIFORMES   |                                                                                                                                     |
| Narcondam hornbill<br>Great Indian hornbill<br>Rufous hornbill<br><br>Rhinoceros hornbill | Family: BUCEROTIDAE   | <i>Aceros narcondami</i><br><i>Buceros bicornis</i><br><i>Buceros hydrocorax hydrocorax</i><br><i>Buceros rhinoceros</i>            |
|                                                                                           | Order: PASSERIFORMES  |                                                                                                                                     |
| All cock-of-the-rocks                                                                     | Family: COTINGIDAE    | <i>Rupicola spp.</i>                                                                                                                |
| Fairy pitta<br>Blue-tailed pitta                                                          | Family: PITTIDAE      | <i>Pitta brachyura nympha</i><br><i>Pitta guajana</i>                                                                               |

|                               |                       |                               |
|-------------------------------|-----------------------|-------------------------------|
| Rueck's blue flycatcher       | Family: MUSCICAPIDAE  | <i>Niltava ruecki</i>         |
| Yellow cardinal               | Family: EMBERIZIDAE   | <i>Gubernatrix cristata</i>   |
| Yellow-billed cardinal        |                       | <i>Paroaria capitata</i>      |
| Red-breasted cardinal         |                       | <i>Paroaria coronata</i>      |
| Yellow-faced siskin           | Family: FRINGILLIDAE  | <i>Carduelis yarrellii</i>    |
| Southern black-throated finch | Family: ESTRILDIDAE   | <i>Poephila cincta cincta</i> |
| All birds of paradise         | Family: PARADISAEIDAE | <i>Paradisaeidae spp.</i>     |

## REPTILES

### Order: TESTUDINATA

|                                          |                        |                                      |
|------------------------------------------|------------------------|--------------------------------------|
| Central American river turtle            | Family: DERMATEMYDIDAE | <i>Dermatemys mawii</i>              |
| Muhlenberg turtle                        | Family: EMYDIDAE       | <i>Clemmys muhlenbergi</i>           |
| All tortoises                            | Family: TESTUDINIDAE   | <i>Testudinidae spp.</i>             |
| Madagascan big-headed side-necked turtle | Family: PELOMEDUSIDAE  | <i>Erymnochelys madagascariensis</i> |
| Big-headed Amazon or side-necked turtle  |                        | <i>dumeriliana</i>                   |
| South American river turtles             |                        | <i>Podocnemis spp.</i>               |

### Order: CROCODYLA

|                                        |                        |
|----------------------------------------|------------------------|
| All alligators, crocodiles and gavials | <i>Crocodylia spp.</i> |
|----------------------------------------|------------------------|

### Order: SAURIA

|                      |                    |                                   |
|----------------------|--------------------|-----------------------------------|
| Serpent Island gecko | Family: GEKKONIDAE | <i>Cyrtodactylus serpeninsula</i> |
| Day geckos           |                    | <i>Phelsuma spp.</i>              |
| Spiny-tailed lizards | Family: AGAMIDAE   | <i>Uromastyx spp.</i>             |

Family: CHAMAELEONIDAE

Dwarf chamaeleons  
Chamaeleons

*Bradypodion spp.*  
*Chamaeleo spp.*

Family: IGUANIDAE

Galapagos marine iguana  
Barrington Island land lizards  
Iguanas  
San Diego horned lizard

*Amblyrhynchus cristatus*  
*Conolophus spp.*  
*Iguana spp.*  
*Phrynosoma coronatum*  
*blainvillei*

Family: LACERTIDAE

Lilford's wall lizard  
Ibiza wall lizard

*Podarcis lilfordi*  
*Podarcis pityusensis*

Family: CORDYLIDAE

Girdled lizards  
Crag lizards

*Cordylus spp.*  
*Pseudocordylus spp.*

Family: TEIIDAE

Orange-throated whiptail  
Dragon lizardet  
Caiman lizard  
Amaral  
Tegus

*Cnemidophorus hyperythrus*  
*Crocodilurus lacertinus*  
*Dracaena guianensis*  
*Dracaena paraguayensis*  
*Tupinambis spp.*

Family: XENOSAURIDAE

Chinese crocodile lizard

*Shinisaurus crocodilurus*

Family: HELODERMATIDAE

Gila monsters, beaded lizards

*Heloderma spp.*

Family: VARANIDAE

Monitor lizards

*Varanus spp.*

Order: SERPENTES

Family: BOIDAE

All boas, anacondas and pythons

*Boidae spp.*

Family: COLUBRIDAE

Mussurana  
South American false cobra  
Indian egg-eater  
Oriental rat snake

*Clelia clelia*  
*Cyclagras gigas*  
*Elachistodon westermanni*  
*Ptyas mucosus*

Family: ELAPIDAE

Broad-headed snake  
Asiatic cobra  
King cobra

*Hoplocephalus bungaroides*  
*Naja naja*  
*Ophiophagus hannah*

## AMPHIBIANS

### Order: CAUDATA

#### Family: AMBYSTOMIDAE

Lake Patzcuaro salamander  
Axolotl

*Ambystoma dumerilii*  
*Ambystoma mexicanum*

### Order: ANURA

#### Family: BUFONIDAE

Sonoran green toad

*Bufo retiformis*

#### Family: MYOBATRACHIDAE

Platypus or gastric-brooding frogs

*Rheobatrachus spp.*

#### Family: DENDROBATIDAE

Arrow poison frogs  
Arrow poison frogs

*Dendrobates spp.*  
*Phyllobates spp.*

#### Family: RANIDAE

Indian bullfrog or six-toed frog  
Tiger frog

*Rana hexadactyla*  
*Rana tigerina*

## INSECTS

### Order: LEPIDOPTERA

#### Family: PAPILIONIDAE

Three-tailed swallowtails  
Birdwing butterflies  
Mountain apollo  
Kaiser-I-Hind  
Birdwing butterflies  
Birdwing butterflies

*Bhutanitis spp.*  
*Ornithoptera spp.*  
*Parnassius apollo*  
*Teinopalpus spp.*  
*Trogonoptera spp.*  
*Troides spp.*

## ARACHNIDS

### Order: ARANEAE

#### Family: THERAPHOSIDAE

Mexican red-kneed tarantula

*Brachypelma smithi*

## ANNELIDS

### Order: ARHYNCHOBDELLAE

#### Family: HIRUDINIDAE

Medicinal leech

*Hirudo medicinalis*

## MOLLUSCS

### Order: VENEROIDA

#### Family: TRIDACNIDAE

Giant clams

*Tridacnidae spp.*

### Order: UNIONOIDAE

#### Family: UNIONIDAE

Edible pearly mussel

Tan-blossom pearly mussel

*Cyprogenia aberti*

*Epioblasma torulosa*  
*rangiana*

Long solid

Ozark lamp pearly mussel

*Fusconaia subrotunda*

Slab-sided pearly mussel

*Lampsilis brevicula*

Club pearly mussel

*Lexingtonia dolabelloides*

*Pleurobema clava*

### Order STYLOMMATOPHORA

#### Family: CAMAENIDAE

Manus Island tree snail

*Papustyla pulcherrima*

#### Family: PARYPHANTIDAE

New Zealand amber snails

(all New Zealand species)

*Paryphanta spp.*

## CORALS

### Order: ANTIPATHARIA

Black corals (except fossils)

*Antipatharia spp.*

### Order: SCLERACTINIA

Stoney corals (except fossils)

*Scleractinia spp.*

## HYDROZOA

### Order: ATHECATA

#### Family: MILLEPORIDAE

Fire corals (except fossils)

*Milleporidae spp.*

#### Family: STYLASTERIDAE

Madreporic corals (except fossils)

*Stylasteridae spp.*

## ALCYONARIA

### Order: COENOTHECALIA

Blue corals (except fossils)

*Coenothecalia spp.*

|                                   |                    |                         |
|-----------------------------------|--------------------|-------------------------|
|                                   | Order: STOLONIFERA |                         |
| Organpipe corals (except fossils) |                    | <i>Stolonifera spp.</i> |

### APPENDIX III ANIMAL SPECIES

| <i>Common Name</i> | <i>Scientific Name</i> | <i>Country</i> |
|--------------------|------------------------|----------------|
|--------------------|------------------------|----------------|

#### MAMMALS

##### Order: CHIROPTERA

|                 |                          |         |
|-----------------|--------------------------|---------|
|                 | Family: PHYLLOSTOMATIDAE |         |
| White-lined bat | <i>Vampyros lineatus</i> | Uruguay |

##### Order: EDENTATA

|          |                             |           |
|----------|-----------------------------|-----------|
|          | Family: MYRMECOPHAGIDAE     |           |
| Tamandua | <i>Tamandua tetradctyla</i> | Guatemala |

|                          |                             |            |
|--------------------------|-----------------------------|------------|
|                          | Family: CHOLOEPIDAE         |            |
| Hoffman's two-toed sloth | <i>Choeloepus hoffmanni</i> | Costa Rica |

|                                 |                            |            |
|---------------------------------|----------------------------|------------|
|                                 | Family: DASYPODIDAE        |            |
| Northern naked-tailed armadillo | <i>Cabassous centralis</i> | Costa Rica |
| Uruguay naked-tailed            | <i>Cabassous tatouay</i>   | Uruguay    |

##### Order: PHOLIDOTA

|                      |                           |       |
|----------------------|---------------------------|-------|
|                      | Family: MANIDAE           |       |
| Giant pangolin       | <i>Manis gigantea</i>     | Ghana |
| Long-tailed pangolin | <i>Manis tetradactyla</i> | Ghana |
| Tree pangolin        | <i>Manis tricuspis</i>    | Ghana |

##### Order: RODENTIA

|                           |                           |            |
|---------------------------|---------------------------|------------|
|                           | Family: SCIURIDAE         |            |
| Temminck's giant squirrel | <i>Epixerus ebii</i>      | Ghana      |
| Long-tailed marmot        | <i>Marmota caudata</i>    | India      |
| Himalayan marmot          | <i>Marmota himalayana</i> | India      |
| Deppe's squirrel          | <i>Sciurus deppei</i>     | Costa Rica |

|                              |                             |       |
|------------------------------|-----------------------------|-------|
|                              | Family: ANOMALURIDAE        |       |
| Beecroft's flying squirrel   | <i>Anomalurus beecrofti</i> | Ghana |
| Lord Derby's flying squirrel | <i>Anomalurus derbianus</i> | Ghana |
| Pel's flying squirrel        | <i>Anomalurus peli</i>      | Ghana |
| Pygmy scaly-tailed squirrel  | <i>Idiurus macrotis</i>     | Ghana |

|                             |                                                       |            |
|-----------------------------|-------------------------------------------------------|------------|
| African porcupine           | Family: HYSTRICIDAE<br><i>Hystrix cristata</i>        | Ghana      |
| Mexican tree porcupine      | Family: ERETHIZONTIDAE<br><i>Sphiggurus mexicanus</i> | Honduras   |
| Spiny tree porcupine        | <i>Sphiggurus spinosus</i>                            | Uruguay    |
| Paca                        | Family: AGOUTIDAE<br><i>Agouti paca</i>               | Honduras   |
| Agouti                      | Family: DASYPROCTIDAE<br><i>Dasyprocta punctata</i>   | Honduras   |
| Order: CARNIVORA            |                                                       |            |
| Golden jackal               | Family: CANIDAE<br><i>Canis aureus</i>                | India      |
| Bengal fox                  | <i>Vulpes bengalensis</i>                             | India      |
| Red fox                     | <i>Vulpes vulpes griffithi</i>                        | India      |
| Red fox                     | <i>Vulpes vulpes montana</i>                          | India      |
| Indian fox                  | <i>Vulpes vulpes pusilla</i>                          | India      |
| Family: PROCYONIDAE         |                                                       |            |
| Bushy-tailed olingo         | <i>Bassaricyon gabbii</i>                             | Costa Rica |
| Central American cacomistle | <i>Bassaricyon sumichrasti</i>                        | Costa Rica |
| Coati                       | <i>Nasua nasua</i>                                    | Honduras   |
| South Brazilian coati       | <i>Nasua nasua solitaria</i>                          | Uruguay    |
| Kinkajou                    | <i>Potos flavus</i>                                   | Honduras   |
| Family: MUSTELIDAE          |                                                       |            |
| Grey-headed tayra           | <i>Eira barbara</i>                                   | Honduras   |
| Greater grison              | <i>Galictis vittata</i>                               | Costa Rica |
| Yellow-throated marten      | <i>Martes flavigula</i>                               | India      |
| Central Asian stone marten  | <i>Martes foina intermedia</i>                        | India      |
| Honeybadger                 | <i>Mellivora capensis</i>                             | Ghana      |
| Mountain weasel             | <i>Mustela altaica</i>                                | Botswana   |
| Stoat                       | <i>Mustela erminea</i>                                | India      |
| Yellow-bellied weasel       | <i>Mustela kathiah</i>                                | India      |
| Siberian weasel             | <i>Mustela sibirica</i>                               | India      |
| Family: VIVERRIDAE          |                                                       |            |
| Binturong                   | <i>Arctictis binturong</i>                            | India      |
| African civet               | <i>Civettictis civetta</i>                            | Botswana   |
| Masked palm civet           | <i>Paguma larvata</i>                                 | India      |
| Common palm civet           | <i>Paradoxurus hermaphroditus</i>                     | India      |
| Jerdon's palm civet         | <i>Paradoxurus jerdoni</i>                            | India      |
| Large-spotted civet         | <i>Viverra megaspila</i>                              | India      |
| Large Indian civet          | <i>Viverra zibetha</i>                                | India      |

|                              |                                        |           |
|------------------------------|----------------------------------------|-----------|
| Small Indian civet           | <i>Viverricula indica</i>              | India     |
|                              | Family: HERPESTIDAE                    |           |
| Small Indian mongoose        | <i>Herpestes auropunctatus</i>         | India     |
| Indian grey mongoose         | <i>Herpestes edwardsi</i>              | India     |
| Indian brown mongoose        | <i>Herpestes fuscus</i>                | India     |
| Ruddy mongoose               | <i>Herpestes smithii</i>               | India     |
| Crab-eating mongoose         | <i>Herpestes urva</i>                  | India     |
| Stripe-necked mongoose       | <i>Herpestes vitticollis</i>           | India     |
|                              | Family: PROTELIDAE                     |           |
| Aardwolf                     | <i>Proteles cristatus</i>              | Botswana  |
|                              | Order: PINNIPEDIA                      |           |
|                              | Family: ODOBENIDAE                     |           |
| Walrus                       | <i>Odobenus rosmarus</i>               | Canada    |
|                              | Order: ARTIODACTYLA                    |           |
|                              | Family: HIPPOPOTAMIDAE                 |           |
| Hippopotamus                 | <i>Hippopotamus amphibius</i>          | Ghana     |
|                              | Family: TRAGULIDAE                     |           |
| Water chevrotain             | <i>Hyemoschus aquaticus</i>            | Ghana     |
|                              | Family: CERVIDAE                       |           |
| Barbary deer                 | <i>Cervus elaphus barbarus</i>         | Tunisia   |
| Guatemalan red brocket       | <i>Mazama americana cerasina</i>       | Guatemala |
| Guatemalan white-tailed deer | <i>Odocoileus virginianus mayensis</i> | Guatemala |
|                              | Family: BOVIDAE                        |           |
| Blackbuck                    | <i>Antilope cervicapra</i>             | Nepal     |
| Bongo                        | <i>Boocerus eurycerus</i>              | Ghana     |
| Water buffalo                | <i>Bubalus arnee</i>                   | Nepal     |
| Topi                         | <i>Damaliscus lunatus</i>              | Ghana     |
| Edmi gazelle                 | <i>Gazella cuvieri</i>                 | Tunisia   |
| Dorcas gazelle               | <i>Gazella dorcas</i>                  | Tunisia   |
| Sand gazelle                 | <i>Gazella leptoceros</i>              | Tunisia   |
| Four-horned antelope         | <i>Tetracerus quadricornis</i>         | Nepal     |
| Sitatunga                    | <i>Tragelaphus spekei</i>              | Ghana     |

## BIRDS

### Order: RHEIFORMES

#### Family: RHEIDAE

|              |                       |         |
|--------------|-----------------------|---------|
| Greater rhea | <i>Rhea americana</i> | Uruguay |
|--------------|-----------------------|---------|

Order: CICONIIFORMES

Family: ARDEIDAE

|                   |                          |       |
|-------------------|--------------------------|-------|
| Goliath heron     | <i>Ardea goliath</i>     | Ghana |
| Cattle egret      | <i>Bubulcus ibis</i>     | Ghana |
| Great white egret | <i>Casmerodius albus</i> | Ghana |
| Little egret      | <i>Egretta garzetta</i>  | Ghana |

Family: CICONIIDAE

|                  |                                      |       |
|------------------|--------------------------------------|-------|
| Saddlebill stork | <i>Ephippiorhynchus senegalensis</i> | Ghana |
| Marabou stork    | <i>Leptoptilos crumeniferus</i>      | Ghana |

Family: THRESKIORNITHIDAE

|                    |                                 |       |
|--------------------|---------------------------------|-------|
| Hadada ibis        | <i>Hagedashia hagedash</i>      | Ghana |
| Spot-breasted ibis | <i>Lampribus rara</i>           | Ghana |
| Sacred ibis        | <i>Threskiornis aethiopicus</i> | Ghana |

Order: ANSERIFORMES

Family: ANATIDAE

|                        |                                |                   |
|------------------------|--------------------------------|-------------------|
| Egyptian goose         | <i>Alopochen aegyptiacus</i>   | Ghana             |
| Pintail                | <i>Anas acuta</i>              | Ghana             |
| Cape wigeon            | <i>Anas capensis</i>           | Ghana             |
| Northern shoveler      | <i>Anas clypeata</i>           | Ghana             |
| Common teal            | <i>Anas crecca</i>             | Ghana             |
| Eurasian wigeon        | <i>Anas penelope</i>           | Ghana             |
| Garganey               | <i>Anas querquedula</i>        | Ghana             |
| Ferruginous duck       | <i>Aythya nyroca</i>           | Ghana             |
| Muscovy duck           | <i>Cairina moschata</i>        | Honduras          |
| Black-billed tree duck | <i>Dendrocygna autumnalis</i>  | Honduras          |
| Fulvous tree duck      | <i>Dendrocygna bicolor</i>     | Ghana<br>Honduras |
| White-faced tree duck  | <i>Dendrocygna viduata</i>     | Ghana             |
| African pygmy goose    | <i>Nettapus auritus</i>        | Ghana             |
| Spur-winged goose      | <i>Plectropterus gambensis</i> | Ghana             |
| Hartlaub's duck        | <i>Pteronetta hartlaubii</i>   | Ghana             |

Order: FALCONIFORMES

Family: CATHARTIDAE

|              |                          |          |
|--------------|--------------------------|----------|
| King vulture | <i>Sarcoramphus papa</i> | Honduras |
|--------------|--------------------------|----------|

Order: GALLIFORMES

Family: CRACIDAE

|                         |                        |          |
|-------------------------|------------------------|----------|
| Blue-billed curassow    | <i>Crax alberti</i>    | Colombia |
| Yellow-knobbed curassow | <i>Crax daubentoni</i> | Colombia |
| Red-wattled curassow    | <i>Crax globulosa</i>  | Colombia |
| Helmeted curassow       | <i>Crax pauxi</i>      | Colombia |
| Great curassow          | <i>Crax rubra</i>      | Colombia |

|                                  |                                  |                                                              |
|----------------------------------|----------------------------------|--------------------------------------------------------------|
| Plain chachalaca                 | <i>Ortalis vetula</i>            | Costa Rica<br>Guatemala<br>Honduras<br>Guatemala<br>Honduras |
| Crested guan                     | <i>Penelope purpurascens</i>     | Honduras                                                     |
| Highland guan                    | <i>Penelope nigra</i>            | Guatemala                                                    |
| Family: PHASIANIDAE              |                                  |                                                              |
| White-breasted guineafowl        | <i>Agelastes meleagrides</i>     | Ghana                                                        |
| Ocellated turkey                 | <i>Agriocharis ocellata</i>      | Guatemala                                                    |
| Brown-breasted hill<br>partridge | <i>Arborophila brunneopectus</i> | Malaysia                                                     |
| Chestnut-necklaced<br>partridge  | <i>Arborophila charltonii</i>    | Malaysia                                                     |
| Ferruginous wood partridge       | <i>Caloperdix oculea</i>         | Malaysia                                                     |
| Crestless fireback<br>pheasant   | <i>Lophura erythrophthalma</i>   | Malaysia                                                     |
| Crested fireback pheasant        | <i>Lophura ignita</i>            | Malaysia                                                     |
| Black wood-partridge             | <i>Melanoperdix nigra</i>        | Malaysia                                                     |
| Mountain peacock-pheasant        | <i>Polyplectron inopinatum</i>   | Malaysia                                                     |
| Long-billed partridge            | <i>Rhizothera longirostris</i>   | Malaysia                                                     |
| Crested wood-partridge           | <i>Rollulus rouloul</i>          | Malaysia                                                     |
| Satyr tragopan                   | <i>Tragopan satyra</i>           | Nepal                                                        |

#### Order: CHARADRIIFORMES

|                           |                            |           |
|---------------------------|----------------------------|-----------|
| Family: BURHINIDAE        |                            |           |
| Double-striped thick-knee | <i>Burhinus bistriatus</i> | Guatemala |

#### Order: COLUMBIFORMES

|                                |                                  |           |
|--------------------------------|----------------------------------|-----------|
| Family: COLUMBIDAE             |                                  |           |
| Speckled or Cape pigeon        | <i>Columba guinea</i>            | Ghana     |
| Western bronze-naped<br>pigeon | <i>Columba iriditorques</i>      | Ghana     |
| Rock pigeon                    | <i>Columba livia</i>             | Ghana     |
| Afep pigeon                    | <i>Columba unicincta</i>         | Ghana     |
| Pink pigeon                    | <i>Nesoenas mayeri</i>           | Mauritius |
| Namaqua dove                   | <i>Oena capensis</i>             | Ghana     |
| Mourning dove                  | <i>Streptopelia decipiens</i>    | Ghana     |
| African collared dove          | <i>Streptopelia roseogrisea</i>  | Ghana     |
| Red-eyed dove                  | <i>Streptopelia semitorquata</i> | Ghana     |
| Laughing dove                  | <i>Streptopelia senegalensis</i> | Ghana     |
| Western turtle dove            | <i>Streptopelia turtur</i>       | Ghana     |
| Vinaceous dove                 | <i>Streptopelia vinacea</i>      | Ghana     |
| African green pigeon           | <i>Treron calva</i>              | Ghana     |
| Bruce's green pigeon           | <i>Treron waalia</i>             | Ghana     |
| Black-billed wood dove         | <i>Turtur abyssinicus</i>        | Ghana     |
| Blue spotted wood dove         | <i>Turtur afer</i>               | Ghana     |

|                                |                                 |           |
|--------------------------------|---------------------------------|-----------|
| Blue-headed wood dove          | <i>Turtur brehmeri</i>          | Ghana     |
| Tambourine dove                | <i>Turtur tympanistria</i>      | Ghana     |
| Order: PSITTACIFORMES          |                                 |           |
| Family: PSITTACIDAE            |                                 |           |
| Rose-ringed parakeet           | <i>Psittacula krameri</i>       | Ghana     |
| Order: CUCULIFORMES            |                                 |           |
| Family: MUSOPHAGIDAE           |                                 |           |
| Great blue turaco              | <i>Corythaeola cristata</i>     | Ghana     |
| Western grey<br>plantain-eater | <i>Crinifer piscator</i>        | Ghana     |
| Violet turaco                  | <i>Musophaga violacea</i>       | Ghana     |
| Crested turaco                 | <i>Tauraco macrorhynchus</i>    | Ghana     |
| Order: PICIFORMES              |                                 |           |
| Family: CAPITONIDAE            |                                 |           |
| Toucan barbet                  | <i>Semnornis ramphastinus</i>   | Colombia  |
| Family: RAMPHASTIDAE           |                                 |           |
| Keel-billed toucan             | <i>Ramphastos sulfuratus</i>    | Guatemala |
| Order: PASSERIFORMES           |                                 |           |
| Family: COTINGIDAE             |                                 |           |
| Amazonian umbrella-bird        | <i>Cephalopterus ornatus</i>    | Colombia  |
| Long-wattled umbrella-bird     | <i>Cephalopterus penduliger</i> | Colombia  |
| Family: MUSCICAPIDAE           |                                 |           |
| Rodrigues' warbler             | <i>Bebrornis rodericanus</i>    | Mauritius |
| Mauritius flycatcher           | <i>Tchitrea bourbonnensis</i>   | Mauritius |
| Family: ICTERIDAE              |                                 |           |
| Saffron-cowled blackbird       | <i>Xanthopsar flavus</i>        | Uruguay   |
| Family: FRINGILLIDAE           |                                 |           |
| Streaky-headed seed-eater      | <i>Serinus gularis</i>          | Ghana     |
| White-rumped canary            | <i>Serinus leucopygius</i>      | Ghana     |
| Yellow-fronted canary          | <i>Serinus mozambicus</i>       | Ghana     |
| Family: ESTRILDIDAE            |                                 |           |
| Cut-throat                     | <i>Amadina fasciata</i>         | Ghana     |
| Orange-breasted waxbill        | <i>Amandava subflava</i>        | Ghana     |
| Waxbill                        | <i>Estrilda astrild</i>         | Ghana     |
| Lavender waxbill               | <i>Estrilda caerulescens</i>    | Ghana     |
| Orange-checked waxbill         | <i>Estrilda melpoda</i>         | Ghana     |
| Black-rumped waxbill           | <i>Estrilda troglodytes</i>     | Ghana     |

|                                  |                               |       |
|----------------------------------|-------------------------------|-------|
| Black-backed firefinch           | <i>Lagonosticta larvata</i>   | Ghana |
| Black-bellied firefinch          | <i>Lagonosticta rara</i>      | Ghana |
| Brown-backed firefinch           | <i>Lagonosticta rubricata</i> | Ghana |
| Bar-breasted firefinch           | <i>Lagonosticta rufopicta</i> | Ghana |
| Red-billed firefinch             | <i>Lagonosticta senegala</i>  | Ghana |
| Black-breasted mannikin          | <i>Lonchura bicolor</i>       | Ghana |
| Bronze mannikin                  | <i>Lonchura cucullata</i>     | Ghana |
| Magpie mannikin                  | <i>Lonchura fringilloides</i> | Ghana |
| Silverbill                       | <i>Lonchura malabarica</i>    | Ghana |
| Green-backed twin-spot           | <i>Mandingoa nitidula</i>     | Ghana |
| White-chested oliveback          | <i>Nesocharis capistrata</i>  | Ghana |
| Chestnut-breasted<br>negro-finch | <i>Nigrita bicolor</i>        | Ghana |
| Grey-crowned negro-finch         | <i>Nigrita canicapilla</i>    | Ghana |
| White-breasted negro-finch       | <i>Nigrita fusconata</i>      | Ghana |
| Pale-fronted negro-finch         | <i>Nigrita luteifrons</i>     | Ghana |
| Quail-finch                      | <i>Ortygospiza atricollis</i> | Ghana |
| Antpecker                        | <i>Parmoptila woodhousei</i>  | Ghana |
| Tiny tit                         | <i>Pholidornis rushiae</i>    | Ghana |
| Black-bellied seedcracker        | <i>Pyrenestes ostrinus</i>    | Ghana |
| Red-faced pytilia                | <i>Pytilia hypogrammica</i>   | Ghana |
| Red-winged pytilia               | <i>Pytilia phoenicoptera</i>  | Ghana |
| Ìdù-mantled weaver               | <i>Ploceus tricolor</i>       | Ghana |
| Common masked weaver             | <i>Ploceus velatus</i>        | Ghana |
| Red-headed quelea                | <i>Quelea erythrops</i>       | Ghana |
| Speckle-fronted weaver           | <i>Sporopipes frontalis</i>   | Ghana |
| Village indigobird               | <i>Vidua chalybeata</i>       | Ghana |
| Uelle paradise whydah            | <i>Vidua interjecta</i>       | Ghana |
| Bako indigobird                  | <i>Vidua larvaticola</i>      | Ghana |
| Pin-tailed whydah                | <i>Vidua macroura</i>         | Ghana |
| Common paradise whydah           | <i>Vidua paradisaea</i>       | Ghana |
| Jambandu indigobird              | <i>Vidua raricola</i>         | Ghana |
| Togo paradise whydah             | <i>Vidua togoensis</i>        | Ghana |
| Wilson's indigobird              | <i>Vidua wilsoni</i>          | Ghana |

## REPTILES

### Order: TESTUDINATA

#### Family: TRIONYCHIDAE

|                          |                          |       |
|--------------------------|--------------------------|-------|
| Nile soft-shelled turtle | <i>Trionyx triunguis</i> | Ghana |
|--------------------------|--------------------------|-------|

#### Family: PELOMEDUSIDAE

|                                      |                            |       |
|--------------------------------------|----------------------------|-------|
| Helmeted turtle                      | <i>Pelomedusa subrufa</i>  | Ghana |
| White-breasted<br>side-necked turtle | <i>Pelusios adansonii</i>  | Ghana |
| West African mud terrapin            | <i>Pelusios castaneus</i>  | Ghana |
| Stripe-backed side-necked<br>turtle  | <i>Pelusios gabonensis</i> | Ghana |
| Black side-necked turtle             | <i>Pelusios niger</i>      | Ghana |

### Order: SERPENTES

|                               |                               |          |
|-------------------------------|-------------------------------|----------|
|                               | Family: COLUBRIDAE            |          |
| Olive keelback watersnake     | <i>Atretium schistosum</i>    | India    |
| Dog-faced watersnake          | <i>Cerberus rhynchops</i>     | India    |
| Chequered keelback watersnake | <i>Xenochrophis piscator</i>  | India    |
|                               | Family: ELAPIDAE              |          |
| Atlantic coral snake          | <i>Micrurus diastema</i>      | Honduras |
| Black-banded coral snake      | <i>Micrurus nigrocinctus</i>  | Honduras |
|                               | Family: VIPERIDAE             |          |
| Cantil or Mexican moccasin    | <i>Agkistrodon bilineatus</i> | Honduras |
| Darba or amarilla viper       | <i>Bothrops asper</i>         | Honduras |
| Hog-nosed pit viper           | <i>Bothrops nasutus</i>       | Honduras |
| Jumping viper                 | <i>Bothrops nummifer</i>      | Honduras |
| Large-superocular viper       | <i>Bothrops ophryomegas</i>   | Honduras |
| Palm or eye-lash viper        | <i>Bothrops schlegelii</i>    | Honduras |
| Cascabel                      | <i>Crotalus durissus</i>      | Honduras |
| Russell's viper               | <i>Vipera russellii</i>       | India    |

Where an Order, Family, Genus or Species, is listed under Appendix II or III, as well as under Appendix I or II, either specifically or generally, this shall not derogate from the higher listing.

#### SIXTH SCHEDULE (Section 17)

Protected Game Animals  
 Night-ape  
 Pangolin  
 Aardwolf  
 Brown hyaena  
 Cheetah  
 Serval  
 Blackfooted cat  
 Wild dog  
 Otter  
 Honey badger  
 Civet  
 Antbear  
 Rock dassie  
 Yellow-spotted dassie  
 Rhinoceros  
 Hippopotamus  
 Giraffe  
 Klipspringer  
 Oribi  
 Sharpe's steenbok  
 Mountain reedbuck  
 Waterbuck  
 Puku

Roan antelope  
Vaal rhebok  
All pelicans  
All herons  
All egrets  
All bitterns  
Hammerkop  
All storks  
All ibises  
Spoonbill  
All flamingoes  
Secretary bird  
All vultures  
All falcons  
All kites  
All eagles  
All buzzards  
All sparrowhawks  
All goshawks  
All harriers  
All cranes  
Kori bustard  
Stanley bustard  
All jacanas  
Fishing owl  
Narina trogon  
Python

SEVENTH SCHEDULE  
(Section 18)

*PART I PARTIALLY PROTECTED GAME ANIMALS*

Leopard  
Lion  
Elephant  
Chobe bushbuck  
Sable antelope  
Eland

*PART II GAME ANIMALS*

Vervet monkey  
Baboon  
Spotted hyaena  
Caracal  
Wild cat  
Bateared fox  
Silver fox  
Sided striped jackal  
Blackbacked jackal  
Elephant  
Zebra

Wild pig  
Warthog  
Duiker  
Steenbok  
Kudu  
Sitatunga  
Bushbuck  
Impala  
Reedbuck  
Lechwe  
Springbok  
Gemsbok  
Buffalo  
Blue wildebeest  
Hartebeest  
Tsessebe  
Scrub hare  
Cape hare  
Porcupine  
Springhare  
Ostrich  
Crocodile

### **PART III *GAME BIRDS***

Spur-wing goose  
Egyptian goose  
Whitefaced duck  
Knob-billed duck  
Cape shoveller  
Yellow-billed duck  
Red-billed teal  
Cape teal  
Southern pochard  
Francolin  
Quail  
Guinea-fowl  
Snipe  
Sandgrouse  
Green pigeons  
Turtle doves

**EIGHTH SCHEDULE**  
(Section 20)

**MAXIMUM NUMBER OF ANIMALS WHICH MAY BE KILLED BY VIRTUE OF  
LANDHOLDER'S PRIVILEGES DURING ANY ONE PERIOD SPECIFIED**

| <i>Animal</i>             | <i>Maximum permitted<br/>to be killed</i> | <i>Relevant<br/>period</i> |
|---------------------------|-------------------------------------------|----------------------------|
| Zebra                     | 10                                        | one year                   |
| Kudu                      | 10                                        | one year                   |
| Gemsbok                   | 10                                        | one year                   |
| Wildebeest                | 10                                        | one year                   |
| Hartebeest                | 10                                        | one year                   |
| Ostrich                   | 10                                        | one year                   |
| All other game<br>animals | 25 of each specie                         | one year                   |

**NINTH SCHEDULE**  
(Section 2)

**DANGEROUS ANIMALS**

Leopard  
Lion  
Elephant  
Rhinoceros  
Hippopotamus  
Buffalo  
Crocodile

**TENTH SCHEDULE**  
(Section 76)

Notice of Intended Prosecution  
**WILDLIFE CONSERVATION AND NATIONAL PARKS ACT, 1992**  
(Act No. of 1992)

**DEPARTMENT OF WILDLIFE AND NATIONAL PARKS**

To: ..... Wildlife Office: .....

Address: .....

..... Date:.....19.....

Birth place: .....

Nationality: .....

Age:.....Sex:.....

Identity/Passport No: .....

### NOTICE OF INTENDED PROSECUTION

IT is alleged that on .....19..... in the .....  
District/ ..... National Park/Game Reserve,  
you contravened section/regulation .....  
of the Wildlife Conservation and National Parks Act, 1992/Statutory Instrument  
No ..... (Description of the offence)

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

YOU are now informed that consideration will be given to prosecuting you in terms of the  
aforesaid section/regulation.

TAKE note that you may pay P ..... Admission of Guilt within  
..... days from ..... at.....  
police station. If you decline to pay Admission of Guilt, in terms of section 76 of the Wildlife  
Conservation and National Parks Act, 1992, application will be made to a public prosecutor  
for a summons ordering you to appear before the Magistrate's Court at .....  
..... on the ..... day of .....  
at ..... hours to answer the aforesaid charge(s).

Issued by No: ..... Rank:..... Name:.....

Signature of the Accused: ..... Signature:.....

..... Date:.....

Place:.....

PASSED by the National Assembly this 2nd day of September, 1992.

C.G. MOKOBI,  
*Clerk of the National Assembly.*