

DIE PROVINSIE TRANSVAAL

Buitengewone Offisiële Koerant

(As 'n Nuusblad by die Poskantoor Geregistreer)



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No 4298

No 519 (Adm.



PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefore, I do hereby promulgate the Nature Conservation Ordinance, 1983, which is printed hereunder.

Given under my Hand at Pretoria, on this 21st day of November, One Thousand Nine Hundred and Eighty-Three.

W A CRUYWAGEN
Administrator of the Province of Transvaal.

PR 4-11-(1983/12)

ORDINANCE NO 12 OF 1983

(Assented to on 1.11.1983)

(Afrikaanse copy signed by the State President.)

AN ORDINANCE

To consolidate and amend the laws relating to nature conservation and to provide for matters incidental thereto.

BE IT ENACTED by the Provincial Council of Transvaal as follows:—

PRELIMINARY

Definitions.

1. In this Ordinance, unless the context otherwise indicates —

- (i) "Administration" means the Transvaal Provincial Administration; (ii)
- (ii) "Administrator" means the officer appointed in terms of section 66 of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961), acting on the advice and with the consent of the Executive Committee of the Province; (iii)
- (iii) "advisory committee" means an advisory committee established in terms of section 7; (iv)
- (iv) "angle" means the catching of fish by the use of a line and fish-hook,

No 519 (Administrateurs-), 1983

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n Ordonnansie, waarin die Staatspresident-in-Rade toegestem het, af te kondig;

So is dit dat ek hierby die Ordonnansie op Natuurbewaring, 1983, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria, op hede die 21e dag van November, Eenduisend Negehoonderd Drie-en-Tagtig.

W A CRUYWAGEN
Administrateur van die Provinsie Transvaal

PR 4-11 (1983/12)

ORDONNANSIE NO 12 VAN 1983

(Toestemming verleen op 1.11.1983)

(Afrikaanse eksemplaar deur die Staatspresident onderteken.)

'N ORDONNANSIE

Tot samevatting en wysiging van die wetsbepalings met betrekking tot natuurbewaring en om vir bykomstige aangeleenthede voorsiening te maak.

DIE Provinsiale Raad van Transvaal VERORDEN
SOOS VOLG:—

INLEIDEND

Woord-
omskrywing.

1. In hierdie Ordonnansie, tensy uit die samehang anders blyk, beteken —

- (i) "aanhou" om lewend aan te hou, in gevangenskap te hou, beheer uit te oefen of toesig te hou oor; (xxviii)
- (ii) "Administrasie" die Transvaalse Provinsiale Administrasie; (i)
- (iii) "Administrateur" die amptenaar ingevolge artikel 66 van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961), aangestel, handelende op die advies en met die toestemming van die Uitvoerende Komitee van die Provinsie; (ii)
- (iv) "advieskomitee" 'n advieskomitee ingevolge artikel 7 ingestel; (iii)

- whether or not a rod is used, and includes the use of a landing-net or keep-net to land and keep fish caught by means of a line and fish-hook; (xxi)
- (v) "artificial lure or spoon" means a device which by the simulation of life or by the colour or appearance thereof may delude or lure fish into seizing such device; (xxx)
- (vi) "biltong" means game meat which has been dried for the purpose of preservation or which is in the process of being dried; (x)
- (vii) "Board" means the Nature Conservation Advisory Board referred to in section 6; (xlv)
- (viii) "catch", in relation to —
- (a) a wild animal, exotic animal or invertebrate, includes —
- (i) to use any means or method to take or to catch or to attempt to take or to catch such animal alive;
- (ii) to search for, to pursue, to drive, to lie in wait, to lure or to allure, to poison with the intent to catch or to injure or to kill such animal in the process of catching;
- (b) fish, includes to use any means or method to take or to attempt to take fish, whether alive or dead, to injure, to poison or to kill; (liii)
- (ix) "cave" means a natural geologically formed void or cavity beneath the surface of the earth; (xix)
- (x) "cave-formation" means any natural matter formed in a cave and includes a wall, floor or ceiling of a cave, flow-stone, drapery, column, stalactite, stalagmite, helictite, anthodite, gypsum flower or needle, any other crystalline mineral formation, tufa dam, breccia, clay or mud formation or a concretion thereof; (xx)
- (xi) "client" means any person not normally resident in the Republic and who pays or rewards any other person for or in connection with the hunting of a wild animal or an exotic animal; (xxviii)
- (xii) "closed season" means a period contemplated in section 68; (xlix)
- (xiii) "club" means a club established for the hunting of problem animals and registered in terms of section 59; (xxix)
- (xiv) "day" means the period from half an hour before sunrise to half an hour after sunset on the same day; (xi)
- (xv) "endangered species" means a spe-
- (v) "bedreigde soort" 'n soort fauna en flora in artikel 97(1) beoog; (xv)
- (vi) "beroepsjagter" iemand wat aanbied of instem om iemand anders teen beloning te begelei ten einde laasgenoemde in staat te stel om 'n wilde dier of uitheemse dier te jag; (xliii)
- (vii) "beskermde plant" 'n plant in artikel 86(1)(a) beoog; (xlv)
- (viii) "beskermde wild" 'n wilde dier in artikel 15(1)(a) beoog; (xliv)
- (ix) "beskermde wilde dier" 'n wilde dier in artikel 15(1)(c) beoog; (xlv)
- (x) "biltong" wildsvleis wat met die oog op preserving drooggemaak is of in die proses van drooggemaak is; (vi)
- (xi) "dag" die tydperk vanaf 'n halfuur voor sonop tot 'n halfuur na sononder op dieselfde dag; (xiv)
- (xii) "die herroepe Ordonnansie" die Ordonnansie op Natuurbewaring, 1967 (Ordonnansie 17 van 1967); (lvii)
- (xiii) "eienaar" met betrekking tot grond of grond waarop waters geleë is —
- (a) die persoon wat in 'n aktekan-toor as die eienaar daarvan geregistreer is;
- (b) die *bona fide*-koper daarvan voor registrasie van die transportakte op sy naam, maar nadat die koopkontrak gesluit is, met uitsluiting van die persoon in paragraaf (a) beoog;
- (c) die wettige erfgenaam van die persoon in paragraaf (a) beoog of die koper in paragraaf (b) beoog, na gelang van die geval, by die dood van daardie persoon of koper of, waar die grond aan 'n vruggebruik onderworpe is, die vruggebruiker;
- (d) die huurder van die grond wat 'n huurkontrak gesluit het vir 'n tydperk van minstens 10 jaar of vir die natuurlike lewensduur van die huurder of iemand anders in die kontrak genoem, of die persoon aan wie die grond ingevolge die wette op nedersetting toegeken is onderworpe aan die reg om die grond te koop; (xxxviii)
- (xiv) "ere-natuurbewaarder" 'n ere-natuurbewaarder ingevolge artikel 5(1) aangestel; (xxi)
- (xv) "familielid" die ouer, gade, kind, stiefkind, kleinkind, skoonseun of skoondogter van die eienaar of okkupant van grond; (li)
- (xvi) "forelwaters" die waters in artikel 70(1) beoog; (lix)
- (xvii) "gewone wild" 'n wilde dier in artikel 15(1)(b) beoog; (xxxvii)

- cies of fauna and flora contemplated in section 97(1); (v)
- (xvi) "exotic animal" means any live vertebrate, including a bird and reptile but excluding a fish, belonging to a species which is not a recognized domestic species and the natural habitat of which is not in the Republic, the territory of South West Africa or a territory which was formerly part of the Republic, and includes the egg of such animal; (1i)
- (xvii) "fish" —
- (a) includes aquatic fauna generally, excluding mammals and birds, whether indigenous or exotic and whether alive or dead, and the ova or spawn thereof;
 - (b) in relation to angling, means only those species of water fauna commonly known as fish; (1v)
- (xviii) "fisheries" includes all waters and the fish therein; (1vii)
- (xix) "fishing tackle" means any fishing gear, apparatus or other device or any part thereof normally used for catching fish; (1vi)
- (xx) "game" means any protected game, ordinary game or protected wild animal, whether alive or dead, contemplated in section 15(1); (1xi)
- (xxi) "honorary nature conservator" means an honorary nature conservator appointed in terms of section 5(1); (xiv)
- (xxii) "hunt", in relation to —
- (a) a problem animal, means to hunt, to shoot at, to kill, to pursue or to search in an organized manner for;
 - (b) any other animal, means to hunt, to shoot at, to kill, to pursue, to search for or to lie in wait of with the intent to kill or to shoot, to disturb wilfully or to collect or destroy the eggs of a bird or reptile; (xxiv)
- (xxiii) "hunting area" means an area in respect of which a club has been registered in terms of section 59; (xxv)
- (xxiv) "hunting-outfitter" means any person who presents or organizes the hunting of a wild animal or an exotic animal for reward; (xxvi)
- (xxv) "hunting-rights" means the power of an owner of land to hunt or to allow the hunting of a wild animal or an exotic animal in terms of the provisions of Chapter III of this Ordinance on land of which he is the owner; (xxvii)
- (xxvi) "indigenous plant" means any plant, herb, shrub or tree, whether alive or
- (xviii) "gif" ook enige gif, preparaat of chemiese stof wat gebruik word om 'n wilde dier, uitheemse dier of ongewerwelde dier mee te vang, te immobiliseer, te steriliseer, te dood of fisies te benadeel, en enige dergelike woord het 'n ooreenstemmende betekenis; (x1)
- (xix) "grot" 'n natuurlike geologies gevormde leegte of holte onder die oppervlak van die aarde; (ix)
- (xx) "grotformasie" enige natuurlike materie wat in 'n grot gevorm is en ook 'n wand, vloer of plafon van 'n grot, vloeisteen, behangsel, suil, stalaktiet, stalagmiet, heliktiet, antodiet, gipsblom of -naald, enige ander kristalagtige minerale formasie, tufadam, breksie, klei- of modderformasie of 'n verharding daarvan; (x)
- (xxi) "hengel" die vang van vis deur die gebruik van 'n lyn en vishoek, hetsy 'n stok gebruik word al dan nie, en ook die gebruik van 'n skepnet of bewaarnet om vis wat met 'n lyn en vishoek gevang is, aan wal te bring of te bewaar; (iv)
- (xxii) "hierdie Ordonnansie" ook 'n regulasie of kennisgewing ingevolge daarvan uitgevaardig of uitgereik; (lviii)
- (xxiii) "inheemse plant" enige plant, kruid, struik of boom, hetsy lewend of dood, wat in die Republiek, die gebied Suidwes-Afrika of 'n gebied wat voorheen deel van die Republiek was inheems is, hetsy dit gekweek word of gekweek is of hetsy dit wild groei of nie of vir 'n geruime tyd nie meer wild gegroei het nie, en ook die blom, saad, keël, vrug, bol, knol, stam of wortel of ander gedeelte van so 'n plant, kruid, struik of boom, maar uitgenome 'n plant, kruid, struik of boom wat ingevolge enige wet tot onkruid verklaar is; (xxvi)
- (xxiv) "jag", met betrekking tot —
- (a) 'n probleemdier, om te jag, om te skiet na, om dood te maak, om te agtervolg of om op 'n georganiseerde wyse te soek na;
 - (b) enige ander dier, om te jag, om te skiet na, om dood te maak, om te agtervolg, om te soek na of om voor te lê met die bedoeling om dood te maak of te skiet, om opsetlik te verstoor of om die eiers van 'n voël of reptiel te versamel of te vernietig; (xxii)
- (xxv) "jaggebied" 'n gebied ten opsigte waarvan 'n klub ingevolge artikel 59 geregistreer is; (xxiii)
- (xxvi) "jagondernemer" iemand wat die jag van 'n wilde dier of uitheemse dier teen beloning aanbied of reël; (xxiv)

dead, indigenous to the Republic, the territory of South West Africa or a territory which was formerly part of the Republic, whether it is or has been cultivated or whether or not it is growing in the wild state or has for some time not been growing in the wild state, and includes the flower, seed, cone, fruit, bulb, tuber, stem or root or other part of such a plant, herb, shrub or tree, but excluding a plant, herb, shrub or tree declared to be a weed in terms of any law; (xxiii)

- (xxvii) "invertebrate" means an invertebrate, whether alive or dead, of which the habitat is either temporarily or permanently in the Republic, the territory of South West Africa or a territory which was formerly part of the Republic, and includes any part of an invertebrate and any stage in the life cycle thereof; (xxviii)
- (xxviii) "keep" means to keep live, to keep in captivity, to exercise control over or to supervise; (i)
- (xxix) "live fish", in relation to natural bait, means live aquatic fauna commonly known as fish; (xxxi)
- (xxx) "natural bait" means any animal or vegetable substance, whether alive or dead but excluding live fish, used in angling to allure fish by virtue of the edibility, smell or taste thereof; (xxxiv)
- (xxxi) "nature conservator" means —
- (a) a nature conservator appointed in terms of section 4;
 - (b) a member of the South African Police; (xxxiii)
- (xxxii) "nature reserve" means an area declared to be a nature reserve in terms of section 14; (xxxv)
- (xxxiii) "night" means the period from half an hour after sunset on any day to half an hour before sunrise on the following day; (xxxii)
- (xxxiv) "non-spinning artificial fly" means a fish-hook with one point and one barb to which anything inedible by fish is attached and which cannot rotate when fastened to a line and drawn through water and to which no device which can rotate is attached; (xxxvi)
- (xxxv) "occupier", in relation to land or land on which waters are situated, means, for the purposes of —
- (a) Chapter V of this Ordinance, the owner or, where the land is leased, the lessee;
 - (b) any other chapter of this Ordinance, the person who actually occupies the land and is in control thereof; (xxxvii)
- (xxvii) "jagregte" die bevoegdheid van 'n eienaar van grond om 'n wilde dier of uitheemse dier ingevolge die bepalings van Hoofstuk III van hierdie Ordonnansie op grond waarvan hy die eienaar is, te jag of die jag daarvan toe te laat; (xxv)
- (xxviii) "kliënt" iemand wat nie gewoonlik in die Republiek woonagtig is nie en wat iemand anders vir of in verband met die jag van 'n wilde dier of uitheemse dier betaal of vergoed; (xi)
- (xxix) "klub" 'n klub gestig vir die jag van probleemdiere en geregistreer ingevolge artikel 59; (xiii)
- (xxx) "kunslokmiddel of lepel" 'n toestel wat deur die nabootsing van lewe of deur die kleur of voorkoms daarvan vis kan mislei of lok om die toestel te gryp; (v)
- (xxxi) "lewende vis", met betrekking tot natuurlike aas, lewende waterfauna wat in die reël as vis bekend staan; (xxix)
- (xxxii) "nag" die tydperk vanaf 'n halfuur na sononder op enige dag tot 'n halfuur voor sonop op die volgende dag; (xxxiii)
- (xxxiii) "natuurbewaarder" —
- (a) 'n natuurbewaarder ingevolge artikel 4 aangestel;
 - (b) 'n lid van die Suid-Afrikaanse Polisie; (xxxi)
- (xxxiv) "natuurlike aas" enige dierlike of plantaardige stof, hetsy lewend of dood maar uitgenome lewende vis, wat by hengel gebruik word om vis aan te lok vanweë die eetbaarheid, reuk of smaak daarvan; (xxx)
- (xxxv) "natuurreservaat" 'n gebied ingevolge artikel 14 tot 'n natuurreservaat verklaar; (xxxii)
- (xxxvi) "nie-ronddraaiende kunsvlieg" 'n vishoek met een punt en een weerhaak waaraan iets wat vir vis oneetbaar is, geheg is en wat nie kan ronddraai nie as dit aan 'n lyn vasgemaak is en deur water getrek word en waaraan geen toestel wat kan ronddraai, geheg is nie; (xxxiv)
- (xxxvii) "okkupant", met betrekking tot grond of grond waarop waters geleë is, by die toepassing van —
- (a) Hoofstuk V van hierdie Ordonnansie, die eienaar of, waar die grond verhuur word, die huurder;
 - (b) enige ander hoofstuk van hierdie Ordonnansie, die persoon wat werklik die grond bewoon en in beheer daarvan is; (xxxv)
- (xxxviii) "ongewerweld dier" 'n ongewerweld dier, hetsy lewend of dood,

- (xxxvi) "open season" means a period contemplated in section 17(1)(a); (xxxix)
- (xxxvii) "ordinary game" means a wild animal contemplated in section 15(1)(b); (xvii)
- (xxxviii) "owner", in relation to land or land on which waters are situated, means —
- (a) the person registered as the owner thereof in a deeds registry;
 - (b) the *bona fide* purchaser thereof prior to the registration of the deed of transfer in his name, but after the contract of sale has been concluded, to the exclusion of the person contemplated in paragraph (a);
 - (c) the lawful heir of the person contemplated in paragraph (a) or the purchaser contemplated in paragraph (b), as the case may be, at the death of such person or purchaser or, where the land is subject to a usufruct, the usufructuary;
 - (d) the lessee of the land who has entered into a lease for a period of not less than 10 years or for the natural life of the lessee or any other person referred to in the lease, or the person to whom the land has been allotted in terms of the laws on land settlement subject to the right to purchase the land; (xiii)
- (xxix) "pick" includes to gather, to cut off, to chop off, to uproot, to damage or to destroy; (xlii)
- (x1) "poison" includes any poison, preparation or chemical used to catch, immobilize, sterilize, kill or to harm physically a wild animal, exotic animal or invertebrate, and any like word has a corresponding meaning; (xviii)
- (xli) "prescribe" means to prescribe by regulation; (1viii)
- (xlii) "problem animal" means a wild animal contemplated in section 56(1); (xliiii)
- (xliiii) "professional hunter" means any person who offers or agrees to escort any other person for reward in order to enable the latter to hunt a wild animal or an exotic animal; (vi)
- (xliv) "protected game" means a wild animal contemplated in section 15(1)(a); (viii)
- (xlv) "protected plant" means a plant contemplated in section 86(1)(a); (vii)
- (x1vi) "protected wild animal" means a waarvan die natuurlike tuiste of tydelik of permanent in die Republiek, die gebied Suidwes-Afrika of 'n gebied wat voorheen deel van die Republiek was, is, en ook enige gedeelte van 'n ongewerwelde dier en enige stadium in die lewensiklus daarvan; (xxvii)
- (xxxix) "oop-seisoen" 'n tydperk in artikel 17(1)(a) beoog; (xxxvi)
- (x1) "openbare pad" 'n pad, uitspanplek, rus- of drinkplek waartoe die publiek of deel daarvan 'n reg van toegang het; (x1viii)
- (x1i) "openbare verkoping" 'n verkoping —
- (a) op 'n openbare mark;
 - (b) deur 'n slagter wat die houer is van 'n lisensie in artikel 32(1)(b) beoog;
 - (c) deur die houer van 'n permit in artikel 32(1) beoog; (x1ix)
- (x1ii) "pluk" ook om te versamel, om af te sny, om af te kap, om te ontwortel, om te beskadig of om te vernietig; (xxxix)
- (x1iii) "probleemdier" 'n wilde dier in artikel 56(1) beoog; (xlii)
- (x1iv) "Provinsie" die Provinsie Transvaal; (x1vii)
- (xlv) "Raad" die Adviesraad insake Natuurbewaring in artikel 6 genoem; (vii)
- (x1vi) "skaars soort" 'n soort fauna en flora in artikel 97(1) beoog; (1)
- (x1vii) "spesiaal beskermde plant" 'n plant in artikel 86(1)(b) beoog; (1iv)
- (x1viii) "stellyn" 'n lyn en vishoek wat, wanneer dit gebruik word om vis mee te vang, nie onder die onmiddellike bewaking van iemand is nie maar aan iets vasgemaak is, maar uitgenome 'n lyn en vishoek wat vas is aan 'n katroel en stok wat los op die grond lê of wat op 'n mik of 'n stander rus; (1iii)
- (x1ix) "toe-seisoen" 'n tydperk in artikel 68 beoog; (xii)
- (1) "toetsspan" 'n toetsspan in artikel 51(4) beoog; (1vi)
- (1i) "uitheemse dier" enige lewende werwdier, met inbegrip van 'n voël en reptiel maar uitgenome 'n vis, behorende tot 'n soort wat nie 'n erkende huisdiersoort is nie en waarvan die natuurlike tuiste nie in die Republiek, die gebied Suidwes-Afrika of 'n gebied wat voorheen deel van die Republiek was, is nie, en ook die eier van sodanige dier; (xvi)
- (1ii) "vang", met betrekking tot —
- (a) 'n wilde dier, uitheemse dier of ongewerwelde dier ook —

- wild animal contemplated in section 15(1)(c); (ix)
- (xlvii) "Province" means the Province of Transvaal; (xlv)
- (xlviii) "public road" means a road, out-span, resting place or watering place to which the public or a section thereof has a right of access; (xl)
- (xlix) "public sale" means a sale —
- (a) at a public market;
 - (b) by a butcher who is the holder of a licence contemplated in section 32(1)(b);
 - (c) by the holder of a permit contemplated in section 32(1); (xli)
- (1) "rare species" means a species of fauna and flora contemplated in section 97(1); (xlii)
- (1i) "relative" means the parent, spouse, child, step-child, grandchild, son-in-law or daughter-in-law of the owner or occupier of land; (xv)
- (1ii) "sell" means to sell, to barter, to offer for sale, to display for sale or to give or to offer at a valuable consideration, and "buy" shall be construed accordingly; (liv)
- (1iii) "set-line" means a line and fish-hook which, when used for catching fish, is not under the direct charge of any person but is fastened to anything, but excluding a line and fish-hook fixed to a reel and rod lying loose on the ground or resting on a fork or a stand; (xlviii)
- (1iv) "specially protected plant" means a plant contemplated in section 86(1)(b); (xlvii)
- (1v) "stock" means a horse, mule, ass, bull, cow, ox, heifer, calf, sheep, goat, pig or poultry; (liii)
- (1vi) "testing-team" means a testing-team contemplated in section 51(4); (1)
- (1vii) "the repealed Ordinance" means the Nature Conservation Ordinance, 1967 (Ordinance 17 of 1967); (xii)
- (1viii) "this Ordinance" includes a regulation made or a notice issued in terms thereof; (xxii)
- (1ix) "trout waters" means the waters contemplated in section 70(1); (xvi)
- (1x) "waters" means the waters in rivers, streams, creeks, lakes, pans, vleis, dams, reservoirs, furrows, canals and ponds; (1x)
- (1xi) "weapon" means a firearm or other weapon or implement with which a projectile can be so propelled that it can kill, injure or immobilize a wild animal or exotic animal, the ammunition for a firearm and any projectile for use in connection with such
- (i) om enige middel of metode te gebruik om sodanige dier lewend te neem of te vang of om te poog om sodanige dier lewend te neem of te vang;
- (ii) om te soek na, om te agtervolg, om aan te jaag, om voor te lê, om te lok of aan te lok, om te vergiftig met die doel om te vang of om sodanige dier in die vangproses te beseer of te dood;
- (b) vis, ook om enige middel of metode te gebruik om vis te neem of om te poog om vis te neem, hetsy lewend of dood, om te beseer, om te vergiftig of om te dood; (viii)
- (1iii) "vee" 'n perd, muil, esel, bul, koei, os, vers, kalf, skaap, bok, vark of pluimvee; (lv)
- (1iv) "verkoop" om te verkoop, om te verruil, om te koop aan te bied, om vir verkoop te vertoon, of om te gee of om aan te bied teen 'n geldwaardige teenprestasie, en "koop" word dienoooreenkomstig uitgelê; (1ii)
- (1v) "vis" —
- (a) ook waterfauna in die algemeen, uitgenome soogdiere en voëls, hetsy inheems of uitheems en hetsy lewend of dood, en die eiers of kuit daarvan;
 - (b) met betrekking tot hengel, slegs dié soorte waterfauna wat in die reël as vis bekend staan; (xvii)
- (1vi) "visgereedskap" enige vistuig, apparaat of ander toestel of enige gedeelte daarvan wat gewoonlik gebruik word om vis mee te vang; (xix)
- (1vii) "visserye" ook alle waters en die vis daarin; (xviii)
- (1viii) "voorskryf" om by regulasie voor te skryf; (xli)
- (1ix) "wapen" 'n vuurwapen of ander wapen of werktuig waarmee 'n projektiel so voortgedryf kan word dat dit 'n wilde dier of uitheemse dier kan doodmaak, beseer of immobiliseer, die ammunisie vir 'n vuurwapen en enige projektiel vir gebruik in verband met so 'n ander wapen of werktuig en enige chemiese stof of preparaat vir gebruik in verband met so 'n projektiel; (1xi)
- (1x) "waters" die waters in riviere, strome, spruite, mere, panne, vleie, damme, reservoirs, vore, kanale en vywers; (1x)
- (1xi) "wild" enige beskermde wild, ge-

other weapon or implement and any chemical or preparation for use in connection with such projectile; (lix)

- (lxii) "wild animal" means any vertebrate, including a bird and a reptile but excluding a fish, belonging to a species which is not a recognized domestic species and the natural habitat of which is either temporarily or permanently in the Republic, the territory of South West Africa or a territory which was formerly part of the Republic, and includes the carcass, egg, flesh, whether fresh or cured, biltong, hide, skin, thong, tooth, tusk, bone, horn, shell, scale, claw, nail, hoof, paw, tail, ear, hair, feather or any other part of such vertebrate, excluding any part of such vertebrate which has been processed into a final product. (lxii)

CHAPTER I

CONTINUED EXISTENCE OF NATURE CONSERVATION BRANCH AND NATURE CONSERVATION ADVISORY BOARD, ESTABLISHMENT OF NATURE CONSERVATION ADVISORY COMMITTEES AND APPOINTMENT OF OFFICERS

Continued existence of Nature Conservation Branch.

2. The Nature Conservation Branch established by section 2 of the repealed Ordinance shall, notwithstanding section 115 of this Ordinance, continue to exist under the name of the Nature Conservation Division.

Objects of Nature Conservation Division.

3. The objects of the Nature Conservation Division shall be the advancement, control and administration of nature conservation.

Appointment of Director and staff.

4. The Administrator may, subject to the laws governing the Public Service of the Republic, appoint for the Nature Conservation Division —

(a) a director, to be known as the Director of Nature Conservation;

(b) nature conservators and such staff as he may from time to time deem necessary,

and he shall determine their powers, functions and duties.

Appointment of honorary nature conservators and issue of certificates of appointment.

5.(1) The Administrator may appoint honorary nature conservators.

(2) The Administrator shall issue a certificate of appointment to every nature conservator appointed in terms of section 4 and to every honorary nature conservator appointed in terms of subsection (1).

Continued existence of Nature Conservation Advisory Board.

6. The Nature Conservation Advisory Board established by section 87 of the repealed Ordinance shall, notwithstanding section 115 of this Ordinance, continue to exist.

Establishment of nature conservation advisory committees.

7. The Administrator may establish a nature conservation advisory committee in any magisterial district in the Province.

Appointment of members of board and advisory committees.

8. The Administrator shall appoint such number of persons as he may deem expedient as members of the Board and an advisory committee.

wone wild of beskermde wilde dier, hetsy lewend of dood, in artikel 15(1) beoog; (xx)

- (lxii) "wilde dier" enige werweldier, met inbegrip van 'n voël en 'n reptiel maar uitgenome 'n vis, behorende tot 'n soort wat nie 'n erkende huisdiersoort is nie en waarvan die natuurlike tuiste of tydelik of permanent in die Republiek, die gebied Suidwes-Afrika of 'n gebied wat voorheen deel van die Republiek was, is, en ook die karkas, eier, vleis, hetsy vars of berei, biltong, huid, vel, riem, tand, slagtang, been, horing, dop, skub, klou, nael, hoef, poot, stert, oor, haar, veer of enige ander gedeelte van so 'n werweldier, uitgenome enige gedeelte van so 'n werweldier wat tot 'n eindprodukt verwerk is. (lxii)

HOOFSTUK I

VOORTBESTAAN VAN AFDELING NATUURBEWARING EN ADVIESRAAD INSAKE NATUURBEWARING, INSTELLING VAN ADVIESKOMITEES INSAKE NATUURBEWARING EN AANSTELLING VAN BEAMPTES

Voortbestaan van Afdeling Natuurbewaring.

2. Die Afdeling Natuurbewaring ingestel by artikel 2 van die hertoepe Ordonnansie bly, ondanks artikel 115 van hierdie Ordonnansie, onder dieselfde naam voortbestaan.

Oogmerke van Afdeling Natuurbewaring.

3. Die oogmerke van die Afdeling Natuurbewaring is die bevordering, beheer en administrasie van natuurbewaring.

Aanstelling van Direkteur en personeel.

4. Die Administrateur kan, behoudens die wette op die Staatsdiens van die Republiek, vir die Afdeling Natuurbewaring —

(a) 'n direkteur, bekend te staan as die Direkteur van Natuurbewaring;

(b) natuurbewaarders en die ander personeel wat hy van tyd tot tyd nodig ag,

aanstel en hy bepaal hul bevoegdhede, funksies en pligte.

Aanstelling van ere-natuurbewaarders en uitreiking van sertifikate van aanstelling.

5. (1) Die Administrateur kan ere-natuurbewaarders aanstel.

(2) Die Administrateur reik aan elke natuurbewaarder ingevolge artikel 4 aangestel en aan elke ere-natuurbewaarder ingevolge subartikel (1) aangestel 'n sertifikaat van aanstelling uit.

Voortbestaan van Adviesraad insake Natuurbewaring.

6. Die Adviesraad insake Natuurbewaring ingestel by artikel 87 van die herroepe Ordonnansie bly, ondanks artikel 115 van hierdie Ordonnansie, voortbestaan.

Instelling van advieskomitees insake natuurbewaring.

7. Die Administrateur kan in enige landrostdistrik in die Provinsie 'n advieskomitee insake natuurbewaring instel.

Aanstelling van lede van Raad en advieskomitees.

8. Die Administrateur stel die getal persone wat hy dienstig ag, aan as lede van die Raad en 'n advieskomitee.

Period of office, qualifications and disqualifications of members of board and advisory committees.

9.(1) Subject to subsection (3), a member of the Board and an advisory committee shall be appointed for the period prescribed.

(2) The qualifications and disqualifications of a member of the Board and an advisory committee shall be as prescribed.

(3) The Administrator may, if he is of the opinion that there is good reason for doing so, at any time remove a member of the Board or an advisory committee from office.

Vacancy on board and advisory committees.

10. When the office of a member of the Board or an advisory committee becomes vacant, the Administrator may appoint any person to fill the vacancy for the unexpired portion of the period of office of the member whose office has become vacant.

Powers, functions and duties of Board and advisory committees.

11.(1) The powers, functions and duties of the Board and an advisory committee shall be as prescribed.

(2) Any person who wilfully obstructs, hinders or interferes with the Board or an advisory committee or a member thereof in the exercise of any power or the performance of any function or duty conferred, assigned or imposed in terms of this Ordinance shall be guilty of an offence.

Chairman of Board.

12. The Administrator shall nominate a member of the Board as chairman for such period as he may determine.

Remuneration and allowances of members of Board and advisory committees.

13.(1) The Administrator may from time to time determine the remuneration, travelling and subsistence allowances and other allowances payable to a member of the Board and an advisory committee who is not a member of the Public Service of the Republic.

(2) The remuneration and allowances determined in terms of subsection (1) shall be paid from moneys appropriated by the Provincial Council for that purpose.

CHAPTER II

DECLARATION OF NATURE RESERVES

Declaration of nature reserves.

14. The Administrator may by notice in the *Provincial Gazette* declare an area defined in the notice to be a nature reserve and he may at any time by like notice amend the definition of such an area or withdraw the declaration of such an area to be a nature reserve.

CHAPTER III

WILD ANIMALS

Protected game, ordinary game and protected wild animals.

15.(1) The wild animals referred to —

- in Schedule 2 to this Ordinance shall be protected game;
- in Schedule 3 to this Ordinance shall be ordinary game;
- in Schedule 4 to this Ordinance shall be protected wild animals.

(2) The Administrator may by notice in the *Provincial Gazette* insert in or add to or delete

Ampstermyn, kwalifikasies en diskwalifikasies van lede van Raad en advieskomitees.

9. (1) Behoudens subartikel (3), word 'n lid van die Raad en 'n advieskomitee aangestel vir die tydperk voorgeskryf.

(2) Die kwalifikasies en diskwalifikasies van 'n lid van die Raad en 'n advieskomitee is soos voorgeskryf.

(3) Die Administrateur kan, indien hy van oordeel is dat daar gegronde rede is om dit te doen, te eniger tyd 'n lid van die Raad of 'n advieskomitee van sy amp onthef.

Vakature in Raad en advieskomitees.

10. Wanneer die amp van 'n lid van die Raad of 'n advieskomitee vakant raak, kan die Administrateur iemand aanstel om die vakature te vul vir die onverstreke gedeelte van die ampstermyn van die lid wie se amp vakant geraak het.

Bevoegdheid, funksies en pligte van Raad en advieskomitees.

11. (1) Die bevoegdheid, funksies en pligte van die Raad en 'n advieskomitee is soos voorgeskryf.

(2) Iemand wat die Raad of 'n advieskomitee of 'n lid daarvan by die uitoefening van enige bevoegdheid of die vervulling van enige funksie of plig ingevolge hierdie Ordonnansie verleen, opgedra of opgelê, opsetlik dwarsboom, hinder of belemmer, is aan 'n misdryf skuldig.

Voorsitter van Raad.

12. Die Administrateur benoem 'n lid van die Raad as voorsitter vir die tydperk wat hy bepaal.

Vergoeding en toelaes van lede van Raad en advieskomitees.

13. (1) Die Administrateur kan van tyd tot tyd die vergoeding, reis- en verblyftoelaes en ander toelaes bepaal wat aan 'n lid van die Raad en 'n advieskomitee wat nie 'n lid van die Staatsdiens van die Republiek is nie, betaalbaar is.

(2) Die vergoeding en toelaes ingevolge subartikel (1) bepaal, word betaal uit die gelde wat die Provinsiale Raad vir daardie doel bewillig.

HOOFSTUK II

VERKLARING VAN NATUURRESERVATE

Verklaring van natuurreservate.

14. Die Administrateur kan by kennisgewing in die *Provinsiale Koerant* 'n gebied in die kennisgewing omskryf tot 'n natuurreservaat verklaar en hy kan te eniger tyd by dergelike kennisgewing die omskrywing van so 'n gebied wysig of die verklaring van so 'n gebied tot 'n natuurreservaat terugtrek.

HOOFSTUK III

WILDE DIERE

Beskermdede wild, gewone wild en beskermdede wilde diere.

15. (1) Die wilde diere genoem —

- in Bylae 2 by hierdie Ordonnansie is beskermdede wild;
- in Bylae 3 by hierdie Ordonnansie is gewone wild;
- in Bylae 4 by hierdie Ordonnansie is beskermdede wilde diere.

(2) Die Administrateur kan by kennisgewing in die *Provinsiale Koerant* die naam van

from Schedule 2, 3 or 4 to this Ordinance the name of any wild animal.

Hunting of protected game.

16.(1) Subject to the provisions of this Ordinance, no person shall hunt protected game: Provided that upon the written application of the owner of land a permit may be issued —

- (a) to the owner;
- (b) to any other person indicated by the owner in the application,

which authorizes the holder to hunt the species, number and sex of protected game referred to in the permit on the land of the owner.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence and liable on conviction —

- (a) where such person has not been previously convicted of a contravention of this section or section 19 or 20 or a provision of the repealed Ordinance corresponding to this section or section 19 or 20, to a fine not exceeding R1 500 or to imprisonment for a period not exceeding 18 months or to both such fine and such imprisonment;
- (b) where such person has been previously convicted of a contravention of this section or section 19 or 20 or a provision of the repealed Ordinance corresponding to this section or section 19 or 20, to a fine not exceeding R2 000 or to imprisonment for a period not exceeding 24 months or to both such fine and such imprisonment.

Hunting of ordinary game.

17.(1) Subject to the provisions of this Ordinance, no person shall hunt ordinary game: Provided that —

- (a) the Administrator may by notice in the *Provincial Gazette* declare a period to be an open season during which the persons or category of persons referred to in the notice may, subject to the provisions of this Ordinance, hunt the species and sex of ordinary game referred to therein in the area defined therein;
- (b) the owner of land may hunt ordinary game on land of which he is the owner during an open season;
- (c) a relative of the owner of land may with the prior written permission of the owner hunt ordinary game on the land of the owner during an open season;
- (d) the holder of a licence which authorizes him to do so may, with the prior written permission of the owner of land, hunt ordinary game on the land of the owner during an open season;
- (e) the owner or occupier of land may hunt ordinary game on land of which he is the owner or occupier at any time during the

Jag van beskermde wild.

enige wilde dier in Bylae 2, 3 of 4 by hierdie Ordonnansie invoeg of daarby byvoeg of daaruit skrap.

16. (1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand beskermde wild jag nie: Met dien verstande dat op skriftelike aansoek van die eienaar van grond 'n permit uitgereik kan word —

- (a) aan die eienaar;
- (b) aan iemand anders wat die eienaar in die aansoek aanwys,

wat die houer magtig om die soort, getal en geslag van beskermde wild wat in die permit genoem word op die grond van die eienaar te jag.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar —

- (a) waar so iemand nie voorheen aan 'n oortreding van hierdie artikel of artikel 19 of 20 of 'n bepaling van die herroepe Ordonnansie wat met hierdie artikel of artikel 19 of 20 ooreenstem, skuldig bevind is nie, met 'n boete van hoogstens R1 500 of met gevangenisstraf vir 'n tydperk van hoogstens 18 maande of met daardie boete sowel as daardie gevangenisstraf;
- (b) waar so iemand voorheen aan 'n oortreding van hierdie artikel of artikel 19 of 20 of 'n bepaling van die herroepe Ordonnansie wat met hierdie artikel of artikel 19 of 20 ooreenstem, skuldig bevind is, met 'n boete van hoogstens R2 000 of met gevangenisstraf vir 'n tydperk van hoogstens 24 maande of met daardie boete sowel as daardie gevangenisstraf.

Jag van gewone wild.

17. (1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand gewone wild jag nie: Met dien verstande dat —

- (a) die Administrateur by kennisgewing in die *Provinsiale Koerant* 'n tydperk tot 'n oop-seisoen kan verklaar waartydens die persone of kategorie persone in die kennisgewing genoem, onderworpe aan die bepalings van hierdie Ordonnansie, die soort en geslag van gewone wild daarin genoem binne die gebied daarin omskryf, kan jag;
- (b) die eienaar van grond gewone wild op grond waarvan hy die eienaar is gedurende 'n oop-seisoen kan jag;
- (c) 'n familielid van die eienaar van grond met die voorafverkreë skriftelike toestemming van die eienaar gewone wild op die grond van die eienaar gedurende 'n oop-seisoen kan jag;
- (d) die houer van 'n lisensie wat hom magtig om dit te doen, met die voorafverkreë skriftelike toestemming van die eienaar van grond gewone wild op die grond van die eienaar gedurende 'n oop-seisoen kan jag;
- (e) die eienaar of okkupant van grond te eniger tyd gedurende die dag gewone wild op grond waarvan hy die eienaar of okku-

day while it is damaging cultivated trees or cultivated crops;

- (f) upon the written application of the owner of land a permit may be issued —

- (i) to the owner;
- (ii) to any other person indicated by the owner in the application,

which authorizes the holder to hunt the species, number and sex of ordinary game referred to in the permit on the land of the owner during a period other than an open season.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence and liable on conviction —

- (a) where such person has not been previously convicted of a contravention of this section or a corresponding provision of the repealed Ordinance, to a fine not exceeding R750 or to imprisonment for a period not exceeding 9 months or to both such fine and such imprisonment;
- (b) where such person has been previously convicted of a contravention of this section or a corresponding provision of the repealed Ordinance, to a fine not exceeding R1 000 or to imprisonment for a period not exceeding 12 months or to both such fine and such imprisonment.

Hunting of
protected wild
animals.

18.(1) Subject to the provisions of this Ordinance, no person shall hunt a protected wild animal: Provided that —

- (a) upon the written application of the owner of land a permit may be issued —
 - (i) to the owner;
 - (ii) to any other person indicated by the owner in the application,

which authorizes the holder to hunt the species, number and sex of protected wild animals referred to in the permit on the land of the owner;

- (b) the owner of land or a relative of his to whom he has granted written permission beforehand to hunt may, on the land of the owner, or the occupier of land may, on land of which he is the occupier, hunt —
 - (i) a buffalo if cattle are kept on that land;
 - (ii) any other protected wild animal during the day or night while it is causing or is about to cause damage to stock or is in the immediate vicinity of the carcass of stock which it has or apparently has killed.

(2) When any person has killed or wounded or has presumably wounded a buffalo, lion, leopard or cheetah in the circumstances con-

pant is, kan jag terwyl dit besig is om aan-geplante bome of verboude gewasse te beskadig;

- (f) op skriftelike aansoek van die eienaar van grond 'n permit uitgereik kan word —

- (i) aan die eienaar;
- (ii) aan iemand anders wat die eienaar in die aansoek aanwys,

wat die houer magtig om die soort, getal en geslag van gewone wild wat in die permit genoem word op die grond van die eienaar gedurende 'n ander tydperk as 'n oop-seisoen te jag.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigebevinding strafbaar —

- (a) waar so iemand nie voorheen aan 'n oortreding van hierdie artikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is nie, met 'n boete van hoogstens R750 of met gevangenisstraf vir 'n tydperk van hoogstens 9 maande of met daardie boete sowel as daardie gevangenisstraf;
- (b) waar so iemand voorheen aan 'n oortreding van hierdie artikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is, met 'n boete van hoogstens R1 000 of met gevangenisstraf vir 'n tydperk van hoogstens 12 maande of met daardie boete sowel as daardie gevangenisstraf.

Jag van
beskermdde
wilde diere.

18. (1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand 'n beskermdde wilde dier jag nie: Met dien verstande dat —

- (a) op skriftelike aansoek van die eienaar van grond 'n permit uitgereik kan word —
 - (i) aan die eienaar;
 - (ii) aan iemand anders wat die eienaar in die aansoek aanwys,

wat die houer magtig om die soort, getal en geslag van beskermdde wilde diere wat in die permit genoem word op die grond van die eienaar te jag;

- (b) die eienaar van grond of 'n familielid van hom aan wie hy vooraf skriftelike toestemming verleen het om te jag op die grond van die eienaar of die okkupant van grond op grond waarvan hy die okkupant is —
 - (i) 'n buffel kan jag indien daar beeste op daardie grond aangehou word;
 - (ii) enige ander beskermdde wilde dier gedurende die dag of nag kan jag terwyl dit besig is of op die punt staan om skade onder vee aan te rig of in die onmiddellike nabyheid is van die karkas van vee wat dit gedood of oënskynlik gedood het.

(2) Wanneer iemand 'n buffel, leeu, luiperd of jagluiperd in die omstandighede in paragraaf (b) van die voorbehoudsbepaling by sub-

templated in paragraph (b) of the proviso to subsection (1), he shall report it within 24 hours at the police station or the office of the nature conservator nearest to the place where the buffalo, lion, leopard or cheetah was killed or wounded or was presumably wounded.

(3) Any person who contravenes or fails to comply with subsection (1) or (2) shall be guilty of an offence and liable on conviction, in the case of a contravention of subsection (1) —

- (a) where such person has not been previously convicted of a contravention of that subsection or section 16 or 23 or a provision of the repealed Ordinance corresponding to that subsection or section 16 or 23, to a fine not exceeding R1 500 or to imprisonment for a period not exceeding 18 months or to both such fine and such imprisonment;
- (b) where such person has been previously convicted of a contravention of that subsection or section 16 or 23 or a provision of the repealed Ordinance corresponding to that subsection or section 16 or 23, to a fine not exceeding R2 000 or to imprisonment for a period not exceeding 24 months or to both such fine and such imprisonment.

Hunting in
nature reserves

19.(1) Subject to the provisions of this Ordinance, no person shall hunt game in a nature reserve: Provided that —

- (a) upon the written application of the owner of land in a nature reserve a permit may be issued —
 - (i) to the owner;
 - (ii) to any other person indicated by the owner in the application,

which authorizes the holder to hunt the species, number and sex of game referred to in the permit on the land of the owner;

- (b) the owner of land to whom a permit has been issued in terms of paragraph (a) may grant to the holder of a licence which authorizes him to hunt ordinary game, permission in writing to hunt, subject to the provisions of the permit, the ordinary game referred to in the licence on the land of the owner during an open season.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence and liable on conviction —

- (a) where such person has not been previously convicted of a contravention of this section or a corresponding provision of the repealed Ordinance, to a fine not exceeding R1 500 or to imprisonment for a period not exceeding 18 months or to both such fine and such imprisonment;

artikel (1) beoog, doodgemaak of gekwes of vermoedelik gekwes het, rapporteer hy dit binne 24 uur by die polisiekantoor of die kantoor van die natuurbewarder naaste aan die plek waar die buffel, leeu, luiperd of jagluiperd doodgemaak of gekwes of vermoedelik gekwes is.

(3) Iemand wat subartikel (1) of (2) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar, in die geval van 'n oortreding van subartikel (1) —

- (a) waar so iemand nie voorheen aan 'n oortreding van daardie subartikel of artikel 16 of 23 of 'n bepaling van die herroepe Ordonnansie wat met daardie subartikel of artikel 16 of 23 ooreenstem, skuldig bevind is nie, met 'n boete van hoogstens R1 500 of met gevangenisstraf vir 'n tydperk van hoogstens 18 maande of met daardie boete sowel as daardie gevangenisstraf;
- (b) waar so iemand voorheen aan 'n oortreding van daardie subartikel of artikel 16 of 23 of 'n bepaling van die herroepe Ordonnansie wat met daardie subartikel of artikel 16 of 23 ooreenstem, skuldig bevind is, met 'n boete van hoogstens R2 000 of met gevangenisstraf vir 'n tydperk van hoogstens 24 maande of met daardie boete sowel as daardie gevangenisstraf.

Jag in
natuurreserve.

19. (1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand wild in 'n natuurreservaat jag nie: Met dien verstande dat —

- (a) op skriftelike aansoek van die eienaar van grond in 'n natuurreservaat 'n permit uitgereik kan word —
 - (i) aan die eienaar;
 - (ii) aan iemand anders wat die eienaar in die aansoek aanwys,

wat die houer magtig om die soort, getal en geslag van wild wat in die permit genoem word op die grond van die eienaar te jag;

- (b) die eienaar van grond aan wie 'n permit ingevolge paragraaf (a) uitgereik is, aan die houer van 'n lisensie wat hom magtig om gewone wild te jag, skriftelik toestemming kan verleen om, onderworpe aan die bepalings van die permit, die gewone wild wat in die lisensie genoem word op die grond van die eienaar gedurende 'n oopseisoen te jag.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar —

- (a) waar so iemand nie voorheen aan 'n oortreding van hierdie artikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is nie, met 'n boete van hoogstens R1 500 of met gevangenisstraf vir 'n tydperk van hoogstens 18 maande of met daardie boete sowel as daardie gevangenisstraf;

- (b) where such person has been previously convicted of a contravention of this section or a corresponding provision of the repealed Ordinance, to a fine not exceeding R2 000 or to imprisonment for a period not exceeding 24 months or to both such fine and such imprisonment.

Hunting during night.

20.(1) Subject to the provisions of this Ordinance, no person shall hunt game during the night, unless he is the holder of a permit which authorizes him to do so.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence and liable on conviction —

- (a) where such person has not been previously convicted of a contravention of this section or a corresponding provision of the repealed Ordinance, to a fine not exceeding R1 500 or to imprisonment for a period not exceeding 18 months or to both such fine and such imprisonment;
- (b) where such person has been previously convicted of a contravention of this section or a corresponding provision of the repealed Ordinance, to a fine not exceeding R2 000 or to imprisonment for a period not exceeding 24 months or to both such fine and such imprisonment.

Hunting of game with certain weapons.

21.(1) Subject to the provisions of this Ordinance, no person shall hunt game with —

- (a) a weapon which, after it has been discharged, automatically reloads when the trigger thereof is pulled or held in a discharged position;
- (b) a weapon discharging a rimfiring cartridge of .22 or an inch or smaller calibre;
- (c) a shotgun;
- (d) an air-gun,

unless he is the holder of a permit which authorizes him to do so: Provided that —

- (i) any person may hunt a hare or a bird with a shotgun;
- (ii) the owner of land or a relative of his may with his permission hunt game with any firearm on the land of the owner.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Prohibited acts with certain devices or means.

22.(1) Subject to the provisions of this Ordinance, no person shall, on land on which any wild animal is found or is likely to be found —

- (a) bring or be in possession of a snare, trap, gin, net, bird-lime, trap-cage or other device or means intended or suitable for the hunting or catching of a wild animal;

Jag gedurende nag.

- (b) waar so iemand voorheen aan 'n oortreding van hierdie artikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is, met 'n boete van hoogstens R2 000 of met gevangenisstraf vir 'n tydperk van hoogstens 24 maande of met daardie boete sowel as daardie gevangenisstraf.

20. (1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand wild gedurende die nag jag nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldbevestiging strafbaar —

- (a) waar so iemand nie voorheen aan 'n oortreding van hierdie artikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is nie, met 'n boete van hoogstens R1 500 of met gevangenisstraf vir 'n tydperk van hoogstens 18 maande of met daardie boete sowel as daardie gevangenisstraf;
- (b) waar so iemand voorheen aan 'n oortreding van hierdie artikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is, met 'n boete van hoogstens R2 000 of met gevangenisstraf vir 'n tydperk van hoogstens 24 maande of met daardie boete sowel as daardie gevangenisstraf.

Jag van wild met sekere wapens.

21.(1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand wild met —

- (a) 'n wapen wat, nadat dit afgevuur is, outomaties herlaai wanneer die sneller daarvan getrek of in 'n afgevuurde posisie gehou word;
- (b) 'n wapen wat 'n randontstekingspatroon van .22 van 'n duim of kleiner kaliber afvuur;
- (c) 'n haelgeweer;
- (d) 'n windgeweer,

jag nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen: Met dien verstande dat —

- (i) iemand 'n haas of 'n voël met 'n haelgeweer kan jag;
- (ii) die eienaar van grond of 'n familielid van hom met sy toestemming wild met enige vuurwapen op die grond van die eienaar kan jag.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Verbode handelinge met sekere toestelle of middels.

22.(1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand op grond waarop enige wilde dier aangetref word of waarskynlik aangetref kan word —

- (a) 'n strik, slagyster, val, net, voëllym, vanghok of ander toestel of middel wat bedoel of geskik is vir die jag of vang van 'n wilde dier, bring of in besit daarvan wees nie;

(b) construct a pitfall or holding pen:

Provided that —

- (i) a snare, trap, gin, net, bird-lime, trap-cage or other device or means contemplated in paragraph (a);
 - (ii) a pitfall or holding pen contemplated in paragraph (b),
- may be brought, possessed or constructed by —
- (aa) the owner of land or a relative of his with his permission on the land of the owner;
 - (bb) the occupier of land on land of which he is occupier;
 - (cc) a licensed trader on the premises on which he conducts business;
 - (dd) any other person on any land if he has obtained the written permission of the owner or occupier of such land beforehand.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

23.(1) Subject to the provisions of this Ordinance, no person shall hunt a protected wild animal which —

- (a) is under the influence of a tranquillizing, narcotic, immobilizing or similar agent;
- (b) has been allured —
 - (i) by a simulation or recording of the natural sound made by an animal;
 - (ii) by a sound made by man;
 - (iii) by bait, whether alive or dead, or anything else on account of the edibility, smell or taste thereof;
- (c) has been confined to a cage or an enclosure the area of which is less than 400 hectare and from which it cannot escape readily,

unless he is the holder of a permit which authorizes him to do so: Provided that the owner of land or a relative of his with his permission may, on the land of the owner, or the occupier of land may, on land of which he is the occupier, hunt a lion, leopard, cheetah, brown hyaena or wild dog allured as contemplated in paragraph (b)(iii) and which is in the immediate vicinity of the carcass of stock which it has or apparently has killed.

(2) When any person has killed or wounded or has presumably wounded a lion, leopard, cheetah, brown hyaena or wild dog in the circumstances contemplated in the proviso to subsection (1), he shall report it within 24 hours at the police station or the office of the nature conservator nearest to the place where the lion, leopard, cheetah, brown hyaena or wild dog was killed or wounded or was presumably wounded.

(3) Any person who contravenes or fails to comply with subsection (1) or (2) shall be

(b) 'n vanggat of vangkraal maak nie:

Met dien verstande dat —

- (i) 'n strik, slagyster, val, net, voëllym, vanghok of ander toestel of middel in paragraaf (a) beoog;
 - (ii) 'n vanggat of vangkraal in paragraaf (b) beoog,
- gebring of besit of gemaak kan word deur —
- (aa) die eienaar van grond of 'n familielid van hom met sy toestemming op die grond van die eienaar;
 - (bb) die okkupant van grond op grond waarvan hy die okkupant is;
 - (cc) 'n gelisensieerde handelaar op die perseel waarop hy handel dryf;
 - (dd) iemand anders op enige grond indien hy vooraf die skriftelike toestemming van die eienaar of okkupant van die grond verkry het.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

23.(1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand 'n beskermde wilde dier jag nie wat —

- (a) onder die invloed van 'n kalmeermiddel, verdowingsmiddel, immobiliseringsmiddel of soortgelyk middel is;
- (b) aangelok is —
 - (i) deur 'n nabootsing of opname van die natuurlike geluid wat 'n dier maak;
 - (ii) deur 'n geluid deur 'n mens gemaak;
 - (iii) deur 'n lokmiddel, hetsy lewend of dood, of iets anders vanweë die eetbaarheid, reuk of smaak daarvan;
- (c) ingeperk is in 'n hok of kamp waarvan die oppervlakte minder as 400 hektaar is en waaruit dit nie gereedlik kan ontsnap nie,

tensy hy die houer is van 'n permit wat hom magtig om dit te doen: Met dien verstande dat die eienaar van grond of 'n familielid van hom met sy toestemming op die grond van die eienaar of die okkupant van grond op grond waarvan hy die okkupant is, 'n leeu, luiperd, jagluiperd, bruin hiëna of wilde hond wat soos in paragraaf (b)(iii) beoog, aangelok is en wat in die onmiddellike nabyheid is van die karkas van vee wat dit gedood of oënskynlik gedood het, kan jag.

(2) Wanneer iemand 'n leeu, luiperd, jagluiperd, bruin hiëna of wilde hond in die omstandighede in die voorbehoudsbepaling by subartikel (1) beoog, doodgemaak of gekwes of vermoedelik gekwes het, rapporteer hy dit binne 24 uur by die polisiekantoor of die kantoor van die natuurbewaarder naaste aan die plek waar die leeu, luiperd, jagluiperd, bruin hiëna of wilde hond doodgemaak of gekwes of vermoedelik gekwes is.

(3) Iemand wat subartikel (1) of (2) oortree of versuim om daaraan te voldoen, is aan 'n

Hunting of protected wild animals under certain circumstances.

Jag van beskermde wilde diere onder sekere omstandighede.

guilty of an offence and liable on conviction, in the case of a contravention of subsection (1) —

- (a) where such person has not been previously convicted of a contravention of that subsection or section 18 or 27 or a provision of the repealed Ordinance corresponding to that subsection or section 18 or 27, to a fine not exceeding R1 500 or to imprisonment for a period not exceeding 18 months or to both such fine and such imprisonment;
- (b) where such person has been previously convicted of a contravention of that subsection or section 18 or 27 or a provision of the repealed Ordinance corresponding to that subsection or section 18 or 27, to a fine not exceeding R2 000 or to imprisonment for a period not exceeding 24 months or to both such fine and such imprisonment.

Entering upon land with weapons and conveyance of firearms.

24.(1) No person shall enter upon or be on land upon which game is found or is likely to be found while he is in possession of a weapon, unless he has a lawful reason or has obtained the written permission of the owner or occupier of the land beforehand to do so.

(2) For the purposes of subsection (1) "land" shall not include a public road.

(3) No person shall convey a firearm on a public road traversing land on which game is found or is likely to be found: Provided that —

- (a) the owner or occupier of such land or any person who is authorized in terms of this Ordinance to hunt or catch a wild animal or an exotic animal on such land may convey a firearm;
- (b) any person may convey a revolver or pistol with a barrel not longer than 100 mm or a firearm whereof the barrel, bolt, chamber, tube or magazine is not loaded, in a thoroughly closed gunbag, guncase or gunholder designed and made for that purpose,

on such road.

(4) Any person who contravenes or fails to comply with subsection (1) or (3) shall be guilty of an offence.

Catching of game.

25.(1) Subject to the provisions of this Ordinance, no person shall catch game: Provided that —

- (a) upon the written application of the owner of land a permit may be issued —
 - (i) to the owner;
 - (ii) to any other person indicated by the owner in the application,

which authorizes the holder to catch the species, number and sex of game referred to in the permit on the land of the owner;

misdryf skuldig en by skuldigbevinding strafbaar, in die geval van 'n oortreding van subartikel (1) —

- (a) waar so iemand nie voorheen aan 'n oortreding van daardie subartikel of artikel 18 of 27 of 'n bepaling van die herroepe Ordonnansie wat met daardie subartikel of artikel 18 of 27 ooreenstem, skuldig bevind is nie, met 'n boete van hoogstens R1 500 of met gevangenisstraf vir 'n tydperk van hoogstens 18 maande of met daardie boete sowel as daardie gevangenisstraf;
- (b) waar so iemand voorheen aan 'n oortreding van daardie subartikel of artikel 18 of 27 of 'n bepaling van die herroepe Ordonnansie wat met daardie subartikel of artikel 18 of 27 ooreenstem, skuldig bevind is, met 'n boete van hoogstens R2 000 of met gevangenisstraf vir 'n tydperk van hoogstens 24 maande of met daardie boete sowel as daardie gevangenisstraf.

Betreding van grond met wapens en vervoer van vuurwapens.

24.(1) Niemand mag grond waarop wild aangetref word of waarskynlik aangetref kan word, betree of daarop wees nie terwyl hy in besit is van 'n wapen, tensy hy 'n wettige rede het of vooraf die skriftelike toestemming van die eienaar of okkupant van die grond verkry het om dit te doen.

(2) By die toepassing van subartikel (1) omvat "grond" nie 'n openbare pad nie.

(3) Niemand mag 'n vuurwapen op 'n openbare pad wat oor grond loop waarop wild aangetref word of waarskynlik aangetref kan word, vervoer nie: Met dien verstande dat —

- (a) die eienaar of okkupant van daardie grond of iemand wat ingevolge hierdie Ordonnansie gemagtig is om 'n wilde dier of uitheemse dier op daardie grond te jag of te vang 'n vuurwapen;
- (b) iemand 'n rewolwer of pistool met 'n loop wat nie langer as 100 mm is nie of 'n vuurwapen waarvan die loop, slot, kamer, buis of magasyn nie gelaai is nie in 'n behoorlik toegemaakte gewoensak, -kas of -houer wat vir daardie doel ontwerp en gemaak is,

op sodanige pad kan vervoer.

(4) Iemand wat subartikel (1) of (3) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Vang van wild.

25.(1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand wild vang nie: Met dien verstande dat —

- (a) op skriftelike aansoek van die eienaar van grond 'n permit uitgereik kan word —
 - (i) aan die eienaar;
 - (ii) aan iemand anders wat die eienaar in die aansoek aanwys,

wat die houer magtig om die soort, getal en geslag van wild wat in die permit genoem word op die grond van die eienaar te vang;

- (b) any person who assists the holder of a permit contemplated in paragraph (a) to catch the game referred to therein may catch such game on the instructions of such holder.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence and liable on conviction —

- (a) where such person has not been previously convicted of a contravention of this section or a corresponding provision of the repealed Ordinance, to a fine not exceeding R1 500 or to imprisonment for a period not exceeding 18 months or to both such fine and such imprisonment;
- (b) where such person has been previously convicted of a contravention of this section or a corresponding provision of the repealed Ordinance, to a fine not exceeding R2 000 or to imprisonment for a period not exceeding 24 months or to both such fine and such imprisonment.

Leaving or making of openings in certain fences.

26.(1) Where land is fenced in such manner that the game found or likely to be found thereon cannot readily escape from such land, no person shall leave, make or cause to be made in the fence an opening so designed that game entering upon such land through the opening cannot easily find the opening to escape through it, unless he is the holder of a permit which authorizes him to do so.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence and liable on conviction —

- (a) where such person has not been previously convicted of a contravention of this section or a corresponding provision of the repealed Ordinance, to a fine not exceeding R1 500 or to imprisonment for a period not exceeding 18 months or to both such fine and such imprisonment;
- (b) where such person has been previously convicted of a contravention of this section or a corresponding provision of the repealed Ordinance, to a fine not exceeding R2 000 or to imprisonment for a period not exceeding 24 months or to both such fine and such imprisonment.

Hunting or catching of wild animals in certain manners.

27.(1) Subject to the provisions of this Ordinance, no person shall hunt or catch a wild animal with the aid of, by means of or by the use of —

- (a) a snare, trap, gin, net, bird-lime, pitfall, holding pen, trap-cage or similar device, means or method;
- (b) a bow and arrow or similar weapon or any other weapon discharging an arrow;
- (c) a set gun or similar device;
- (d) a dog;

- (b) iemand wat die houer van 'n permit in paragraaf (a) beoog, help om die wild daarin genoem, te vang, in opdrag van daardie houer sodanige wild kan vang.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar —

- (a) waar so iemand nie voorheen aan 'n oortreding van hierdie artikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is nie, met 'n boete van hoogstens R1 500 of met gevangenisstraf vir 'n tydperk van hoogstens 18 maande of met daardie boete sowel as daardie gevangenisstraf;
- (b) waar so iemand voorheen aan 'n oortreding van hierdie artikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is, met 'n boete van hoogstens R2 000 of met gevangenisstraf vir 'n tydperk van hoogstens 24 maande of met daardie boete sowel as daardie gevangenisstraf.

Laat of maak van openings in sekere omheinings.

26.(1) Waar grond op so 'n wyse omhein is dat die wild wat daarop aangetref word of waarskynlik aangetref kan word, nie geredelik vanaf daardie grond kan ontsnap nie, mag niemand in die omheining 'n opening laat, maak of laat maak nie wat so ontwerp is dat wild wat daardie grond deur die opening binnegaan die opening nie maklik kan vind nie om daardeur te ontsnap, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar —

- (a) waar so iemand nie voorheen aan 'n oortreding van hierdie artikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is nie, met 'n boete van hoogstens R1 500 of met gevangenisstraf vir 'n tydperk van hoogstens 18 maande of met daardie boete sowel as daardie gevangenisstraf;
- (b) waar so iemand voorheen aan 'n oortreding van hierdie artikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is, met 'n boete van hoogstens R2 000 of met gevangenisstraf vir 'n tydperk van hoogstens 24 maande of met daardie boete sowel as daardie gevangenisstraf.

Jag of vang van wilde diere op sekere wyses.

27.(1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand 'n wilde dier met behulp van, deur middel van of deur die gebruik van —

- (a) 'n strik, slagyster, val, net, voëllym, vanggat, vangkraal, vanghok of soortgelyke toestel, middel of metode;
- (b) 'n pyl en boog of soortgelyke wapen of enige ander wapen wat 'n pyl afskiet;
- (c) 'n stelgeweer of soortgelyke toestel;
- (d) 'n hond;

(e) an aircraft,

unless he is the holder of a permit which authorizes him to do so: Provided that —

(i) the owner of land or a relative of his with his permission may, on the land of the owner, or the occupier of land may, on land of which he is the occupier, hunt or catch a wild animal with the aid of, by means of or by the use of a trap, trap-cage or set gun —

(aa) where it is in the immediate vicinity of the carcass of stock which it has or apparently has killed;

(bb) where there is a reasonable suspicion that it is about to cause damage to stock;

(ii) a dog may be used —

(aa) for the lawful hunting of a bird;

(bb) for the pursuit of a wild animal which has been wounded during the lawful hunting thereof;

(iii) a problem animal may be hunted or caught with the aid of, by means of or by the use of a trap, gin, pitfall, set gun or a dog.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence and liable on conviction —

(a) where such person has not been previously convicted of a contravention of this section or section 23 or a provision of the repealed Ordinance corresponding to this section or section 23, to a fine not exceeding R1 000 or to imprisonment for a period not exceeding 12 months or to both such fine and such imprisonment;

(b) where such person has been previously convicted of a contravention of this section or section 23 or a provision of the repealed Ordinance corresponding to this section or section 23, to a fine not exceeding R1 500 or to imprisonment for a period not exceeding 18 months or to both such fine and such imprisonment.

Hunting or catching of wild animals which are not game.

28.(1) Subject to the provisions of this Ordinance, no person shall hunt or catch a wild animal which is not game on land of which he is not the owner, unless he has obtained the written permission of the owner of the land on which he hunts or catches the wild animal beforehand and carries the permission with him when he hunts or catches it.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Hunting or catching of exotic animals.

29.(1) Subject to the provisions of this Ordinance, no person shall hunt or catch an exotic

(e) 'n lugvaartuig,

jag of vang nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen: Met dien verstande dat —

(i) die eienaar van grond of 'n familielid van hom met sy toestemming op die grond van die eienaar of die okkupant van grond op grond waarvan hy die okkupant is, 'n wilde dier met behulp van, deur middel van of deur die gebruik van 'n slagyster, vanghok of stelgeweer kan jag of vang —

(aa) waar dit in die onmiddellike nabyheid is van die karkas van vee wat dit gedood of oënskynlik gedood het;

(bb) waar daar 'n redelike vermoede bestaan dat dit op die punt staan om skade onder vee aan te rig;

(ii) 'n hond gebruik kan word —

(aa) vir die wettige jag van 'n voël;

(bb) vir die agtervolging van 'n wilde dier wat tydens die wettige jag daarvan gekwes is;

(iii) 'n probleemdier met behulp van, deur middel van of deur die gebruik van 'n slagyster, val, vanggat, stelgeweer of 'n hond gejag of gevang kan word.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar —

(a) waar so iemand nie voorheen aan 'n oortreding van hierdie artikel of artikel 23 of 'n bepaling van die herroepe Ordonnansie wat met hierdie artikel of artikel 23 ooreenstem, skuldig bevind is nie, met 'n boete van hoogstens R1 000 of met gevangenisstraf vir 'n tydperk van hoogstens 12 maande of met daardie boete sowel as daardie gevangenisstraf;

(b) waar so iemand voorheen aan 'n oortreding van hierdie artikel of artikel 23 of 'n bepaling van die herroepe Ordonnansie wat met hierdie artikel of artikel 23 ooreenstem, skuldig bevind is, met 'n boete van hoogstens R1 500 of met gevangenisstraf vir 'n tydperk van hoogstens 18 maande of met daardie boete sowel as daardie gevangenisstraf.

Jag of vang van wilde diere wat nie wild is nie.

28.(1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand 'n wilde dier wat nie wild is nie op grond waarvan hy nie die eienaar is nie, jag of vang nie, tensy hy vooraf die skriftelike toestemming van die eienaar van die grond waarop hy die wilde dier jag of vang, verkry het en die toestemming by hom dra wanneer hy dit jag of vang.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Jag of vang van uitheemse diere.

29.(1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand 'n uitheemse dier

animal, unless he has obtained the written permission of the owner of the land on which he hunts or catches the animal beforehand.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Administrator may cause wild animals or exotic animals to be hunted or caught.

30.(1) Where the Administrator is of the opinion that a wild animal or an exotic animal—

- (a) is causing damage to cultivated trees or cultivated crops;
- (b) is present in such numbers that grazing is materially damaged;
- (c) is likely to constitute a danger to human life;
- (d) is causing damage to property to such an extent that the destruction of the animal is necessary;
- (e) is wounded or injured;
- (f) should be hunted in the interest of nature conservation,

he may instruct an officer of the Nature Conservation Division or authorize any other person to hunt or catch the wild animal or exotic animal.

(2) The officer instructed in terms of subsection (1) to hunt or catch a wild animal or an exotic animal or any other person so authorized may enter upon any land to hunt or catch the animal.

(3) Any person who wilfully obstructs, hinders or interferes with an officer in the execution of an instruction or any other person in the exercise of a power given or granted in terms of subsection (1) shall be guilty of an offence.

Poisoning of game.

31.(1) Subject to the provisions of this Ordinance, no person shall poison game, unless he is the holder of a permit which authorizes him to do so.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence and liable on conviction—

- (a) where such person has not been previously convicted of a contravention of this section or a corresponding provision of the repealed Ordinance, to a fine not exceeding R1 000 or to imprisonment for a period not exceeding 12 months or to both such fine and such imprisonment;
- (b) where such person has been previously convicted of a contravention of this section or a corresponding provision of the repealed Ordinance, to a fine not exceeding R1 500 or to imprisonment for a period not exceeding 18 months or to both such fine and such imprisonment.

Sale of game.

32.(1) Subject to the provisions of this Ordinance, no person shall sell game, unless he is the holder of a permit which authorizes him to do so: Provided that—

- (a) the owner of land may sell the meat, ex-

jag of vang nie, tensy hy vooraf die skriftelike toestemming van die eienaar van die grond waarop hy die dier jag of vang, verkry het.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Administrateur kan wilde diere of uitheemse diere laat jag of vang.

30.(1) Waar die Administrateur van mening is dat 'n wilde dier of 'n uitheemse dier—

- (a) aangeplante bome of verboude gewasse beskadig;
- (b) in sulke getalle voorkom dat weiding aansienlik beskadig word;
- (c) waarskynlik 'n gevaar vir menselewe inhou;
- (d) eiendom in so 'n mate beskadig dat die vernietiging van die dier noodsaaklik is;
- (e) gekwes of beseer is;
- (f) in die belang van natuurbewaring gejag moet word,

kan hy 'n beamppte van die Afdeling Natuurbewaring opdrag gee of iemand anders magtig om die wilde dier of uitheemse dier te jag of te vang.

(2) Die beamppte wat ingevolge subartikel (1) opdrag gegee is om 'n wilde dier of uitheemse dier te jag of te vang of iemand anders wat aldus gemagtig is, kan enige grond betree om die dier te jag of te vang.

(3) Iemand wat 'n beamppte in die uitvoering van 'n opdrag of iemand anders in die uitoefening van 'n bevoegdheid ingevolge subartikel (1) gegee of verleen, opsetlik dwarsboom, hinder of belemmer, is aan 'n misdryf skuldig.

Vergiftiging van wild.

31.(1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand wild vergiftig nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldbevinding strafbaar—

- (a) waar so iemand nie voorheen aan 'n oortreding van hierdie artikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is nie, met 'n boete van hoogstens R1 000 of met gevangenisstraf vir 'n tydperk van hoogstens 12 maande of met daardie boete sowel as daardie gevangenisstraf;
- (b) waar so iemand voorheen aan 'n oortreding van hierdie artikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is, met 'n boete van hoogstens R1 500 of met gevangenisstraf vir 'n tydperk van hoogstens 18 maande of met daardie boete sowel as daardie gevangenisstraf.

Verkoop van wild.

32.(1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand wild verkoop nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen: Met dien verstande dat—

- (a) die eienaar van grond die vleis, uitge-

cluding biltong, or the carcass of game which he has hunted in terms of this Ordinance on land of which he is the owner or cause it to be sold at a public sale;

- (b) a butcher who is the holder of a licence issued in terms of this Ordinance may sell the meat or a carcass sold to him in terms of paragraph (a).

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R1 000 or to imprisonment for a period not exceeding 12 months or to both such fine and such imprisonment.

Sale of biltong.

33.(1) Subject to the provisions of this Ordinance, no person shall sell biltong, unless he is the holder of a permit which authorizes him to do so: Provided that the holder of a licence issued in terms of the Licences Ordinance, 1974 (Ordinance 19 of 1974), who purchases biltong from the holder of a permit issued in terms of this subsection, may sell the biltong on the premises in respect of which such licence has been issued in a packing approved by the Administrator and on which shall be indicated —

- (a) that the contents thereof is game biltong;
- (b) the name and residential address of the holder of the permit from whom the biltong was purchased; and
- (c) the number of the permit contemplated in paragraph (b).

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Purchase of game.

34.(1) No person shall purchase game except from a person who sells it lawfully.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Donation of game.

35.(1) Any person donating game shall deliver to the donee, together with the game, a document containing —

- (i) the name and residential address of the donor;
- (ii) the date on which and the address where the game is delivered;
- (iii) a description of the game donated;
- (iv) particulars of the manner in which the game came into the possession of the donor;
- (v) the name and residential address of the donee; and
- (vi) the signature of the donor.

(2) No person shall receive game as a donation, unless the donor has delivered to him a document as contemplated in subsection (1).

(3) Any person to whom game has been do-

nome biltong, of die karkas van wild wat hy ingevolge hierdie Ordonnansie gejaag het op grond waarvan hy die eienaar is, kan verkoop of dit op 'n openbare verkoping laat verkoop;

- (b) 'n slagter wat die houer is van 'n lisensie wat ingevolge hierdie Ordonnansie uitgereik is die vleis of 'n karkas wat ingevolge paragraaf (a) aan hom verkoop is, kan verkoop.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 of met gevangenisstraf vir 'n tydperk van hoogstens 12 maande of met daardie boete sowel as daardie gevangenisstraf.

Verkoop van biltong.

33.(1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand biltong verkoop nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen: Met dien verstande dat die houer van 'n lisensie uitgereik ingevolge die Ordonnansie op Lisensies, 1974 (Ordonnansie 19 van 1974), wat biltong koop van die houer van 'n permit uitgereik ingevolge hierdie subartikel, die biltong op die perseel ten opsigte waarvan die lisensie uitgereik is, kan verkoop in 'n verpakking deur die Administrateur goedgekeur en waarop aangedui word —

- (a) dat die inhoud daarvan wildsbiltong is;
- (b) die naam en woonadres van die houer van die permit van wie die biltong gekoop is; en
- (c) die nommer van die permit in paragraaf (b) beoog.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Koop van wild.

34.(1) Niemand mag wild koop nie behalwe van iemand wat dit wettiglik verkoop.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Skenk van wild.

35.(1) Iemand wat wild skenk, oorhandig saam met die wild aan die ontvanger 'n dokument wat —

- (i) die naam en woonadres van die skenker;
- (ii) die datum waarop en adres waar die wild gelewer word;
- (iii) 'n beskrywing van die wild wat geskenk word;
- (iv) besonderhede van die wyse waarop die wild in die besit van die skenker gekom het;
- (v) die naam en woonadres van die ontvanger; en
- (vi) die handtekening van die skenker, bevat.

(2) Niemand ontvang wild as 'n geskenk nie, tensy die skenker aan hom 'n dokument soos in subartikel (1) beoog, oorhandig het.

(3) Iemand aan wie wild geskenk is, dra die

nated shall carry the document contemplated in subsection (1) with him when he conveys the game.

(4) Any person who contravenes or fails to comply with subsection (1), (2) or (3) shall be guilty of an offence.

36.(1) No person shall pick up or remove game not hunted or caught lawfully, unless he has obtained the written permission of the owner or occupier of the land on which such game was found beforehand or, where the owner or occupier is not available, of the official in charge of the police station or office of the nature conservator nearest to the land on which the game was found.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

37.(1) Any person who —

- (a) receives dead game knowing that it was not hunted or acquired lawfully;
- (b) is found in possession of dead game in respect of which there is a reasonable suspicion that it was not hunted or acquired lawfully and is unable to give a satisfactory account of such possession;
- (c) in any manner acquired or receives into his possession or handles dead game without having reasonable cause, proof of which shall be on him, for believing at the time of such acquisition, receipt or handling that such game was hunted or acquired lawfully,

shall be guilty of an offence.

(2) For the purposes of subsection (1) "dead game" shall not include dead game purchased at a public sale.

38.(1) No person shall convey dead game: Provided that dead game may be conveyed —

- (a) by the owner of land or any person on his behalf if the owner has hunted it in terms of this Ordinance;
- (b) by any person who has purchased it at a public sale;
- (c) by any person who has imported it from another province, the territory of South West Africa or a territory which was formerly part of the Republic, into the Province and carries documentary proof of the hunting, sale or donation thereof with him when he conveys it;
- (d) by any person who has hunted or caught it in terms of a licence, permit or exemption and who carries the licence, permit or exemption with him when he conveys it;
- (e) by any person who has imported it from any place outside the Republic, excluding the territory of South West Africa or a territory which was formerly part of the Republic, and who carries the import permit with him when he conveys it;
- (f) by any person who has hunted or caught it in terms of a permission contemplated in

dokument in subartikel (1) beoog by hom wanneer hy die wild vervoer.

(4) Iemand wat subartikel (1), (2) of (3) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

36.(1) Niemand mag wild wat nie wettiglik gejag of gevang is nie, optel of wegneem nie, tensy hy vooraf die skriftelike toestemming verkry het van die eienaar of okkupant van die grond waarop die wild gevind is of, waar die eienaar of okkupant nie beskikbaar is nie, van die beamppte in bevel van die polisiekantoor of kantoor van die natuurbewaarder naaste aan die grond waarop die wild gevind is.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

37.(1) Iemand wat —

- (a) dooie wild ontvang wetende dat dit nie wettiglik gejag of verkry is nie;
- (b) in besit gevind word van dooie wild ten opsigte waarvan daar 'n redelike verdenking bestaan dat dit nie wettiglik gejag of verkry is nie en wat nie in staat is nie om voldoende rekenskap van sodanige besit te gee;
- (c) dooie wild op enige wyse verkry of in sy besit ontvang of hanteer sonder om redelike gronde, waarvan die bewyslas op hom rus, daarvoor te hê om ten tyde van die verkryging, ontvangs of hantering te glo dat daardie wild wettiglik gejag of verkry is,

is aan 'n misdryf skuldig.

(2) By die toepassing van subartikel (1) omvat "dooie wild" nie dooie wild wat op 'n openbare verkoping gekoop is nie.

38.(1) Niemand mag dooie wild vervoer nie: Met dien verstande dat dooie wild vervoer kan word —

- (a) deur die eienaar van grond of iemand namens hom indien die eienaar dit ingevolge hierdie Ordonnansie gejag het;
- (b) deur iemand wat dit op 'n openbare verkoping gekoop het;
- (c) deur iemand wat dit vanaf 'n ander provinsie, die gebied Suidwes-Afrika of 'n gebied wat voorheen deel van die Republiek was in die Provinsie ingevoer het en dokumentêre bewys van die jag, koop of skenking daarvan by hom dra wanneer hy dit vervoer;
- (d) deur iemand wat dit ingevolge 'n lisensie, permit of vrystelling gejag of gevang het en wat die lisensie, permit of vrystelling by hom dra wanneer hy dit vervoer;
- (e) deur iemand wat dit vanaf enige plek buite die Republiek, uitgenome die gebied Suidwes-Afrika of 'n gebied wat voorheen deel van die Republiek was, ingevoer het en wat die invoerpermit by hom dra wanneer hy dit vervoer;
- (f) deur iemand wat dit gejag of gevang het ingevolge 'n toestemming in artikel 47(2)

Optel of wegneem van wild.

Ontvangs, besit, verkryging of hantering van dooie wild.

Vervoer van dooie wild.

Picking up or removal of game.

Receipt, possession, acquisition or handling of dead game.

Keeping or conveyance of live game.

section 47(2) and who carries the permission with him when he conveys it;

- (g) by a relative of the owner of land who has hunted it on the land of the owner with the written permission of the owner and who carries the permission with him when he conveys it;
- (h) by any person who has picked it up and who carries the permission contemplated in section 36(1) with him when he conveys it;
- (i) by any person to whom it has been donated and who carries the document contemplated in section 35(1) with him when he conveys it;
- (j) by any person who has purchased it lawfully.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Conveyance of dead game.

39.(1) No person shall keep or convey live game, unless he is the holder of a permit which authorizes him to do so.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Keeping or conveyance of wild animals or exotic animals in certain conditions.

40.(1) No person shall keep or convey or cause a wild animal or an exotic animal to be kept or conveyed in conditions which are unhygienic or in which such animal may be injured or unnecessarily disturbed.

(2) A nature conservator may, if he is of the opinion that a wild animal or an exotic animal is being kept or conveyed in the conditions contemplated in subsection (1), instruct the person who keeps or conveys the animal in such conditions in writing to take the steps referred to in the instruction or to rectify such conditions.

(3) Any person who contravenes or fails to comply with subsection (1) or (2) shall be guilty of an offence.

Importing of live wild animals.

41.(1) No person shall import a live wild animal into the Province, unless he is the holder of a permit which authorizes him to do so.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Exporting or removal of wild animals from Province.

42.(1) No person shall export or remove a wild animal from the Province, unless he is the holder of a permit which authorizes him to do so: Provided that any person may export or remove to any other province the carcass or fresh meat of a wild animal which has been hunted lawfully, or biltong which has been acquired lawfully.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R1 000 or to imprisonment for a period not exceeding 12 months or to both such fine and such imprisonment.

beoog en wat die toestemming by hom dra wanneer hy dit vervoer;

- (g) deur 'n familielid van die eienaar van grond wat dit met die skriftelike toestemming van die eienaar op die grond van die eienaar gejag het en wat die toestemming by hom dra wanneer hy dit vervoer;
- (h) deur iemand wat dit opgetel het en wat die toestemming in artikel 36(1) beoog by hom dra wanneer hy dit vervoer;
- (i) deur iemand aan wie dit geskenk is en wat die dokument in artikel 35 (1) beoog by hom dra wanneer hy dit vervoer;
- (j) deur iemand wat dit wettiglik gekoop het.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Aanhou of vervoer van lewende wild.

39.(1) Niemand mag lewende wild aanhou of vervoer nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Aanhou of vervoer van wilde diere of uitheemse diere in sekere toestande.

40.(1) Niemand mag 'n wilde dier of uitheemse dier aanhou of vervoer of laat aanhou of vervoer nie in toestande wat onhygiënies is of waarin daardie dier beseer of onnodig versteur kan word.

(2) 'n Natuurbewaarder kan, indien hy van mening is dat 'n wilde dier of uitheemse dier aangehou of vervoer word in die toestande in subartikel (1) beoog, die persoon wat die dier in sodanige toestande aanhou of vervoer skriftelik opdrag gee om die stappe in die opdrag genoem, te doen of om sodanige toestande reg te stel.

(3) Iemand wat subartikel (1) of (2) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Invoer van lewende wilde diere.

41.(1) Niemand mag 'n lewende wilde dier in die Provinsie invoer nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Uitvoer of wegneem van wilde diere uit Provinsie.

42.(1) Niemand mag 'n wilde dier uit die Provinsie uitvoer of wegneem nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen: Met dien verstande dat iemand die karkas of vars vleis van 'n wilde dier wat wettiglik gejag is of biltong wat wettiglik verkry is na 'n ander provinsie kan uitvoer of wegneem.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 of met gevangenisstraf vir 'n tydperk van hoogstens 12 maande of met daardie boete sowel as daardie gevangenisstraf.

Prohibited acts with certain live wild animals.

43.(1) No person shall keep, possess, sell, donate or receive as a donation or convey a live wild animal referred to in Schedule 5 to this Ordinance, unless he is the holder of a permit which authorizes him to do so.

(2) The Administrator may by notice in the *Provincial Gazette* insert in or add to or delete from Schedule 5 to this Ordinance the name of any wild animal.

(3) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Prohibited acts with exotic animals.

44.(1) No person shall —

- (a) import into the Province or set free therein a live exotic animal;
- (b) convey, keep, possess, sell, purchase, donate or receive as a donation a live exotic animal referred to in Schedule 6 to this Ordinance,

unless he is the holder of a permit which authorizes him to do so: Provided that any person may convey an exotic pet animal or exotic bird in the Province.

(2) The Administrator may by notice in the *Provincial Gazette* insert in or add to or delete from Schedule 6 to this Ordinance the name of any exotic animal.

(3) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Prohibited acts with certain invertebrates.

45.(1) No person shall collect, catch, kill, keep, purchase, sell, donate or receive as a donation, convey, import into the Province or export or remove therefrom an invertebrate referred to in Schedule 7 to this Ordinance, unless he is the holder of a permit which authorizes him to do so.

(2) The Administrator may by notice in the *Provincial Gazette* insert in or add to or delete from Schedule 7 to this Ordinance the name of any invertebrate.

(3) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence and liable on conviction —

- (a) where such person has not been previously convicted of a contravention of this section, to a fine not exceeding R1 000 or to imprisonment for a period not exceeding 12 months or to both such fine and such imprisonment;
- (b) where such person has been previously convicted of a contravention of this section, to a fine not exceeding R1 500 or to imprisonment for a period not exceeding 18 months or to both such fine and such imprisonment.

Power of Administrator in respect of survival of certain wild animals.

46.(1) Where the Administrator deems it necessary for the survival of any species of wild animal, he may, after consultation with the owner or occupier of the land on which the species of wild animal is found, instruct an officer of the Nature Conservation Division in writing to catch such species of wild animal and

Verbode handelinge met sekere lewende wilde diere.

43.(1) Niemand mag 'n lewende wilde dier in Bylae 5 by hierdie Ordonnansie genoem, aanhou, besit, verkoop, skenk of as geskenk ontvang of vervoer nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) Die Administrateur kan by kennisgewing in die *Provinsiale Koerant* die naam van enige wilde dier in Bylae 5 by hierdie Ordonnansie invoeg of daarby byvoeg of daaruit skrap.

(3) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Verbode handelinge met uitheemse diere.

44.(1) Niemand mag —

- (a) 'n lewende uitheemse dier in die Provinsie invoer of daarin vrylaat nie;
- (b) 'n lewende uitheemse dier in Bylae 6 by hierdie Ordonnansie genoem, vervoer, aanhou, besit, verkoop, koop, skenk of as geskenk ontvang nie,

tensy hy die houer is van 'n permit wat hom magtig om dit te doen: Met dien verstande dat iemand 'n uitheemse troeteldier of uitheemse voël in die Provinsie kan vervoer.

(2) Die Administrateur kan by kennisgewing in die *Provinsiale Koerant* die naam van enige uitheemse dier in Bylae 6 by hierdie Ordonnansie invoeg of daarby byvoeg of daaruit skrap.

(3) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Verbode handelinge met sekere ongewerweld diere.

45.(1) Niemand mag 'n ongewerweld dier in Bylae 7 by hierdie Ordonnansie genoem, versamel, vang, doodmaak, aanhou, koop, verkoop, skenk of as geskenk ontvang, vervoer, in die Provinsie invoer of daaruit uitvoer of wegneem nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) Die Administrateur kan by kennisgewing in die *Provinsiale Koerant* die naam van enige ongewerweld dier in Bylae 7 by hierdie Ordonnansie invoeg of daarby byvoeg of daaruit skrap.

(3) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding stafbaar —

- (a) waar so iemand nie voorheen aan 'n oortreding van hierdie artikel skuldig bevind is nie, met 'n boete van hoogstens R1 000 of met gevangenisstraf vir 'n tydperk van hoogstens 12 maande of met daardie boete sowel as daardie gevangenisstraf;
- (b) waar so iemand voorheen aan 'n oortreding van hierdie artikel skuldig bevind is, met 'n boete van hoogstens R1 500 of met gevangenisstraf vir 'n tydperk van hoogstens 18 maande of met daardie boete sowel as daardie gevangenisstraf.

Bevoegdheid van Administrateur ten opsigte van voortbestaan van sekere wilde diere.

46.(1) Waar die Administrateur dit vir die voortbestaan van enige soort wilde dier nodig ag, kan hy na raadpleging met die eienaar of okkupant van die grond waarop die soort wilde dier aangetref word, 'n beampte van die Afdeling Natuurbewaring skriftelik opdrag

to release it on the land defined in the instruction.

(2) The officer to whom an instruction has been given in terms of subsection (1) may enter upon any land to catch the species of wild animal referred to in the instruction.

(3) Any person who wilfully obstructs, hinders or interferes with an officer in the carrying out of an instruction given in terms of subsection (1) shall be guilty of an offence.

(4) The Administrator may pay the owner of the land on which a wild animal has been caught in terms of subsection (1) such compensation as he may deem reasonable.

Exemption to hunt, catch or sell game.

47.(1) Where the Administrator is of the opinion that land is fenced in such manner —

- (a) that game on land outside the fence cannot readily gain access to the land which is fenced;
- (b) that game cannot readily escape from the land which is fenced,

he may, on the written application of the owner of the land, exempt —

- (i) the owner;
- (ii) any other person indicated by the owner in the application,

in writing from all or any of the provisions of this Ordinance applicable to the hunting, catching or sale of game in respect of the hunting, catching or sale of the species of game referred to in the exemption on the land so fenced.

(2) The holder of an exemption contemplated in subsection (1), may —

- (a) grant permission in writing to any other person to hunt, catch or sell, subject to the provisions of the exemption, the species of game referred to in the exemption on the land contemplated therein;
- (b) authorize any other person to assist with the catching of the game referred to in the exemption on the land contemplated therein.

(3) A permission contemplated in subsection (2) shall contain —

- (a) the name and residential address of the person granting it;
- (b) the date on which it is granted;
- (c) a definition of the land contemplated in the exemption;
- (d) the name and residential address of the person to whom it is granted;
- (e) particulars of the number, species and sex of game which may be hunted, caught or sold;
- (f) the date on which or period during which the game may be hunted, caught or sold; and
- (g) the signature of the person —
 - (i) who grants it; and
 - (ii) to whom it is granted.

gee om daardie soort wilde dier te vang en op die grond in die opdrag omskryf, los te laat.

(2) Die beampte aan wie 'n opdrag ingevolge subartikel (1) gegee is, kan enige grond betree om die soort wilde dier in die opdrag genoem, te vang.

(3) Iemand wat 'n beampte in die uitvoering van 'n opdrag ingevolge subartikel (1) gegee, opsetlik dwarsboom, hinder of belemmer, is aan 'n misdryf skuldig.

(4) Die Administrateur kan die eienaar van die grond waarop 'n wilde dier ingevolge subartikel (1) gevang is die vergoeding betaal wat hy billik ag.

Vrystelling om wild te jag, te vang of te verkoop.

47.(1) Waar die Administrateur van mening is dat grond op so 'n wyse omhein is —

- (a) dat wild op grond buite die omheining nie geredelik toegang tot die grond wat omhein is, kan verkry nie;
- (b) dat wild nie geredelik vanaf die grond wat omhein is, kan ontsnap nie,

kan hy op skriftelike aansoek van die eienaar van die grond —

- (i) die eienaar;
- (ii) iemand anders wat die eienaar in die aansoek aanwys,

skriftelik vrystel van al of enigeen van die bepalings van hierdie Ordonnansie wat van toepassing is op die jag, vang of verkoop van wild ten opsigte van die jag, vang of verkoop van die soorte wild in die vrystelling genoem op die grond wat aldus omhein is.

(2) Die houer van 'n vrystelling in subartikel (1) beoog, kan —

- (a) aan iemand anders skriftelik toestemming verleen om, onderworpe aan die bepalings van die vrystelling, die soorte wild in die vrystelling genoem op die grond daarin beoog, te jag, te vang of te verkoop;
- (b) iemand anders magtig om te help met die vang van die wild in die vrystelling genoem op die grond daarin beoog.

(3) 'n Toestemming in subartikel (2) beoog, bevat —

- (a) die naam en woonadres van die persoon wat dit verleen;
- (b) die datum waarop dit verleen word;
- (c) 'n omskrywing van die grond in die vrystelling beoog;
- (d) die naam en woonadres van die persoon aan wie dit verleen word;
- (e) besonderhede van die getal, soort en geslag van wild wat gejag, gevang of verkoop kan word;
- (f) die datum waarop of tydperk waartydens die wild gejag, gevang of verkoop kan word; en
- (g) die handtekening van die persoon —
 - (i) wat dit verleen; en
 - (ii) aan wie dit verleen word.

(4) The holder of a permission contemplated in subsection (2) may, in accordance with the particulars contained therein and subject to the provisions of the exemption contemplated in subsection (1), hunt, catch or sell the game referred to in the permission on the land defined therein.

(5) The holder of a permission contemplated in subsection (2) shall carry it with him when he hunts, catches or sells game thereunder.

(6) Any person who contravenes or fails to comply with subsection (5) shall be guilty of an offence.

Prohibited acts.

48. Any person who —

- (a) falsely professes to be the owner or occupier of land and grants permission to any other person to hunt or catch a wild animal or an exotic animal on land of which he so professes to be the owner or occupier;
- (b) permits or allows any other person to do anything which is an offence in terms of this Ordinance;
- (c) falsely professes that he sells game lawfully,

shall be guilty of an offence and liable on conviction to a fine not exceeding R1 500 or to imprisonment for a period not exceeding 18 months or to both such fine and such imprisonment.

Written permission.

49. The written permission contemplated in paragraphs (c) and (d) of the proviso to section 17(1) and in section 29 shall contain —

- (a) the name and residential address of the person granting it;
- (b) the date on which it is granted;
- (c) a definition of the land on which the game or exotic animals may be hunted or caught;
- (d) the name and residential address of the person to whom it is granted and the relationship, if any, to the person granting it;
- (e) particulars of the number, species and sex of the game or exotic wild animals that may be hunted or caught;
- (f) the date on which or period during which the game or exotic animals may be hunted or caught; and
- (g) the signature of the person —
 - (i) granting it; and
 - (ii) to whom it is granted.

Establishment or operating of game parks or similar institutions

50.(1) Notwithstanding anything to the contrary contained in this Ordinance or any other ordinance, no person shall establish or operate a game park, zoological garden, bird sanctuary, reptile park, snake park or similar institution, unless he is the holder of a permit which authorizes him to do so.

(2) Subsection (1) shall not apply to an institution which is subject to the provisions of the

Verbode handelinge.

(4) Die houer van 'n toestemming in subartikel (2) beoog, kan in ooreenstemming met die besonderhede daarin vervat en onderworpe aan die bepalings van die vrystelling in subartikel (1) beoog, die wild in die toestemming genoem op die grond daarin omskryf, jag, vang of verkoop.

(5) Die houer van 'n toestemming in subartikel (2) beoog, dra dit by hom wanneer hy wild daarkragtens jag, vang of verkoop.

(6) Iemand wat subartikel (5) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

48. Iemand wat —

- (a) valslik voorgee die eienaar of okkupant van grond te wees en aan iemand anders toestemming verleen om op die grond waarvan hy aldus voorgee die eienaar of okkupant te wees, 'n wilde dier of uitheemse dier te jag of te vang;
- (b) toestem of toelaat dat iemand anders iets doen wat 'n misdryf ingevolge hierdie Ordonnansie is;
- (c) valslik voorgee dat hy wild wettiglik verkoop,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R1 500 of met gevangenisstraf vir 'n tydperk van hoogstens 18 maande of met daardie boete sowel as daardie gevangenisstraf.

Skriftelike toestemming.

49. Die skriftelike toestemming in paragrafe (c) en (d) van die voorbehoudsbepaling by artikel 17(1) en in artikel 29 beoog, bevat —

- (a) die naam en woonadres van die persoon wat dit verleen;
- (b) die datum waarop dit verleen word;
- (c) 'n omskrywing van die grond waarop die wild of uitheemse diere gejag of gevang kan word;
- (d) die naam en woonadres van die persoon aan wie dit verleen word en die verwantskap, as daar is, aan die persoon wat dit verleen;
- (e) besonderhede van die getal, soort en geslag van die wild of uitheemse diere wat gejag of gevang kan word;
- (f) die datum waarop of tydperk waartydens die wild of uitheemse diere gejag of gevang kan word; en
- (g) die handtekening van die persoon —
 - (i) wat dit verleen; en
 - (ii) aan wie dit verleen word.

Stigting of bedryf van wildparke of soortgelyke instellings.

50.(1) Ondanks andersluidende bepalings in hierdie Ordonnansie of enige ander ordonnansie vervat, mag niemand 'n wildpark, die-retuin, voëlpark, reptielpark, slangpark of soortgelyke instelling stig of bedryf nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) Subartikel (1) is nie van toepassing nie op 'n inrigting wat onder die bepalings van die

Cultural Institutions Act, 1969 (Act 29 of 1969).

(3) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

CHAPTER IV

PROFESSIONAL HUNTERS AND HUNTING-OUT-FITTERS

Acting as professional hunters or hunting-outfitters.

51.(1) Subject to the provisions of this Ordinance, no person shall act —

- (a) as a professional hunter;
- (b) as a hunting-outfitter,

unless he is the holder of a permit which authorizes him to do so.

(2) The Administrator may, by notice in the *Provincial Gazette*, exempt any group or class of professional hunters or hunting-outfitters from the provisions of subsection (1).

(3) The requirements to be complied with by a professional hunter or hunting-outfitter shall be as the Administrator may from time to time determine or prescribe.

(4) The Administrator may appoint such number of persons as he may deem expedient as a testing-team to advise him whether an applicant complies with the requirements determined or prescribed in terms of subsection (3) and may from time to time determine the remuneration, travelling and subsistence allowances and other allowances payable to a member of a testing-team who is not a member of the Public Service of the Republic.

(5) In order to advise the Administrator as contemplated in subsection (4), a testing-team may examine an applicant and inspect his premises or facilities.

(6) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence and liable on conviction —

- (a) where such person has not been previously convicted of a contravention of this section or a corresponding provision of the repealed Ordinance, to a fine not exceeding R1 500 or to imprisonment for a period not exceeding 18 months or to both such fine and such imprisonment;
- (b) where such person has been previously convicted of a contravention of this section or a corresponding provision of the repealed Ordinance, to a fine not exceeding R2 000 or to imprisonment for a period not exceeding 24 months or to both such fine and such imprisonment.

Hunting of wild animals or exotic animals by clients.

52.(1) A client shall not hunt a wild animal or an exotic animal, unless —

- (a) the hunt has been organized by a hunting-outfitter; and
- (b) he is escorted by a professional hunter.

Wet op Kulturele Inrigtings, 1969 (Wet 29 van 1969), val.

(3) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

HOOFSTUK IV

BEROEPSJAGTERS EN JAGONDERNEMERS

Oortree as beroepsjagters of jagondernemers.

51.(1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand —

- (a) as 'n beroepsjagter;
- (b) as 'n jagondernemer,

optree nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) Die Administrateur kan by kennisgewing in die *Provinsiale Koerant* enige groep of klas beroepsjagters of jagondernemers van die bepalings van subartikel (1) vrystel.

(3) Die vereistes waaraan 'n beroepsjagter of 'n jagondernemer moet voldoen, is soos deur die Administrateur van tyd tot tyd bepaal of voorgeskryf.

(4) Die Administrateur kan die getal persone wat hy dienstig ag as 'n toetsspan aanstel om hom te adviseer of 'n aansoeker aan die vereistes ingevolge subartikel (3) bepaal of voorgeskryf, voldoen, en kan van tyd tot tyd die vergoeding, reis- en verblyftoeleae en ander toelaes bepaal wat aan 'n lid van 'n toetsspan wat nie 'n lid van die Staatsdiens van die Republiek is nie, betaalbaar is.

(5) Ten einde die Administrateur te adviseer soos in subartikel (4) beoog, kan 'n toetsspan 'n aansoeker ondervra en sy perseel of fasiliteite inspekteer.

(6) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar —

- (a) waar so iemand nie voorheen aan 'n oortreding van hierdie artikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is nie, met 'n boete van hoogstens R1 500 of met gevangenisstraf vir 'n tydperk van hoogstens 18 maande of met daardie boete sowel as daardie gevangenisstraf;
- (b) waar so iemand voorheen aan 'n oortreding van hierdie artikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is, met 'n boete van hoogstens R2 000 of met gevangenisstraf vir 'n tydperk van hoogstens 24 maande of met daardie boete sowel as daardie gevangenisstraf.

Jag van wilde diere of uitheemse diere deur kliënte.

52.(1) 'n Kliënt jag nie 'n wilde dier of uitheemse dier nie, tensy —

- (a) die jag deur 'n jagondernemer gereël is; en
- (b) hy deur 'n beroepsjagter begelei word.

(2) A professional hunter shall see to it that his client shall not hunt contrary to the provisions of this Ordinance and in order to do so, he may give his client any lawful instruction.

(3) A client shall obey any instruction given in terms of subsection (2).

(4) Any person who contravenes or fails to comply with subsection (1), (2) or (3) shall be guilty of an offence and liable on conviction, in the case of a contravention of subsection (2), to a fine not exceeding R2 000 or to imprisonment for a period not exceeding 24 months or to both such fine and such imprisonment.

Transfer of hunting-rights.

53.(1) The owner of land may transfer in writing any of his hunting-rights, excluding those conferred by paragraph (b) of the proviso to section 18(1), paragraph (ii) of the proviso to section 21(1), the proviso to section 23(1) and paragraph (i) of the proviso to section 27(1), to any other person.

(2) Any person to whom hunting-rights have been transferred in terms of subsection (1) shall not exercise such rights, unless he is the holder of such licence or permit as may be required in terms of this Ordinance.

Hunting-outfitters to be holders of hunting-rights.

54.(1) Subject to the provisions of this Ordinance, a hunting-outfitter shall not present or organize the hunting of a wild animal or an exotic animal for a client and a professional hunter shall not escort a client, unless the hunting-outfitter is the holder of the hunting-rights in respect of the land on which such hunting is presented or organized.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence and liable on conviction —

(a) where such person has not been previously convicted of a contravention of this section or a corresponding provision of the repealed Ordinance, to a fine not exceeding R750 or to imprisonment for a period not exceeding 9 months or to both such fine and such imprisonment;

(b) where such person has been previously convicted of a contravention of this section or a corresponding provision of the repealed Ordinance, to a fine not exceeding R1 000 or to imprisonment for a period not exceeding 12 months or to both such fine and such imprisonment.

CHAPTER V

PROBLEM ANIMALS

Application of Chapter.

55. The provisions of this Chapter shall not apply within an area which —

(a) has in terms of section 3 of the repealed Ordinance been declared to be a nature reserve or in terms of section 14 of this Ordinance is declared to be a nature reserve;

(2) 'n Beroepsjagter sien toe dat sy kliënt nie strydig met die bepalings van hierdie Ordonnansie jag nie en ten einde dit te doen, kan hy sy kliënt enige wettige opdrag gee.

(3) 'n Kliënt gehoorsaam enige opdrag ingevolge subartikel (2) gegee.

(4) Iemand wat subartikel (1), (2) of (3) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar, in die geval van 'n oortreding van subartikel (2), met 'n boete van hoogstens R2 000 of met gevangenisstraf vir 'n tydperk van hoogstens 24 maande of met daardie boete sowel as daardie gevangenisstraf.

Oordrag van jagregte.

53.(1) Die eienaar van grond kan enige van sy jagregte, uitgenome dié verleen by paragraaf (b) van die voorbehoudsbepaling by artikel 18(1), paragraaf (ii) van die voorbehoudsbepaling by artikel 21(1), die voorbehoudsbepaling by artikel 23(1) en paragraaf (i) van die voorbehoudsbepaling by artikel 27(1) skriftelik aan iemand anders oordra.

(2) Iemand aan wie jagregte ingevolge subartikel (1) oorgedra is, oefen daardie regte nie uit nie, tensy hy die houer is van die lisensie of permit wat ingevolge hierdie Ordonnansie vereis word.

Jagondernemers houers van jagregte te wees.

54.(1) Behoudens die bepalings van hierdie Ordonnansie, mag 'n jagondernemer nie die jag van 'n wilde dier of uitheemse dier vir 'n kliënt aanbied of reël nie en mag 'n beroepsjagter nie 'n kliënt begelei nie, tensy die jagondernemer die houer is van die jagregte ten opsigte van die grond waarop daardie jag aangebied of gereël word.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar —

(a) waar so iemand nie voorheen aan 'n oortreding van hierdie artikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is nie, met 'n boete van hoogstens R750 of met gevangenisstraf vir 'n tydperk van hoogstens 9 maande of met daardie boete sowel as daardie gevangenisstraf;

(b) waar so iemand voorheen aan 'n oortreding van hierdie artikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is, met 'n boete van hoogstens R1 000 of met gevangenisstraf vir 'n tydperk van hoogstens 12 maande of met daardie boete sowel as daardie gevangenisstraf.

HOOFSTUK V

PROBLEEMDIERE

Toepassing van Hoofstuk.

55. Die bepalings van hierdie Hoofstuk is nie van toepassing nie binne 'n gebied wat —

(a) ingevolge artikel 3 van die herroepe Ordonnansie tot 'n natuurreservaat verklaar is of ingevolge artikel 14 van hierdie Ordonnansie tot 'n natuurreservaat verklaar word;

- (b) in terms of any other law is a nature reserve or similar reserve or is declared to be such a reserve;
- (c) in terms of section 2 of the National Parks Act, 1976 (Act 57 of 1976), is a national park or has been or is declared to be a national park;
- (d) a State Forest as contemplated in the Forest Act, 1968 (Act 72 of 1968).

Problem animals.

56.(1) The wild animals referred to in Schedule 8 to this Ordinance shall be problem animals and are deemed to be vermin or other animals causing damage.

(2) The Administrator may by notice in the *Provincial Gazette* insert in or add to or delete from Schedule 8 to this Ordinance the name of any wild animal or exotic animal.

Clubs for hunting of problem animals.

57.(1) Seven or more occupiers of land may establish a club to hunt problem animals in an area, hereinafter referred to as a hunting area.

(2) One club only may be established for a hunting area.

Constitution of clubs and office-bearers.

58. The members of a club established in terms of section 57 shall draft a constitution for the club and shall elect a captain, vice-captain, secretary and such other office-bearers as may be necessary.

Registration of clubs.

59.(1) The secretary of a club established in terms of section 57 shall forthwith after establishment thereof apply to the Administrator for the registration of the club and at the same time submit such documents and furnish such information as may be prescribed.

(2) If the Administrator approves the application, he shall —

- (a) publish a notice to that effect in the *Provincial Gazette* and define therein the hunting area of the club;
- (b) register the club by recording —
 - (i) the name thereof;
 - (ii) the definition of the hunting area contemplated in paragraph (a);
 - (iii) the name and residential address of every office-bearer;
 - (iv) the number of members;
 - (v) such other particulars as he may deem fit,

in a register kept for that purpose.

Powers of Administrator.

60.(1) The Administrator may by notice in the *Provincial Gazette* —

- (a) amend the definition of the hunting area of a club;
- (b) cancel the registration of a club;
- (c) on the application of the majority of occupiers of land within the hunting area of a club, declare that membership of the club shall be compulsory.

(b) ingevolge enige ander wet 'n natuurreserve of soortgelyke reservaat is of tot so 'n reservaat verklaar word;

(c) ingevolge artikel 2 van die Wet op Nasionale Parke, 1976 (Wet 57 van 1976), 'n nasionale park is of tot 'n nasionale park verklaar is of word;

(d) 'n Staatsbos is soos in die Boswet, 1968 (Wet 72 van 1968), beoog.

Probleemdiere.

56.(1) Die wilde diere in Bylae 8 by hierdie Ordonnansie genoem, is probleemdiere en word geag ongedierte of ander diere wat skade aanrig, te wees.

(2) Die Administrateur kan by kennisgewing in die *Provinsiale Koerant* die naam van enige wilde dier of uitheemse dier in Bylae 8 by hierdie Ordonnansie invoeg of daarby byvoeg of daaruit skrap.

Klubs vir jag van probleemdiere.

57.(1) Sewe of meer okkupante van grond kan 'n klub stig om probleemdiere in 'n gebied, hierna 'n jaggebied genoem, te jag.

(2) Slegs een klub kan vir 'n jaggebied gestig word.

Grondwet van klubs en ampsdraers.

58. Die lede van 'n klub gestig ingevolge artikel 57 stel 'n grondwet vir die klub op en kies 'n kaptein, onderkaptein, sekretaris en die ander ampsdraers wat nodig is.

Registrasie van klubs.

59.(1) Die sekretaris van 'n klub gestig ingevolge artikel 57 doen onverwyld na die stigting daarvan by die Administrateur aansoek om die registrasie van die klub en lê terselfdertyd die dokumente voor en verstrekk die inligting wat voorgeskryf word.

(2) Indien die Administrateur die aansoek goedkeur —

- (a) publiseer hy 'n kennisgewing tot dien effekte in die *Provinsiale Koerant* en omskryf daarin die jaggebied van die klub;
- (b) registreer hy die klub deur —
 - (i) die naam daarvan;
 - (ii) die omskrywing van die jaggebied in paragraaf (a) beoog;
 - (iii) die naam en woonadres van elke ampsdraer;
 - (iv) die ledetal;
 - (v) die ander besonderhede wat hy goedgevind,

in 'n register wat vir daardie doel gehou word, op te teken.

Bevoegdhede van Administrateur.

60.(1) Die Administrateur kan by kennisgewing in die *Provinsiale Koerant* —

- (a) die omskrywing van die jaggebied van 'n klub wysig;
- (b) die registrasie van 'n klub intrek;
- (c) op aansoek van die meerderheid van die okkupante van grond binne die jaggebied van 'n klub, verklaar dat die lidmaatskap van die klub verpligtend is.

(2) Where the Administrator —

- (a) has amended the definition of the hunting area of a club in terms of subsection (1)(a), he shall forthwith amend the register contemplated in section 59(2) accordingly;
- (b) has cancelled the registration of a club in terms of subsection (1)(b), he shall notify the secretary of the club forthwith by registered post at his last-known address of the cancellation and thereafter the club shall cease to exist;
- (c) has in terms of subsection (1)(c) declared that the membership of a club shall be compulsory, every occupier of land within the hunting area of the club shall be a member of the club and such a member shall pay such membership fee as the club may levy and which shall not exceed the membership fee approved by the Administrator.

61.(1) A club shall not hunt a problem animal prior to the publication of the notice contemplated in section 59(2)(a).

(2) A club may, without the permission of the occupier of land, hunt a problem animal on the land of such occupier situated within the hunting area of the club.

(3) A club may forthwith pursue a problem animal which flees while it is hunted lawfully and kill it on the land to which it has fled.

(4) Any person approved by the Administrator may be nominated by a club to hunt on behalf of the club, and for the purposes of a hunt such person shall be deemed to be a member of such club.

(5) Where a club kills a problem animal found on land contemplated in subsection (2) or (3) and the occupier of the land is not a member of the club, the club may, within 7 days from the date on which the problem animal was killed, claim the reasonable expenditure incurred in connection with the hunting of the problem animal or the average membership fee for the immediate preceding financial year, whichever amount is the greater, from the occupier who shall, subject to subsection (6), pay the amount within 30 days from the date of the claim.

(6) If the occupier contemplated in subsection (5) disputes the claim or the amount claimed, he may, within 10 days from the receipt of the claim, make representations to the Administrator in writing and forward a copy thereof to the secretary of the club for comment, and the Administrator shall, on receipt of the comment of the club, if any, consider the representations and comment and shall either exempt the occupier from payment of the amount claimed or determine the amount to be paid, and the occupier shall pay the amount so determined within 30 days from the date of the determination.

(7) The secretary of a club shall, by at least 3 days' prior written notice, summon the members of the club who are to attend a hunt, and a member who —

(2) Waar die Administrateur —

- (a) die omskrywing van die jaggebied van 'n klub ingevolge subartikel (1)(a) gewysig het, wysig hy onverwyld die register in artikel 59(2) beoog dienoreenkomstig;
- (b) die registrasie van 'n klub ingevolge subartikel (1)(b) ingetrek het, stel hy onverwyld die sekretaris van die klub per aangetekende pos by sy laasbekende adres van die intrekking in kennis, en daarna hou die klub op om te bestaan;
- (c) ingevolge subartikel (1)(c) verklaar het dat die lidmaatskap van 'n klub verpligtend is, is elke okkupant van grond binne die jaggebied van die klub 'n lid van die klub en so 'n lid betaal die ledegeld wat die klub hef en wat nie die ledegeld deur die Administrateur goedgekeur, oorskry nie.

Jag deur klubs.

61.(1) 'n Klub jag nie 'n probleemdier nie voor die publikasie van die kennisgewing in artikel 59(2)(a) beoog.

(2) 'n Klub kan sonder die toestemming van die okkupant van grond 'n probleemdier op die grond van daardie okkupant wat binne die jaggebied van die klub geleë is, jag.

(3) 'n Klub kan 'n probleemdier wat vlug terwyl dit wettiglik gejaag word, onverwyld agtervolg en doodmaak op die grond waarheen dit gevlug het.

(4) Iemand wat deur die Administrateur goedgekeur is, kan deur 'n klub benoem word om namens die klub te jag, en vir doeleindes van 'n jag word so iemand geag 'n lid van daardie klub te wees.

(5) Waar 'n klub 'n probleemdier doodmaak wat op grond in subartikel (2) of (3) beoog, gevind is en die okkupant van die grond nie 'n lid van die klub is nie, kan die klub binne 7 dae vanaf die datum waarop die probleemdier doodgemaak is die redelike onkoste wat in verband met die jag van die probleemdier aangegaan is of die gemiddelde ledegeld vir die onmiddellik voorafgaande boekjaar, watter bedrag ook al die grootste is, van die okkupant eis wat die bedrag, behoudens subartikel (6), binne 30 dae vanaf die datum van die eis betaal.

(6) Indien die okkupant in subartikel (5) beoog die eis of die bedrag geëis, betwis, kan hy binne 10 dae vanaf ontvangs van die eis skriftelik verhoë tot die Administrateur rig en 'n afskrif daarvan aan die sekretaris van die klub vir kommentaar stuur, en die Administrateur oorweeg, by ontvangs van die kommentaar van die klub, indien daar is, die verhoë en kommentaar en skeld of die okkupant vry van betaling van die bedrag geëis of stel die bedrag vas wat betaal moet word, en die okkupant betaal die bedrag aldus vasgestel binne 30 dae vanaf die datum van vasstelling.

(7) Die sekretaris van 'n klub roep die lede van die klub wat 'n jag moet bywoon met minstens 3 dae voorafgaande skriftelike kennisgewing op, en 'n lid wat —

- (a) subject to subsection (8), without reasonable excuse fails to attend the hunt, may be fined by the club to an amount not exceeding R20 and the member shall pay the amount within 14 days from the date he is called upon to do so;
- (b) without reasonable excuse refuses or fails to render assistance to the club while a problem animal is hunted on the land of which he is the occupier, shall be guilty of an offence.

(8) Where a member of a club is summoned in terms of subsection (7) to attend a hunt he may, and if a juristic person it shall, procure the services of a male person above the age of 15 years to attend the hunt on his or its behalf.

Hunting of problem animals by employees of Administration.

62. The Administrator may, upon the application of the occupier of land in respect of which no club has been established in terms of section 57, make an employee of the Administration available to hunt problem animals on the land of such occupier on such conditions, including the levying of fees, as the Administrator may determine.

Research on problem animals.

63.(1) The Administrator may authorize any person in writing to do such research as he may determine on a problem animal, or a wild animal or an exotic animal the name of which may, in the opinion of the Administrator, be inserted in or added to Schedule 8 to this Ordinance in terms of section 56(2) and which he likewise determines.

(2) Any person authorized in terms of subsection (1) to do research may, for that purpose, but on such conditions as the Administrator may determine —

- (a) enter upon any land without the permission of the owner, lessee or occupier thereof;
- (b) catch or hunt the animal on which research is done with the aid of any device or means whatsoever or poison such animal.

Dogs for hunting of problem animals and licensing of such dogs.

64. The Administrator may —

- (a) acquire, keep, breed or train dogs for the hunting of problem animals and sell such dogs to a club or any person on such conditions as he may determine;
- (b) notwithstanding the provisions of the Licensing and Control of Dogs Ordinance, 1933 (Ordinance 18 of 1933), or any other law relating to the licensing of dogs, exempt —
 - (i) a member of a club who is the owner of a dog which is registered by the club in the prescribed manner and which may be used by the club for the hunting of problem animals;
 - (ii) any person who breeds or trains dogs for the hunting of problem animals,

from the payment of licence fees in respect of such dogs.

- (a) behoudens subartikel (8), sonder redelike verskoning versuim om die jag by te woon, kan deur die klub met 'n bedrag van hoogstens R20 beboet word, en die lid betaal die bedrag binne 14 dae vanaf die datum waarop hy aangesê word om dit te doen;

- (b) sonder redelike verskoning weier of versuim om hulp aan die klub te verleen terwyl 'n probleemdiere op die grond waarvan hy die okkupant is, gejag word, is aan 'n misdryf skuldig.

(8) Waar 'n lid van 'n klub ingevolge subartikel (7) opgeroep word om 'n jag by te woon, kan hy, en indien 'n regspersoon moet hy, die dienste van 'n manspersoon bo die ouderdom van 15 jaar verkry om namens hom die jag by te woon.

Jag van probleemdiere deur werknemers van Administrasie.

62. Die Administrateur kan op aansoek van die okkupant van grond ten opsigte waarvan daar geen klub ingevolge artikel 57 gestig is nie, 'n werknemer van die Administrasie beskikbaar stel om, op die voorwaardes, met inbegrip van die hef van gelde, wat die Administrateur bepaal, probleemdiere op die grond van daardie okkupant te jag.

Navorsing op probleemdiere.

63.(1) Die Administrateur kan iemand skriftelik magtig om die navorsing wat hy bepaal op 'n probleemdiere, of 'n wilde diere of uitheemse diere waarvan die naam, na die mening van die Administrateur, ingevolge artikel 56(2) in Bylae 8 by hierdie Ordonnansie ingevoeg of bygevoeg kan word en wat hy insgelyks bepaal, te doen.

(2) Iemand wat ingevolge subartikel (1) gemagtig is om navorsing te doen, kan vir daardie doel, maar op die voorwaardes wat die Administrateur bepaal —

- (a) enige grond sonder die toestemming van die eienaar, huurder of okkupant daarvan betree;
- (b) die diere waarop navorsing gedoen word met behulp van enige toestel of middel hoegenaamd vang of jag of so 'n diere vergiftig.

Honde vir jag van probleemdiere en lisensiering van sulke honde.

64. Die Administrateur kan —

- (a) honde verkry, aanhou, teel of afrig vir die jag van probleemdiere en sulke honde aan 'n klub of iemand verkoop op die voorwaardes wat hy bepaal;
- (b) ondanks die bepalinge van die Lisensiering en Kontrole van Honde Ordonnansie, 1933 (Ordonnansie 18 van 1933), of enige ander wet betreffende die lisensiering van honde —
 - (i) 'n lid van 'n klub wat die eienaar van 'n hond is wat op die voorgeskrewe wyse by die klub geregistreer is en wat deur die klub vir die jag van probleemdiere gebruik kan word;
 - (ii) iemand wat honde vir die jag van probleemdiere teel of afrig,

vrystel van die betaling van lisensiegelde ten opsigte van sulke honde.

Financial assistance to clubs.

65. The Administrator may, on such conditions as he may determine, render financial assistance to a club or body which is actively engaged in the hunting of problem animals and which is unable to function effectively as a result of a lack of funds or suitable equipment.

Offences.

66.(1) No person shall —

- (a) lay poison within the hunting area of a club, unless he has obtained the consent of the club beforehand or is in terms of any law authorized to do so;
- (b) keep, possess, sell, buy, donate or receive as a donation, import, convey, breed or set free a live problem animal in the Province, including the areas contemplated in paragraphs (a), (b) and (c) of section 55, or export or remove such an animal from the Province, unless he is the holder of a permit which authorizes him to do so;
- (c) wilfully obstruct, hinder or interfere with a club or a member thereof or any other person in the exercise of any power or the performance of any function or duty conferred, assigned or imposed in terms of this Chapter.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

CHAPTER VI FISHERIES

Application of Chapter.

67. The provisions of this Chapter shall not apply —

- (a) to the owner or occupier of land who catches fish;
- (b) to a relative of the owner or occupier of land who catches fish with the permission of such owner or occupier;
- (c) to an employee in the full-time service of the owner or occupier of land who, on the instructions of such owner or occupier, catches fish otherwise than by angling,

in waters surrounded by the land of such owner or occupier.

Closed season for fish.

68. The Administrator may by notice in the *Provincial Gazette* declare a period to be a closed season during which the catching of fish in the waters defined in the notice shall be prohibited.

Catching of fish during closed season.

69. Any person who —

- (a) catches fish during a closed season in the waters defined in a notice contemplated in section 68;
- (b) wilfully damages, disturbs or destroys the ova or spawn of fish or the spawning bed, bank or shallow whereon or wherein the spawn of fish is deposited,

shall be guilty of an offence.

Trout waters.

70.(1) The waters defined in Schedule 9 to this Ordinance shall be trout waters.

(2) The Administrator may by notice in the *Provincial Gazette* insert in or add to or delete

Finansiële hulp aan klubs.

65. Die Administrateur kan op die voorwaardes wat hy bepaal, finansiële hulp aan 'n klub of liggaam verleen wat daadwerklik besig is met die jag van probleemdiere en wat as gevolg van 'n gebrek aan fondse of geskikte toerusting nie behoorlik kan funksioneer nie.

Misdrywe.

66.(1) Niemand mag —

- (a) gif binne die jaggebied van 'n klub stel nie, tensy hy vooraf die toestemming van die klub verkry het of ingevolge enige wet gemagtig is om dit te doen;
- (b) 'n lewende probleemdier in die Provinsie, met inbegrip van die gebiede in paragrawe (a), (b) en (c) van artikel 55 beoog, aanhou, besit, verkoop, koop, skenk of as geskenk ontvang, invoer, vervoer, teel of vrylaat nie of so 'n dier uit die Provinsie uitvoer of wegneem nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen;
- (c) 'n klub of 'n lid daarvan of iemand anders by die uitoefening van enige bevoegdheid of die vervulling van enige funksie of plig ingevolge hierdie Hoofstuk verleen, opgedra of opgelê, opsetlik dwarsboom, hinder of belemmer nie.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

HOOFSTUK VI

VISSERYE

Toepassing van Hoofstuk.

67. Die bepalings van hierdie Hoofstuk is nie van toepassing nie —

- (a) op die eienaar of okkupant van grond wat vis vang;
- (b) op 'n familielid van die eienaar of okkupant van grond wat met die toestemming van daardie eienaar of okkupant vis vang;
- (c) op 'n werknemer in die voltydse diens van die eienaar of okkupant van grond wat in opdrag van daardie eienaar of okkupant vis vang anders as deur te hengel,

in waters wat deur die grond van daardie eienaar of okkupant omring word.

Toe-seisoen vir vis.

68. Die Administrateur kan by kennisgewing in die *Provinsiale Koerant* 'n tydperk tot 'n toe-seisoen verklaar waartydens die vang van vis in die waters in die kennisgewing omskryf, verbied word.

Vang van vis gedurende toe-seisoen.

69. Iemand wat —

- (a) vis gedurende 'n toe-seisoen in die waters omskryf in 'n kennisgewing in artikel 68 beoog, vang;
- (b) opsetlik die eiers of kuit van vis of die kuitskietplek, wal of vlak plek waarop of waarin die kuit van vis neergelê is, beskadig, verstoort of vernietig;

is aan 'n misdryf skuldig.

Forelwaters.

70.(1) Die waters in Bylae 9 by hierdie Ordonnansie omskryf, is forelwaters.

(2) Die Administrateur kan by kennisgewing in die *Provinsiale Koerant* enige waters

from Schedule 9 to this Ordinance any waters defined in the notice.

Catching of fish otherwise than by angling.

71.(1) No person shall —

- (a) catch fish in waters otherwise than by angling, unless he is the holder of a permit which authorizes him to do so;
- (b) while angling employ a method to hook fish on any part other than in the mouth.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Permissible fishing tackle and bait.

72.(1) No person shall —

- (a) angle in trout waters otherwise than with one line with one or more non-spinning artificial flies attached to it;
- (b) angle in other waters with more than two lines with more than either two single hooks with natural bait or one artificial lure or spoon attached to each line;
- (c) catch fish with a set-line,

unless he is the holder of a permit which authorizes him to do so.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Possession of nets or traps.

73.(1) No person shall possess a net or trap with which fish may be caught: Provided that —

- (a) any person may possess a landing-net or keep-net designed for the purpose of landing or keeping fish caught with a line and fish-hook;
- (b) such a net or trap may be possessed by —
 - (i) the owner or occupier of land surrounding waters;
 - (ii) a licensed dealer on the premises where he carries on business;
 - (iii) the holder of a permit issued in terms of section 71(1)(a).

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Angling without licence.

74.(1) Subject to the provisions of this Ordinance, no person of and above the age of 16 years shall angle, unless he is the holder of a licence which authorizes him to do so and carries the licence with him when angling.

(2) Notwithstanding subsection (1) —

- (a) the owner or occupier of land may angle in waters situated on land of which he is the owner or occupier;
- (b) a relative of the owner or occupier of land may, with the permission of such owner or occupier, angle in waters situated on the land of such owner or occupier;

in die kennisgewing omskryf in Bylae 9 by hierdie Ordonnansie invoeg of daarby byvoeg of daaruit skrap.

Vang van vis anders as deur hengel.

71.(1) Niemand mag —

- (a) vis in waters vang nie anders as deur te hengel, tensy hy die houer is van 'n permit wat hom magtig om dit te doen;
- (b) terwyl hy hengel, 'n metode aanwend nie om vis op 'n ander plek as in die bek te haak.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Toelaatbare visgereedskap en aas.

72.(1) Niemand mag —

- (a) in forelwaters hengel nie anders as met een lyn met een of meer nie-rond-draaiende kunsvlieë daaraan geheg;
- (b) in ander waters hengel nie met meer as twee lyne met meer as of twee enkel-hoeke met natuurlike aas of een kunsklok-middel of lepel aan elke lyn geheg;
- (c) vis met 'n stellyn vang nie,

tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Besit van nete of fuik.

73.(1) Niemand mag 'n net of fuik waarmee vis gevang kan word, besit nie: Met dien verstande dat —

- (a) iemand 'n skep- of bewaarnet wat ontwerp is vir die doel om vis wat met 'n lyn en vishoek gevang is aan wal te bring of te bewaar, kan besit;
- (b) so 'n net of fuik besit kan word deur —
 - (i) die eienaar of okkupant van grond wat waters omring;
 - (ii) 'n gelisensieerde handelaar op die perseel waar hy handel dryf;
 - (iii) die houer van 'n permit uitgereik ingevolge artikel 71(1)(a).

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Hengel sonder lisensie.

74.(1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand van en bo die ouderdom van 16 jaar hengel nie, tensy hy die houer is van 'n lisensie wat hom magtig om dit te doen en die lisensie by hom dra wanneer hy hengel.

(2) Ondanks subartikel (1), kan —

- (a) die eienaar of okkupant van grond hengel in waters geleë op grond waarvan hy die eienaar of okkupant is;
- (b) 'n familielid van die eienaar of okkupant van grond met die toestemming van daardie eienaar of okkupant hengel in waters geleë op die grond van daardie eienaar of okkupant;

- (c) an employee in the full-time service of the owner or occupier of land who has obtained the written permission of such owner or occupier beforehand and carries the permission with him may angle in waters surrounded by the land of such owner or occupier.

(3) Any person who contravenes or fails to comply with subsection (1) or any person contemplated in subsection (2)(c) who fails to obtain the permission contemplated therein or fails to carry it with him while angling shall be guilty of an offence and liable on conviction —

- (a) where such person is not the holder of a licence or permission, to a fine not exceeding R750 or to imprisonment for a period not exceeding 9 months or to both such fine and such imprisonment;
- (b) where such person is the holder of a licence or permission but does not carry it with him while angling, to a fine not exceeding R250 or to imprisonment for a period not exceeding 3 months.

Permission necessary to catch fish.

75.(1) Subject to the provisions of this Ordinance, no person shall catch fish in waters, unless he has obtained the permission of the owner or occupier of the land on which the waters are situated beforehand.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Entering upon land with fishing tackle.

76.(1) No person shall enter upon or be on land on which there are waters in which fish is found or is likely to be found while he is in possession of fishing tackle, unless he has a lawful reason to do so or has obtained the permission of the owner or occupier of the land beforehand.

(2) For the purposes of subsection (1) "land" shall not include a public road.

(3) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Placing of obstructions in waters and draining of waters.

77. Any person who —
- (a) places an obstruction in waters preventing the free passage of fish;
- (b) for the purpose of catching or killing fish, drains the water from a pond, reservoir, lake or similar place —

(i) by cutting through, breaking down or otherwise damaging a wall, bank or barrier thereof;

(ii) by tampering or interfering with a sluice, gate, valve or outlet thereof,

shall be guilty of an offence.

78.(1) No person shall place an object which floats in waters which —

Placing of certain objects in waters.

- (a) constitutes or is likely to constitute a danger —
- (i) to a vessel;
- (ii) to any person practising sport;
- (iii) to any person who angles,

- (c) 'n werknemer in die voltydse diens van die eienaar of okkupant van grond wat vooraf die skriftelike toestemming van daardie eienaar of okkupant verkry het en die toestemming by hom dra, hengel in waters wat deur die grond van daardie eienaar of okkupant omring word.

(3) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen of iemand in subartikel (2)(c) beoog wat versuim om die toestemming daarin beoog, te verkry of versuim om dit by hom te dra terwyl hy hengel, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar —

- (a) waar so iemand nie die houder van 'n lisensie of toestemming is nie, met 'n boete van hoogstens R750 of met gevangenisstraf vir 'n tydperk van hoogstens 9 maande of met daardie boete sowel as daardie gevangenisstraf;

- (b) waar so iemand die houder van 'n lisensie of toestemming is, maar dit nie by hom dra terwyl hy hengel nie, met 'n boete van hoogstens R250 of met gevangenisstraf vir 'n tydperk van hoogstens 3 maande.

Toestemming nodig om vis te vang.

75.(1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand vis in waters vang nie, tensy hy vooraf die toestemming van die eienaar of okkupant van die grond waarop die waters geleë is, verkry het.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Betreding van grond met visgereedskap.

76.(1) Niemand mag grond waarop daar waters is waarin vis aangetref word of waarskynlik aangetref kan word, betree of daarop wees nie, terwyl hy in besit is van visgereedskap, tensy hy 'n wettige rede het om dit te doen of vooraf die toestemming van die eienaar of okkupant van die grond verkry het.

(2) By die toepassing van subartikel (1) omvat "grond" nie 'n openbare pad nie.

(3) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Plaas van versperrings in waters en uitlaat van waters.

77. Iemand wat —

(a) 'n versperring in waters plaas wat die vrye deurgang van vis verhoed;

- (b) met die doel om vis te vang of te dood, die water uit 'n vywer, reservoir, meer of soortgelyke plek laat —

(i) deur 'n muur, wal of versperring daarvan deur te sny, af te breek of andersins te beskadig;

(ii) deur aan 'n sluis, hek, klep of uitlaat daarvan te peuter of dit te versteur,

is aan 'n misdryf skuldig.

Plaas van sekere voorwerpe in waters.

78.(1) Niemand mag 'n voorwerp wat dryf in waters plaas nie wat —

- (a) gevaar inhou of waarskynlik kan inhou —
- (i) vir 'n vaartuig;
- (ii) vir iemand wat sport beoefen;
- (iii) vir iemand wat hengel,

in or on the waters in which the object has been placed;

- (b) serves as marker indicating the place where there is any object, substance, agent or product under the water which allures or is likely to allure fish,

unless he is the holder of a permit which authorizes him to do so.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Placing or releasing of fish in waters.

79.(1) No person shall place or release live fish in waters, unless he is the holder of a permit which authorizes him to do so.

(2) Notwithstanding subsection (1) any person who has caught a fish may thereafter place or release it alive in the waters in which he caught it.

(3) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Sale of live freshwater fish.

80.(1) No person shall sell live freshwater fish, unless he is the holder of a permit which authorizes him to do so.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Importing of live fish.

81.(1) No person shall import live fish into the Province, unless he is the holder of a permit which authorizes him to do so.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Exemption to catch or sell trout.

82.(1) Where the Administrator is of the opinion that waters are so situated or are contained in such manner that fish cannot readily gain access to such waters, he may, upon the written application of the owner of the land on which such waters are situated, exempt —

- (a) the owner;
- (b) any other person indicated by the owner in the application,

in writing from all or any of the provisions of this Ordinance applicable to the catching or sale of fish in respect of the catching of trout in the waters referred to in the exemption and the sale thereof.

(2) The holder of an exemption contemplated in subsection (1) may grant permission in writing to any other person to catch or sell, subject to the provisions of the exemption, trout in the waters referred to in the exemption.

(3) A permission contemplated in subsection (2) shall contain —

- (a) the name and residential address of the person granting it;
- (b) the date on which it is granted;
- (c) the name of the person to whom it is granted; and
- (d) the signature of the person granting it.

in of op die waters waarin die voorwerp geplaas is;

- (b) as merker dien om die plek aan te dui waar daar enige voorwerp, stof, middel of produk onder die water is wat vis aanlok of waarskynlik kan aanlok,

tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Plaas of loslaat van vis in waters.

79.(1) Niemand mag lewende vis in waters plaas of loslaat nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) Ondanks subartikel (1) kan iemand wat 'n vis gevang het dit daarna lewend in die waters waarin hy dit gevang het, plaas of loslaat.

(3) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Verkoop van lewende varswatervis.

80.(1) Niemand mag lewende varswatervis verkoop nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Invoer van lewende vis.

81.(1) Niemand mag lewende vis in die Provinsie invoer nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Vrystelling om forelle te vang of te verkoop.

82.(1) Waar die Administrateur van mening is dat waters so geleë of op so 'n wyse ingesluit is dat vis nie gereedelik toegang tot daardie waters kan verkry nie, kan hy, op skriftelike aansoek van die eienaar van die grond waarop daardie waters geleë is —

- (a) die eienaar;
- (b) iemand anders wat die eienaar in die aansoek aanwys,

skriftelik vrystel van al of enigeen van die bepalinge van hierdie Ordonnansie wat van toepassing is op die vang of verkoop van vis ten opsigte van die vang van forelle in die waters in die vrystelling genoem en die verkoop daarvan.

(2) Die houer van 'n vrystelling in subartikel (1) beoog, kan aan iemand anders skriftelik toestemming verleen om, onderworpe aan die bepalinge van die vrystelling, forelle in die waters in die vrystelling genoem, te vang of te verkoop.

(3) 'n Toestemming in subartikel (2) beoog, bevat —

- (a) die naam en woonadres van die persoon wat dit verleen;
- (b) die datum waarop dit verleen word;
- (c) die naam van die persoon aan wie dit verleen word; en
- (d) die handtekening van die persoon wat dit verleen.

(4) The holder of a permission contemplated in subsection (2) may, in accordance with the particulars contained therein and subject to the provisions of the exemption contemplated in subsection (1), catch trout in the waters referred to in the exemption and sell it.

(5) The holder of a permission contemplated in subsection (2) shall carry it with him when he catches or sells trout thereunder.

(6) Any person who contravenes or fails to comply with subsection (5) shall be guilty of an offence.

83. Any person who —

- (a) receives fish knowing that it was not caught lawfully;
- (b) is found in possession of fish in respect of which there is a reasonable suspicion that it was not caught lawfully and is unable to give a satisfactory account of such possession;
- (c) in any manner acquires or receives into his possession or handles fish without having reasonable cause, proof of which shall be on him, for believing at the time of such acquisition, receipt or handling, that such fish was caught lawfully,

shall be guilty of an offence.

84. Any person who —

- (a) carries on a business or follows an occupation having the effect that any substance or thing, whether solid, liquid or gaseous, is used or produced which is likely to be or become injurious to fish or fish food, and does not take the necessary steps to prevent such substance or thing from entering or percolating into waters in which there is fish;
- (b) deposits any substance or thing contemplated in paragraph (a) into waters in which there is fish or causes or allows it to enter or percolate therein,

shall be guilty of an offence and liable on conviction to a fine not exceeding R2 000 or to imprisonment for a period not exceeding 24 months or to both such fine and such imprisonment and may be fined to a further amount not exceeding R500 for every day the offence continues.

85.(1) No person shall possess, sell, purchase, donate or receive as a donation, convey, import into the Province, cultivate or place in waters an aquatic growth referred to in Schedule 10 to this Ordinance, unless he is the holder of a permit which authorizes him to do so.

(2) The Administrator may by notice in the *Provincial Gazette* insert in or add to or delete from Schedule 10 to this Ordinance the name of any aquatic growth.

(3) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

(4) Die houer van 'n toestemming in subartikel (2) beoog, kan in ooreenstemming met die besonderhede daarin vervat en onderworpe aan die bepalings van die vrystelling in subartikel (1) beoog, forelle in die waters in daardie vrystelling genoem, vang en dit verkoop.

(5) Die houer van 'n toestemming in subartikel (2) beoog, dra dit by hom wanneer hy forelle daarkragtens vang of verkoop.

(6) Iemand wat subartikel (5) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

83. Iemand wat —

- (a) vis ontvang wetende dat dit nie wettiglik gevang is nie;
- (b) in besit gevind word van vis ten opsigte waarvan daar 'n redelike verdenking bestaan dat dit nie wettiglik gevang is nie en wat nie in staat is nie om voldoende reenskap van sodanige besit te gee;
- (c) vis op enige wyse verkry of in sy besit ontvang of hanteer sonder om redelike gronde, waarvan die bewyslas op hom rus, daarvoor te hê om ten tyde van die verkryging, ontvangs of hantering te glo dat daardie vis wettiglik gevang is,

is aan 'n misdryf skuldig.

84. Iemand wat —

- (a) 'n onderneming bedryf of beroep beoefen wat tot gevolg het dat enige stof of ding, hetsy solied, vloeibaar en gasagtig, gebruik of voortgebring word wat vir vis of visvoedsel waarskynlik skadelik kan wees of word, en nie die nodige stappe doen nie om te voorkom dat daardie stof of ding in waters waarin daar vis is, kom of daarin deursyfer;
- (b) enige stof of ding in paragraaf (a) beoog in waters waarin daar vis is, stort of dit daarin laat kom of laat deursyfer of toelaat dat dit daarin kom of deursyfer,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R2 000 of met gevangenisstraf vir 'n tydperk van hoogstens 24 maande of met daardie boete sowel as daardie gevangenisstraf en kan met 'n verdere bedrag van hoogstens R500 beboet word vir elke dag wat die misdryf voortduur.

85.(1) Niemand mag 'n watergewas in Bylae 10 by hierdie Ordonnansie genoem, besit, verkoop, koop, skenk of as geskenk ontvang, vervoer, in die Provinsie invoer, kweek of in waters plaas nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) Die Administrateur kan by kennisgewing in die *Provinsiale Koerant* die naam van enige watergewas in Bylae 10 by hierdie Ordonnansie invoeg of daarby byvoeg of daaruit skrap.

(3) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Receipt,
possession,
acquisition or
handling of fish.

Pollution of
waters.

Prohibited acts
with certain
aquatic
growths.

Ontvangs,
besit,
verkryging of
hantering van
vis.

Besoeedeling
van waters.

Verbode
handelinge met
sekere
watergewasse.

CHAPTER VII INDIGENOUS PLANTS

Protected plants and specially protected plants.

86.(1) The plants referred to —

- (a) in Schedule 11 to this Ordinance shall be protected plants;
- (b) in Schedule 12 to this Ordinance shall be specially protected plants.

(2) The Administrator may by notice in the *Provincial Gazette* insert in or add to or delete from Schedule 11 or Schedule 12 to this Ordinance the name of any indigenous plant.

Picking of protected plants.

87.(1) Subject to the provisions of this Ordinance, no person shall pick a protected plant, unless he is the holder of a permit which authorizes him to do so: Provided that the owner of land or a relative of his may, on the land of such owner, or the occupier of land or a relative of his may, on the land of such occupier, pick —

- (a) the flower of a protected plant;
- (b) a protected plant —
 - (i) as far as it is necessary for grazing, the making of hay or for any other *bona fide* farming purpose or by burning the veld;
 - (ii) on the portion of such land —
 - (aa) required for the cultivation, the erection of a building, the construction of a road, dam or airfield, or other development necessitating the destruction of vegetation;
 - (bb) set apart solely for the cultivation of such plant.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Picking of indigenous plants in nature reserve.

88.(1) No person shall pick an indigenous plant in a nature reserve, unless he is the holder of a permit which authorizes him to do so: Provided that the owner of land in a nature reserve or a relative of his may pick on such land or the occupier of land in a nature reserve or a relative of his may pick on such land —

- (a) an indigenous plant which is not a protected plant or specially protected plant;
- (b) a protected plant as contemplated in the proviso to section 87(1).

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

Picking of indigenous plants on or near public roads.

89.(1) Subject to the provisions of this Ordinance, no person shall pick an indigenous plant —

- (a) on a public road;

HOOFSTUK VII INHEEMSE PLANTE

Beskermdde plante en spesiaal beskermdde plante.

86.(1) Die plante genoem —

- (a) in Bylae 11 by hierdie Ordonnansie is beskermdde plante;
- (b) in Bylae 12 by hierdie Ordonnansie is spesiaal beskermdde plante.

(2) Die Administrateur kan by kennisgewing in die *Provinsiale Koerant* die naam van enige inheemse plant in Bylae 11 of Bylae 12 by hierdie Ordonnansie invoeg of daarby byvoeg of daaruit skrap.

Pluk van beskermdde plante.

87.(1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand 'n beskermdde plant pluk nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen: Met dien verstande dat die eienaar van grond of 'n familielid van hom op die grond van daardie eienaar of die okkupant van grond of 'n familielid van hom op die grond van daardie okkupant —

- (a) die blom van 'n beskermdde plant kan pluk;
- (b) 'n beskermdde plant kan pluk —
 - (i) vir sover dit nodig is vir weiding, die maak van hooi, of vir enige ander *bona fide*-boerderydoeleinde of deur die veld te brand;
 - (ii) op die gedeelte van daardie grond —
 - (aa) wat benodig word vir die verbouing, die oprigting van 'n gebou, die bou van 'n pad, dam of vliegveld, of ander ontwikkeling wat die vernietiging van plantegroei noodsaak;
 - (bb) wat uitsluitlik vir die kweek van so 'n plant afgesonder is.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Pluk van inheemse plante in natuurreservate.

88.(1) Niemand mag 'n inheemse plant in 'n natuurreservaat pluk nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen: Met dien verstande dat die eienaar van grond in 'n natuurreservaat of 'n familielid van hom op daardie grond of die okkupant van grond in 'n natuurreservaat of 'n familielid van hom op daardie grond —

- (a) 'n inheemse plant wat nie 'n beskermdde plant of spesiaal beskermdde plant is nie;
- (b) 'n beskermdde plant soos in die voorbehoudsbepaling by artikel 87(1) beoog, kan pluk.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Pluk van inheemse plante op of naby openbare paaie.

89.(1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand 'n inheemse plant —

- (a) op 'n openbare pad;

- (b) on land next to a public road within a distance of 100 m measured from the centre of the road,

unless he is the holder of a permit which authorizes him to do so: Provided that the owner of land contemplated in paragraph (b) or a relative of his may pick on such land or the occupier of land contemplated in paragraph (b) or a relative of his may pick on such land an indigenous plant as contemplated in the proviso to section 87(1).

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

90.(1) No person shall pick an indigenous plant on land of which he is not the owner or occupier: Provided that —

- (a) a relative of the owner of land may pick on the land of such owner;
- (b) a relative of the occupier of land may pick on the land of such occupier;
- (c) any person who has obtained the written permission of the owner or occupier of land beforehand and who carries it with him, may pick on the land of such owner or occupier,

such a plant.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

91.(1) Subject to the provisions of this Ordinance, no person shall donate, sell or export or remove from the Province a protected plant, unless he is the holder of a permit which authorizes him to do so: Provided that —

- (a) any person —
 - (i) who is authorized in terms of the proviso to subsection 87(1), 88(1) or 89(1) to pick a protected plant may donate the flower thereof;
 - (ii) may donate a protected plant planted on land set apart solely for the cultivation thereof;
- (b) a protected plant may be donated or sold by —
 - (i) any person who is licensed in terms of the Licences Ordinance, 1974, to sell plants and who acquired the protected plant from any person who sold it lawfully;
 - (ii) a botanical garden which is subject to the provisions of the Cultural Institutions Act, 1969;
- (c) any person may export or remove a protected plant donated or sold in terms of paragraph (a) or (b) from the Province.

(2) Any person donating a protected plant in terms of paragraph (a)(ii) of the proviso to subsection (1) shall deliver to the donee, together with the plant, a document containing —

- (a) the name and residential address of the donor;

- (b) op grond langs 'n openbare pad binne 'n afstand van 100 m gemeet vanaf die middel van die pad,

pluk nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen: Met dien verstande dat die eienaar van grond in paragraaf (b) beoog of 'n familielid van hom op daardie grond of die okkupant van grond in paragraaf (b) beoog of 'n familielid van hom op daardie grond 'n inheemse plant kan pluk soos in die voorbehoudsbepaling by artikel 87(1) beoog.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

90.(1) Niemand mag 'n inheemse plant op grond waarvan hy nie die eienaar of okkupant is nie, pluk nie: Met dien verstande dat —

- (a) 'n familielid van die eienaar van grond op die grond van daardie eienaar;
- (b) 'n familielid van die okkupant van grond op die grond van daardie okkupant;
- (c) iemand wat vooraf die skriftelike toestemming van die eienaar of okkupant van grond verkry het en dit by hom dra op die grond van daardie eienaar of okkupant,

so 'n plant kan pluk.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

91.(1) Behoudens die bepalings van hierdie Ordonnansie, mag niemand 'n beskermde plant skenk, verkoop of uit die Provinsie uitvoer of wegneem nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen: Met dien verstande dat —

- (a) iemand —
 - (i) wat ingevolge die voorbehoudsbepaling by artikel 87(1), 88(1) of 89(1) gemagtig is om 'n beskermde plant te pluk, die blom daarvan kan skenk;
 - (ii) 'n beskermde plant wat aangeplant is op grond wat uitsluitlik vir die kweek daarvan afgesonder is, kan skenk;
- (b) 'n beskermde plant geskenk of verkoop kan word deur —
 - (i) iemand wat ingevolge die Ordonnansie op Lisensies, 1974, gelisensieer is om plante te verkoop en wat die beskermde plant verkry het van iemand wat dit wettiglik verkoop het;
 - (ii) 'n plantetuin wat onder die bepalings van die Wet op Kulturele Inrigtings, 1969, val;
- (c) iemand 'n beskermde plant wat ingevolge paragraaf (a) of (b) geskenk of verkoop is, uit die Provinsie kan uitvoer of wegneem.

(2) Iemand wat 'n beskermde plant ingevolge paragraaf (a)(ii) van die voorbehoudsbepaling by subartikel (1) skenk, oorhandig saam met die plant aan die ontvanger 'n dokument bevattende —

- (a) die naam en woonadres van die skenker;

Picking of indigenous plants by any person other than owner or occupier.

Pluk van inheemse plante deur iemand anders as eienaar of okkupant.

Donation, sale, export or removal from Province of protected plants.

Skenk, verkoop, uitvoer of wegneem uit Provinsie van beskermde plante.

- (b) a description thereof;
- (c) the name and address of the donee;
- (d) the date on which it is donated; and
- (e) the signature of the donor.

(3) Any person receiving a protected plant in terms of paragraph (a)(ii) of the proviso to subsection (1) shall carry the document contemplated in subsection (2) with him when he conveys the plant.

(4) Any person who contravenes or fails to comply with subsection (1), (2) or (3) shall be guilty of an offence.

92.(1) No person shall purchase or receive as a donation a protected plant except from a person who sells or donates it lawfully.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

93.(1) Subject to the provisions of this Ordinance, no person shall import into or convey within the Province a protected plant, unless he is the holder of a permit which authorizes him to do so: Provided that —

- (a) any person may import into or convey within the Province a protected plant which he bought or received as a donation from any other person in any other province, the territory of South West Africa or a territory which was formerly part of the Republic, if he has documentary proof of the purchase or donation and carries it with him when he conveys the plant;
- (b) any person may convey a protected plant within the Province where —
 - (i) he is authorized in terms of the proviso to section 87(1), 88(1) or 89(1) to pick it;
 - (ii) the protected plant —
 - (aa) has been donated or sold to him in terms of section 91(1) or by a person exempted in terms of section 94(1);
 - (bb) has been donated to him in terms of paragraph (a)(ii) of the proviso to section 91(1) and he carries the document contemplated in section 91(2) with him when he conveys the plant.

(2) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

94.(1) The Administrator may, upon the written application of the owner of a nursery registered in terms of the provisions of the Plant Improvement Act, 1976 (Act 53 of 1976), exempt —

- (a) the owner;
- (b) any other person indicated by the owner in the application,

in writing from all or any of the provisions of this Ordinance applicable to the donation,

- (b) 'n beskrywing daarvan;
- (c) die naam en adres van die ontvanger;
- (d) die datum waarop dit geskenk word; en
- (e) die handtekening van die skenker.

(3) Iemand wat 'n beskermde plant ingevolge paragraaf (a)(ii) van die voorbehoudsbepaling by subartikel (1) ontvang, dra die dokument in subartikel (2) beoog by hom wanneer hy die plant vervoer.

(4) Iemand wat subartikel (1), (2) of (3) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

92.(1) Niemand mag 'n beskermde plant koop of as geskenk ontvang nie behalwe van iemand wat dit wettiglik verkoop of skenk.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

93.(1) Behoudens die belyings van hierdie Ordonnansie, mag niemand 'n beskermde plant in die Provinsie invoer of daarin vervoer nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen: Met dien verstande dat —

- (a) iemand 'n beskermde plant wat hy van iemand anders in 'n ander provinsie, die gebied Suidwes-Afrika of 'n gebied wat voorheen deel van die Republiek was, gekoop of as geskenk ontvang het in die Provinsie kan invoer of daarin kan vervoer, indien hy dokumentêre bewys van die koop of skenking het en dit by hom dra wanneer hy die plant vervoer;
- (b) iemand 'n beskermde plant in die Provinsie kan vervoer waar —
 - (i) hy ingevolge die voorbehoudsbepaling by artikel 87(1), 88(1) of 89(1) gemagtig is om dit te pluk;
 - (ii) die beskermde plant —
 - (aa) ingevolge artikel 91(1) of deur iemand ingevolge artikel 94(1) vrygestel, aan hom geskenk of verkoop is;
 - (bb) ingevolge paragraaf (a)(ii) van die voorbehoudsbepaling by artikel 91(1) aan hom geskenk is en hy die dokument in artikel 91(2) beoog by hom dra wanneer hy die plant vervoer.

(2) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

94.(1) Die Administrateur kan op skriftelike aansoek van die eienaar van 'n kwekery wat ingevolge die belyings van die Plantverbeteringswet, 1976 (Wet 53 van 1976), geregistreer is —

- (a) die eienaar;
- (b) iemand anders wat die eienaar in die aansoek aanwys,

skriftelik vrystel van al of enigeen van die belyings van hierdie Ordonnansie wat van toe-

Purchase or receipt of protected plants.

Importing into and conveyance within Province of protected plants.

Koop of ontvangs van beskermde plante.

Invoeren vervoer in Provinsie van beskermde plante.

Exemption of owners of nurseries.

Vrystelling van eienaars van kwekerye.

sale, conveyance within or export or removal from the Province of a protected plant in respect of the donation, sale, conveyance within or export or removal from the Province of any species of protected plant cultivated in such a nursery.

(2) The holder of an exemption contemplated in subsection (1) may grant permission in writing to any other person to donate, to sell, to convey within the Province or to export or remove therefrom, subject to the provisions of the exemption, any species of protected plant referred to in the exemption and cultivated on the premises of the nursery referred to therein.

(3) The holder of a permission contemplated in subsection (2) may, in accordance with the particulars contained therein and subject to the provisions of the exemption contemplated in subsection (1), donate, sell, convey within the Province or export or remove therefrom the species of protected plants referred to in the permission.

95. Any person who —

- (a) receives a protected plant knowing that it was not picked lawfully;
- (b) is found in possession of a protected plant in respect of which there is a reasonable suspicion that it was not picked lawfully and is unable to give a satisfactory account of such possession;
- (c) in any manner acquires or receives into his possession or handles a protected plant without having reasonable cause, proof of which shall be on him, for believing at the time of such acquisition, receipt or handling that such plant was picked lawfully,

shall be guilty of an offence.

96.(1) Subject to the provisions of this Ordinance, no person shall possess, pick, sell, purchase, donate or receive as a donation, import into or convey within the Province, export or remove from the Province a specially protected plant, unless he is the holder of a permit which authorizes him to do so: Provided that any person may possess a specially protected plant which grows in its natural habitat but which was not planted.

(2) The holder of a permit contemplated in subsection (1) who sells or donates a specially protected plant, shall deliver to the purchaser or donee, as the case may be, together with the plant, a document containing —

- (a) the name and address of the seller or donor;
- (b) the number of the permit;
- (c) the name and address of the purchaser or donee;
- (d) particulars of the species and quantity of plants sold or donated;
- (e) the date of delivery of the plant; and
- (f) the signature of the seller or donor.

passing is op die skenk, verkoop, vervoer in of uitvoer of wegneem uit die Provinsie van 'n beskermde plant ten opsigte van die skenk, verkoop, vervoer in of uitvoer of wegneem uit die Provinsie van enige soort beskermde plant wat in so 'n kwekery gekweek is.

(2) Die houer van 'n vrystelling in subartikel (1) beoog, kan aan iemand anders skriftelik toestemming verleen om, onderworpe aan die bepaling van die vrystelling, enige soort beskermde plant in die vrystelling genoem wat op die perseel van die kwekery daarin genoem, gekweek is, te skenk, te verkoop, in die Provinsie te vervoer of daaruit uit te voer of weg te neem.

(3) Die houer van 'n toestemming in subartikel (2) beoog, kan in ooreenstemming met die besonderhede daarin vervat en onderworpe aan die bepaling van die vrystelling in subartikel (1) beoog, die soorte beskermde plante in die toestemming genoem, skenk, verkoop, in die Provinsie vervoer of daaruit uitvoer of wegneem.

95. Iemand wat —

- (a) 'n beskermde plant ontvang wetende dat dit nie wettiglik gepluk is nie;
- (b) in besit gevind word van 'n beskermde plant ten opsigte waarvan daar 'n redelike verdenking bestaan dat dit nie wettiglik gepluk is nie en wat nie in staat is nie om voldoende rekenskap van sodanige besit te gee;
- (c) 'n beskermde plant op enige wyse verkry of in sy besit ontvang of hanteer sonder om redelike gronde, waarvan die bewyslas op hom rus, daarvoor te hê om ten tyde van die verkryging, ontvangs of hanteling te glo dat daardie plant wettiglik gepluk is,

is aan 'n misdryf skuldig.

96.(1) Behoudens die bepalinge van hierdie Ordonnansie, mag niemand 'n spesiaal beskermde plant besit, pluk, verkoop, koop, skenk of as geskenk ontvang, in die Provinsie invoer of daarin vervoer, uit die Provinsie uitvoer of wegneem nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen: Met dien verstande dat iemand 'n spesiaal beskermde plant wat in sy natuurlike groeiplek groei, maar wat nie geplant is nie, kan besit.

(2) Die houer van 'n permit in subartikel (1) beoog wat 'n spesiaal beskermde plant verkoop of skenk, oorhandig saam met die plant aan die koper of ontvanger, na gelang van die geval, 'n dokument bevattende —

- (a) die naam en adres van die verkoper of skenker;
- (b) die nommer van die permit;
- (c) die naam en adres van die koper of ontvanger;
- (d) besonderhede van die soort en hoeveelheid plante wat verkoop of geskenk word;
- (e) die datum van lewering van die plant; en
- (f) die handtekening van die verkoper of skenker.

Receipt, possession, acquisition or handling of protected plants.

Prohibited acts with specially protected plants.

Ontvangs, besit, verkryging of hanteling van beskermde plante.

Verbode handelinge met spesiaal beskermde plante.

(3) A document contemplated in subsection (2) authorizes the holder thereof to convey the specially protected plant sold or donated to him to his address and to possess it there for a period not exceeding 60 days.

(4) Any person who contravenes or fails to comply with subsection (1) or (2) shall be guilty of an offence and liable on conviction, in the case of a contravention of subsection (1) —

- (a) where such person has not been previously convicted of a contravention of that subsection or a corresponding provision of the repealed Ordinance, to a fine not exceeding R1 000 or to imprisonment for a period not exceeding 12 months or to both such fine and such imprisonment;
- (b) where such person has been previously convicted of a contravention of that subsection or a corresponding provision of the repealed Ordinance, to a fine not exceeding R1 500 or to imprisonment for a period not exceeding 18 months or to both such fine and such imprisonment.

CHAPTER VIII

ENDANGERED AND RARE SPECIES OF FAUNA AND FLORA

Endangered and rare species of fauna and flora.

97.(1) Every species of fauna and flora referred to in —

- (a) Annexure I, and any readily recognisable derivative thereof;
- (b) Annexure II, to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, as amended up to 6 June 1981, shall be an endangered species or a rare species of fauna and flora respectively.

(2) After the commencement of this Ordinance the Administrator shall publish forthwith in the *Provincial Gazette* a list of the endangered species and rare species of fauna and flora contemplated in subsection (1).

(3) Where Annexure I or II to the Convention referred to in subsection (1) is amended in accordance with the provisions of that Convention, the Administrator shall amend the list contemplated in subsection (2) or substitute therefor a list in which the amendments have been effected.

Prohibited acts with endangered species or rare species.

98.(1) No person shall import into or export or remove from the Province an endangered species or a rare species, unless he is the holder of a permit which authorizes him to do so.

(2) Subsection (1) shall not apply —

- (a) where other provisions of this Ordinance are applicable to the importation into the Province or the exportation or removal therefrom of any wild animal, invertebrate, fish or indigenous plant which is an endangered species or a rare species;
- (b) to the importation into the Province from or the exportation or removal therefrom

(3) 'n Dokument in subartikel (2) beoog, magtig die houer daarvan om die spesiaal beskermde plant wat aan hom verkoop of geskenk is na sy adres te vervoer en daar vir 'n tydperk van hoogstens 60 dae te besit.

(4) Iemand wat subartikel (1) of (2) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar, in die geval van 'n oortreding van subartikel (1) —

- (a) waar so iemand nie voorheen aan 'n oortreding van daardie subartikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is nie, met 'n boete van hoogstens R1 000 of met gevangenisstraf vir 'n tydperk van hoogstens 12 maande of met daardie boete sowel as daardie gevangenisstraf;
- (b) waar so iemand voorheen aan 'n oortreding van daardie subartikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is, met 'n boete van hoogstens R1 500 of met gevangenisstraf vir 'n tydperk van hoogstens 18 maande of met daardie boete sowel as daardie gevangenisstraf.

HOOFSTUK VIII

BEDREIGDE EN SKAARS SOORTE FAUNA EN FLORA

Bedreigde en skaars soorte Fauna en Flora.

97.(1) Elke soort fauna en flora genoem in —

- (a) Aanhangesel I, en enige geredelik herkenbare derivaat daarvan;
- (b) Aanhangesel II, by die Konvensie op Internasionale Handel in Bedreigde soorte Wilde Fauna en Flora, soos gewysig tot op 6 Junie 1981, is onderskeidelik 'n bedreigde soort of 'n skaars soort fauna en flora.

(2) Na die inwerkingtreding van hierdie Ordonnansie publiseer die Administrateur onverwyld in die *Provinsiale Koerant* 'n lys van die bedreigde soorte en skaars soorte fauna en flora in subartikel (1) beoog.

(3) Waar Aanhangesel I of II by die Konvensie in subartikel (1) genoem, ooreenkomstig die bepalings van daardie Konvensie gewysig word, wysig die Administrateur die lys in subartikel (2) beoog of vervang hy dit deur 'n lys waarin die wysigings aangebring is.

Verbode handelinge met bedreigde soorte of skaars soorte.

98.(1) Niemand mag 'n bedreigde soort of skaars soort in die Provinsie invoer of daaruit uitvoer of wegneem nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) Subartikel (1) is nie van toepassing nie —

- (a) waar ander bepalings van hierdie Ordonnansie op die invoer in die Provinsie of die uitvoer of wegneem daaruit van enige wilde dier, ongewerweld dier, vis of inheemse plant wat 'n bedreigde soort of skaars soort is, van toepassing is;
- (b) op die invoer in die Provinsie vanaf of die uitvoer of wegneem daaruit na 'n ander

to any other province, the territory of South West Africa or a territory which was formerly part of the Republic of an endangered species or a rare species which the Administrator may from time to time determine by notice in the *Provincial Gazette*.

(3) Any person who contravenes or fails to comply with subsection (1) shall be guilty of an offence.

CHAPTER IX

TRADING IN AND PRESERVATION OF CAVE-FORMATIONS

Prohibited acts with caves or cave-formations.

99.(1) No person shall —

- (a) remove from a cave;
- (b) by way of sale, exchange or donation dispose of;
- (c) import into the Province or export or remove therefrom,

a cave-formation, unless he is the holder of a permit which authorizes him to do so.

(2) No person shall convey a cave-formation within the Province, unless he is the holder of a permit which authorizes him to do so: Provided that —

- (a) the holder of a permit contemplated in subsection (1);
- (b) the holder of written proof that he purchased, exchanged or received as a donation the cave-formation from any other person who is the holder of a permit contemplated in subsection (1) which authorizes such person to sell, exchange or donate it,

may convey the cave-formation.

(3) No person shall —

- (a) in any manner disturb or alter the natural atmosphere of a cave, including the burning therein of any matter which emits smoke or gas;
- (b) leave any container, rope, clothing, battery, candle, wax, food or any other object in a cave;
- (c) take into a cave an aerosol container or other container containing paint, dye or other colouring agent;
- (d) break open, break, remove or in any other manner tamper with an obstruction or structure erected to prevent the unauthorized entrance to a cave;
- (e) break, break off, crack or in any other manner destroy, damage, mutilate or spoil a cave-formation in a cave or engrave, paint, write or in any other manner make a mark thereon.

(4) Any person who —

- (a) contravenes or fails to comply with subsection (1), (2) or (3);
- (b) is found in possession of a cave-formation in respect of which there is a reasonable

provinsie, die gebied Suidwes-Afrika of 'n gebied wat voorheen deel van die Republiek was van 'n bedreigde soort of skaars soort wat die Administrateur van tyd tot tyd by kennisgewing in die *Provinsiale Koerant* bepaal.

(3) Iemand wat subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

HOOFSTUK IX

HANDEL IN EN BEWARING VAN GROTFORMASIES

Verbode handelinge met grotte of grotformasies.

99.(1) Niemand mag 'n grotformasie —

- a) uit 'n grot verwyder nie;
- (b) by wyse van verkoop, ruil of skenking van die hand sit nie;
- (c) in die Provinsie invoer of daaruit uitvoer of wegneem nie,

tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) Niemand mag 'n grotformasie in die Provinsie vervoer nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen: Met dien verstande dat —

- (a) die houer van 'n permit in subartikel (1) beoog;
- (b) die houer van skriftelike bewys dat hy die grotformasie gekoop, geruil of as geskenk ontvang het van iemand anders wat die houer is van 'n permit in subartikel (1) beoog wat daardie persoon magtig om dit te verkoop, te ruil of te skenk,

die grotformasie kan vervoer.

(3) Niemand mag —

- (a) die natuurlike atmosfeer van 'n grot op enige wyse versteur of verander nie, met inbegrip van die verbranding daarin van enige materie wat rook of gas afgee;
- (b) enige houer, tou, klerasie, battery, kers, was, kos of enige ander voorwerp in 'n grot agterlaat nie;
- (c) 'n aërosol-houer of ander houer bevattende verf, kleurstof of ander kleurmiddel in 'n grot inneem nie;
- (d) 'n versperring of struktuur wat opgerig is om ongemagtigde toegang tot 'n grot te verhoed, oopbreek, breek, verwyder of op enige ander wyse daarmee peuter nie;
- (e) 'n grotformasie in 'n grot breek, afbreek, kraak of op enige ander wyse vernietig, beskadig, skend of bederf of daarop gra-veer, verf, skryf of op enige ander wyse 'n merk daarop aanbring nie.

(4) Iemand wat —

- (a) subartikel (1), (2) of (3) oortree of versuim om daaraan te voldoen;
- (b) in besit gevind word van 'n grotformasie ten opsigte waarvan daar 'n redelike verdenking bestaan dat dit nie wettiglik ver-

suspicion that it was not acquired lawfully and is unable to give a satisfactory account of such possession,

shall be guilty of an offence and liable on conviction —

- (i) where such person has not been previously convicted of a contravention of this subsection or a corresponding provision of the repealed Ordinance, to a fine not exceeding R1 500 or to imprisonment for a period not exceeding 18 months or to both such fine and such imprisonment
- (ii) where such person has been previously convicted of a contravention of this subsection or a corresponding provision of the repealed Ordinance, to a fine not exceeding R2 000 or to imprisonment for a period not exceeding 24 months or to both such fine and such imprisonment.

CHAPTER X

GENERAL

Licences,
permits and
exemptions.

100.(1) Subject to the provisions of this Ordinance, the Administrator may, upon application and payment of the prescribed fees, issue to any person a licence, permit or exemption provided for in this Ordinance which shall be valid for the period referred to in the licence, permit or exemption: Provided that —

- (a) the Administrator may, without assigning any reason, refuse to issue such a licence, permit or exemption;
- (b) the Administrator may exempt any person from the payment of the prescribed fees.

(2) A licence, permit or exemption issued in terms of subsection (1) shall be subject to such conditions —

- (a) as may be prescribed; and
- (b) as the Administrator may deem fit to impose in any particular case.

(3) The Administrator may at any time, without assigning any reason, amend, suspend or cancel a licence, permit or exemption issued in terms of subsection (1) or amend, delete or add any condition contemplated in subsection (2)(b).

(4) The Administrator shall notify the holder of a licence, permit or exemption of the amendment, suspension or cancellation thereof or of the amendment, deletion or addition of any condition in terms of subsection (3) and the holder shall submit the licence, permit or exemption forthwith to the Administrator.

(5) A licence, permit or exemption issued contrary to the provisions of this Ordinance shall be null and void and the holder thereof shall return it forthwith to the Administrator after such fact has come to his notice.

kry is nie en wat nie in staat is nie om voldoende rekenskap van sodanige besit te gee,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar —

- (i) waar so iemand nie voorheen aan 'n oortreding van hierdie sub-artikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is nie, met 'n boete van hoogstens R1 500 of met gevangenisstraf vir 'n tydperk van hoogstens 18 maande of met daardie boete sowel as daardie gevangenisstraf;
- (ii) waar so iemand voorheen aan 'n oortreding van hierdie sub-artikel of 'n ooreenstemmende bepaling van die herroepe Ordonnansie skuldig bevind is, met 'n boete van hoogstens R2 000 of met gevangenisstraf vir 'n tydperk van hoogstens 24 maande of met daardie boete sowel as daardie gevangenisstraf.

HOOFSTUK X

ALGEMEEN

Lisensies,
permitte en
vrystellings.

100.(1) Behoudens die bepalings van hierdie Ordonnansie, kan die Administrateur, op aansoek en by betaling van die voorgeskrewe gelde, aan iemand 'n lisensie, permit of vrystelling waarvoor in hierdie Ordonnansie voorsiening gemaak word, uitreik wat geldig is vir die tydperk in die lisensie, permit of vrystelling genoem: Met dien verstande dat —

- (a) die Administrateurs sonder opgaaf van redes kan weier om so 'n lisensie, permit of vrystelling uit te reik;
- (b) die Administrateur iemand kan vrystel van die betaling van die voorgeskrewe gelde.

(2) 'n Lisensie, permit of vrystelling ingevolge subartikel (1) uitgereik, is onderworpe aan die voorwaardes —

- (a) wat voorgeskryf word; en
- (b) wat die Administrateur dienstig ag om in enige besondere geval op te lê.

(3) Die Administrateur kan te eniger tyd sonder opgaaf van redes 'n lisensie, permit of vrystelling ingevolge subartikel (1) uitgereik, wysig, opskort of intrek of enige voorwaarde in subartikel (2)(b) beoog, wysig, skrap of byvoeg.

(4) Die Administrateur stel die houer van 'n lisensie, permit of vrystelling in kennis van die wysiging, opskorting of intrekking daarvan of van die wysiging, skapping of byvoeging van enige voorwaarde ingevolge subartikel (3), en die houer lê onverwyld die lisensie, permit of vrystelling aan die Administrateur voor.

(5) 'n Lisensie, permit of vrystelling wat strydig met die bepalings van hierdie Ordonnansie uitgereik word, is van nul en gener waarde, en die houer daarvan besorg dit onverwyld aan die Administrateur nadat daardie feit tot sy kennis gekom het.

(6) The holder of a licence, permit or exemption issued in terms of subsection (1) —

- (a) who contravenes or fails to comply with a condition to which the licence, permit or exemption is subject in terms of subsection (2);
- (b) who fails to submit the licence, permit or exemption to the Administrator in terms of subsection (4) or to return it to him in terms of subsection (5),

shall be guilty of an offence.

General powers
of
Administrator.

101. The Administrator may —

- (a) by notice in the *Provincial Gazette* exclude any species of wild animal, exotic animal, invertebrate, fish, indigenous plant or exotic plant, either generally or specifically, from all or any of the provisions of this Ordinance for the area defined in the notice and indicate therein the persons or class or category of persons to whom the provision concerned shall not apply;
- (b) if he is of the opinion that it is or will be in the interests of nature conservation, exempt any person from all or any of the provisions of this Ordinance;
- (c) reserve for a particular purpose any land used by the Administration for the purposes of this Ordinance or portion thereof;
- (d) acquire movable or immovable property or a servitude thereon or any other right thereto for —
 - (i) the establishment, erection, extension or improvement of any nature reserve, recreation area, fishery or nursery;
 - (ii) the conservation of any wild animal, exotic animal, invertebrate, fish or plant;
- (e) admit visitors to land used by the Administration for the purposes of this Ordinance, limit the admission of visitors or close such land entirely or partially to all visitors or any category of visitors;
- (f) if he is of the opinion that it will be in the interest of nature conservation, provide in or on land on which there is a nature reserve, recreation area, fishery or nursery such facilities for visitors as he may deem expedient;
- (g) take such measures as he may deem necessary or expedient —
 - (i) for research in connection with any wild animal, exotic animal, invertebrate, fish, plant, cave or waters;
 - (ii) in connection with the propagation and preservation of any wild animal, exotic animal, invertebrate, fish or plant;

(6) Die houër van 'n lisensie, permit of vrystelling ingevolge subartikel (1) uitgereik —

- (a) wat 'n voorwaarde waaraan die lisensie, permit of vrystelling ingevolge subartikel (2) onderworpe is, oortree of versuim om daaraan te voldoen;
- (b) wat versuim om die lisensie, permit of vrystelling ingevolge subartikel (4) aan die Administrateur voor te lê of dit ingevolge subartikel (5) aan hom te besorg,

is aan 'n misdryf skuldig.

Algemene
bevoegdhede
van
Administrateur.

101. Die Administrateur kan —

- (a) by kennisgewing in die *Provinsiale Koerant* enige soort wilde dier, uitheemse dier, ongewerwelde dier, vis, inheemse plant of uitheemse plant, of in die algemeen of in die besonder, van al of enig een van die bepalings van hierdie Ordonnansie uitsluit vir die gebied in die kennisgewing omskryf en daarin die persone of klas of kategorie persone aanwys op wie die betrokke bepaling nie van toepassing is nie;
- (b) indien hy van mening is dat dit in belang van natuurbewaring is of sal wees, iemand van al of enig een van die bepalings van hierdie Ordonnansie vrystel;
- (c) enige grond wat deur die Administrasie vir doeleindes van hierdie Ordonnansie gebruik word of enige gedeelte daarvan, vir 'n bepaalde doel reserveer;
- (d) roerende of onroerende eiendom of 'n servituut daarop of enige ander reg daarvoor verkry, vir —
 - (i) die daarstelling, oprigting, uitbreiding of verbetering van enige natuurreservaat, ontspanningsgebied, vissery of kwekery;
 - (ii) die bewaring van enige wilde dier, uitheemse dier, ongewerwelde dier, vis of plant;
- (e) besoekers tot grond wat deur die Administrasie vir doeleindes van hierdie Ordonnansie gebruik word, toelaat, die toelating van besoekers beperk of sodanige grond in die geheel of gedeeltelik vir alle besoekers of enige kategorie besoekers sluit;
- (f) indien hy van mening is dat dit in belang van natuurbewaring sal wees, in of op grond waarop daar 'n natuurreservaat, ontspanningsgebied, vissery of kwekery is, vir besoekers die geriewe wat hy dienstig ag, voorsien;
- (g) die maatreëls tref wat hy nodig of dienstig ag —
 - (i) vir navorsing in verband met enige wilde dier, uitheemse dier, ongewerwelde dier, vis, plant, grot of waters;
 - (ii) in verband met die voortplanting en behoud van enige wilde dier, uitheemse dier, ongewerwelde dier, vis of plant;

- (iii) for the control of weed, invader plants or aquatic growths;
- (iv) for the preservation of a cave formation, waters or the environment;
- (h) take steps —
 - (i) for the importation and acclimatization of any wild animal, exotic animal, invertebrate, fish or plant;
 - (ii) for the catching of any wild animal, exotic animal, invertebrate or fish or for the picking of any plant;
 - (iii) for the destruction, reduction, removal or elimination, either generally or in a particular area, of any species of wild animal, exotic animal, invertebrate, fish or plant which may be harmful or injurious to the existence of any other species of wild animal, exotic animal, invertebrate, fish or indigenous plant;
- (i) make any survey or institute any investigation in connection with any wild animal, exotic animal, invertebrate, fish, plant, cave-formation or waters;
- (j) purchase, sell or exchange any wild animal, exotic animal, invertebrate, fish or plant;
- (k) collect and publish statistics and information in connection with nature conservation;
- (l) in collaboration with any other public or private body take steps to develop and control land for the promotion of nature conservation;
- (m) render assistance, whether financial or otherwise, to any person who, in the opinion of the Administrator, is promoting the conservation of any species of wild animal, invertebrate, fish, plant, cave-formation or of nature generally;
- (n) determine the fees to be levied for the right to enter upon land used by the Administration for the purposes of this Ordinance or to perform any particular act thereon or to use any facility thereon;
- (o) in general take such measures as he may deem necessary or expedient for the better carrying out of the provisions and objects of this Ordinance, and the generality of this provision shall not be limited by the preceding paragraphs of this section.

Regulations.

102.(1) The Administrator may make regulations relating to —

- (a) the administration of —
 - (i) the land used by the Administration for the purposes of this Ordinance;
 - (ii) waters or caves on land contemplated in subparagraph (i);
- (b) the control of the entry into or passage

- (iii) vir die beheer van onkruid, indringerplante of watergewasse;
- (iv) vir die bewaring van 'n grotformasie, waters of die omgewing;

(h) stappe doen —

- (i) vir die invoer en akklimatisering van enige wilde dier, uitheemse dier, ongewerwelde dier, vis of plant;
- (ii) vir die vang van enige wilde dier, uitheemse dier, ongewerwelde dier of vis of vir die pluk van enige plant;
- (iii) vir die vernietiging, vermindering, verwydering of uitskakeling, of in die algemeen of in 'n besondere gebied, van enige soort wilde dier, uitheemse dier, ongewerwelde dier, vis of plant wat vir die bestaan van 'n ander soort wilde dier, uitheemse dier, ongewerwelde dier, vis of inheemse plant nadelig of skadelik kan wees;
- (i) enige opname maak of ondersoek instel in verband met enige wilde dier, uitheemse dier, ongewerwelde dier, vis, plant, grotformasie of waters;
- (j) enige wilde dier, uitheemse dier, ongewerwelde dier, vis of plant koop, verkoop of ruil;
- (k) statistiek en inligting in verband met natuurbewaring insamel en publiseer;
- (l) in samewerking met 'n ander openbare of private instansie stappe doen om grond vir die bevordering van natuurbewaring te ontwikkel en te beheer;
- (m) hulp, hetsy finansieel of andersins, verleen aan iemand wat, na die mening van die Administrateur, die behoud van enige soort wilde dier, ongewerwelde dier, vis, plant, grotformasie of die natuur in die algemeen bevorder;
- (n) die gelde bepaal wat gehef word vir die reg om gronde wat deur die Administrasie vir doeleindes van hierdie Ordonnansie gebruik word, te betree of enige bepaalde handeling daarop te verrig of enige geriewe daarop te gebruik;
- (o) in die algemeen die maatreëls tref wat hy nodig of dienstig ag om beter uitvoering aan die oogmerke van hierdie Ordonnansie te gee, en die algemeenheid van hierdie bepaling word nie deur die voorafgaande paragrawe van hierdie artikel beperk nie.

Regulasies.

102.(1) Die Administrateur kan regulasies uitvaardig betreffende —

- (a) die administrasie van —
 - (i) grond wat deur die Administrasie vir doeleindes van hierdie Ordonnansie gebruik word;
 - (ii) waters of grotte op grond in subparagraaf (i) beoog;
- (b) die beheer oor die toegang tot of die

through or over land, waters or caves contemplated in paragraph (a) by —

- (i) any person or an animal;
 - (ii) any float, vessel, hovercraft, aircraft or vehicle;
- (c) the control of —
- (i) any person or an animal;
 - (ii) traffic or the use of any float, vessel, hovercraft, aircraft or vehicle,
- on any land or waters contemplated in paragraph (a);
- (d) the limiting of the power or type of engine or machine used to propel a boat, float or similar vessel on waters on land contemplated in paragraph (a);
- (e) the prohibition, regulation or control of —
- (i) the use of;
 - (ii) any act by any person or category of persons on,

land reserved in terms of section 101(c);

- (f) the manner in which application shall be made in terms of this Ordinance for and the form of a licence, permit or exemption, the circumstances in which and conditions on which it shall be issued and the provisions thereof;
- (g) the granting of different types of licences, permits or exemptions to different categories of persons and the different fees payable for licences, permits or exemptions;
- (h) the number and species of wild animals, exotic animals, invertebrata, fish or plants which may be hunted, caught, angled or picked in terms of a licence, permit or exemption;
- (i) the control and regulation of the hunting or catching of a wild animal, an exotic animal, fish or invertebrate;
- (j) the taking, disturbing, destruction or collection of the eggs or egg shells of a bird or reptile;
- (k) the sale of a wild animal, exotic animal, invertebrate, fish, plant or cave-formation;
- (l) the importation into the Province or the exportation or removal therefrom of a wild animal, exotic animal, invertebrate, fish, plant, endangered species, rare species or cave-formation;
- (m) the possession, keeping, conveyance or removal from one place to any other place of a wild animal, exotic animal, invertebrate, fish, plant or cave-formation;
- (n) the requirements to be complied with when any person has wounded a wild animal;
- (o) the type or calibre of firearm with which

deurgang of oorgang oor grond, waters of grotte in paragraaf (a) beoog deur —

- (i) iemand of 'n dier;
 - (ii) enige vlot, vaartuig, skeertuig, lugvaartuig of voertuig;
- (c) die beheer van —
- (i) iemand of 'n dier;
 - (ii) verkeer of die gebruik van enige vlot, vaartuig, skeertuig, lugvaartuig of voertuig,
- op enige grond of waters in paragraaf (a) beoog;
- (d) die beperking van die krag of soort enjin of masjien wat gebruik word om 'n boot, vlot of soortgelyke vaartuig aan te dryf op waters of grond in paragraaf (a) beoog;
- (e) die verbod op, regulering van of beheer oor —
- (i) die gebruik van;
 - (ii) enige handeling deur enige persoon of kategorie persone op,

grond ingevolge artikel 101(c) gereserveer;

- (f) die wyse waarop daar ingevolge hierdie Ordonnansie aansoek gedoen word om en die vorm van 'n lisensie, permit of vrystelling, die omstandighede waaronder en voorwaardes waarop dit uitgereik word en die bepalinge daarvan;
- (g) die toestaan van verskillende soorte lisensies, permitte of vrystellings aan verskillende kategorieë persone en die verskillende gelde betaalbaar vir lisensies, permitte of vrystellings;
- (h) die getal en soorte wilde diere, uitheemse diere, ongewerwelde diere, vis of plante wat ingevolge 'n lisensie, permit of vrystelling gejag, gevang, gehengel of gepluk kan word;
- (i) die beheer oor en reëling van die jag of vang van 'n wilde dier, uitheemse dier, vis of ongewerwelde dier;
- (j) die neem, verstoring, vernietiging of versameling van die eiers of eierdoppe van 'n voël of reptiel;
- (k) die verkoop van 'n wilde dier, uitheemse dier, ongewerwelde dier, vis, plant of grotformasie;
- (l) die invoer in die Provinsie of die uitvoer of wegneem daaruit van 'n wilde dier, uitheemse dier, ongewerwelde dier, vis, plant, bedreigde soort, skaars soort of grotformasie;
- (m) die besit, aanhouding, vervoer of verwydering van een plek na 'n ander plek van 'n wilde dier, uitheemse dier, ongewerwelde dier, vis, plant of grotformasie;
- (n) die vereistes wat nagekom moet word wanneer iemand 'n wilde dier gekwes het;
- (o) die tipe of kaliber vuurwapen waarmee ie-

any person or category of persons may hunt a wild animal;

- (p) the poisoning of a wild animal or an exotic animal;
- (q) the acquisition or transfer of hunting-rights;
- (r) the qualifications, disqualifications, powers, functions or duties of the members and office-bearers of a club;
- (s) the registers, records, books or documents required to be kept by a club, professional hunter or hunting-outfitter and the inspection thereof;
- (t) the supervision, control, development and protection of fisheries;
- (u) the measurements, mass and size of fish which may be caught and retained;
- (v) the quantity, nature, measurements, form and construction of fishing tackle, either generally or in relation to a particular species of fish;
- (w) the control of the possession of a protected plant or specially protected plant;
- (x) the control, importation, cultivation, destruction or combatting of a plant which, in his opinion, could be harmful to or create unfavourable conditions for a wild animal, fish or indigenous plant;
- (y) the research in connection with a wild animal, exotic animal, invertebrate, fish, indigenous plant, cave-formation or other matter referred to in this subsection,

and in general relating to any other matter, whether or not connected with a matter stated in paragraphs (a) up to and including (y), which shall or may be prescribed and which he may deem necessary or expedient to prescribe for the better carrying out of the objects of this Ordinance.

(2) The power to make regulations relating to the matters referred to in subsection (1) shall include the power to restrict or prohibit anything in connection therewith either absolutely or conditionally.

(3) Regulations made in terms of subsection (1) may be made to apply generally throughout the Province or within any specified part thereof or to any specified species of wild animal, exotic animal, invertebrate, fish, indigenous plant, exotic plant or cave-formation or to any specified category of persons and may, from time to time, be applied by the Administrator by notice in the *Provincial Gazette* to any part of the Province.

(4) Regulations made in terms of subsection (1) may provide for penalties for a contravention thereof or failure to comply therewith, but no penalty shall exceed a fine of R500 or imprisonment for a period of 6 months or both such fine and such imprisonment.

mand of 'n kategorie persone 'n wilde dier kan jag;

- (p) die vergiftiging van 'n wilde dier of uitheemse dier;
- (q) die verkryging of oordrag van jagregte;
- (r) die kwalifikasies, diskwalifikasies, bevoegdhede, funksies of pligte van die lede en ampsdraers van 'n klub;
- (s) die registers, rekords, boeke of dokumente wat deur 'n klub, beroepsjagter of jagondernemer gehou moet word en die ondersoek daarvan;
- (t) die toesig en beheer oor en die ontwikkeling en beskerming van visserye;
- (u) die afmetings, massa en grootte van vis wat gevang en gehou kan word;
- (v) die hoeveelheid, aard, afmetings, vorm en bou van visgereedskap, of in die algemeen of met betrekking tot 'n besondere soort vis;
- (w) die beheer oor die besit van 'n beskermde plant of spesiaal beskermde plant;
- (x) die beheer oor, invoer, aanplant, uitroeiing of bestryding van 'n plant wat, na sy mening, nadelig kan wees of ongunstige toestande skep vir 'n wilde dier, vis of inheemse plant;
- (y) die navorsing in verband met 'n wilde dier, uitheemse dier, ongewerwelde dier, vis, inheemse plant, grotformasie of ander aangeleentheid in hierdie subartikel genoem,

en in die algemeen betreffende enige ander aangeleentheid, hetsy dit met 'n aangeleentheid vermeld in paragrafe (a) tot en met (y) in verband staan al dan nie, wat voorgeskryf moet of kan word en wat hy nodig of dienstig ag om voor te skryf om beter uitvoering aan die oogmerke van hierdie Ordonnansie te gee.

(2) Die bevoegdheid om regulasies betreffende die aangeleenthede in subartikel (1) genoem, uit te vaardig, omvat die bevoegdheid om enigiets in verband daarmee absoluut of voorwaardelik te beperk of te verbied.

(3) Regulasies ingevolge subartikel (1) uitgevaardig, kan in die algemeen vir die hele Provinsie of binne 'n bepaalde deel daarvan of op enige bepaalde soort wilde dier, uitheemse dier, ongewerwelde dier, vis, inheemse plant, uitheemse plant of grotformasie of vir enige bepaalde kategorie persone van toepassing gemaak word en kan van tyd tot tyd deur die Administrateur by kennisgewing in die *Provinsiale Koerant* op enige deel van die Provinsie van toepassing gemaak word.

(4) Regulasies ingevolge subartikel (1) uitgevaardig, kan voorsiening maak vir strawwe vir 'n oortreding daarvan of versuim om daaraan te voldoen, maar geen straf oorskry 'n boete van R500 of gevangenisstraf vir 'n tydperk van 6 maande of daardie boete sowel as daardie gevangenisstraf nie.

Power of Administrator where land is held by more than one person, partnership or other body.

103. Where land is held by —

- (a) more than one person in undivided shares;
- (b) a partnership;
- (c) a body corporate or incorporate,

the Administrator shall prescribe who shall, on behalf of such persons, partnership or body, exercise or perform the powers, functions or duties which an owner of land may exercise or perform in terms of the provisions of this Ordinance.

Official acknowledgement of societies or associations.

104. The Administrator may, on such conditions as he may deem expedient, grant official recognition to any society or association of persons, the activities of which, in his opinion, promote any object of this Ordinance and he may prescribe the powers and functions of such a society or association.

Delegation of powers, functions and duties.

105. The Administrator may delegate any power or function conferred upon or assigned to him by this Ordinance, other than the power to issue a notice or make regulations, or any duty so imposed upon him to the Director of Nature Conservation, and the Administrator may authorize the Director of Nature Conservation to delegate further such power, function or duty as the Administrator may deem fit.

Powers, functions and duties of nature conservators and honorary nature conservators.

106.(1) A nature conservator may —

- (a) at any time enter upon any land or premises and there carry out any investigation which he deems necessary to determine whether the provisions of this Ordinance are being complied with;
- (b) search any land, premises, building, tent, camping place, float, vessel, hovercraft, aircraft, vehicle or container, if he has reason to suspect that there is anything thereon or therein which is being or has been used for the purpose of or in connection with the commission of an offence in terms of this Ordinance or which may serve as proof of the commission of such offence;
- (c) at any time stop any float, vessel, hovercraft, aircraft or vehicle whereon or wherein anything contemplated in paragraph (b) presumably is or was or order the driver or pilot thereof to stop;
- (d) seize anything which he reasonably believes to have been used in or in connection with the commission of an offence in terms of this Ordinance or which may serve as proof of the commission of such an offence;
- (e) at any time interrogate any person who, in his opinion, has information relating to the contravention of a provision of this Ordinance and order such person to furnish such information;
- (f) demand the name and address of any person —
 - (i) who has committed an offence in terms of this Ordinance or whom he

Bevoegdheid van Administrateur waar grond deur meer as een persoon, vennootskap of ander liggaam gehou word.

103. Waar grond deur —

- (a) meer as een persoon in onverdeelde aande;
- (b) 'n vennootskap;
- (c) 'n liggaam met of sonder regs persoonlikheid,

gehou word, skryf die Administrateur voor wie namens daardie persone, vennootskap of liggaam die bevoegdhede, funksies of pligte uitoefen of vervul wat 'n eienaar van grond ingevolge die bepalings van hierdie Ordonnansie kan uitoefen of vervul.

Amptelike erkenning van genootskappe of verenigings.

104. Die Administrateur kan, op die voorwaardes wat hy dienstig ag, amptelik erkenning verleen aan enige genootskap of vereniging van persone waarvan die aktiwiteite, na sy mening, enige oogmerk van hierdie Ordonnansie bevorder, en hy kan die bevoegdhede en funksies van so 'n genootskap of vereniging voorskryf.

Delegasie van bevoegdhede, funksies en pligte.

105. Die Administrateur kan enige bevoegdheid of funksie wat aan hom by hierdie Ordonnansie verleen of opgedra word, uitgesonderd die bevoegdheid om 'n kennisgewing uit te reik of om regulasies uit te vaardig, of enige plig wat hom aldus opgelê word aan die Direkteur van Natuurbewaring deleger, en die Administrateur kan die Direkteur van Natuurbewaring magtig om sodanige bevoegdheid, funksie of plig verder te deleger soos die Administrateur goed ag.

Bevoegdhede, funksies en pligte van natuurbewarers en ere-natuurbewarers.

106.(1) 'n Natuurbewaarder kan —

- (a) te eniger tyd enige grond of perseel betree en daar enige ondersoek instel wat hy nodig ag om vas te stel of die bepalings van hierdie Ordonnansie nagekom word;
- (b) enige grond, perseel, gebou, tent, kampeerplek, vlot, vaartuig, skeertuig, lugvaartuig, voertuig of houer visenteer, indien hy rede het om te vermoed dat enigiets daarop of daarin is wat vir die doel van of in verband met die pleeg van 'n misdryf ingevolge hierdie Ordonnansie gebruik word of gebruik is of as bewys van die pleeg van so 'n misdryf kan dien;
- (c) te eniger tyd enige vlot, vaartuig, skeertuig, lugvaartuig of voertuig waarop of waarin iets in paragraaf (b) beoog, vermoedelik is of was, stop of die bestuurder of loods daarvan beveel om te stop;
- (d) beslag lê op enigiets wat hy redelikerwys glo vir die doel van of in verband met die pleeg van 'n misdryf ingevolge hierdie Ordonnansie gebruik is of wat as bewys van die pleeg van so 'n misdryf kan dien;
- (e) te eniger tyd iemand wat na sy mening oor inligting met betrekking tot die oortreding van 'n bepaling van hierdie Ordonnansie beskik, ondervra en so iemand gelas om daardie inligting te verstrek;
- (f) die naam en adres vereis van iemand —
 - (i) wat 'n misdryf ingevolge hierdie Ordonnansie gepleeg het of wat hy re-

reasonably suspects of having committed such an offence;

- (ii) who is reasonably deemed to be able to give evidence relating to an offence committed in terms of this Ordinance or reasonably suspected of having been committed;
- (g) remove or cause to be removed any snare, trap, gin, net, bird-lime, pitfall, holding pen, trap cage, set gun, fish-trap, set-line, poison or other device or means which is presumably being used to hunt or capture a wild animal or fish unlawfully or, if it cannot be removed, destroy it or cause it to be destroyed or render it harmless or cause it to be rendered harmless;
- (h) instruct any person who, on land which is used for the purposes of this Ordinance, contravenes or fails to comply with—
 - (i) a provision of this Ordinance;
 - (ii) a regulation, requirement or condition prescribed or determined in terms of this Ordinance,
 to leave such land;
- (i) stop a boat or vessel on waters on land used by the Administration for the purposes of this Ordinance or stop a vehicle on such land and inspect it to ascertain whether it complies with the requirements prescribed or determined in terms of this Ordinance;
- (j) destroy a dog not used in lawful hunting and which is pursuing or searching for a wild animal;
- (k) demand from any person who is required in terms of this Ordinance to keep or carry with him any register, record, book, document, writing or written permission, to produce it for inspection;
- (l) demand from any person who performs an act or in respect of whom it is reasonably suspected that he has performed an act for which a licence, permit, exemption, document or written permission is necessary in terms of this Ordinance, to produce it;
- (m) in the exercise of a power or the performance of a function or duty in terms of this Ordinance, make use of an interpreter and, if necessary, of one or more persons, and such an interpreter or other person is deemed to be a nature conservator while acting under the control of the nature conservator.

(2) An honorary nature conservator shall have the powers, functions and duties, excluding those referred to in paragraphs (b), (c), (i) and (m) of subsection (1), conferred upon, assigned to or imposed upon a nature conservator in terms of that subsection.

(3) Whenever a nature conservator or an honorary nature conservator exercises a

delikterwys vermoed so 'n misdryf te gepleeg het;

- (ii) wat redelikerwys geag word in staat te wees om getuie af te lê met betrekking tot 'n misdryf wat ingevolge hierdie Ordonnansie gepleeg is of wat redelikerwys vermoed word gepleeg te gewees het;
- (g) enige strik, slagyster, val, net, voëlym, vanggat, vangkraal, vanghok, stelgeweer, fuik, stellyn, gif of ander toestel of middel wat vermoedelik gebruik word om 'n wilde dier of vis onwettiglik te jag of te vang, verwyder of laat verwyder of, indien dit nie verwyder kan word nie, dit vernietig of laat vernietig of dit onskadelik maak of laat maak;
- (h) iemand wat op grond wat vir die doeleindes van hierdie Ordonnansie gebruik word —
 - (i) 'n bepaling van hierdie Ordonnansie;
 - (ii) 'n regulasie, vereiste of voorwaarde ingevolge hierdie Ordonnansie voorgeskryf of bepaal,
 oortree of versuim om daaraan te voldoen, gelas om daardie grond te verlaat;
- (i) 'n boot of vaartuig op waters op grond wat deur die Administrasie vir doeleindes van hierdie Ordonnansie gebruik word of 'n voertuig op sodanige grond stop en dit ondersoek om vas te stel of dit voldoen aan die vereistes ingevolge hierdie Ordonnansie voorgeskryf of bepaal;
- (j) 'n hond van kant maak wat nie by wettige jag gebruik word nie en wat 'n wilde dier agtervolg of daarna soek;
- (k) van iemand wat ingevolge hierdie Ordonnansie enige register, rekord, boek, dokument, geskrif of skriftelike toestemming moet hou of by hom moet dra, vereis om dit vir ondersoek te toon;
- (l) van iemand wat 'n handeling verrig of ten opsigte van wie dit redelikerwys vermoed word dat hy 'n handeling verrig het waarvoor 'n lisensie, permit, vrystelling, dokument of skriftelike toestemming ingevolge hierdie Ordonnansie nodig is, vereis om dit te toon;
- (m) by die uitoefening van 'n bevoegdheid of die vervulling van 'n funksie of plig ingevolge hierdie Ordonnansie van 'n tolk en, indien nodig, van een of meer ander persone gebruik maak, en so 'n tolk of ander persoon word terwyl hy onder die beheer van die natuurbewarder optree, geag 'n natuurbewarder te wees.

(2) 'n Ere-natuurbewarder het die bevoegdhede, funksies en pligte, uitgenome dié in paragrawe (b), (c), (i) en (m) van subartikel (1) genoem, wat ingevolge daardie subartikel aan 'n natuurbewarder verleen, opgedra of opgelê word.

(3) Wanneer 'n natuurbewarder of 'n erenatuurbewarder 'n bevoegdheid, funksie of

power or performs a function or duty conferred, assigned or imposed in terms of this Ordinance and is requested to produce his certificate of appointment contemplated in section 5(2), he shall produce it to the person so requesting him.

(4) Any person who —

- (a) falsely professes to be a nature conservator, the interpreter of such a conservator, a person contemplated in subsection (1)(m) or an honorary nature conservator;
- (b) wilfully obstructs, hinders or interferes with any person referred to in paragraph (a) in the exercise of a power or the performance of a function or duty conferred, assigned or imposed in terms of this Ordinance;
- (c) refuses or fails to comply forthwith with an order, instruction or demand given or made by any person referred to in paragraph (a) in the exercise of a power or the performance of a function or duty conferred, assigned or imposed in terms of this Ordinance or furnishes false or misleading information when he complies with such an order, instruction or demand;
- (d) has been stopped in terms of subsection (1)(c) and departs without the permission of the nature conservator,

shall be guilty of an offence.

107.(1) The owner, occupier or supervisor of land may exercise on the land of which he is the owner, occupier or supervisor the powers conferred upon a nature conservator in terms of section 106.

(2) For the purposes of subsection (1) "land" shall not include a public road.

(3) Any person who —

- (a) wilfully obstructs, hinders or interferes with an owner, occupier or supervisor of land in the exercise of a power conferred in terms of subsection (1);
- (b) refuses or fails to comply forthwith with an order or demand given or made by an owner, occupier or supervisor of land in the exercise of a power conferred in terms of subsection (1) or furnishes false or misleading information when he complies with such an order or demand,

shall be guilty of an offence.

108. The powers, functions or duties which an occupier of land or a relative of his may exercise or perform in terms of this Ordinance shall be exercised or performed by him with the prior written approval of the owner of such land: Provided that the occupier of land may exercise or perform any power, function or duty which he may exercise or perform in terms of Chapter V or section 107 without such approval.

plig ingevolge hierdie Ordonnansie verleen, opgedra of opgelê, uitoefen of vervul en versoek word om sy sertifikaat van aanstelling in artikel 5(2) beoog, te toon, toon hy dit aan die persoon wat hom aldus versoek.

(4) Iemand wat —

- (a) valslik voorgee 'n natuurbewaarder, die tolk van so 'n bewaarder, 'n persoon in subartikel (1)(m) beoog of 'n ere-natuurbewaarder te wees;
- (b) iemand in paragraaf (a) genoem in die uitoefening van 'n bevoegdheid of die vervulling van 'n funksie of plig ingevolge hierdie Ordonnansie verleen, opgedra of opgelê, opsetlik dwarsboom, hinder of belemmer;
- (c) weier of versuim om onverwyld aan 'n bevel, lasgewing of vereiste te voldoen wat iemand in paragraaf (a) genoem, in die uitoefening van 'n bevoegdheid of die vervulling van 'n funksie of plig ingevolge hierdie Ordonnansie verleen, opgedra of opgelê, gegee of gestel het of onjuiste of misleidende inligting verstrek wanneer hy aan so 'n bevel, lasgewing of vereiste voldoen;
- (d) ingevolge subartikel (1)(c) gestop is en sonder die toestemming van die natuurbewaarder vertrek,

is aan 'n misdryf skuldig.

107.(1) Die eienaar of okkupant van of die toesighouer oor grond kan op die grond waarvan hy die eienaar of okkupant of waaroor hy die toesighouer is, die bevoegdhede uitoefen wat ingevolge artikel 106 aan 'n natuurbewaarder verleen word.

(2) By die toepassing van subartikel (1) omvat "grond" nie 'n openbare pad nie.

(3) Iemand wat —

- (a) 'n eienaar of okkupant van of toesighouer oor grond in die uitoefening van 'n bevoegdheid ingevolge subartikel (1) verleen, opsetlik dwarsboom, hinder of belemmer;
- (b) weier of versuim om onverwyld aan 'n lasgewing of vereiste te voldoen wat 'n eienaar of okkupant van of toesighouer oor grond in die uitoefening van 'n bevoegdheid ingevolge subartikel (1) verleen, gegee of gestel het, of onjuiste of misleidende inligting verstrek wanneer hy aan so 'n lasgewing of vereiste voldoen,

is aan 'n misdryf skuldig.

108. Die bevoegdhede, funksies of pligte wat 'n okkupant van grond of 'n familielid van hom ingevolge hierdie Ordonnansie kan uitoefen of vervul, word deur hom uitgeoefen of vervul met die voorafverkreë skriftelike toestemming van die eienaar van daardie grond: Met dien verstande dat die okkupant van grond enige bevoegdheid, funksie of plig wat hy ingevolge Hoofstuk V of artikel 107 kan uitoefen of vervul, sonder sodanige toestemming kan uitoefen of vervul.

Powers of owners, occupiers or supervisors of land.

Exercising or performing of certain powers, functions or duties by occupiers of land or their relatives.

Bevoegdhede van eienaars of okkupante van of toesighouers oor grond.

Uitoefening of vervulling van sekere bevoegdhede, funksies of pligte deur okkupante grond of sy familieliede.

Reward for
information.

109. The Administrator may, upon the recommendation of the Commissioner of the South African Police, pay to any person not in the service of the State who gives information leading to a conviction of an offence in terms of this Ordinance and the imposition of a fine, a reward not exceeding one-fourth of the amount recovered as fine.

Presumptions
and evidence.

110.(1) Where at criminal proceedings in terms of this Ordinance —

- (a) any person is charged with the unlawful hunting or catching of a wild animal, exotic animal or invertebrate, the unlawful catching of fish or the unlawful picking of an indigenous plant, it is proved that such person possessed or handled a wild animal, exotic animal, invertebrate, fish or indigenous plant, he shall be deemed to have hunted or caught such wild animal, exotic animal or invertebrate, to have caught such fish or to have picked such indigenous plant in contravention of the provisions of this Ordinance;
- (b) it is alleged that an offence has been committed in connection with or in respect of a particular species of wild animal, exotic animal, fish or indigenous plant or a particular sex of a species of wild animal or exotic animal, the species of such wild animal, exotic animal, fish or indigenous plant or the sex of the species of such wild animal or exotic animal shall be deemed to be as alleged;
- (c) it is proved that a wild animal, exotic animal, fish or indigenous plant was upon a float, vessel, hovercraft, aircraft or vehicle or at a camping place, every person who was upon or in any way associated with the float, vessel, hovercraft, aircraft or vehicle or who was at or in any way associated with the camping place shall be deemed to have been in possession of such wild animal, exotic animal, fish or indigenous plant;
- (d) it is proved that any person conveyed game during the night, such person shall be deemed to have hunted such game contrary to section 20;
- (e) it is proved that any person removed a wild animal or fish out of a snare, trap, gin, net, fish-trap, pitfall, holding pen, trap-cage or other device intended or suitable for the hunting or catching of a wild animal or fish, or from bird-lime, a set-line or other means intended or suitable for such purpose, he shall be deemed to have constructed or brought such snare, trap, gin, net, fish-trap, pitfall, holding pen, trap-cage, bird-lime, set-line or other device or means on the land where he so removed such wild animal or fish and to have hunted or caught such wild animal or fish therewith;
- (f) it is proved that a live wild animal or exotic animal was found in circumstances indicating that such animal is being kept, the owner or occupier of the land on which the animal was found shall be deemed to have kept such animal;

Beloning vir
inligting.

109. Die Administrateur kan op aanbeveling van die Kommissaris van die Suid-Afrikaanse Polisie aan iemand wat nie in diens van die Staat is nie wat inligting verstrek wat lei tot 'n skuldigbevinding aan 'n misdryf ingevolge hierdie Ordonnansie en die oplegging van 'n boete, 'n beloning betaal van hoogstens een vierde van die bedrag as boete verhaal.

Vermoedens en
getuies.

110.(1) Waar by strafregtelike verrigtinge ingevolge hierdie Ordonnansie —

- (a) iemand aangekla word van die onwettige jag of vang van 'n wilde dier, uitheemse dier of ongewerwelde dier, die onwettige vang van vis of die onwettige pluk van 'n inheemse plant, dit bewys word dat so iemand 'n wilde dier, uitheemse dier, ongewerwelde dier, vis of inheemse plant besit of hanteer het, word hy geag daardie wilde dier, uitheemse dier of ongewerwelde dier te gejag of te gevang het, daardie vis te gevang het of daardie inheemse plant te gepluk het in stryd met die bepalinge van hierdie Ordonnansie;
- (b) beweer word dat 'n misdryf gepleeg is in verband met of ten opsigte van 'n bepaalde soort wilde dier, uitheemse dier, vis of inheemse plant of 'n bepaalde geslag van 'n soort wilde dier of uitheemse dier, word die soort wilde dier, uitheemse dier, vis of inheemse plant of geslag van die soort wilde dier of uitheemse dier geag te wees soos beweer;
- (c) bewys word dat 'n wilde dier, uitheemse dier, vis of inheemse plant op 'n vlot, vaartuig, skeertuig, lugvaartuig of voertuig of by 'n kampeerplek was, word elkeen wat op die vlot, vaartuig, skeertuig, lugvaartuig of voertuig was of op enige wyse daarmee verbonde was of wat by die kampeerplek was of op enige wyse daarmee verbonde was, geag in besit van daardie wilde dier, uitheemse dier, vis of inheemse plant te gewees het;
- (d) bewys word dat iemand wild gedurende die nag vervoer het, word so iemand geag daardie wild in stryd met artikel 20 te gejag het;
- (e) bewys word dat iemand 'n wilde dier of vis verwyder het uit 'n strik, slagyster, val, net, fuik, vanggat, vangkraal, vanghok of ander toestel wat bedoel of geskik is vir die jag of vang van 'n wilde dier of vis of van voëllim, 'n stellyn of 'n ander middel wat vir daardie doel bedoel of geskik is, word hy geag daardie strik, slagyster, val, net, fuik, vanggat, vangkraal, vanghok, voëllim, stellyn of ander toestel of middel te gemaak of te gebring het op die grond waar hy daardie wilde dier of vis aldus verwyder het en daardie wilde dier of vis daarmee te gejag of te gevang het;
- (f) bewys word dat 'n lewende wilde dier of uitheemse dier aangetref is in omstandighede wat daarop dui dat daardie dier aangehou word, word die eienaar of okkupant van die grond waarop die dier aangetref is, geag daardie dier aan te gehou het;

- (g) it is proved that a weapon referred to in section 21 was found in the possession of any person in circumstances indicating that game is being or was being hunted or presumably is being or was being hunted with such weapon, such a person shall be deemed to have hunted game with such weapon;
- (h) it is proved that land is fenced as contemplated in section 26 and an opening was left or made in the fence, it shall be deemed that such opening was left or made by the owner or occupier of the land and that it is designed as contemplated in that section;
- (i) it is proved that live wild animals or exotic animals are being confined in an artificial manner on a piece of land and are being kept for exhibition, such piece of land shall be deemed to be a game park, zoological garden, bird sanctuary, reptile park, snake park or similar institution operated by the owner or occupier of such land;
- (j) it is proved that any game, a live wild animal referred to in Schedule 5, a live exotic animal referred to in Schedule 6, an invertebrate referred to in Schedule 7, an aquatic growth referred to in Schedule 10 to this Ordinance, a live freshwater fish, a protected plant, a specially protected plant or a cave-formation was found in any shop or other place of sale, the person in whose possession it was found or who has control over such shop or place shall be deemed to have attempted to sell such game, wild animal, exotic animal, invertebrate, aquatic growth, fish, plant or cave-formation unlawfully;
- (k) it is proved that any person cast into waters and withdrew or reeled with jerking motions a line with an artificial lure, spoon or hook attached thereto, such person shall be deemed to have had the intention to hook fish on any part other than in the mouth;
- (l) it is proved that any person placed an object which floats in waters, it shall be deemed that such an object constitutes or is likely to constitute a danger to a vessel on such waters or to any person practising sport therein or thereon or to any person angling therein or that such an object serves as marker indicating the place where there is any object, substance, agent or product under the water which allures or is likely to allure fish;
- (m) it is proved that any person was in possession or in control of an endangered species or rare species, such person shall be deemed to have imported such species into the Province;
- (n) it is proved that any person was in possession of an invertebrate referred to in Schedule 7 to this Ordinance or a cave-formation, such person shall be deemed to have acquired such invertebrate or cave-formation unlawfully;
- (g) bewys word dat 'n wapen in artikel 21 genoem in iemand se besit gevind is in omstandighede wat daarop dui dat wild met daardie wapen gejag word of gejag is of vermoedelik gejag word of gejag is, word so iemand geag wild met daardie wapen te gejag het;
- (h) bewys word dat grond omhein is soos in artikel 26 beoog en 'n opening in die omheining gelaat of gemaak is, word daar geag dat daardie opening gelaat of gemaak is deur die eienaar of okkupant van die grond en dat dit ontwerp is soos in daardie artikel beoog;
- (i) bewys word dat lewende wilde diere of uitheemse diere op 'n stuk grond op 'n kunsmatige wyse ingeperk en vir vertoning aangebou word, word daardie stuk grond geag 'n wildpark, dieretuin, voël-park, reptielpark, slangpark of soortge-lyke instelling te wees wat deur die eie-naar of okkupant van daardie grond bedryf word;
- (j) bewys word dat enige wild, 'n lewende wilde dier in Bylae 5, 'n lewende uitheemse dier in Bylae 6, 'n ongewerwelde dier in Bylae 7, 'n watergewas in Bylae 10 by hierdie Ordonnansie genoem, 'n lewende varswatervis, 'n beskermde plant, 'n spesiaal beskermde plant of 'n grotfor-masie in 'n winkel of ander plek van ver-koop gevind is, word die persoon in wie se besit dit gevind is of wat beheer oor soda-nige winkel of plek het, geag te gepoog het om daardie wild, wilde dier, uitheemse dier, ongewerwelde dier, water-gewas, vis, plant of grotformasie onwettig-lik te verkoop;
- (k) bewys word dat iemand 'n lyn met 'n kuns-lokmiddel, lepel of hoek daaraan geheg in waters gegooi en met rukbewegings terug-getrek of ingekatroel het, word so iemand geag die bedoeling te gehad het om vis op 'n ander plek as in die bek te haak;
- (l) bewys word dat iemand 'n voorwerp wat dryf in waters geplaas het, word dit geag dat so 'n voorwerp gevaar inhou of waar-skynlik kan inhou vir 'n vaartuig op daardie waters of vir iemand wat sport daarin of daarop beoefen of vir iemand wat daarin hengel of dat so 'n voorwerp as merker dien om die plek aan te dui waar daar enige voorwerp, stof, middel of produk onder die water is wat vis aanlok of moontlik kan aanlok;
- (m) bewys word dat iemand in besit of beheer was van 'n bedreigde soort of skaars soort word so iemand geag daardie soort in die Provinsie in te gevoer het;
- (n) bewys word dat iemand in besit was van 'n ongewerwelde dier in Bylae 7 by hierdie Ordonnansie genoem of 'n grotformasie, word so iemand geag daardie ongewer-welde dier of grotformasie onwettiglik te verkry het;

- (o) the certificate of appointment as nature conservator or as honorary nature conservator is produced, it shall be deemed that the person referred to therein has been appointed properly,

until the contrary is proved.

(2) Where at criminal proceedings in terms of this Ordinance the question arises —

- (a) whether the cage or enclosure is of the nature contemplated in section 23(1)(c), a certificate purporting to have been issued by or on the authority of the Administrator declaring that the cage or enclosure is of such a nature, shall be *prima facie* proof of such fact;
- (b) whether land is fenced in the manner contemplated in section 26(1), a certificate purporting to have been issued by or on the authority of the Administrator declaring that the land is so fenced, shall be *prima facie* proof of such fact;
- (c) whether a particular species of wild animal or invertebrate is or is not found on any particular land or whether a particular species of fish is or is not found in any particular waters, a certificate purporting to have been issued by or on the authority of the Administrator declaring that the particular species of wild animal or invertebrate is or is not found on the particular land or that the particular species of fish is or is not found in the particular waters, shall be *prima facie* proof of such fact;
- (d) whether a plant referred to in Schedule 11 to this Ordinance is, has or has not been improved, a certificate purporting to have been issued by or on the authority of the Administrator declaring that such plant has not been improved, shall be *prima facie* proof of such fact.

(3) Where at criminal proceedings a register, record, book or document kept in terms of this Ordinance, is produced by the person in whose custody it is, any entry in such register, record, book or document made in the exercise of any power or the performance of any function or duty in terms of this Ordinance, shall be *prima facie* proof of the facts recorded therein.

111. Any person convicted of an offence in terms of this Ordinance for which no penalty is expressly provided for shall be liable to a fine not exceeding R750 or to imprisonment for a period not exceeding 9 months or to both such fine and such imprisonment.

112.(1) The court convicting any person of an offence in terms of this Ordinance —

- (a) shall —
- (i) declare a wild animal, exotic animal, invertebrate, fish, indigenous plant,

- (o) die sertifikaat van aanstelling as natuurbe-waarder of as ere-natuurbe-waarder ge-toon word, word dit geag dat die persoon daarin genoem behoorlik aangestel is,

totdat die teendeel bewys word.

(2) Waar by strafregtelike verrigtinge inge-volge hierdie Ordonnansie die vraag ont-staan —

- (a) of 'n hok of kamp van die aard is soos in artikel 23(1)(c) beoog, is 'n sertifikaat wat voorgee deur die Administrateur of op sy magtiging uitgereik te gewees het waarin verklaar word dat die hok of kamp van so 'n aard is, *prima facie*-bewys van daardie feit;
- (b) of grond omhein is op die wyse in artikel 26(1) beoog, is 'n sertifikaat wat voorgee deur die Administrateur of op sy magti-ging uitgereik te gewees het waarin ver-klaar word dat die grond aldus omhein is, *prima facie*-bewys van daardie feit;
- (c) of 'n bepaalde soort wilde dier of onge-werwelde dier op enige bepaalde grond aangetref word of nie aangetref word nie of dat 'n bepaalde soort vis in enige be-paalde waters aangetref word of nie aan-getref word nie, is 'n sertifikaat wat voor-gee deur die Administrateur of op sy magtiging uitgereik te gewees het waarin verklaar word dat die bepaalde soort wilde of ongewerwelde dier op die be-paalde grond aangetref word of nie aange-tref word nie of dat die bepaalde soort vis in die bepaalde waters aangetref word of nie aangetref word nie, *prima facie*-bewys van daardie feit;
- (d) of 'n plant in Bylae 11 by hierdie Ordon-nansie genoem, veredel is of nie, is 'n ser-tifikaat wat voorgee deur die Administra-teur of op sy magtiging uitgereik te gewees het waarin verklaar word dat so 'n plant nie veredel is nie, *prima facie*-bewys van daardie feit.

(3) Waar by strafregtelike verrigtinge 'n re-gister, rekord, boek of dokument wat inge-volge hierdie Ordonnansie gehou word, voor-gelê word deur die persoon in wie se bewaring dit is, is enige aantekening in so 'n register, re-kord, boek of dokument wat gemaak is by die uitoefening van enige bevoegdheid of die vervulling van enige funksie of plig ingevolge hierdie Ordonnansie, *prima facie*-bewys van die feite daarin opgeteken.

111. Iemand wat skuldig bevind word aan 'n misdryf ingevolge hierdie Ordonnansie waar-voor geen straf uitdruklik bepaal word nie, is strafbaar met 'n boete van hoogstens R750 of met gevangenisstraf vir 'n tydperk van hoog-stens 9 maande of met daardie boete sowel as daardie gevangenisstraf.

112.(1) Die hof wat iemand aan 'n misdryf ingevolge hierdie Ordonnansie skuldig be-vind —

- (a) moet —
- (i) 'n wilde dier, uitheemse dier, onge-werwelde dier, vis, inheemse plant,

General
penalty.

Forfeiture of
certain goods
and privileges.

Algemene straf.

Verbeuring van
skere goedere
en voorregte.

aquatic growth, endangered species, rare species or cave-formation in connection with which the offence was committed, to be forfeited to the Administration;

- (ii) declare a weapon, net, article, device or apparatus, of any nature whatsoever, used for the purpose of or in connection with the unlawful —

(aa) hunting or catching of a wild animal or invertebrate;

(bb) catching of a fish with a net,

to be forfeited to the Administration: Provided that the court shall not declare such a weapon, net, article, device or apparatus to be forfeited where the offence was committed by the owner of land or a relative of his on the land of such owner;

(b) may in any other case —

- (i) declare a float, vessel, hovercraft, aircraft or vehicle used for the purpose of or in connection with the commission of an offence, to be forfeited to the Administration: Provided that the court shall not declare a float, vessel, hovercraft, aircraft or vehicle to be forfeited where it is proved that the convicted person is not the owner thereof and that the owner did not know that it was used or would be used for or in connection with an unlawful purpose or that he could not prevent such use;
- (ii) cancel a licence, permit or exemption issued to the convicted person in terms of this Ordinance in respect of the wild animal, invertebrate, fish or plant in connection with which the offence was committed;
- (iii) declare the convicted person unfit for a period not exceeding 5 years to obtain any licence, permit or exemption in terms of this Ordinance in respect of the wild animal, invertebrate, fish or plant in connection with which the offence was committed.

(2) The Administrator or any person authorized thereto by him may cause anything declared to be forfeited in terms of subsection (1) to be destroyed or sold.

(3) Any person who, without the written permission of the Administrator, obtains or attempts to obtain a licence, permit or exemption in terms of this Ordinance while he is unfit in terms of subsection (1)(b)(iii) to obtain such a licence, permit or exemption, shall be guilty of an offence.

113. Ordinance does not bind State.

114. No person, including the State, shall be liable in respect of anything done in good faith

watgewas, bedreigde soort, skaars soort of grotformasie in verband waarmee die misdryf gepleeg is, aan die Administrasie verbeurd verklaar;

- (ii) 'n wapen, net, artikel, toestel of apparaat, van watter aard ook al, wat vir die doel van of in verband met die onwettige —

(aa) jag of vang van 'n wilde dier of ongewerweld dier;

(bb) vang van 'n vis met 'n net,

gebruik is, aan die Administrasie verbeurd verklaar: Met dien verstande dat die hof nie so 'n wapen, net, artikel, toestel of apparaat verbeurd verklaar nie waar die misdryf gepleeg is deur die eienaar van grond of 'n familielid van hom op die grond van daardie eienaar;

(b) kan in enige ander geval —

- (i) 'n vlot, vaartuig, skeertuig, lugvaartuig of voertuig wat vir die doel van of in verband met die pleeg van 'n misdryf gebruik is, aan die Administrasie verbeurd verklaar: Met dien verstande dat die hof nie 'n vlot, vaartuig, skeertuig, lugvaartuig of voertuig verbeurd verklaar nie waar dit bewys word dat die veroordeelde persoon nie die eienaar daarvan is nie en dat die eienaar nie geweet het dat dit vir of in verband met 'n onwettige oogmerk gebruik was of sou word nie of dat hy sodanige gebruik nie kon voorkom nie;
- (ii) 'n lisensie, permit of vrystelling intrek wat aan die veroordeelde persoon ingevolge hierdie Ordonnansie ten opsigte van die wilde dier, ongewerweld dier, vis of plant in verband waarmee die misdryf gepleeg is, uitgereik is;
- (iii) die veroordeelde persoon vir 'n tydperk van hoogstens 5 jaar onbevoeg verklaar om enige lisensie, permit of vrystelling ingevolge hierdie Ordonnansie te verkry ten opsigte van die wilde dier, ongewerweld dier, vis of plant in verband waarmee die misdryf gepleeg is.

(2) Die Administrateur of iemand deur hom daartoe gemagtig kan enigiets wat ingevolge subartikel (1) verbeurd verklaar is, laat vernietig of verkoop.

(3) Iemand wat sonder die skriftelike toestemming van die Administrateur 'n lisensie, permit of vrystelling ingevolge hierdie Ordonnansie verkry of probeer verkry terwyl hy ingevolge subartikel (1)(b)(iii) onbevoeg is om so 'n lisensie, permit of vrystelling te verkry, is aan 'n misdryf skuldig.

113. Hierdie Ordonnansie bind nie die Staat nie.

114. Niemand, met inbegrip van die Staat, is aanspreeklik nie ten opsigte van enigiets wat

Ordonnansie bind nie Staat nie.

Beperking van aanspreeklikheid.

Limitation of liability.

in the exercise of a power or the performance of a function or duty conferred, assigned or imposed in terms of this Ordinance.

Repeal of laws and savings.

115.(1) Subject to subsection (2), the laws referred to in Schedule 1 to this Ordinance are hereby repealed.

(2) Anything done in terms of a provision of a law repealed by subsection (1) and which may be done in terms of a provision of this Ordinance, is hereby deemed to have been done in terms of the last-mentioned provision.

Short title and commencement.

116. This Ordinance shall be called the Nature Conservation Ordinance, 1983, and shall come into operation on 1 January 1984.

SCHEDULE 1

LAWS REPEALED (SECTION 115)

Number and year of Law	Short title
17 of 1967	Nature Conservation Ordinance
22 of 1968	Nature Conservation Amendment Ordinance
7 of 1969	Nature Conservation Amendment Ordinance
12 of 1971	Nature Conservation Amendment Ordinance
8 of 1975	Nature Conservation Amendment Ordinance
18 of 1976	Nature Conservation Amendment Ordinance
15 of 1979	Nature Conservation Amendment Ordinance
6 of 1980	Nature Conservation Amendment Ordinance
21 of 1981	Nature Conservation Amendment Ordinance

SCHEDULE 2

PROTECTED GAME (SECTION 15(1)(a)) A REPTILES AND MAMMALS

Common name	Scientific name
bullfrog	<i>Pyxicephalus adspersus</i>
all species of reptiles excluding the water leguan, rock leguan and all species of snakes	all species of the Class Reptilia excluding <i>Varanus niloticus</i> , <i>Varanus albigularis</i> and all species of the Sub Order Serpentes
hedgehog	<i>Erinaceus frontalis</i>
samango monkey	<i>Cercopithecus albogularis</i>
bushbaby	<i>Galago crassicaudatus</i>
night ape	<i>Galago senegalensis</i>
pangolin	<i>Manis temminckii</i>
aardwolf	<i>Proteles cristatus</i>
brown hyaena	<i>Hyaena brunnea</i>
antbear	<i>Orycteropus afer</i>
elephant	<i>Loxodonta africana</i>
white rhinoceros	<i>Ceratotherium simum</i>
black rhinoceros	<i>Diceros bicornis</i>
mountain zebra	<i>Equus zebra zebra</i>
Hartmann's zebra	<i>Equus zebra hartmannae</i>
hippopotamus	<i>Hippopotamus amphibius</i>
giraffe	<i>Giraffa camelopardalis</i>
nvala	<i>Tragelaphus angasi</i>
eland	<i>Taurotragus oryx</i>
red duiker	<i>Cephalophus natalensis</i>
blue duiker	<i>Cephalophus monticola</i>
reedbuck	<i>Redunca arundinum</i>
mountain reedbuck	<i>Redunca fulvorufula</i>
waterbuck	<i>Kobus ellipsiprymnus</i>

te goeder trou gedoen is by die uitoefening van 'n bevoegdheid of die vervulling van 'n funksie of plig wat ingevolge hierdie Ordonnansie verleen, opgedra of opgelê is.

Herroeping van wette en voorbode.

115.(1) Behoudens subartikel (2) word die wette in Bylae 1 by hierdie Ordonnansie genoem hierby herroep.

(2) Enigiets gedoen ingevolge 'n bepaling van 'n wet by subartikel (1) herroep en wat ingevolge 'n bepaling van hierdie Ordonnansie gedoen kan word, word hierby geag ingevolge laasgenoemde bepaling gedoen te gewees het.

Kort titel en inwerkingtreding.

116. Hierdie Ordonnansie heet die Ordonnansie op Natuurbewaring, 1983, en tree op 1 Januarie 1984 in werking.

BYLAE 1

WETTE HERROEP (ARTIKEL 115)

Nommer en jaar van Wet	Kort titel
17 van 1967	Ordonnansie op Natuurbewaring
22 van 1968	Wysigingsordonnansie op Natuurbewaring
7 van 1969	Wysigingsordonnansie op Natuurbewaring
12 van 1971	Wysigingsordonnansie op Natuurbewaring
8 van 1975	Wysigingsordonnansie op Natuurbewaring
18 van 1976	Wysigingsordonnansie op Natuurbewaring
15 van 1979	Wysigingsordonnansie op Natuurbewaring
6 van 1980	Wysigingsordonnansie op Natuurbewaring
21 van 1981	Wysigingsordonnansie op Natuurbewaring

BYLAE 2

BESKERMDE WILD (ARTIKEL 15(1)(a)) A REPTIELE EN SOOGDIERE

Gewone naam	Wetenskaplike naam
brulpadda	<i>Pyxicephalus adspersus</i>
alle soorte reptiele uitgenome die waterlikkewaan, berglikkewaan en alle soorte slange	alle spesies van die Klasse Reptilia uitgenome <i>Varanus niloticus</i> , <i>Varanus albigularis</i> en alle spesies van die Sub Orde Serpentes
krimpvarkie	<i>Erinaceus frontalis</i>
samango-aap	<i>Cercopithecus albogularis</i>
bosnagaap	<i>Galago crassicaudatus</i>
nagaap	<i>Galago senegalensis</i>
ietermagog	<i>Manis temminckii</i>
aardwolf	<i>Proteles cristatus</i>
bruin hiëna (strandjut)	<i>Hyaena brunnea</i>
aardvark	<i>Orycteropus afer</i>
olifant	<i>Loxodonta africana</i>
witrenoster	<i>Ceratotherium simum</i>
swartrenoster	<i>Diceros bicornis</i>
bergsebra	<i>Equus zebra zebra</i>
Hartmannsebra	<i>Equus zebra hartmannae</i>
sekkoci	<i>Hippopotamus amphibius</i>
kameelperd	<i>Giraffa camelopardalis</i>
njala	<i>Tragelaphus angasi</i>
eland	<i>Taurotragus oryx</i>
rooидуiker	<i>Cephalophus natalensis</i>
blouидуiker	<i>Cephalophus monticola</i>
rietbok	<i>Redunca arundinum</i>
rooibrbok	<i>Redunca fulvorufula</i>
waterbok	<i>Kobus ellipsiprymnus</i>

Common name	Scientific name
sable antelope	<i>Hippotragus niger</i>
roan antelope	<i>Hippotragus equinus</i>
gemsbok	<i>Oryx gazella</i>
black wildebeest	<i>Connochaetes gnou</i>
red hartebeest	<i>Alcelaphus buselaphus</i>
bontebok	<i>Damaliscus dorcas dorcas</i>
tsessebe	<i>Damaliscus lunatus</i>
klipspringer	<i>Oreotragus oreotragus</i>
oribi	<i>Ourebia ourebi</i>
steenbok	<i>Raphicerus campestris</i>
Sharpe's grysbok	<i>Raphicerus sharpei</i>
suni	<i>Neotragus moschatus</i>
grey rhebuck	<i>Pelea capreolus</i>

Gewone naam	Wetenskaplike naam
swartwitpens	<i>Hippotragus niger</i>
bastergemsbok	<i>Hippotragus equinus</i>
gemsbok	<i>Oryx gazella</i>
swartwildebees	<i>Connochaetes gnou</i>
rooihartbees	<i>Alcelaphus buselaphus</i>
bontebok	<i>Damaliscus dorcas dorcas</i>
basterhartbees	<i>Damaliscus lunatus</i>
klipspringer	<i>Oreotragus oreotragus</i>
oorbietjie	<i>Ourebia ourebi</i>
steenbok	<i>Raphicerus campestris</i>
tropiese grysbok	<i>Raphicerus sharpei</i>
soenie	<i>Neotragus moschatus</i>
vaalribbok	<i>Pelea capreolus</i>

B BIRDS

Common name	Scientific name
(a) ostrich excluding the products derived from an ostrich which are sold or otherwise disposed of in terms of the provisions of Government Notice 875 of 5 June 1970;	<i>Struthio camelus</i>
(b) any other bird which is a wild animal excluding —	
(i) a bird which is ordinary game; (Schedule 3) and	
(ii) the following species:	

white breasted cormorant	<i>Phalacrocorax lucidus</i>
reed cormorant	<i>Phalacrocorax africanus</i>
red-eyed turtle dove	<i>Streptopelia semitorquata</i>
Cape turtle dove	<i>Streptopelia capicola</i>
laughing dove	<i>Streptopelia senegalensis</i>
all species of mousebirds	Family Coliidae
pied crow	<i>Corvus albus</i>
black crow	<i>Corvus capensis</i>
red-eyed bulbul	<i>Pycnonotus nigricans</i>
black-eyed bulbul	<i>Pycnonotus barbatus</i>
red-winged starling	<i>Onychognathus morio</i>
Cape sparrow	<i>Passer melanurus</i>
spotted-backed weaver	<i>Ploceus cucullatus</i>
Cape weaver	<i>Ploceus capensis</i>
Masked weaver	<i>Ploceus velatus</i>
red-billed quelea	<i>Quelea quelea</i>
red bishop	<i>Euplectes orix</i>

SCHEDULE 3

ORDINARY GAME (SECTION 15(1)(b))

Common name	Scientific name
spur-winged goose	<i>Plectropterus gambensis</i>
Egyptian goose	<i>Alopochen aegyptiacus</i>
yellow-billed duck	<i>Anas undulata</i>
red-billed teal	<i>Anas erythrorhyncha</i>
coqui partridge	<i>Francolinus coqui</i>
crested partridge	<i>Francolinus sephaena</i>
greywing partridge	<i>Francolinus africanus</i>
Shelley's partridge	<i>Francolinus shelleyi</i>
redwing partridge	<i>Francolinus levaillantii</i>
Orange River partridge	<i>Francolinus levaillantoides</i>
red-billed francolin	<i>Francolinus adspersus</i>
Natal francolin	<i>Francolinus natalensis</i>
Swainson's francolin	<i>Pternistis swainsoni</i>
red-necked francolin	<i>Pternistis afer</i>
helmeted guinea-fowl	<i>Numida meleagris</i>
red-knobbed coot	<i>Fulica cristata</i>
rock pigeon	<i>Columba guinea</i>
all species of hare	Family Leporidae
Burchell's zebra	<i>Equus burchelli</i>
bushbuck	<i>Tragelaphus scriptus</i>
kudu	<i>Tragelaphus strepsiceros</i>
grey duiker	<i>Sylvicapra grimmia</i>
blue wildebeest	<i>Connochaetes taurinus</i>
blesbok	<i>Damaliscus dorcas phillipsi</i>
impala	<i>Aepyceros melampus</i>
springbok	<i>Antidorcas marsupialis</i>

B VOËLS

Gewone naam	Wetenskaplike naam
(a) volstruis uitgenome die produkte van 'n volstruis wat ingevolge die bepalinge van Goewermentskennisgewing 875 van 5 Junie 1970 verkoop of anders van die hand gesit word;	<i>Struthio camelus</i>
(b) enige ander voël wat 'n wilde dier is uitgenome —	
(i) 'n voël wat gewone wild is; (Bylae 3) en	
(ii) die volgende soorte:	

witborskormorant	<i>Phalacrocorax lucidus</i>
rietkormorant	<i>Phalacrocorax africanus</i>
groot rooi-oog-tortelduif	<i>Streptopelia semitorquata</i>
gewone tortelduif	<i>Streptopelia capicola</i>
rooi-borsduif	<i>Streptopelia senegalensis</i>
alle soorte muisvoëls	Familie Coliidae
witborskraai	<i>Corvus albus</i>
swartkraai	<i>Corvus capensis</i>
rooi-oogtiptol	<i>Pycnonotus nigricans</i>
swart-oogtiptol	<i>Pycnonotus barbatus</i>
rooivlerkspreeu	<i>Onychognathus morio</i>
gewone mossie	<i>Passer melanurus</i>
bontrugvink	<i>Ploceus cucullatus</i>
Kaapse vink	<i>Ploceus capensis</i>
geelvink	<i>Ploceus velatus</i>
rooibekvink	<i>Quelea quelea</i>
rooivink	<i>Euplectes orix</i>

BYLAE 3

GEWONE WILD (ARTIKEL 15(1)(B))

Gewone naam	Wetenskaplike naam
wilde makou	<i>Plectropterus gambensis</i>
kolgans	<i>Alopochen aegyptiacus</i>
geelbekeend	<i>Anas undulata</i>
rooibekeend	<i>Anas erythrorhyncha</i>
swempie patrys	<i>Francolinus coqui</i>
bospatrys	<i>Francolinus sephaena</i>
bergpatrys	<i>Francolinus africanus</i>
laeveldpatrys	<i>Francolinus shelleyi</i>
rooivlerkpatrys	<i>Francolinus levaillantii</i>
Vrystaatse patrys	<i>Francolinus levaillantoides</i>
kalaharifisant	<i>Francolinus adspersus</i>
Natale fisant	<i>Francolinus natalensis</i>
bosveldfisant	<i>Pternistis swainsoni</i>
rooikeelfisant	<i>Pternistis afer</i>
gewone tarentaal	<i>Numida meleagris</i>
bleshoender	<i>Fulica cristata</i>
kransduif	<i>Columba guinea</i>
alle soorte hase	Familie Leporidae
bontsebra	<i>Equus burchelli</i>
bosbok	<i>Tragelaphus scriptus</i>
koedoe	<i>Tragelaphus strepsiceros</i>
gewone duiker	<i>Sylvicapra grimmia</i>
blouwildebees	<i>Connochaetes taurinus</i>
blesbok	<i>Damaliscus dorcas phillipsi</i>
rooibok	<i>Aepyceros melampus</i>
springbok	<i>Antidorcas marsupialis</i>

SCHEDULE 4

PROTECTED WILD ANIMALS (SECTION 15(1)(c))

Common name	Scientific name
wild dog	<i>Lycaon pictus</i>
cheetah	<i>Acinonyx jubatus</i>
leopard	<i>Panthera pardus</i>
lion	<i>Panthera leo</i>
African buffalo	<i>Syncerus caffer</i>

SCHEDULE 5

WILD ANIMALS TO WHICH THE PROVISIONS OF SECTION 43 APPLY

- (a) any bird which is a wild animal but which is not game; and
- (b) the following wild animals:

Common name	Scientific name
water leguan	<i>Varanus niloticus</i>
rock leguan	<i>Varanus albigularis</i>
all species of snakes	Sub Order Serpentes

SCHEDULE 6

EXOTIC ANIMALS TO WHICH THE PROVISIONS OF SECTION 44 APPLY

Common name	Scientific name
all species of exotic tortoises, turtles and terrapins	all exotic species of the Order Chelonia
nutria	<i>Myocastor coypus</i>
bobwhite quail	<i>Colinus virginianus</i>
chukar partridge	<i>Alectoris graeca</i>

SCHEDULE 7

INVERTEBRATA (SECTION 45)

Common name	Scientific name
golden copper butterfly	<i>Poecilmitis aureus</i>
all species of charaxes (emperor butterflies)	<i>Charaxes</i> spp.

SCHEDULE 8

PROBLEM ANIMALS (SECTION 56)

Common name	Scientific name
chacma baboon	<i>Papio ursinus</i>
vervet monkey	<i>Cercopithecus pygerythrus</i>
black-backed jackal	<i>Canis mesomelas</i>
caracal (red lynx)	<i>Felis caracal</i>
bush pig	<i>Potamochoerus porcus</i>

SCHEDULE 9

TROUT WATERS (SECTION 70)

Where the term "river" or "spruit" appears in this Schedule it includes the whole course of the river or spruit with all its tributaries from its source up to the point specified in each separate case.

1. The Elands River to its confluence with the Swartkops River.
2. The Klip River to the common boundary of the farms Draaikraal 48 JT and Chieftainsplain 46 JT.
3. The Klein-Komati River to its confluence with the Komati River.
4. The Seekoei Spruit to the common boundary of the farms Zilverkop 25 IT and Boshoeck 442 JT.
5. The Helpmekaar River to its entrance to the Stanford Lake.
6. The Ramadiepa River to its entrance to the Merensky Dam.

BYLAE 4

BESKERMDE WILDE DIERE (ARTIKEL 15(1)(c))

Gewone naam	Wetenskaplike naam
wildehond	<i>Lycaon pictus</i>
jagluiperd	<i>Acinonyx jubatus</i>
luiperd	<i>Panthera pardus</i>
leeu	<i>Panthera leo</i>
Afrikaanse buffel	<i>Syncerus caffer</i>

BYLAE 5

WILDE DIERE WAAROP DIE BEPALINGS VAN ARTIKEL 43 VAN TOEPASSING IS

- (a) enige voël wat 'n wilde diere is maar wat nie wild is nie; en
- (b) die volgende wilde diere:

Gewone naam	Wetenskaplike naam
waterlikkewaan	<i>Varanus niloticus</i>
berglikkewaan	<i>Varanus albigularis</i>
alle soorte slange	Sub Orde Serpentes

BYLAE 6

UITHEEMSE DIERE WAAROP DIE BEPALINGS VAN ARTIKEL 44 VAN TOEPASSING IS

Gewone naam	Wetenskaplike naam
alle soorte uitheemse skilpaaie en waterskilpaaie	alle uitheemse spesies van die Orde Chelonia

Gewone naam	Wetenskaplike naam
nutria	<i>Myocastor coypus</i>
bobwhite-kwartel	<i>Colinus virginianus</i>
chukarpatrys	<i>Alectoris graeca</i>

BYLAE 7

ONGEWERWELDE DIERE (ARTIKEL 45)

Gewone naam	Wetenskaplike naam
goud-kopervlerkie	<i>Poecilmitis aureus</i>
skoelapper	<i>Charaxes</i> spp.
alle soorte dubbelstert skoelappers	

BYLAE 8

PROBLEEMDIERE (ARTIKEL 56)

Gewone naam	Wetenskaplike naam
bobbejaan	<i>Papio ursinus</i>
blouaap	<i>Cercopithecus pygerythrus</i>
rooijakkals	<i>Canis mesomelas</i>
rooikat	<i>Felis caracal</i>
bosvark	<i>Potamochoerus porcus</i>

BYLAE 9

FORELWATERS (ARTIKEL 70)

Waar in hierdie bylae die uitdrukking "rivier" of "spruit" voorkom, omvat dit die hele loop van die rivier of spruit met al sy takstrome vanaf die oorsprong daarvan tot op die punt wat in elke afsonderlike geval gespesifiseer word.

1. Die Elandsrivier tot by sy samevloeiing met die Swartkopsrivier.
2. Die Kliprivier tot by die gemeenskaplike grens van die plase Draaikraal 48 JT en Chieftainsplain 46 JT.
3. Die Klein-Komati-rivier tot by sy samevloeiing met die Komati-rivier.
4. Die Seekoespruit tot by die gemeenskaplike grens van die plase Zilverkop 25 IT en Boshoeck 442 JT.
5. Die Helpmekaar-rivier tot by sy inloop in die Stanfordmeer.
6. Die Ramadiepa-rivier tot by sy inloop in die Merenskydam.

7. The Weltevrede Spruit to the waterfall on the farm Waterval 269 JT.
8. The Ohrigstad River to its entrance to the Ohrigstad Dam.
9. The Crocodile River to its confluence with the Santa River.
10. The Santa River to its confluence with the Crocodile River.
11. The Auxloop River to the common boundary of the farms Langdraai 85 JT and Kaffervoetpad 87 JT.
12. The Dorps River (also known as the Spekboom River) to the bridge over it on the Lydenburg-Burgersfort tarmac road (Road P 33/2).
13. The Sterk Spruit to its confluence with the Dorps River in the town of Lydenburg.
14. The Pot Spruit to the common boundary of the farms Modderspruit 13 JT and Naauwpoort 11 JT.
15. The Great Dwars River to its confluence with the Kafferkraal Spruit.
16. The Kafferkraal Spruit to its confluence with the Great Dwars River.
17. The Konterdanskloof River to the common boundary of the farms Witpoort 216 JS and Swartkoppies 217 JS.
18. The Lakensvlei Spruit to its confluence with the Steelpoort River excluding the municipal dam of Belfast.
19. The Houtbosloop River to the common boundary of the farms Elandsdrift 265 JT and Blyfstaambosch Spruit 258 JT.
20. The Blyde River to the common boundary of the farms Ledovine 507 KT and Hermansburg 495 KT.
21. The Mac-Mac Spruit to the waterfall on the farm Geelhoutboom 565 KT.
22. The Sabie River to the waterfall in the town of Sabie.
23. The Nels River to the common boundary of the farms Doornhoek 236 JT and Tweefontein 242 JT.
24. The Mathlapitsi River to the common boundary of the farms Acre 2 KT and Aden 1 KT.
25. The Great Letaba River (also known as the Broederstroom) to its entrance to the Ebenezer Dam.
26. The Klein-Spekboom River to the railway bridge on the farm Potlood Spruit 30 JT.
27. The Waterval Spruit to its confluence with the Blyde River.
28. The Gladde Spruit to the common boundary of the farms Slaaihoek 540 JT and Uitkomst 541 JT.
29. The tributary of the Komati River on the farms Waaikraal 385 JT, Leeukloof 403 JT and Drenthe 402 JT to its confluence with the Komati River.
30. The tributary of the Komati River on the farms Zevenfontein 388 JT and Welgelegen 400 JT to its confluence with the Komati River.

SCHEDULE 10

PROHIBITED AQUATIC GROWTHS (SECTION 85)

Common name	Scientific name
azolla	<i>Azolla</i> spp.
pond weed	<i>Egeria densa</i>
parrots feather	<i>Myriophyllum aquaticum</i>
kariba weed	<i>Salvinia molesta</i>
water lettuce	<i>Pistia stratiotes</i>
water hyacinth	<i>Eichornia crassipes</i>

SCHEDULE 11

PROTECTED PLANTS (SECTION 86(1)(a))

In this Schedule —

7. Die Weltevredespruit tot by die waterval op die plaas Waterval 269 JT.
8. Die Ohrigstadrivier tot by sy inloop in die Ohrigstad-dam.
9. Die Krokodilrivier tot by sy samevloeiing met die Santarivier.
10. Die Santarivier tot by sy samevloeiing met die Krokodilrivier.
11. Die Auxlooprivier tot by die gemeenskaplike grens van die plaas Langdraai 85 JT en Kaffervoetpad 87 JT.
12. Die Dorpsrivier (ook bekend as die Spekboom-rivier) tot by die brug daaroor op die Lydenburg-Burgersfort-teerpad (Pad P 33/2).
13. Die Sterkspruit tot by sy samevloeiing met die Dorpsrivier in die dorp Lydenburg.
14. Die Potspruit tot by die gemeenskaplike grens van die plaas Modderspruit 13 JT en Naauwpoort 11 JT.
15. Die Groot-Dwarsrivier tot by sy samevloeiing met die Kafferkraalspruit.
16. Die Kafferkraalspruit tot by sy samevloeiing met die Groot-Dwarsrivier.
17. Die Konterdanskloofrivier tot by die gemeenskaplike grens van die plaas Witpoort 216 JS en Swartkoppies 217 JS.
18. Die Lakensvleispruit tot by sy samevloeiing met die Steelpoortrivier uitgenome die munisipale dam van Belfast.
19. Die Houtboslooprivier tot by die gemeenskaplike grens van die plaas Elandsdrift 265 JT en Blyfstaamboschspruit 258 JT.
20. Die Blyderivier tot by die gemeenskaplike grens van die plaas Ledovine 507 KT en Hermansburg 495 KT.
21. Die Mac-Macspruit tot by die waterval op die plaas Geelhoutboom 565 KT.
22. Die Sabierivier tot by die waterval in die dorp Sabie.
23. Die Nelsrivier tot by die gemeenskaplike grens van die plaas Doornhoek 236 JT en Tweefontein 242 JT.
24. Die Mathlapitsi-rivier tot by die gemeenskaplike grens van die plaas Acre 2 KT en Aden 1 KT.
25. Die Groot-Letabarivier (ook bekend as die Broederstroom) tot by sy inloop in die Ebenezerdam.
26. Die Klein-Spekboomrivier tot by die spoorwegbrug op die plaas Potloodspruit 30 JT.
27. Die Watervalspruit tot by sy samevloeiing met die Blyderivier.
28. Die Gladde spruit tot by die gemeenskaplike grens van die plaas Slaaihoek 540 JT en Uitkoms 541 JT.
29. Die Komatirivier se takstroom op die plaas Waaikraal 385 JT, Leeukloof 403 JT en Drenthe 402 JT tot by sy samevloeiing met die Komatirivier.
30. Die Komatirivier se takstroom op die plaas Zevenfontein 388 JT en Welgelegen 400 JT tot by sy samevloeiing met die Komatirivier.

BYLAE 10

VERBODE WATERGEWASSE (ARTIKEL 85)

Gewone naam	Wetenskaplike naam
azolla	<i>Azolla</i> spp.
damonkruid	<i>Egeria densa</i>
papagaaiwee	<i>Myriophyllum aquaticum</i>
Kariba watervaring	<i>Salvinia molesta</i>
waterslaai	<i>Pistia stratiotes</i>
waterhiasint	<i>Eichornia crassipes</i>

BYLAE 11

BESKERMDE PLANTE (ARTIKEL 86(1)(a))

In hierdie Bylae —

- (a) the plants referred to shall not include plants which have been improved by selection or cross-breeding;
- (b) "seedling" means a cultivated plant of which the diameter of the trunk or bulb, either above or below the ground, does not exceed 150 mm.

Common name	Scientific name
all species of tree moss	<i>Porothamnium</i> , <i>Pilotrichella</i> and <i>Papillaria</i> spp.
all species of true ferns excluding the bracken fern	Class Filicinae excluding <i>Pteridium aquilinum</i>
all seedlings of cycads excluding the seedlings of cupidus and humilus cycads	All seedlings of <i>Encephalartos</i> spp. excluding the seedlings of <i>E. cupidus</i> and <i>E. humilus</i>
all species of yellow wood	<i>Podocarpus</i> spp.
all species of wild cypress	<i>Widdringtonia</i> spp.
borassus palm	<i>Borassus aethiopicum</i>
all species of arum lilies	<i>Zantedeschia</i> spp.
all species of flame lilies	<i>Gloriosa</i> spp.
all species of christmas bells	<i>Littonia</i> spp.
all species of red-hot poker	<i>Kniphofia</i> spp.
all species of aloes excluding—	<i>Aloe</i> spp. excluding—
(a) all species not occurring in the Transvaal; and	(a) all species not occurring in the Transvaal; and
(b) the following species:	(b) the following species:
aculeata, ammophilla, arborescens, barbertoniae, castanea, davyana, globuligemma, grandidentata, lutescens, marlothii, mutans, parvibracteata transvaalensis and wickensii	<i>A. aculeata</i> , <i>A. ammophilla</i> , <i>A. arborescens</i> , <i>A. barbertoniae</i> , <i>A. castanea</i> , <i>A. davyana</i> , <i>A. globuligemma</i> , <i>A. grandidentata</i> , <i>A. lutescens</i> , <i>A. marlothii</i> , <i>A. mutans</i> , <i>A. parvibracteata</i> , <i>A. transvaalensis</i> en <i>A. wickensii</i>
all species of gasteria	<i>Gasteria</i> spp.
all species of haworthias	<i>Haworthia</i> spp.
all species of agapanthus	<i>Agapanthus</i> spp.
blue squill	<i>Scilla natalensis</i>
all species of pineapple flower	<i>Eucomis</i> spp.
all species of galtonia	<i>Galtonia</i> spp.
all species of dracaena	<i>Dracaena</i> spp.
all species of paint brush	<i>Haemanthus</i> spp.
all species of paint brush	<i>Scadoxis</i> spp.
all species of clivia	<i>Clivia</i> spp.
all species of nerine	<i>Nerine</i> spp.
pink brunsvigia	<i>Brunsvigia radulosa</i>
all species of crinum	<i>Crinum</i> spp.
ground lily	<i>Ammocharis coramica</i>
all species of fire lily	<i>Cyrtanthus</i> spp.
all species of elephantsfoot	<i>Dioscorea</i> spp.
all species of irises	<i>Diets</i> spp.
river lily	<i>Schizostylis coccinea</i>
all species of hairbells	<i>Dierama</i> spp.
all species of babiana	<i>Babiana</i> spp.
all species of gladioli	<i>Gladiolus</i> spp.
all species of laparousia	<i>Lapeirousia</i> spp.
all species of watsonias	<i>Watsonia</i> spp.
wild banana	<i>Ensete ventricosum</i>
Transvaal strelitzia	<i>Strelitzia caudata</i>
wild ginger	<i>Kaempferia aethiopica</i>
wild ginger	<i>Burmanna madagascariensis</i>
all species of orchids excluding those species not occurring in Transvaal	<i>Orchidaceae</i> spp. excluding those species not occurring in Transvaal
all species of proteas excluding those species not occurring in Transvaal	<i>Protea</i> spp. excluding those species not occurring in Transvaal
pincushion	<i>Leucospermum gerrardii</i>
pincushion	<i>Leucospermum saxosum</i>
stone plant	<i>Frithia pulchra</i>
stone plant	<i>Lithops lesliei</i>
Schreber's waterlily	<i>Brasenia schreberi</i>
all species of waterlilies	<i>Nymphaea</i> spp.
wonder plant	<i>Tinospora fragosum</i>

- (a) omvat die plante wat genoem word nie plante wat deur seleksie of kruisteelt veredel is nie;
- (b) beteken "saailing" 'n verboorde plant waarvan die deursnee van die stam of bol, hetsy bo of onder die grond, hoogstens 150 mm is

Gewone naam	Wetenskaplike naam
alle soorte boommosse	<i>Porothamnium</i> , <i>Pilotrichella</i> en <i>Papillaria</i> spp. Klas Filicinae uitgenome <i>Pteridium aquilinum</i>
alle soorte egte varings	alle saailinge van <i>Encephalartos</i> spp. uitgenome die saailinge van <i>E. cupidus</i> en <i>E. humilus</i>
uitgenome die adelaarsvaring	<i>Podocarpus</i> spp.
alle saailinge van broodbome	<i>Widdringtonia</i> spp.
alle saailinge van cupidus- en humilus-broodbome	<i>Borassus aethiopicum</i>
alle soorte geelhout	<i>Zantedeschia</i> spp.
alle soorte sapree	<i>Gloriosa</i> spp.
borassuspalm	<i>Littonia</i> spp.
alle soorte varkoorrelies	<i>Kniphofia</i> spp.
alle soorte vlamtelies	<i>Aloe</i> spp. uitgenome—
alle soorte geelklokkies	
alle soorte vuurpyle	
alle soorte aalwyne uitge- nome—	
(a) alle soorte wat nie in Transvaal voorkom nie; en	(a) Alle spesies wat nie in Transvaal voorkom nie; en
(b) die volgende soorte: aculeata, ammophilla, arborescens, barbertoniae, castanea, davyana, globuligemma, grandidentata, lutescens, marlothii, mutans, parvibracteata, transvaalensis en wickensii	(b) die volgende spesies: <i>A. aculeata</i> , <i>A. ammophilla</i> , <i>A. arborescens</i> , <i>A. barbertoniae</i> , <i>A. castanea</i> , <i>A. davyana</i> , <i>A. globuligemma</i> , <i>A. grandidentata</i> , <i>A. lutescens</i> , <i>A. marlothii</i> , <i>A. mutans</i> , <i>A. parvibracteata</i> , <i>A. transvaalensis</i> en <i>A. wickensii</i>
alle soorte bontaalwyne	<i>Gasteria</i> spp.
alle soorte haworthias	<i>Haworthia</i> spp.
alle soorte blouelies	<i>Agapanthus</i> spp.
blouslangkop	<i>Scilla natalensis</i>
alle soorte wilde pynappels	<i>Eucomis</i> spp.
alle soorte bergelies	<i>Galtonia</i> spp.
alle soorte basteraalwyne	<i>Dracaena</i> spp.
alle soorte poeierkwaste	<i>Haemanthus</i> spp.
alle soorte poeierkwaste	<i>Scadoxis</i> spp.
alle soorte clivias	<i>Clivia</i> spp.
alle soorte nerine	<i>Nerine</i> spp.
pienk brunsvigia	<i>Brunsvigia radulosa</i>
alle soorte vleidelies	<i>Crinum</i> spp.
seeroogblom (gifbol)	<i>Ammocharis coramica</i>
alle soorte brandelies	<i>Cyrtanthus</i> spp.
alle soorte olifantsvoet- plante	<i>Dioscorea</i> spp.
alle soorte irisse	<i>Diets</i> spp.
rivierelie	<i>Schizostylis coccinea</i>
alle soorte grasklokkies	<i>Dierama</i> spp.
alle soorte bobbejaantjies	<i>Babiana</i> spp.
alle soorte swaardelies	<i>Gladiolus</i> spp.
alle soorte lapeirousias	<i>Lapeirousia</i> spp.
alle soorte watsonias	<i>Watsonia</i> spp.
wild piesang	<i>Ensete ventricosum</i>
Transvaalse strelitzia	<i>Strelitzia caudata</i>
gemmerhout	<i>Kaempferia aethiopica</i>
gemmerhout	<i>Burmanna madagascariensis</i>
alle soorte orgidieë uitge- nome die soorte wat nie in Transvaal voorkom nie	<i>Orchidaceae</i> spp. uitge- nome die spesies wat nie in Transvaal voorkom nie
alle soorte proteas uitge- nome die soorte wat nie in Transvaal voorkom nie	<i>Protea</i> spp. uitgenome die spesies wat nie in Transvaal voorkom nie
speldekussing	<i>Leucospermum gerrardii</i>
speldekussing	<i>Leucospermum saxosum</i>
klipplantjies	<i>Frithia pulchra</i>
toontjies	<i>Lithops lesliei</i>
Schreberse waterlelie	<i>Brasenia schreberi</i>
alle soorte waterlelies	<i>Nymphaea</i> spp.
wonderplant	<i>Tinospora fragosum</i>

Common name	Scientific name	Gewone naam	Wetenskaplike naam
black stinkwood stinkwood kiaat tamboti	<i>Ocotea bullata</i> <i>Ocotea kenyensis</i> <i>Pterocarpus angolensis</i> <i>Spirostachys africana</i>	swartstinkhout stinkhout kiaat tambotie	<i>Ocotea bullata</i> <i>Ocotea kenyensis</i> <i>Pterocarpus angolensis</i> <i>Spirostachys africana</i>
the following euphorbias: barnardii, clivicola, grandialata, groenewaldii, knobelii, perangusta, re- stricta, rowlandii, tortirama and waterbergensis	the following species of the Genus Euphorbia: <i>E. bar-</i> <i>nardii</i> , <i>E. clivicola</i> , <i>E. gran-</i> <i>dialata</i> , <i>E. groenewaldii</i> , <i>E.</i> <i>knobelii</i> , <i>E. perangusta</i> , <i>E.</i> <i>restricta</i> , <i>E. rowlandii</i> , <i>E.</i> <i>tortirama</i> and <i>E. waterber-</i> <i>gensis</i>	die volgende soorte eu- phorbias: barnardii, clivi- cola, grandialata, groene- waldii, knobelii, perangusta, restricta, row- landii, tortirama en water- bergensis	die volgende spesies van die Genus Euphorbia: <i>E. bar-</i> <i>nardii</i> , <i>E. clivicola</i> , <i>E. gran-</i> <i>dialata</i> , <i>E. groenewal-</i> <i>dii</i> , <i>E. knobelii</i> , <i>E. perang-</i> <i>usta</i> , <i>E. restricta</i> , <i>E. row-</i> <i>landii</i> , <i>E. tortirama</i> en <i>E. waterbergensis</i>
boabab all species of begonias all species of cabbage trees the following species of eri- cas (heaths): alopecurus, cerinthoides and oatesii,	<i>Adansonia digitata</i> <i>Begonia</i> spp. <i>Cussonia</i> spp. the following species of the Genus erica: <i>E. alopecu-</i> <i>rus</i> , <i>E. cerinthoides</i> and <i>E. oatesii</i>	kremetartboom alle soorte begonias alle soorte kiepersolle	<i>Adansonia digitata</i> <i>Begonia</i> spp. <i>Cussonia</i> spp.
big leaf fever tree the following species of im- pala lilies: obesum, oleifo- lium and swazicum	<i>Anthocleista grandiflora</i> the following species of the Genus Adenium: <i>A. obe-</i> <i>sum</i> , <i>A. oleifolium</i> and <i>A. swazicum</i>	die volgende soorte heide: alopecurus, cerinthoides en oatesii,	die volgende spesies van die Genus Erica: <i>E. alopec-</i> <i>urus</i> , <i>E. cerinthoides</i> en <i>E. oatesii</i>
kudu lily all species of brachystelma all species of ceropegia all species of riocreuxias all species of ghaap all species of Huerniopsis and heurnia all species of duvalia all species of stapeliads stapeliad all species of orbeanthus all species of orbeas all species of pachycymbi- ums all species of orbeopsis all species of primulas	<i>Pachypodium saundersii</i> <i>Brachystelma</i> spp. <i>Ceropegia</i> spp. <i>Riocrexia</i> spp. <i>Tavaresia</i> spp. <i>Huerniopsis</i> and <i>Huernia</i> spp. <i>Duvalia</i> spp. <i>Stapelia</i> spp. <i>Hoodia lugardii</i> <i>Orbeanthus</i> spp. <i>Orbea</i> spp. <i>Pachycymbium</i> spp. <i>Orbeopsis</i> spp. <i>Streptocarpus</i> spp.	grootblaarkoorsboom die volgende soorte impala- lilies: obesum, oleifolium en swazicum koedoelie alle soorte brachystelmas alle soorte ceropegia alle soorte riocreuxias alle soorte ghaap alle soorte bokhorinkies alle soorte hottentootstoon- tjies alle soorte aasblomme aasblom alle soorte orbeanthusse alle soorte orbeas alle soorte pachycymbiums alle soorte orbeopsisse alle soorte primulas	<i>Anthocleista grandiflora</i> die volgende spesies van die Genus Adenium: <i>A. obesum</i> , <i>A. oleifolium</i> en <i>A. swazicum</i> <i>Pachypodium saundersii</i> <i>Brachystelma</i> spp. <i>Ceropegia</i> spp. <i>Riocrexia</i> spp. <i>Tavaresia</i> spp. <i>Huerniopsis</i> en <i>Huernia</i> spp. <i>Duvalia</i> spp. <i>Stapelia</i> spp. <i>Hoodia lugardii</i> <i>Orbeanthus</i> spp. <i>Orbea</i> spp. <i>Pachycymbium</i> spp. <i>Orbeopsis</i> spp. <i>Streptocarpus</i> spp.

SCHEDULE 12

SPECIALLY PROTECTED PLANTS (SECTION 86(1)(b))

In this Schedule "seedling" means a cultivated plant of which the diameter of the trunk or bulb, either above or below the ground, does not exceed 150 mm.

Common name	Scientific name
(a) all plants, excluding seedlings, of the following cycads:	(a) all plants, excluding seedlings, of the following species of the Genus <i>Encephalartos</i> :
eugene marais heenani inopinus laevifolius lanatus lebombo ngoyanus paucidentatus modjadje villosus	<i>E. eugene maraisii</i> <i>E. heenanii</i> <i>E. inopinus</i> <i>E. laevifolius</i> <i>E. lanatus</i> <i>E. lebomboensis</i> <i>E. ngoyanus</i> <i>E. paucidentatus</i> <i>E. transvenosus</i> <i>E. villosus</i>
(b) all plants of the following cycads:	(b) all plants of the following species:
cupidus humilus	<i>Encephalartos cupidus</i> <i>Encephalartos humilus</i>

BYLAE 12

SPESIAAL BESKERMDE PLANTE (ARTIKEL 86(1)(b))

In hierdie Bylae beteken "saailing" 'n verbonde plant waarvan die deursnee van die stam of bol, hetsy bo of onder die grond, hoogstens 150 mm is

Gewone naam	Wetenskaplike naam
(a) alle plante uitgenome saailinge van die volgende soorte brood-bome:	(a) alle plante uitgenome saailinge van die volgende spesies van die Genus <i>Encephalartos</i> :
eugene marais heenani inopinus laevifolius lanatus lebombo ngoyanus paucidentatus modjadje villosus	<i>E. eugene maraisii</i> <i>E. heenanii</i> <i>E. inopinus</i> <i>E. laevifolius</i> <i>E. lanatus</i> <i>E. lebomboensis</i> <i>E. ngoyanus</i> <i>E. paucidentatus</i> <i>E. transvenosus</i> <i>E. villosus</i>
(b) alle plante van die volgende soorte broodbome:	(b) alle plante van die volgende spesies:
cupidus humilus	<i>Encephalartos cupidus</i> <i>Encephalartos humilus</i>

Administrator's Notice 2030

14 December 1983

NATURE CONSERVATION REGULATIONS

In terms of sections 9, 11, 51, 59, 100, 102 and 103 of the Nature Conservation Ordinance, 1983 (Ordinance 12 of 1983), the Administrator hereby makes the Regulations as set out in the Schedule hereto.

SCHEDULE

PRELIMINARY

Definitions

1. In these Regulations, unless the context otherwise indicates —

"boat" means any vessel or other device propelled by a motor, air screw, sail or oars and which is suitable or used for the conveyance of any person on or in waters, and includes an amphibian vessel, hovercraft or barge towed by such vessel or other device;

"the Ordinance" means the Nature Conservation Ordinance, 1983 (Ordinance 12 of 1983);

"trophy" means any part of a wild animal hunted by a client which he retains as a token or memento of the hunt;

"wild animal", for the purposes of Chapter III, includes an exotic animal;

and any other word or expression shall have the meaning attached thereto in the Ordinance.

CHAPTER 1

NATURE CONSERVATION ADVISORY BOARD AND
NATURE CONSERVATION ADVISORY COMMITTEES*Period of Office, Qualifications and Disqualifications of
Members of Board and Advisory Committees*

2.(1) Subject to the provisions of the Ordinance, a member of the Board and an advisory committee shall be appointed for a period of 3 years.

(2) Any person whose period of office as a member of the Board or an advisory committee has expired, shall be eligible for re-appointment.

(3) Any person who is —

(a) a patient or President's patient as defined in section 1 of the Mental Health Act, 1973 (Act 18 of 1973);

(b) an unrehabilitated insolvent;

(c) convicted of an offence and is sentenced to imprisonment without the option of a fine,

shall not be appointed as a member of the Board or an advisory committee.

(4) The Administrator may remove a member of the Board or an advisory committee who —

Administrateurskennisgewing 2030

14 Desember 1983

NATUURBEWARINGSREGULASIES

Ingevolge artikels 9, 11, 51, 59, 100, 102 en 103 van die Ordonnansie op Natuurbewaring, 1983 (Ordonnansie 12 van 1983), vaardig die Administrateur hierby die Regulasies soos in die Bylae hierby uiteengesit, uit.

BYLAE

INLEIDEND

Woordomskrywing

1. In hierdie Regulasies, tensy uit die samehang anders blyk, beteken —

"boot" enige vaartuig of ander toestel wat deur 'n motor, 'n lugschroef, 'n seil of roeispane voortgedryf word en wat geskik is of gebruik word vir die vervoer van iemand op of in waters, en ook 'n amfibiese vaartuig, 'n skeeltuig of 'n sleepboot wat deur sodanige vaartuig of ander toestel gesleep word;

"die Ordonnansie" die Ordonnansie op Natuurbewaring, 1983 (Ordonnansie 12 van 1983);

"trofee" enige gedeelte van 'n wilde dier deur 'n klient gejag wat hy as teken of aandenking van die jag behou;

"wilde dier" by die toepassing van Hoofstuk III, ook 'n uitheemse dier,

en het enige ander woord of uitdrukking die betekenis wat in die Ordonnansie daaraan gegee word.

HOOFSTUK I

ADVIESRAAD INSAKE NATUURBEWARING EN
ADVIESKOMITEES INSAKE NATUURBEWARING*Ampstermyn, Kwalifikasies en Diskwalifikasies van Lede van
Raad en Advieskomitees*

2.(1) Behoudens die bepalings van die Ordonnansie, word 'n lid van die Raad of 'n advieskomitee vir 'n tydperk van 3 jaar aangestel.

(2) Iemand wie se ampstermyn as lid van die Raad of 'n advieskomitee verstryk het, kan weer aangestel word.

(3) Iemand wat —

(a) 'n pasiënt of Presidentspasiënt is soos in artikel 1 van die Wet op Geestesgesondheid, 1973 (Wet 18 van 1973), omskryf;

(b) 'n ongerehabiliteerde insolvent is;

(c) aan 'n misdryf skuldig bevind en tot gevangenisstraf sonder die keuse van 'n boete gevonnis is,

word nie as 'n lid van die Raad of 'n advieskomitee aangestel nie.

(4) Die Administrateur kan 'n lid van die Raad of 'n advieskomitee wat —

(a) is absent without leave from 2 consecutive meetings of the Board or an advisory committee;

(b) is found guilty of a contravention of any of the provisions of Chapters III, IV, V or IX or section 84 or 96 of the Ordinance;

(c) tenders his resignation in writing,
from office.

(5) A member of the Board or an advisory committee shall not participate in deliberations of the Board or an advisory committee in which he has any financial interest.

Secretary of the Board

3.(1) The Administrator shall from time to time appoint an officer of the Administration as secretary of the Board.

(2) The secretary of the Board shall —

(a) also be the secretary of the management committee;

(b) implement the resolutions of the Board or the management committee or cause them to be implemented.

Meetings of Board

4.(1) The Board shall meet at the times and places determined by the Board.

(2) The chairman of the Board may —

(a) if he deems it expedient;

(b) upon the written request by one-third of the members, convene a special meeting of the Board to be held at the time and place determined by him.

(3) The secretary of the Board shall notify every member of the place, date and time of a meeting and shall provide every member with a copy of the agenda of the meeting.

(4) The chairman shall maintain order at a meeting of the Board and his decisions shall be final: Provided that where the question arises whether a meeting of the Board is a meeting as contemplated in these Regulations, the decision of the Administrator shall be final.

(5) When the chairman is absent from a meeting of the Board or is unable to preside thereat, the members present shall elect one of their number to preside at the meeting and the person so elected shall during the meeting have all the powers and discharge all the duties of the chairman of the Board.

(6) One-third of the members of the Board shall constitute a quorum for a meeting of the Board.

(7) The decision of a majority of the members present at a meeting of the Board shall be the decision of the Board: Provided that in the event of an equality of votes the chairman shall have a casting vote in addition to his deliberative vote.

(8) A decision of the Board may be amended at a subsequent meeting of the Board if in the agenda of the subsequent meeting notice is given of a motion for the amendment of the decision: Provided that where in the agenda of the subsequent meeting notice is not given of such motion, the deci-

(a) sonder verlof van 2 agtereenvolgende vergaderings van die Raad of 'n advieskomitee afwesig is;

(b) skuldig bevind word aan 'n oortreding van enige van die bepalings van Hoofstuk III, IV, V of IX of artikel 84 of 96 van die Ordonnansie;

(c) sy bedanking skriftelik indien,

van sy amp onthef.

(5) 'n Lid van die Raad of 'n advieskomitee neem nie aan beraadslagings van die Raad of 'n advieskomitee waarby hy enige finansiële belang het, deel nie.

Sekretaris van Raad

3.(1) Die Administrateur stel van tyd tot tyd 'n beampte van die Administrasie aan as sekretaris van die Raad.

(2) Die sekretaris van die Raad —

(a) is ook die sekretaris van die dagbestuur;

(b) voer die besluite van die Raad of die dagbestuur uit of laat dit uitvoer.

Vergaderings van Raad

4.(1) Die Raad vergader op die tye en plekke deur die Raad bepaal.

(2) Die voorsitter van die Raad kan —

(a) indien hy dit dienstig ag;

(b) op die skriftelike versoek deur een-derde van die lede, 'n spesiale vergadering van die Raad belê wat gehou word op die tyd en plek deur hom bepaal.

(3) Die sekretaris van die Raad stel elke lid in kennis van die plek, datum en tyd van 'n vergadering en voorsien elke lid van 'n afskrif van die agenda van die vergadering.

(4) Die voorsitter handhaaf die orde op 'n vergadering van die Raad en sy beslissings is afdoende: Met dien verstande dat waar die vraag ontstaan of 'n vergadering van die Raad 'n vergadering is soos in hierdie Regulasies beoog, die beslissing van die Administrateur afdoende is.

(5) Wanneer die voorsitter van 'n vergadering van die Raad afwesig is of nie as voorsitter daarop kan optree nie, kies die aanwesige lede een uit hul midde om op die vergadering voor te sit en die persoon aldus gekies het gedurende die vergadering al die bevoegdhede en vervul al die pligte van die voorsitter van die Raad.

(6) Een-derde van die lede van die Raad maak 'n kworum vir 'n vergadering van die Raad uit.

(7) Die beslissing van 'n meerderheid van die lede wat op 'n vergadering van die Raad aanwesig is, is die beslissing van die Raad: Met dien verstande dat by 'n staking van stemme die voorsitter 'n beslissende stem benewens sy beraadslagende stem het.

(8) 'n Beslissing van die Raad kan op 'n daaropvolgende vergadering van die Raad gewysig word indien in die agenda van die daaropvolgende vergadering kennis gegee word van 'n mosie tot wysiging van die beslissing: Met dien verstande dat waar in die agenda van die daaropvolgende vergadering nie kennis van sodanige mosie gegee word nie, die beslissing

sion may be amended by a unanimous decision of the members present at the subsequent meeting of the Board.

(9) The non-receipt of a notice or copy of the agenda by a member of the Board in terms of subregulation (3) shall not affect the validity of a meeting of which notice is given.

Procedure at Meetings of Board

5. Subject to the provisions of the Ordinance, the procedure at a meeting or investigation of the Board shall be as determined by the Board.

Powers, Functions and Duties of Board

6.(1) The Board —

(a) shall investigate such matters as the Administrator may refer to it and shall advise the Administrator in connection therewith;

(b) may investigate any matter affecting the advancement, control and administration of nature conservation in the Province and pass resolutions in connection therewith.

(2) Sections 6, 7 and 8 of the Commissions of Inquiry Ordinance, 1960 (Ordinance 9 of 1960), shall apply *mutatis mutandis* to an investigation in terms of subregulation (1).

(3) A member of the Board or the management committee may —

(a) at any time enter upon or into any land, premises, building, tent, camping place, float, vessel, hovercraft, aircraft or vehicle;

(b) at any time inspect any waters, land, premises, building, tent, camping place, float, vessel, hovercraft, aircraft, vehicle or container, or any animal, insect, plant, tree, shrub, book, document, article or object in or on any waters, land, premises, building, tent, camping place, float, vessel, hovercraft, aircraft, vehicle or container;

(c) at any time order any person who, in his opinion, has information which may be of assistance at an inspection in terms of paragraph (b) to furnish such information;

(d) take samples, specimens or photos of any waters, land, animal, insect, plant, tree, shrub or cave-formation;

(e) appoint any person to assist the Board in any investigation in terms of subregulation (1)(a) or (b): Provided that such person shall not vote at a meeting of the Board or management committee.

Management Committee of Board

7.(1) The Board may —

(a) appoint a management committee consisting of members of the Board;

(b) delegate any power or function conferred upon or assigned to it by these Regulations, to the management committee.

(2) The management committee shall investigate such matters as the Board may refer to it and shall advise the Board in connection therewith.

Chairman of Management Committee

8. The chairman of the Board shall be the chairman of the management committee.

Meetings of Management Committee

9.(1) The management committee shall meet at the times and places determined by it.

(2) The secretary of the management committee shall notify every member of the place, date and time of a meeting

by eenparige beslissing van die lede wat op die daaropvolgende vergadering aanwesig is, gewysig kan word.

(9) Die nie-ontvangs van 'n kennisgewing of afskrif van die agenda deur 'n lid van die Raad ingevolge subregulasie (3) doen nie afbreuk nie aan die geldigheid van 'n vergadering waarvan kennis gegee is.

Procedure by Vergaderings van Raad

5. Behoudens die bepalings van die Ordonnansie, is die procedure by 'n vergadering of ondersoek van die Raad soos deur die Raad bepaal.

Bevoegdhede, Funksies en Pligte van Raad

6.(1) Die Raad —

(a) ondersoek die aangeleenthede wat die Administrateur na hom verwys en adviseer die Administrateur in verband daarmee;

(b) kan enige aangeleentheid betreffende die bevordering, beheer en administrasie van natuurbewaring in die Provinsie ondersoek en besluite in verband daarmee neem.

(2) Artikels 6, 7 en 8 van die Ordonnansie op Kommissies van Ondersoek, 1960 (Ordonnansie 9 van 1960), is *mutatis mutandis* op 'n ondersoek ingevolge subregulasie (1) van toepassing.

(3) 'n Lid van die Raad of die dagbestuur kan —

(a) te eniger tyd enige grond, perseel, gebou, tent, kampeerplek, vlot, vaartuig, skeertuig, lugvaartuig of voertuig betree of binnegaan;

(b) te eniger tyd enige waters, grond, perseel, gebou, tent, kampeerplek, vlot, vaartuig, skeertuig, lugvaartuig, voertuig of houer, of enige dier, insek, plant, boom, struik, boek, dokument, artikel of voorwerp in of op enige waters, grond, perseel, gebou, tent, kampeerplek, vlot, vaartuig, skeertuig, lugvaartuig, voertuig of houer inspekteer;

(c) te eniger tyd iemand wat na sy mening oor inligting beskik wat behulpsaam kan wees by 'n inspeksie ingevolge paragraaf (b), gelas om daardie inligting te verstrek;

(d) monsters, voorbeelde of foto's neem van enige waters, grond, dier, insek, plant, boom, struik of grotformasie;

(e) iemand aanstel om die Raad behulpsaam te wees met 'n ondersoek ingevolge subregulasie (1)(a) of (b): Met dien verstande dat so iemand nie op 'n vergadering van die Raad of dagbestuur stem nie.

Dagbestuur van Raad

7.(1) Die Raad kan —

(a) 'n dagbestuur bestaande uit lede van die Raad aanstel;

(b) enige bevoegdheid, funksie of plig aan hom by hierdie Regulasies verleen of opgedra, aan die dagbestuur deleger.

(2) Die dagbestuur ondersoek die aangeleenthede wat die Raad na hom erwys en adviseer die Raad in verband daarmee.

Voorsitter van Dagbestuur

8. Die voorsitter van die Raad is ook die voorsitter van die dagbestuur.

Vergaderings van Dagbestuur

9.(1) Die dagbestuur vergader op die tye en plekke deur hom bepaal.

(2) Die sekretaris van die dagbestuur stel elke lid in kennis

and shall provide every member with a copy of the agenda of the meeting.

(3) The chairman shall maintain order at a meeting of the management committee and his decisions shall be final.

(4) When the chairman is absent from a meeting of the management committee or is unable to preside thereat, the members present shall elect one of their number to preside at the meeting and the person so elected shall during the meeting have all the powers and discharge all the duties of the chairman of the management committee.

(5) Two members of the management committee shall constitute a quorum for a meeting of the management committee.

(6) The decision of a majority of the members present at a meeting of the management committee shall be the decision of the management committee: Provided that in the event of an equality of votes the chairman shall have a casting vote in addition to his deliberative vote.

(7) The non-receipt of a notice or copy of the agenda by a member of a management committee in terms of sub-regulation (2) shall not affect the validity of a meeting of which notice is given.

Procedure at Meetings of Management Committee

10. The procedure at a meeting or investigation of the management committee shall be as determined by the management committee.

Chairman and Secretary of Advisory Committee

11.(1) The magistrate of the magisterial district in which an advisory committee has been established, shall be a member and the chairman of the advisory committee, unless the Administrator shall determine otherwise.

(2) The chairman of an advisory committee shall from time to time appoint an officer from his office as secretary of the advisory committee.

(3) The secretary of an advisory committee shall implement the resolutions of the advisory committee or cause them to be implemented.

Meetings of Advisory Committee

12.(1) The chairman of an advisory committee —

(a) shall convene a meeting of the advisory committee for consideration of and report on a matter referred to it in terms of regulation 14(1)(a);

(b) may convene a meeting of the advisory committee when circumstances relating to the conservation of nature in the magisterial district in which the advisory committee has been established are, in his opinion, of such a nature that investigation thereof by the advisory committee is necessary.

(2) The secretary of an advisory committee shall notify every member of the place, date and time of a meeting or investigation and shall provide every member with a copy of the agenda of the meeting.

(3) The chairman shall maintain order at a meeting of an advisory committee and his decisions shall be final.

(4) When the chairman is absent from a meeting of an advisory committee or is unable to preside thereat, the members present shall elect one of their number to preside at the meeting and the person so elected shall during the meeting have all the powers and discharge all the duties of the chairman of the advisory committee.

(5) Two members of an advisory committee shall constitute a quorum for a meeting of the advisory committee.

van die plek, datum en tyd van 'n vergadering en voorsien elke lid van 'n afskrif van die agenda van die vergadering.

(3) Die voorsitter handhaaf die orde op 'n vergadering van die dagbestuur en sy beslissings is afdoende.

(4) Wanneer die voorsitter van 'n vergadering van die dagbestuur afwesig is of nie as voorsitter daarop kan optree nie, kies die aanwesige lede een uit hul midde om op die vergadering voor te sit en die persoon aldus gekies het gedurende die vergadering al die bevoegdhede en vervul al die pligte van die voorsitter van die dagbestuur.

(5) Twee lede van die dagbestuur maak 'n kworum vir 'n vergadering van die dagbestuur uit.

(6) Die beslissing van 'n meerderheid van die lede wat op 'n vergadering van die dagbestuur aanwesig is, is die beslissing van die dagbestuur: Met dien verstande dat by 'n staking van stemme die voorsitter 'n beslissende stem benewens sy beraadslagende stem het.

(7) Die nie-ontvangs van 'n kennisgewing of afskrif van die agenda deur 'n lid van die dagbestuur ingevolge subregulasie (2) doen nie afbreuk nie aan die geldigheid van 'n vergadering waarvan kennis gegee is.

Prosedure by Vergaderings van Dagbestuur

10. Die prosedure by 'n vergadering of ondersoek van die dagbestuur is soos deur die dagbestuur bepaal.

Voorsitter en Sekretaris van Advieskomitee

11.(1) Die landdros van die landdrostdistrik waarin 'n advieskomitee ingestel is, is lid en die voorsitter van die advieskomitee, tensy die Administrateur anders bepaal.

(2) Die voorsitter van 'n advieskomitee stel van tyd tot tyd 'n beampte van sy kantoor aan as sekretaris van die advieskomitee.

(3) Die sekretaris van 'n advieskomitee voer die besluite van die advieskomitee uit of laat dit uitvoer.

Vergaderings van Advieskomitee

12.(1) Die voorsitter van 'n advieskomitee —

(a) belê 'n vergadering van die advieskomitee vir oorweging van en verslag oor 'n aangeleentheid wat ingevolge regulasie 14(1)(a) na hom verwys is;

(b) kan 'n vergadering van die advieskomitee belê wanneer omstandighede betreffende die bewaring van die natuur in die landdrostdistrik waarin die advieskomitee ingestel is, na sy mening van so 'n aard is dat ondersoek daarna deur die advieskomitee nodig is.

(2) Die sekretaris van 'n advieskomitee stel elke lid in kennis van die plek, datum en tyd van 'n vergadering en voorsien elke lid van 'n afskrif van die agenda van die vergadering.

(3) Die voorsitter handhaaf die orde op 'n vergadering van 'n advieskomitee en sy beslissings is afdoende.

(4) Wanneer die voorsitter van 'n vergadering van 'n advieskomitee afwesig is of nie as voorsitter daarop kan optree nie, kies die aanwesige lede een uit hul midde om op die vergadering voor te sit en die persoon aldus gekies het gedurende die vergadering al die bevoegdhede en vervul al die pligte van die voorsitter van die advieskomitee.

(5) Twee lede van 'n advieskomitee maak 'n kworum vir 'n vergadering van die advieskomitee uit

(6) The decision of a majority of the members present at a meeting of an advisory committee shall be the decision of the advisory committee: Provided that in the event of an equality of votes the chairman shall have a casting vote in addition to his deliberative vote.

(7) The non-receipt of a notice or copy of the agenda by a member of an advisory committee in terms of subregulation (2) shall not affect the validity of a meeting of which notice is given.

(8) The secretary of an advisory committee shall forward a certified copy of the minutes of every meeting to the Director of Nature Conservation, Private Bag X209, Pretoria, 0001, within 7 days after the meeting.

Procedure at Meetings of Advisory Committee

13. Subject to the provisions of these Regulations or any determination by the Board or the Nature Conservation Division, the procedure at a meeting of an advisory committee shall be as determined by the advisory committee.

Powers, Functions and Duties of Advisory Committee

14.(1) An advisory committee —

(a) shall advise the Board or the Nature Conservation Division in connection with such matters as the Board or the Nature Conservation Division may refer to it;

(b) may investigate any matter relating to the advancement, control and administration of nature conservation in the magisterial district in which the advisory committee has been established, and advise the Board or the Nature Conservation Division in connection therewith.

(2) The chairman of an advisory committee may, if he deems it expedient, designate a member of the advisory committee, a nature conservator of the magisterial district in which the advisory committee has been established, or any other fit and proper person to conduct an investigation as contemplated in subregulation (1)(b).

(3) An advisory committee shall confirm the designation in terms of subregulation (2) of any person who is not a member of the advisory committee or a nature conservator at its first ensuing meeting.

(4) A member of the advisory committee, a nature conservator or other person designated in terms of subregulation (2) —

(a) shall report in writing on his investigation and shall forward a copy of his report to the chairman of the advisory committee for submission to the advisory committee;

(b) shall, if he is not a member of the Public Service of the Republic, be entitled to the remuneration and allowances determined in terms of section 13(1) of the Ordinance.

(5) An advisory committee or a member thereof, a nature conservator or other person designated in terms of subregulation (2) may —

(a) at any time enter upon or into any land, premises, building, tent, camping place, float, vessel, hovercraft, aircraft or vehicle;

(b) at any time inspect any waters, land, premises, building, tent, camping place, float, vessel, hovercraft, aircraft, vehicle or container, or any animal, insect, plant, tree, shrub, book, document, article or object in or on any waters, land, premises, building, tent, camping place, float, vessel, hovercraft, aircraft, vehicle or container;

(c) at any time order any person who, in his opinion, has information which may be of assistance at an inspection in terms of paragraph (b) to furnish such information;

(6) Die beslissing van 'n meerderheid van die lede wat op 'n vergadering van 'n advieskomitee aanwesig is, is die beslissing van die advieskomitee: Met dien verstande dat by 'n staking van stemme die voorsitter 'n beslissende stem benevens sy beraadslagende stem het.

(7) Die nie-ontvangs van 'n kennisgewing en afskrif van die agenda deur 'n lid van 'n advieskomitee ingevolge subregulasie (2) doen nie afbreuk nie aan die geldigheid van 'n vergadering waarvan kennis gegee is.

(8) Die sekretaris van 'n advieskomitee stuur 'n gesertifiseerde afskrif van die notule van elke vergadering aan die Direkteur van Natuurbewaring, Privaatsak X209, Pretoria 0001 binne 7 dae na die vergadering.

Prosedure by Vergaderings van Advieskomitee

13. Behoudens die bepalinge van hierdie Regulasies of enige bepaling deur die Raad of die Afdeling Natuurbewaring, is die prosedure by 'n vergadering of ondersoek van 'n advieskomitee soos deur die advieskomitee bepaal.

Bevoegdhede, Funksies en Pligte van Advieskomitee

14.(1) 'n Advieskomitee —

(a) adviseer die Raad of die Afdeling Natuurbewaring in verband met die aangeleenthede wat die Raad of die Afdeling Natuurbewaring na hom verwys;

(b) kan enige aangeleentheid betreffende die bevordering, beheer en administrasie van natuurbewaring in die landdrostdistrik waarin die advieskomitee ingestel is, ondersoek en die Raad of die Afdeling Natuurbewaring in verband daarmee adviseer.

(2) Die voorsitter van 'n advieskomitee kan, indien hy dit dienstig ag, 'n lid van die advieskomitee, 'n natuurbewaarder in die landdrostdistrik waarin die advieskomitee ingestel is, of enige ander bevoegde en geskikte persoon aanwys om 'n ondersoek soos in subregulasie (1)(b) beoog, in te stel.

(3) 'n Advieskomitee bekragtig die aanwysing ingevolge subregulasie (2) van iemand wat nie 'n lid van die advieskomitee of 'n natuurbewaarder is nie op sy eersvolgende vergadering.

(4) 'n Lid van die advieskomitee, 'n natuurbewaarder of ander persoon ingevolge subregulasie (2) aangewys —

(a) doen skriftelik verslag oor sy ondersoek en stuur 'n afskrif van sy verslag aan die voorsitter van die advieskomitee vir voorlegging aan die advieskomitee;

(b) is, indien hy nie 'n lid van die Staatsdiens van die Republiek is nie, geregtig op die vergoeding en toelaes wat ingevolge artikel 13(1) van die Ordonnansie bepaal word.

(5) 'n Advieskomitee of 'n lid daarvan, 'n natuurbewaarder of ander persoon ingevolge subregulasie (2) aangewys; kan —

(a) te eniger tyd enige grond, perseel, gebou, tent, kampeerplek, vlot, vaartuig, skeertuig, lugvaartuig of voertuig betree of binnegaan;

(b) te eniger tyd enige waters, grond, perseel, gebou, tent, kampeerplek, vlot, vaartuig, skeertuig, lugvaartuig, voertuig of houer, of enige dier, insek, plant, boom, struik, boek, dokument, artikel of voorwerp in of op enige waters, grond, perseel, gebou, tent, kampeerplek, vlot, vaartuig, skeertuig, lugvaartuig, voertuig of houer, inspekteer;

(c) te eniger tyd iemand wat na sy mening oor inligting beskik wat behulpsaam kan wees by 'n inspeksie ingevolge paragraaf (b), gelas om daardie inligting te verstrek;

(d) takes samples, specimens or photos of any waters, land, animal, insect, plant, tree, shrub or cave-formation.

CHAPTER II

MATTERS RELATING TO WILD ANIMALS

Requirements when Wild Animal is Wounded

15.(1) When any person has wounded or has presumably wounded an elephant, a rhinoceros or hippopotamus, he shall report it within 24 hours at the police station or the office of the nature conservator nearest to the place where the elephant, rhinoceros or hippopotamus was wounded or was presumably wounded.

(2) When any person reports in terms of subregulation (1) that he has wounded or has presumably wounded an elephant, a rhinoceros or hippopotamus, or reports in terms of section 18(2) or 23(2) of the Ordinance that he has wounded a buffalo, lion or leopard, he shall state —

- (a) his name and residential address;
- (b) the species of wild animal which has been wounded or has presumably been wounded;
- (c) the time when and the place where the wild animal has been wounded or has presumably been wounded and the name of the farm on which the place is situated;
- (d) the calibre of the fire-arm used;
- (e) whether the wild animal was pursued and, if so, particulars of the pursuit.

Issue of Permits and Licences

16. Subject to the provisions of these Regulations, no fees shall be payable for the issue of a permit or licence provided for in the Ordinance or these Regulations.

Permits

17.(1) A permit contemplated in —

- (a) the proviso to section 16(1);
- (b) paragraph (f) of the proviso to section 17(1);
- (c) paragraph (a) of the proviso to section 18(1);
- (d) paragraph (a) of the proviso to section 19(1),

of the Ordinance, shall be in the form as set out in Schedule 1 to these Regulations and subject to the conditions contained therein.

(2) A permit referred to in subregulation (1) shall not be issued without the prior written authority of the Administrator.

(3) The fees payable for the issue of a permit referred to in subregulation (1) to a person who —

- (a) is not the owner;
- (b) is not a relative of the owner;
- (c) does not hunt on behalf of the owner,

of the land on which he hunts, shall be as set out in Schedule 2 to these Regulations.

Licences for Hunting of Ordinary Game during Open Season

18.(1) A licence contemplated in paragraph (d) of the pro-

(d) monsters, voorbeelde of foto's neem van enige waters, grond, dier, insek, plant, boom, struik of grotformasie.

HOOFSTUK II

AANGELEENTHEDE BETREFFENDE WILDE DIERE

Vereistes wanneer Wilde Dier gekwes word

15.(1) Wanneer iemand 'n olifant, renoster of seekoei gekwes of vermoedelik gekwes het, rapporteer hy dit binne 24 uur by die polisiekantoor of die kantoor van die natuurbe- waarder naaste aan die plek waar die olifant, renoster of see- koei gekwes of vermoedelik gekwes is.

(2) Wanneer iemand ingevolge subregulasie (1) rapporteer dat hy 'n olifant, renoster of seekoei gekwes of vermoedelik gekwes het, of ingevolge artikel 18(2) of 23(2) van die Or- donnansie rapporteer dat hy 'n buffel, leeu of luiperd gekwes of vermoedelik gekwes het, vermeld hy —

- (a) sy naam en woonadres;
- (b) die soort wilde dier wat gekwes of vermoedelik gekwes is;
- (c) die tyd wanneer en die plek waar die wilde dier gekwes of vermoedelik gekwes is en die naam van die plaas waarop die plek geleë is;
- (d) die kaliber van die vuurwapen wat gebruik is;
- (e) of die wilde dier agtervolg is en, indien wel, besonder- hede van die agtervolg.

Uitreiking van Permite en Lisensies

16. Behoudens die bepalings van hierdie Regulasies, is geen gelde betaalbaar nie vir die uitreiking van 'n permit of lisensie waarvoor in die Ordonnansie of hierdie Regulasies voorsiening gemaak word.

Permitte

17.(1) 'n Permit in —

- (a) die voorbehoudsbepaling by artikel 16(1);
- (b) paragraaf (f) van die voorbehoudsbepaling by artikel 17(1);
- (c) paragraaf (a) van die voorbehoudsbepaling by artikel 18(1);
- (d) paragraaf (a) van die voorbehoudsbepaling by artikel 19(1);

van die Ordonnansie beoog, is soos in die vorm in Bylae 1 by hierdie Regulasies uiteengesit en onderworpe aan die voor- waardes daarin vervat.

(2) 'n Permit in subregulasie (1) genoem, word nie sonder die voorafverkreë skriftelike magtiging van die Administra- teur uitgereik nie.

(3) Die gelde betaalbaar vir die uitreiking van 'n permit in subregulasie (1) genoem aan iemand wat —

- (a) nie die eienaar is nie;
- (b) nie 'n familielid is nie van die eienaar;
- (c) nie jag nie namens die eienaar,

van die grond waarop hy jag, is soos in Bylae 2 by hierdie Re- gulasies uiteengesit.

Lisensies vir Jag van gewone Wild gedurende Oop-seisoen

18.(1) 'n Lisensie in paragraaf (d) van die voorbehoudsbe-

viso to section 17(1) of the Ordinance for the hunting of —

(a) mammals which are ordinary game, shall be in the form as set out in Schedule 3;

(b) birds which are ordinary game, shall be in the form as set out in Schedule 4,

to these Regulations and subject to the conditions contained in the Schedule concerned.

(2) No person shall hunt more than 20 birds which are ordinary game on one day, unless he is the holder of a permit which authorizes him to do so.

(3) The fees set out in Schedule 2 to these Regulations shall be payable for the issue of a licence referred to in subregulation (1)(a).

(4) The amount of R10 shall be payable for the issue of a licence referred to in subregulation (1)(b).

Licences for the Sale of Game Meat

19.(1) A licence contemplated in paragraph (b) of the proviso to section 32(1) of the Ordinance, shall be in the form as set out in Schedule 5 to these Regulations and subject to the conditions contained therein.

(2) The amount of R1 shall be payable for the issue of a licence referred to in subregulation (1).

CHAPTER III

MATTERS RELATING TO PROFESSIONAL HUNTERS AND HUNTING-OUTFITTERS

Permits to Act as Professional Hunter or Hunting-outfitter

20.(1) A permit contemplated in —

(a) section 51(1)(a) of the Ordinance, shall be in the form as set out in Schedule 6;

(b) section 51(1)(b) of the Ordinance, shall be in the form as set out in Schedule 7,

to these Regulations and subject to the conditions contained in the Schedule concerned.

(2) The Administrator may grant authority in writing for the issue of a permit referred to in —

(a) subregulation (1)(a) if he is of the opinion that the applicant —

(i) possesses the necessary knowledge, ability, skill and experience;

(ii) is of and above the age of 21 years;

(b) subregulation (1)(b) if he is of the opinion that the applicant —

(i) complies with the requirements referred to in paragraph (a)(i) and (ii);

(ii) is a South African citizen or is in possession of a permit contemplated in section 4 of the Aliens Act, 1937 (Act 1 of 1937);

(iii) can provide the services and conveniences referred to in regulation 25(1) and that those services and conveniences comply with the requirements as determined by the Administrator.

(3) Any person who applies for a permit referred to in subregulation (1)(a) or (b), shall submit such references, documents, securities or insurance policies as the Administrator may require.

paling by artikel 17(1) van die Ordonnansie beoog vir die jag van —

(a) soogdiere wat gewone wild is, is soos in die vorm in Bylae 3;

(b) voëls wat gewone wild is, is soos in die vorm in Bylae 4,

by hierdie Regulasies uiteengesit en onderworpe aan die voorwaardes in die betrokke Bylae vervat.

(2) Niemand mag meer as 20 voëls wat gewone wild is op een dag jag nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(3) Die gelde in Bylae 2 by hierdie Regulasies uiteengesit, is betaalbaar vir die uitreiking van 'n lisensie in subregulasie (1)(a) genoem.

(4) Die bedrag van R10 is betaalbaar vir die uitreiking van 'n lisensie in subregulasie (1) genoem.

Lisensies vir Verkoop van Wildsvleis

19.(1) 'n Lisensie in paragraaf (b) van die voorbehoudsbepaling by artikel 32(1) van die Ordonnansie beoog, is soos in die vorm in Bylae 5 by hierdie Regulasies uiteengesit en onderworpe aan die voorwaardes daarin vervat.

(2) Die bedrag van R1 is betaalbaar vir die uitreiking van 'n lisensie in subregulasie (1) genoem.

HOOFSTUK III

AANGELEENTHEDE BETREFFENDE BEROEPS-JAGTERS EN JAGONDERNEMERS

Permitte om as Beroepsjagter of Jagondernemer op te tree

20.(1) 'n Permit —

(a) in artikel 51(1)(a) van die Ordonnansie beoog, is soos in die vorm in Bylae 6;

(b) in artikel 51(1)(b) van die Ordonnansie beoog, is soos in die vorm in Bylae 7,

by hierdie Regulasies uiteengesit en onderworpe aan die voorwaardes in die betrokke Bylae vervat.

(2) Die Administrateur kan skriftelik magtiging verleen vir die uitreiking van 'n permit in —

(a) subregulasie (1)(a) genoem, indien hy van mening is dat die aansoeker —

(i) oor die nodige kennis, vermoë, vaardigheid en ondervinding beskik;

(ii) van en bo die ouderdom van 21 jaar is;

(b) in subregulasie (1)(b) genoem, indien hy van mening is dat die aansoeker —

(i) aan die vereistes in subparagraaf (a)(i) en (ii) genoem, voldoen;

(ii) 'n Suid-Afrikaanse burger is of in besit is van 'n permit in artikel 4 van die Wet op Vreemdelinge, 1937 (Wet 1 van 1937), beoog;

(iii) die dienste en geriewe in regulasie 25(1) genoem, kan voorsien en dat daardie dienste en geriewe aan die vereistes soos deur die Administrateur bepaal, voldoen.

(3) Iemand wat aansoek doen om 'n permit in subregulasie (1)(a) of (b) genoem, lê die getuigskrifte, dokumente, waarborge of versekeringspolisse wat die Administrateur vereis, voor.

(4) The amount of R50 shall be payable for the issue of a permit referred to in subregulation (1)(a) or (b): Provided that no fee shall be payable for the issue of a permit —

(a) referred to in subregulation (1)(a) to an applicant who —

(i) acts as a professional hunter on land of which he is the owner;

(ii) is the holder of a permit referred to in subregulation (1)(b);

(b) referred to in subregulation (1)(b) to an applicant who —

(i) acts as a hunting-outfitter on land of which he is the owner;

(ii) is the holder of a permit referred to in subregulation (1)(a).

Testing-team

21. A testing-team appointed in terms of section 51(4) of the Ordinance shall consist of such officers of the Nature Conservation Division or other persons who, in the opinion of the Administrator, are competent to —

(a) test the knowledge, ability, skill and experience of —

(i) any person who applies for a permit to act as a professional hunter or hunting-outfitter;

(ii) any person who is the holder of a permit to act as a professional hunter or hunting-outfitter,

in respect of professional hunting and the trophy-hunting trade;

(b) determine whether any person referred to in paragraph (a)(i) or (ii) is able to provide the services and conveniences referred to in regulation 25(1) and whether those facilities comply with the requirements as determined by the Administrator.

Leader of Testing-team

22.(1) The Administrator shall appoint a member of a testing-team as the leader thereof.

(2) The procedure at a testing by a testing-team shall be as determined by the leader thereof and he shall —

(a) co-ordinate and regulate the activities of the members of the testing-team;

(b) record the points scored by every person tested and report thereon to the Administrator.

Keeping of Registers by Professional Hunter

23.(1) A professional hunter shall keep a register in which he shall record —

(a) his name and business address;

(b) the name and permanent postal address of every client;

(c) the name and business address of the hunting-outfitter who presented or organized the hunt for the client;

(d) the place where and the date on which the escorting of the client commenced and terminated;

(e) the name and registration number of every farm hunted on and the name of every owner;

(f) the species, number and sex of the animals killed or wounded by the client on each of the farms referred to in paragraph (e) and the date on which each of those animals was killed or wounded,

(4) Die bedrag van R50 is betaalbaar vir die uitreiking van 'n permit in subregulasie (1)(a) of (b) genoem: Met dien verstande dat geen gelde betaalbaar is nie vir die uitreiking van 'n permit —

(a) in subregulasie (1)(a) genoem aan 'n aansoeker wat —

(i) as 'n beroepsjagter optree op grond waarvan hy die eienaar is;

(ii) die houer is van 'n permit in subregulasie (1)(b) genoem;

(b) in subregulasie (1)(b) genoem aan 'n aansoeker wat —

(i) as 'n jagondernemer optree op grond waarvan hy die eienaar is;

(ii) die houer is van 'n permit in subregulasie (1)(a) genoem.

Toetsspan

21. 'n Toetsspan ingevolge artikel 51(4) van die Ordonnansie aangestel, bestaan uit die beamptes van die Afdeling Natuurbewaring of ander persone wat, na die mening van die Administrateur, bevoeg is om —

(a) die kennis, vermoë, vaardigheid en ondervinding van —

(i) iemand wat aansoek doen om 'n permit om as 'n beroepsjagter of jagondernemer op te tree;

(ii) iemand wat die houer is van 'n permit om as 'n beroepsjagter of jagondernemer op te tree,

ten opsigte van beroepsjag en die trofeejagbedryf te toets;

(b) te bepaal of iemand in paragraaf (a)(i) of (ii) genoem, in staat is om die dienste en geriewe in regulasie 25(1) genoem, te voorsien en of daardie dienste en geriewe voldoen aan die vereistes soos deur die Administrateur bepaal.

Leier van Toetsspan

22.(1) Die Administrateur stel 'n lid van 'n toetsspan as die leier daarvan aan.

(2) Die prosedure by die toetsing deur 'n toetsspan is soos deur die leier daarvan bepaal en hy —

(a) koördineer en reguleer die bedrywighede van die lede van die toetsspan;

(b) teken die punte aan wat deur elkeen wat getoets word, behaal word en doen verslag daarvoor aan die Administrateur.

Hou van Registers deur Beroepsjagter

23.(1) 'n Beroepsjagter hou 'n register aan waarin hy —

(a) sy naam en besigheidsadres;

(b) die naam en vaste posadres van elke kliënt;

(c) die naam en besigheidsadres van die jagondernemer wat die jag vir die kliënt aangebied of gereël het;

(d) die plek waar en datum waarop die begeleiding van die kliënt begin en geëindig het;

(e) die naam en registrasienommer van elke plaas waarop gejag is en die naam van elke eienaar;

(f) die soort, getal en geslag van die wilde diere wat deur die kliënt op elkeen van die plase in paragraaf (e) genoem, gedood of gekwes is en die datum waarop elkeen van daardie diere gedood of gekwes is,

forthwith after the termination of the escorting of the client.

(2) The register contemplated in subregulation (1) shall consist of pages which are numbered consecutively and of which —

(a) every page shall have two copies with the same number;

(b) the original page and the first copy shall be perforated in such manner that it can be removed easily from the register.

(3) After the professional hunter has recorded the particulars contemplated in subregulation (1) in the register, he and his client shall sign the original page and the two copies thereof, and he shall —

(a) hand the original page to the client;

(b) forward the first copy to the hunting-outfitter who presented or organized the hunt for the client;

(c) keep the second copy in the register as a permanent record.

(4) A professional hunter and his client shall append their signatures to every alteration on the original page and the two copies thereof on which the particulars contemplated in subregulation (1) have been recorded.

Supervision of Hunting by Client

24. A professional hunter —

(a) shall at all times be present at and supervise the hunting of a wild animal by his client;

(b) who knows or suspects that his client has contravened any provision of the Ordinance or these Regulations, shall report it forthwith at the police station or the office of the nature conservator nearest to the place where the offence has or has presumably been committed.

Services and Conveniences

25.(1) A hunting-outfitter shall provide a client with —

(a) hunting, skinning, handling and dispatch services;

(b) accommodation and washing and sanitary conveniences;

(c) catering;

(d) transport;

(e) cleaning and refuse removal services;

(f) first-aid and fire-fighting services;

(g) staff services.

(2) The services and conveniences referred to in subregulation (1) shall comply with such requirements as the Administrator may from time to time determine.

(3) The requirements determined in terms of subregulation (2) shall be furnished to every person to whom a permit to act as a hunting-outfitter has been issued.

Agreements between Hunting-outfitter and Client

26.(1) A hunting-outfitter and his client shall enter into an agreement in writing beforehand containing —

(a) the name and permanent postal address of the client;

(b) the name and business address of the hunting-outfitter;

(c) the name and business address of the professional hunter who will escort the client;

(d) the address to which trophies are to be sent;

onverwyld na beëindiging van die begeleiding van die klient aanteken.

(2) Die register in subregulasie (1) beoog, bestaan uit bladsy wat agtereenvolgens genommer is en waarvan —

(a) elke bladsy twee afskrifte met dieselfde nommer het;

(b) die oorspronklike bladsy en die eerste afskrif op so 'n wyse geperforeer is dat dit maklik uit die register verwyder kan word.

(3) Nadat 'n beroepsjagter die besonderhede in subregulasie (1) beoog in die register aangeteken het, onderteken hy en sy klient die oorspronklike bladsy en die twee afskrifte daarvan, en —

(a) oorhandig hy die oorspronklike bladsy aan die klient;

(b) stuur hy die eerste afskrif aan die jagondernemer wat die jag vir die klient aangebied of gereël het;

(c) hou hy die tweede afskrif in die register as 'n permanente rekord.

(4) 'n Beroepsjagter en sy klient bring hul handtekeninge aan by elke verandering op die oorspronklike bladsy en die twee afskrifte daarvan waarop die besonderhede in subregulasie (1) beoog, aangebring is.

Toesig oor Jag deur Klient

24. 'n Beroepsjagter —

(a) is te alle tye teenwoordig by en hou toesig oor die jag van 'n wilde dier deur sy klient;

(b) wat weet of vermoed dat sy klient 'n bepaling van die Ordonnansie of hierdie Regulasies oortree het, rapporteer dit onverwyld by die polisiekantoor of die kantoor van die natuurbewaarder naaste aan die plek waar die oortreding gepleeg of vermoedelik gepleeg is.

Dienste en Geriewe

25.(1) 'n Jagondernemer voorsien 'n klient van —

(a) jag-, slag-, hanterings- en versendingsdienste;

(b) huisvesting en was- en sanitêre geriewe;

(c) spyseniëring;

(d) vervoer;

(e) skoonmaak- en vullisverwyderingsdienste;

(f) noodhulp- en brandbestrydingsdienste;

(g) personeeldienste.

(2) Die dienste en geriewe in subregulasie (1) genoem, voldoen aan die vereistes soos van tyd tot tyd deur die Administrator bepaal.

(3) Die vereistes ingevolge subregulasie (2) bepaal, word voorsien aan elkeen aan wie 'n permit om as 'n jagondernemer op te tree, uitgereik is.

Ooreenkomste tussen Jagondernemer en Klient

26.(1) 'n Jagondernemer en sy klient sluit vooraf skriftelik 'n ooreenkoms wat —

(a) die naam en vaste posadres van die klient;

(b) die naam en besigheidsadres van die jagondernemer;

(c) die naam en besigheidsadres van die beroepsjagter wat die klient sal begelei;

(d) die adres waarheen trofee gestuur moet word;

(e) particulars of the place of the commencement and termination of the liabilities of the hunting-outfitter to the client;

(f) particulars of the species and sex of the wild animals offered for hunting and the tariffs for every species of wild animal killed or wounded;

(g) the tariffs for the available services and conveniences;

(h) the duration of the hunt and the daily tariff.

(2) The provisions of an agreement contemplated in subregulation (1) may be amended or substituted by a subsequent agreement entered into in writing by the hunting-outfitter and his client.

(3) An agreement entered into in terms of subregulation (1) or (2) shall be drawn up in duplicate and the hunting-outfitter and the client shall each keep a copy after they have signed both copies.

(4) A hunting-outfitter may claim for a client with whom he has entered into an agreement in terms of subregulation (1) or (2), compensation at the tariffs contained in the agreement for —

(a) every wild animal killed or wounded by the client;

(b) the services and conveniences provided to the client.

Obtaining of Licences, Permits, Exemptions, Documents and Permissions for Client and Dispatching of Trophies

27. A hunting-outfitter shall be responsible for the —

(a) obtaining of a licence, permit, exemption, document or permission in terms of which his client is authorised to —

(i) hunt a wild animal;

(ii) convey a trophy or to export or remove it from the Province;

(b) packing of trophies and the dispatching thereof to the address referred to in regulation 26(1)(d) as soon as it is ready for dispatching.

Advertising to Act as Hunting-outfitter

28. No person shall advertise to act as a hunting-outfitter, unless —

(a) he is the holder of a permit in terms of section 51(b) of the Ordinance;

(b) he is —

(i) the owner of the land in respect of which he presents or organizes a hunt; or

(ii) the holder of the hunting-rights in respect of the land contemplated in subparagraph (i);

(c) the species, number and sex of wild animals advertised for hunting purposes are found in a free and natural state on the land contemplated in paragraph (b)(i).

Transfer of Hunting-rights

29.(1) An owner of land who transfers any of his hunting-rights in terms of section 53(1) of the Ordinance shall do so by means of a document containing —

(a) his name and residential address;

(b) the registered name, number and area of his land;

(c) the name and residential address of the person to whom the hunting-rights are transferred;

(e) besonderhede van die plek van die aanvang en beëindiging van die verpligtinge van die jagondernemer teenoor die kliënt;

(f) besonderhede van die soort en geslag van die wilde diere wat vir jag aangebied word en die tariewe vir elke soort wilde dier wat gedood of gekwes word;

(g) die tariewe vir die beskikbare dienste en geriewe;

(h) die duur van die jag en die daaglikse tarief,

bevat.

(2) Die bepalinge van 'n ooreenkoms in subregulasie (1) beoog, kan gewysig of vervang word deur 'n daaropvolgende ooreenkoms wat die jagondernemer en sy kliënt skriftelik sluit.

(3) 'n Ooreenkoms ingevolge subregulasie (1) of (2) gesluit, word in tweevoud opgestel en die jagondernemer en die kliënt hou elkeen 'n afskrif nadat hulle beide afskrifte onderteken het.

(4) 'n Jagondernemer kan van 'n kliënt met wie hy 'n ooreenkoms ingevolge subregulasie (1) of (2) gesluit het, vergoeding eis teen die tariewe in die ooreenkoms vervat vir —

(a) elke wilde dier deur die kliënt gedood of gekwes;

(b) die dienste en geriewe aan die kliënt voorsien.

Verkryging van Lisensies, Permitted, Vrystellings, Dokumente of Toestemmings vir Kliënt en Versending van Trofee

27. 'n Jagondernemer is verantwoordelik vir die —

(a) verkryging van 'n lisensie, permit, vrystelling, dokument of toestemming ingevolge waarvan sy kliënt gemagtig word om —

(i) 'n wilde dier te jag;

(ii) 'n trofee te vervoer of uit die Provinsie uit te voer of weg te neem;

(b) verpakking van trofee en die versending daarvan na die adres in regulasie 26(1)(d) genoem, sodra dit vir versending gereed is.

Advertering om as Jagondernemer op te tree

28. Niemand adverteer om as 'n jagondernemer op te tree nie, tensy —

(a) hy die houer is van 'n permit ingevolge artikel 51(b) van die Ordonnansie;

(b) hy die —

(i) eienaar is van die grond ten opsigte waarvan hy 'n jag aanbied of reël; of

(ii) houer is van die jagregte ten opsigte van die grond in subparagraaf (i) beoog;

(c) die soort, getal en geslag van wilde diere wat vir jagdoeleindes geadverteer word, in die vrye en natuurlike staat op die grond in paragraaf (b)(i) beoog, aangetref word.

Oordrag van Jagregte

29.(1) 'n Eienaar van grond wat enige van sy jagregte ingevolge artikel 53(1) van die Ordonnansie oordra, doen dit by wyse van 'n dokument wat —

(a) sy naam en woonadres;

(b) die geregistreerde naam, nommer en grootte van sy grond;

(c) die naam en woonadres van die persoon aan wie die jagregte oorgedra word;

(d) particulars of the species, number and sex of the wild animals in respect of which the hunting-rights are transferred;

(e) the date on which and period for which the hunting-rights are transferred;

(f) his signature and the date thereof;

(g) the signature of the person to whom the hunting-rights are transferred and the date thereof.

(2) A professional hunter shall carry the document contemplated in subregulation (1) or a certified copy thereof with him when he escorts a client on land of which the owner has in terms of section 53(1) of the Ordinance transferred his hunting-rights to the hunting-outfitter who presents or organizes the hunt for the client.

CHAPTER IV

MATTERS RELATING TO PROBLEM ANIMALS

Qualifications and disqualifications of members of clubs

30.(1) Subject to subregulation (2), any person who is —

(a) of and above the age of 15 years;

(b) the occupant of land within the hunting area of a club, may become a member of the club.

(2) Any person convicted of having hunted game contrary to the provisions of the Ordinance, may be prohibited by the Administrator from being a member of a club for a period of 5 years.

Duties of Secretary of Club

31.(1) When the secretary of a club applies for the registration of the club in terms of section 59(1) of the Ordinance, he shall furnish the Administrator with —

(a) the name of the club;

(b) the name and residential address of every office-bearer;

(c) particulars of the number of members;

(d) a definition of the hunting area of the club and the name and registration number of every farm within the hunting area.

(2) An application contemplated in subregulation (1) shall be accompanied by —

(a) a copy of the constitution of the club;

(b) the written permission of every occupier of land within the proposed hunting area of the club for the inclusion of his land in the hunting area.

(3) When the particulars furnished in terms of subregulation (1), or the contents of the documents referred to in subregulation (2), are amended, the secretary of the club shall notify the Administrator thereof and the Administrator shall amend the register referred to in section 59(2)(b) of the Ordinance, accordingly.

(4) The secretary of a club shall keep a register in which he shall record —

(a) the name of the club;

(b) the date of registration;

(c) a definition of the hunting area;

(d) the name and residential address of every member;

(d) besonderhede van die soort, getal en geslag van die wilde diere ten opsigte waarvan die jagregte oorgedra word;

(e) die datum waarop en die tydperk waarvoor die jagregte oorgedra word;

(f) sy handtekening en die datum daarvan;

(g) die handtekening van die persoon aan wie die jagregte oorgedra word en die datum daarvan,

bevat.

(2) 'n Beroepsjagter dra die dokument in subregulasie (1) beoog, of 'n gewaarmerkte afskrif daarvan, by hom wanneer hy 'n kliënt begelei op grond waarvan die eienaar sy jagregte ingevolge artikel 53(1) van die Ordonnansie oorgedra het aan die jagondernemer wat die jag vir die kliënt aanbied of reël.

HOOFSTUK IV

AANGELEENTHEDE BETREFFENDE PROBLEEM-DIERE

Kwalifikasies en Diskwalifikasies van Lede van Klubs

30.(1) Behoudens subregulasie (2) kan iemand wat —

(a) van en bo die ouderdom van 15 jaar;

(b) die okkupant van grond binne die jaggebied van 'n klub,

is, 'n lid van die klub word.

(2) Iemand wat daaraan skuldig bevind word dat hy wild strydig met die bepalings van die Ordonnansie gejag het, kan deur die Administrateur verbied word om vir 'n tydperk van hoogstens 5 jaar 'n lid van 'n klub te wees.

Pligte van Sekretaris van Klub

31.(1) Wanneer die sekretaris van 'n klub ingevolge artikel 59(1) van die Ordonnansie aansoek doen om die registrasie van die klub, verstrek hy —

(a) die naam van die klub;

(b) die naam en woonadres van elke ampsdraer;

(c) besonderhede van die getal lede;

(d) 'n omskrywing van die jaggebied van die klub en die naam en registrasienommer van elke plaas binne die jaggebied,

aan die Administrateur.

(2) 'n Aansoek in subregulasie (1) beoog, gaan vergesel van —

(a) 'n afskrif van die grondwet van die klub;

(b) die skriftelike toestemming van elke okkupant van grond binne die voorgestelde jaggebied van die klub vir die insluiting van sy grond in die jaggebied.

(3) Wanneer die besonderhede ingevolge subregulasie (1) verstrek, of die inhoud van die dokumente in subregulasie (2) genoem, gewysig word, stel die sekretaris van die klub die Administrateur daarvan in kennis en die Administrateur wysig die register in artikel 59(2)(b) van die Ordonnansie genoem, dienooreenkomstig.

(4) Die sekretaris van 'n klub hou 'n register aan waarin hy —

(a) die naam van die klub;

(b) die datum van registrasie;

(c) 'n omskrywing van die jaggebied;

(d) die naam en woonadres van elke lid;

(e) particulars of the species and number of dogs at the disposal of the club for hunting purposes and the names and residential addresses of the owners thereof;

(f) the date of a hunt by the club, the name of every member participating therein and the name of every farm hunted on;

(g) particulars of the species and number of problem animals and other wild animals killed during a hunt;

(h) the nature of any damages caused to property as a result of a hunt;

(i) the amounts recovered in terms of section 61(5) of the Ordinance and the names and addresses of the persons from whom it was recovered.

(5) When expenditure is claimed in terms of section 61(5) of the Ordinance, the secretary of the club shall furnish the person from whom it is claimed with the particulars contemplated in regulation 33(1)(a)(i), (ii) and (iii).

(6) The secretary of a club shall, during the month of January of every year, furnish the Director of Nature Conservation, Private Bag X209, Pretoria 0001, with a return in respect of the period 1 January to 31 December of the preceding year containing particulars of —

- (a) the number of hunts undertaken;
- (b) the species, number and sex of problem animals or other wild animals killed;
- (c) the date on which every animal referred to in paragraph (b) was killed;
- (d) the method used for the hunting of the animals referred to in paragraph (b).

Hunt by Club

32.(1) The captain of a club or, in his absence, the vice-captain or, in the absence of the captain and the vice-captain, the secretary of the club shall give his approval beforehand for a hunt by or on behalf of the club.

(2) The captain of a club or, in his absence, the vice-captain shall supervise a hunt by the club.

(3) In the absence of the captain and vice-captain of a club, the members present at a hunt by the club shall elect one of their number to supervise the hunt.

(4) The equipment of a member of a club who participates in a hunt shall be as determined by the captain.

(5) A member of a club who has been summoned in terms of section 61(7) of the Ordinance, shall provide the equipment and labour at his disposal to remove a problem animal which has taken shelter on land of which he is the owner, from the shelter.

(6) A club —

- (a) may destroy the egg, nest or shelter of a problem animal;
- (b) shall not hunt a problem animal with the aid of —
 - (i) explosives other than explosives by which a projectile is propelled by a fire-arm;
 - (ii) a light during the night, unless —
 - (aa) the written permission of the occupier of the land on which the problem animal is hunted, is obtained beforehand;
 - (bb) particulars of the hunt have been furnished at least 24 hours beforehand to the police station or the office of the na-

(e) besonderhede van die soort en getal honde wat vir jagdoeleindes tot die beskikking van die klub is en die name en woonadresse van die eienaars daarvan;

(f) die datum van 'n jag deur die klub, die naam van elke lid wat daaraan deelgeneem het en die naam van elke plaas waarop daar gejag is;

(g) besonderhede van die soort en getal probleemdiere en ander wilde diere wat tydens 'n jag doodgemaak is;

(h) die aard van enige skade wat as gevolg van 'n jag aan eiendom veroorsaak is;

(i) die bedrae wat ingevolge artikel 61(5) van die Ordonnansie verhaal is en die name en adresse van die persone van wie dit verhaal is,

aanteken.

(5) Wanneer onkoste ingevolge artikel 61(5) van die Ordonnansie geëis word, voorsien die sekretaris van die klub die persoon van wie dit geëis word van die besonderhede in regulasie 33(1)(a)(i), (ii) en (iii) beoog.

(6) Die sekretaris van 'n klub verstrekk gedurende die maand Januarie van elke jaar aan die Direkteur van Natuur-bewaring, Privaatsak X209, Pretoria 0001, 'n opgawe ten opsigte van die tydperk 1 Januarie tot 31 Desember van die voorafgaande jaar waarin besonderhede van —

- (a) die getal jagte onderneem;
 - (b) die soort, getal en geslag van probleemdiere en ander wilde diere wat doodgemaak is;
 - (c) die datum waarop elke dier in paragraaf (b) genoem, doodgemaak is;
 - (d) die metode wat vir die jag van die diere in paragraaf (b) genoem, gebruik is,
- vervat word.

Jag deur Klub

32.(1) Die kaptein van 'n klub of, in sy afwesigheid, die onderkaptein of, in die afwesigheid van die kaptein en die onderkaptein, die sekretaris van die klub, gee vooraf sy goedkeuring vir 'n jag deur of ten behoeve van die klub.

(2) Die kaptein van 'n klub of, in sy afwesigheid, die onderkaptein, hou toesig oor 'n jag deur die klub.

(3) In die afwesigheid van die kaptein en die onderkaptein van 'n klub, kies die lede wat by 'n jag deur die klub aanwesig is, een uit hul midde om toesig oor die jag te hou.

(4) Die uitrusting van 'n lid van 'n klub, wat aan 'n jag deelneem, is soos deur die kaptein bepaal.

(5) 'n Lid van 'n klub wat ingevolge artikel 61(7) van die Ordonnansie opgeroep is, voorsien die uitrusting en arbeid wat tot sy beskikking is om 'n probleemdier wat op grond waarvan hy die okkupant is, skuilplek soek, uit die skuilplek te verwyder.

(6) 'n Klub —

- (a) kan die eier, nes of skuilplek van 'n probleemdier vernietig;
- (b) jag nie 'n probleemdier nie met behulp van —
 - (i) plofstof, uitgenome plofstof waarmee 'n projektiel deur 'n vuurwapen voortgedryf word;
 - (ii) 'n lig gedurende die nag, tensy —
 - (aa) die skriftelike toestemming van die okkupant van die grond waarop die probleemdier gejag word, vooraf verkry is;
 - (bb) besonderhede van die jag minstens 24 uur vooraf aan

ture conservator nearest to the land contemplated in subparagraph (aa);

(c) shall bury or destroy the carcass of a problem animal or other wild animal which has been killed, in an efficient manner.

Recording of Particulars of Hunt by Club

33.(1) Any person who supervises a hunt in terms of regulation 32(2) or (3) shall —

(a) take down notes of —

(i) the date of the hunt;

(ii) the species, number and sex of problem animals or other wild animals killed during the hunt;

(iii) the place where a problem animal or other wild animal was found and killed, the name and registration number of the land on which the place is situated and the name of the occupier of the land;

(iv) any damage caused to property as a result of the hunt;

(b) notify the occupier of the land on which damage as contemplated in paragraph (a)(iv) was caused, within 24 hours after the termination of the hunt of the damage and take down a note that he has done so.

(2) The person who took down notes in terms of subregulation (1) shall hand it within 24 hours after the termination of the hunt to the secretary of the club who shall keep it.

Inspection of Registers, Notes or Documents of Club

34. The Administrator or any person authorized thereto by him may at any reasonable time demand from the secretary of a club —

(a) to produce any register, note or document of the club for inspection;

(b) to furnish such further information as the Administrator or the person authorized thereto by him may deem expedient.

Notice of Cancellation of Registration of Club

35. The secretary of a club shall notify every member of the cancellation of the registration of the club in terms of section 60(1)(b) of the Ordinance.

Poisoning of Wild Animal which is not Game

36.(1) No person shall hunt a wild animal which is not game by making use of a device for shooting poison, unless he is the holder of a permit which authorizes him to do so.

(2) A permit contemplated in subregulation (1) shall only be issued to a person who is the holder of a certificate in which he is declared to be competent to use a device contemplated in that subregulation.

(3) The Administrator may designate a nature conservator or other officer of the Nature Conservation Division to advise him whether an applicant is competent to use a device contemplated in subregulation (1).

(4) In order to advise the Administrator as contemplated in subregulation (3), the nature conservator or other officer may examine an applicant and submit him to practical tests.

(5) The holder of a permit contemplated in subregulation (1) shall not hunt a wild animal which is not game, unless —

(a) he has obtained the written permission of the owner or the occupier of the land on which he wishes to hunt, beforehand;

(b) the owner or the occupier of the land contemplated in

die polisiekantoor of die kantoor van die natuurbewaarder naaste aan die grond in subparagraaf (aa) beoog, verstrek is;

(c) begrawe of vernietig die karkas van 'n probleemdier of ander wilde dier wat doodgemaak is, op 'n doeltreffende wyse.

Aanteken van Besonderhede van Jag deur Klub

33.(1) Iemand wat ingevolge regulasie 32(2) of (3) toesig hou oor 'n jag —

(a) maak aantekeninge van —

(i) die datum van die jag;

(ii) die soort, getal en geslag van probleemdiere of ander wilde diere wat tydens die jag doodgemaak word;

(iii) die plek waar 'n probleemdier of ander wilde dier gevind en doodgemaak is, die naam en registrasienommer van die grond waarop die plek geleë is en die naam van die okkupant van die grond;

(iv) enige skade wat as gevolg van die jag aan eiendom veroorsaak is;

(b) stel die okkupant van die grond waarop skade soos in paragraaf (a)(iv) beoog, veroorsaak is binne 24 uur na beëindiging van die jag van die skade in kennis en maak 'n aantekening dat hy dit gedoen het.

(2) Die persoon wat aantekeninge ingevolge subregulasie (1) gemaak het, oorhandig dit binne 24 uur na beëindiging van die jag aan die sekretaris van die klub wat dit bewaar.

Ondersoek van Register, Aantekeninge of Dokumente van Klub

34. Die Administrateur of iemand deur hom daartoe gemagtig kan te enige redelike tyd van die sekretaris van 'n klub vereis dat hy —

(a) enige register, aantekening of dokument van die klub vir inspeksie toon;

(b) die verdere inligting verstrek wat die Administrateur of die persoon deur hom daartoe gemagtig, dienstig ag.

Kennisgewing van Intrekking van Registrasie van Klub

35. Die sekretaris van 'n klub stel elke lid in kennis van die intrekking van die registrasie van die klub ingevolge artikel 60(1)(b) van die Ordonnansie.

Vergiftiging van Wilde Dier wat nie Wild is nie

36.(1) Niemand mag 'n wilde dier wat nie wild is nie jag deur gebruik te maak van 'n toestel wat gif afskiet nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) 'n Permit in subregulasie (1) beoog, word alleen aan iemand uitgereik wat die houer is van 'n sertifikaat waarin hy bevoeg verklaar word om 'n toestel in daardie subregulasie beoog, te gebruik.

(3) Die Administrateur kan 'n natuurbewaarder of ander beampte van die Afdeling Natuurbewaring aanwys om hom te adviseer of 'n aansoeker bevoeg is om 'n toestel in subregulasie (1) beoog, te gebruik.

(4) Ten einde die Administrateur te adviseer soos in subregulasie (3) beoog, kan die natuurbewaarder of ander beampte 'n aansoeker ondervra en aan praktiese toetse onderwerp.

(5) Die houer van 'n permit in subregulasie (1) beoog, jag nie 'n wilde dier wat nie wild is nie, tensy —

(a) hy vooraf die skriftelike toestemming van die eienaar of die okkupant van die grond waarop hy wil jag, verkry het;

(b) die eienaar of die okkupant van grond in paragraaf (a)

paragraph (a) and every owner or occupier of land bordering on such land has at least 24 hours beforehand been —

(i) notified by him of the place where and the date and approximate time when the hunt will commence, the duration thereof and the danger attached thereto;

(ii) requested by him to convey the information contemplated in subparagraph (i) in his presence to every other person on the land of such owner or occupier.

(c) he has erected a special warning board as approved by the Administrator at every recognized public access to the land on which he wishes to hunt, beforehand.

(6) The holder of a permit contemplated in subregulation (1) shall —

(a) after he has hunted remove every device used and all the poison not used from the land on which he hunted, or destroy the poison in an efficient manner;

(b) record the —

(i) name and registration number of the land on which he hunted;

(ii) name of the owner or occupier of the land on which he hunted;

(iii) purpose of the hunt;

(iv) kind of poison used;

(v) kind and number of devices used;

(vi) places where the poison and devices were set;

(vii) time and date when every device and the poison were removed, or the poison was destroyed in terms of paragraph (a),

in a register which he shall keep for the purpose.

CHAPTER V

MATTERS RELATING TO FISHERIES

Angling Licences

37.(1) A licence contemplated in section 74 of the Ordinance for angling in —

(a) trout waters, shall be in the form as set out in Schedule 8;

(b) other waters, shall be in the form as set out in Schedule 9,

to these Regulations and subject to the conditions contained in the Schedule concerned.

(2) The amount payable for the issue of a licence referred to in —

(a) subregulation (1)(a) shall be R6;

(b) subregulation (1)(b) shall be R3.

Number and Size of Fish which may be Caught and Retained in Certain Waters

38.(1) No person shall catch and retain more fish of the species referred to in column A of Schedule 9 to these Regulations than the number indicated in column B in the waters defined in column D on one day or catch and retain any such fish shorter than the length indicated in column C, unless he is the holder of a permit which authorizes him to do so.

(2) Any person who catches more fish or fish which are shorter than he is authorized to catch in terms of subregulation (1) shall return the fish too many or too short to the waters in which it was caught without inflicting injuries to it in addition to the injuries inflicted during the catching thereof.

beoog en elke eienaar of okkupant van grond wat grens aan daardie grond minstens 12 uur vooraf deur hom —

(i) in kennis gestel is van die plek waar en die datum en benaderde tyd wanneer die jag 'n aanvang sal neem, die duur daarvan en die gevaar daaraan verbonde;

(ii) versoek is om die inligting in subparagraaf (i) beoog in sy teenwoordigheid aan elke ander persoon op die grond van daardie eienaar of okkupant oor te dra;

(c) hy vooraf 'n spesiale waarskuwingsbord soos deur die Administrateur goedgekeur, by elke erkende openbare toegang tot die grond waarop hy wil jag, opgerig het.

(6) Die houer van 'n permit in subregulasie (1) beoog —

(a) verwyder nadat hy gejag het, elke toestel wat gebruik is en al die gif wat nie gebruik is nie, van die grond waarop hy gejag het of vernietig die gif op 'n doeltreffende wyse;

(b) teken die —

(i) naam en registrasienommer van die grond waarop hy gejag het;

(ii) naam van die eienaar of okkupant van die grond waarop hy gejag het;

(iii) doel van die jag;

(iv) soort gif wat gebruik is;

(v) soort en aantal toestelle wat gebruik is;

(vi) plekke waar die gif en toestelle gestel is;

(vii) tyd wanneer en datum waarop elke toestel en die gif verwyder is, of die gif vernietig is ingevolge paragraaf (a), aan in 'n register wat hy vir die doel aanhou.

HOOFTUK V

AANGELEENTHEDE BETREFFENDE VISSERYE

Hengellisensies

37.(1) 'n Lisensie in artikel 74(1) van die Ordonnansie beoog vir hengel in —

(a) forelwaters, is soos in die vorm in Bylae 8;

(b) ander waters, is soos in die vorm in Bylae 9,

by hierdie Regulasies uiteengesit en onderworpe aan die voorwaardes in die betrokke Bylae vervat.

(2) Die bedrag betaalbaar vir die uitreiking van 'n lisensie in —

(a) subregulasie (1)(a) genoem, is R6;

(b) subregulasie (1)(b) genoem, is R3.

Aantal en Grootte van Vis wat in sekere Waters Gevang en Behou mag word

38.(1) Niemand mag op een dag meer vis van die soort in kolom A van Bylae 10 by hierdie Regulasies genoem, as die getal in kolom B aangedui, vang en behou nie in die waters in kolom D omskryf, of enige van daardie vis wat korter is as die lengte in kolom C aangedui, vang en behou nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) Iemand wat meer vis of vis wat korter is as wat hy ingevolge subregulasie (1) gemagtig is om te vang, vang, plaas die vis wat te veel of te kort is terug in die waters waarin dit gevang is sonder om dit beserings toe te dien bykomend tot die beserings wat tydens die vang daarvan toegedien is.

(3) For the purposes of subregulation (1) —

(a) "day" means the period from twelve o'clock midnight on any day to twelve o'clock midnight on the following day;

(b) the length of a fish shall be measured on the horizontal plane from the tip of the snout to the fork of the tail.

Angling Competitions

39. No person shall organize, arrange, control, manage or hold an angling competition in which either alone or together with any other event, a prize or prizes exceeding R300 in cash or *natura* are offered, unless he is the holder of a permit which authorizes him to do so.

Prohibition of Making of Feeding Area

40. No person shall make a feeding area in waters by placing any animal, vegetable or other substance therein to allure fish by virtue of the edibility, smell or taste thereof.

CHAPTER VI

GENERAL

Permits

41.(1) Subject to the provisions of these Regulations, the Administrator may, upon application, issue to any person a permit or certificate provided for in these Regulations which shall be valid for the period referred to in the permit or certificate: Provided that the Administrator may, without assigning any reason, refuse to issue such permit or certificate.

(2) A permit or certificate issued in terms of subregulation (1) shall be subject to such conditions as the Administrator may deem fit to impose in any particular case.

(3) The Administrator may at any time, without assigning any reason, amend, suspend or cancel a permit or certificate issued in terms of subregulation (1) or amend, delete or add any condition contemplated in subregulation (2).

(4) The Administrator shall notify the holder of a permit or certificate of the amendment, suspension or cancellation thereof or of the amendment, deletion or addition of any condition in terms of subregulation (3) and the holder shall submit the permit or certificate forthwith to the Administrator.

(5) A permit or certificate issued contrary to the provisions of these Regulations shall be null and void and the holder thereof shall return it forthwith to the Administrator after such fact has come to his notice.

Exercising or Performing of Powers, Functions or Duties of Owner where Land is Held by More than One Person, Partnership or Other Body

42. Where land is held by —

(a) more than one person in undivided shares;

(b) a partnership;

(c) a body corporate or incorporate,

the powers, functions or duties which an owner of land may exercise or perform in terms of the provisions of the Ordinance, shall be exercised or performed on behalf of such persons, partnership or body by a person nominated by such persons, partnership or body by a person nominated by such persons, partnership or body and approved by the Administrator.

Uniform and Badge of Nature Conservators

43. A nature conservator shall —

(a) wear a uniform as approved by the Director of Nature Conservation; and

(3) By die toepassing van subregulasie (1) —

(a) beteken "dag" die tydperk vanaf twaalfuur middernag op enige dag tot twaalfuur middernag op die volgende dag;

(b) word die lengte van 'n vis op die horisontale vlak gemeet van die punt van die snuit af tot by die mik van die stert.

Hengelkompetisies

39. Niemand mag 'n hengelkompetisie waarin, hetsy alleen of saam met 'n ander gebeurtenis, 'n prys of pryse aangebied word wat R300 in kontant of *natura* oorskry, organiseer, reël, beheer, bestuur of hou nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

Verbod op Maak van Voerplekke

40. Niemand mag 'n voerplek in waters maak nie deur enige dierlike, plantaardige of ander stof wat vis vanweë die eetbaarheid, reuk of smaak daarvan aanlok, daarin te plaas.

HOOFSTUK VI

ALGEMEEN

Permitte

41.(1) Behoudens die bepalings van hierdie Regulasies, kan die Administrateur op aansoek aan iemand 'n permit of sertifikaat waarvoor in hierdie Regulasies voorsiening gemaak word, uitreik wat geldig is vir die tydperk in die permit of sertifikaat genoem: Met dien verstande dat die Administrateur sonder opgaaf van redes kan weier om so 'n permit of sertifikaat uit te reik.

(2) 'n Permit of sertifikaat ingevolge subregulasie (1) uitgereik, is onderworpe aan die voorwaardes wat die Administrateur dienstig ag om in enige besondere geval op te lê.

(3) Die Administrateur kan te eniger tyd sonder opgaaf van redes 'n permit of sertifikaat ingevolge subregulasie (1) uitgereik, wysig, opskort of intrek of enige voorwaarde in subregulasie (2) beoog, wysig, skrap of byvoeg.

(4) Die Administrateur stel die houer van 'n permit of sertifikaat in kennis van die wysiging, opskorting of intrekking daarvan of van die wysiging, skraping of byvoeging van enige voorwaarde ingevolge subregulasie (3) en die houer lê onverwyld die permit of sertifikaat aan die Administrateur voor.

(5) 'n Permit of sertifikaat wat strydig met die bepalings van hierdie Regulasies uitgereik word, is van nul en gener waarde en die houer daarvan besorg dit onverwyld aan die Administrateur nadat daardie feit tot sy aandag gekom het.

Uitoefening of Vervulling van Bevoegdhede, Funksies of Pligte van Eienaar waar Grond deur meer as een Persoon, Vennootskap of ander Liggaam gehou word

42. Waar grond deur —

(a) meer as een persoon in onverdeelde aandeel;

(b) 'n vennootskap;

(c) 'n liggaam met of sonder regspersoonlikheid,

gehou word, word die bevoegdhede, funksies of pligte wat 'n eienaar van grond ingevolge die bepalings van die Ordonnansie kan uitoefen of vervul, namens daardie persone, vennootskap of liggaam uitgeoefen of vervul deur iemand wat deur daardie persone, vennootskap of liggaam benoem en deur die Administrateur goedgekeur is.

Uniform en Kenteken van Natuurbewaarders

43. 'n Natuurbewaarder dra —

(a) 'n uniform soos deur die Direkteur van Natuurbewaring goedgekeur; en

(b) with the approval of the Director of Nature Conservation, wear a badge consisting of a disc on which —

(i) the words "Nature Conservator";

(ii) the registered emblem of the Nature Conservation Division of the Province,

shall appear.

Prohibited acts on certain land

44.(1) No person shall, on land used by the Administration for the purposes of the Ordinance —

(a) present any public entertainment;

(b) collect money from the public;

(c) carry on trading;

(d) distribute any pamphlet, book, handbill or other document;

(e) hold or address a meeting;

(f) introduce a wild animal or domestic animal,

unless he is the holder of a permit which authorizes him to do so.

(2) No person shall, on land contemplated in subregulation (1) —

(a) light a fire at any other place than a place set aside or designated for the purpose;

(b) throw away any burning object, refuse, litter, other object or harmful liquid at any other place than a place or container set aside or designated for the purpose;

(c) relieve himself at any other place than in the designated sanitary conveniences;

(d) smoke in any building, boat, bus or other place in which an official notice prohibiting smoking, is displayed;

(e) throw or roll a stone, rock or other object from a mountain or precipice;

(f) feed or in any other manner allure or disturb a wild animal;

(g) wash or dry laundry or eating utensils at any other place than a place set aside or designated for the purpose;

(h) pollute the waters of any dam, river, watercourse, lake or pan or place any offensive or harmful material, refuse or litter therein;

(i) enter the waters of any dam, river, watercourse, lake or pan at any other place than a place set aside or designated as a swimming place;

(j) use a gramophone, turntable, radio set, tape recorder, television set, video set or similar device or musical instrument in such manner that it causes or may cause a disturbance to any other person or a wild animal;

(k) make a noise or do anything which causes or may cause a hindrance or disturbance to any other person or a wild animal;

(l) be present contrary to any limitation or prohibition in terms of section 101(e) of the Ordinance;

(m) in any manner write, make or affix any name, letter, figure, symbol, drawing or other mark onto any building, road, tree or rock;

(n) drive a vehicle at any other place than a place designated as a road, or park a vehicle at any other place than a place designated as a parking place;

(b) met die goedkeuring van die Direkteur van Natuurbe-
waring, 'n wapen wat bestaan uit 'n skyf waarop —

(i) die woord "Natuurbewaarder";

(ii) die geregistreerde embleem van die Afdeling Natuur-
bewaring van die Provinsie,

verskyn.

Verbode Handeling op Sekere Grond

44.(1) Niemand mag op grond wat deur die Administrasie
vir doeleindes van die Ordonnansie gebruik word —

(a) enige openbare vermaaklikheid aanbied nie;

(b) geld van die publiek insamel nie;

(c) handel dryf nie;

(d) 'n pamflet, boek, stroombiljet of ander dokument ver-
sprei nie;

(e) 'n vergadering of byeenkoms hou of toespreek nie;

(f) 'n wilde dier of huisdier inbring nie,

tensy hy die houer is van 'n permit wat hom magtig om dit te
doen.

(2) Niemand mag op grond in subregulasie (1) beoog —

(a) 'n vuur op 'n ander plek as 'n plek wat vir die doel afge-
sonder of aangewys is, aansteek nie;

(b) enige brandende voorwerp, afval materiaal, rommel,
ander voorwerp of skadelike vloeistof op 'n ander plek as 'n
plek of houer wat vir die doel afgesonder of aangewys is,
weggooi nie;

(c) aan sy natuurlike behoefte op 'n ander plek as in die
aangewese sanitêre geriewe voldoen nie;

(d) in 'n gebou, boot, bus of ander plek waarin 'n ampte-
like kennisgewing vertoon word wat rook verbied, rook nie;

(e) 'n klip, rots of ander voorwerp van 'n berg of afgrond
afgooi of afrol nie;

(f) 'n wilde dier voer of op enige wyse aanlok of steur nie;

(g) wasgoed of eetgerei op 'n ander plek as 'n plek wat vir
die doel afgesonder of aangewys is, was of droogmaak nie;

(h) die waters van 'n dam, rivier, waterloop, meer of pan
besoedel nie of afstootlike of skadelike materiaal, afvalmate-
riaal of rommel daarin plaas nie;

(i) die waters van 'n dam, rivier, waterloop, meer of pan op
'n ander plek as 'n plek wat as 'n swemplek afgesonder of
aangewys is, binnegaan nie;

(j) 'n grammofoon, draaitafel, radiostel, bandopnemer, te-
levisiestel, videostel of soortgelyke toestel of musiekinstru-
ment op 'n wyse wat steurnis vir iemand anders of 'n wilde
dier veroorsaak of kan veroorsaak, gebruik nie;

(k) 'n geraas maak nie of enigiets doen nie wat 'n hindernis
of steurnis vir iemand anders of 'n wilde dier veroorsaak of
kan veroorsaak;

(l) strydig met 'n beperking of verbod ingevolge artikel
101(e) van die Ordonnansie teenwoordig wees nie;

(m) op enige wyse 'n naam, letter, figuur, simbool, teke-
ning of ander merk op enige gebou, pad, boom of rots skryf,
maak of aanbring nie;

(n) 'n voertuig op enige ander plek as 'n plek wat as 'n pad
aangewys is, bestuur nie, of as 'n parkeerplek aangewys is,
parkeer nie;

(o) drive a vehicle in such a manner that it constitutes or may constitute a danger to any other person or a wild animal;
 (p) be under the influence of intoxicating liquor or dependence-producing substances as defined in section 1 of the Abuse of Dependence-producing Substances and Rehabilitation Centres Act, 1971 (Act 41 of 1971);

(q) behave in such a manner that his behaviour affects or may affect the safety or comfort of any other person adversely.

(3) An officer in control of land contemplated in subregulation (1) may order any person who contravenes or fails to comply with subregulation (1) or (2) to leave the land and the person shall obey the order forthwith.

Permit to use boat in certain waters

45.(1) No person shall use a boat in waters on land contemplated in regulation 44(1), unless he is the holder of a permit which authorizes him to do so.

(2) An application for a permit contemplated in subregulation (1) shall contain —

(a) the name and address of the owner of the boat;

(b) an indication —

(i) of the make of the boat;

(ii) whether the boat is a motor boat, sailing boat, catamaran, row boat, power boat, aqua motor cycle, ski-boat, canoe, flat bottomed-boat or other kind of boat;

(iii) of the material of which the boat is constructed;

(iv) of the length and width, in meters, of the boat;

(v) of the number of motors, the kilowatt of every motor and an indication whether the motors are inboard or outboard motors, if the boat is propelled by a motor or motors;

(vi) of the maximum number of persons which can be conveyed safely by the boat;

(vii) of the number of seats on the boat;

(viii) of the number and type of life belts or jackets on the boat;

(c) the signature of the owner of the boat and the date of the application;

(3) A permit contemplated in subregulation (1) shall contain the number allocated to the boat by the Administrator and the number shall be painted or affixed by the owner of the boat in black numbers not less than 75 mm in height and not less than 50 mm in width on a yellow background in waterproof paint or on an aluminium plate in front on the right-hand side of the boat before the boat shall be used in terms of the permit.

Introduction of Boat on Certain Land and Use Thereof

46. Any person who introduces a boat on the land contemplated in regulation 44(1) or uses it in waters on such land, shall do so at his own risk.

Conveyance for Reward

47. No person shall let a boat for use or convey any person for reward therein in waters on land contemplated in regulation 44(1), unless he is the holder of a permit which authorizes him to do so.

Prohibited Acts Relating to Boats

48. No person shall, in waters on land contemplated in regulation 44(1) —

(a) launch a boat or remove it from the waters at any other

(o) 'n voertuig op so 'n wyse bestuur nie dat dit 'n gevaar vir iemand anders of 'n wilde dier inhou of kan inhou;

(p) onder die invloed van sterk drank of afhanklikheidsvormende stowwe soos omskryf in artikel 1 van die Wet op die Misbruik van Afhanklikheidsvormende Stowwe en Rehabilitasiesentrums, 1971 (Wet 41 van 1971), wees nie;

(q) hom op so 'n wyse gedra nie dat sy gedrag die veiligheid of gerief van iemand anders nadelig raak of kan raak.

(3) 'n Beampte in beheer van grond in subregulasie (1) beoog, kan iemand wat subregulasie (1) of (2) oortree of versuim om daaraan te voldoen, beveel om die grond te verlaat en so iemand gehoorsaam die bevel onverwyl.

Permit om Boot in Sekere Waters te Gebruik

45.(1) Niemand mag 'n boot in waters op grond in subregulasie 44(1) beoog, gebruik nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

(2) 'n Aansoek om 'n permit in subregulasie (1) beoog, bevat —

(a) die naam en woonadres van die eienaar van die boot;

(b) 'n aanduiding —

(i) van die fabrikaat van die boot;

(ii) of die boot 'n motorboot, seilboot, katamaran, roei-boot, kragboot, watermotorfiets, skiboot, kano, platboomboot of ander soort boot is;

(iii) van die materiaal waarvan die boot gebou is;

(iv) van die lengte en breedte, in meters, van die boot;

(v) van die aantal motors, die kilowatt van elke motor en 'n aanduiding of die motors binneboord- of buiteboordmotors is, indien die boot deur 'n motor of motors aangedryf word;

(vi) van die maksimum aantal persone wat veilig deur die boot vervoer kan word;

(vii) van die aantal sitplekke op die boot;

(viii) van die aantal en soort reddingsgordels- of baadjies op die boot;

(c) die handtekening van die eienaar van die boot en die datum van die aansoek.

(3) 'n Permit in subregulasie (1) beoog, bevat die nommer wat aan die boot deur die Administrateur toegewys is en daardie nommer word deur die eienaar van die boot in swart syfers minstens 75 mm hoog en 50 mm wyd op 'n geel agtergrond in waterdigte verf of op 'n aluminium plaat voor op die regterkant van die boot geverf of aangebring voordat die boot ingevolge die permit gebruik word.

Bring van Boot op Sekere Grond en Gebruik daarvan

46. Iemand wat 'n boot op grond in regulasie 44(1) beoog, bring of in waters op daardie grond gebruik, doen dit op sy eie risiko.

Vervoer teen Vergoeding

47. Niemand mag 'n boot vir gebruik verhuur nie of iemand teen vergoeding daarin vervoer nie in waters op grond in regulasie 44(1) beoog, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

Verbode Handeling Betreffende Bote

48. Niemand mag in waters op grond in regulasie 44(1) beoog —

(a) 'n boot op 'n ander plek as 'n plek wat vir die doel vir

place than a place set aside or designated for the purpose for that type of boat;

(b) use a boat at any other place than a place set aside, demarcated, zoned, reserved or designated for the purpose;

(c) use a boat in such a manner that it constitutes or may constitute a danger to any other person or boat, or causes or may cause a disturbance to any person angling from the banks of the waters;

(d) occupy a position on a boat which is being navigated which constitutes or may constitute a danger to himself or any other person on the boat;

(e) jump or dive from a boat which is being navigated, or swim away from a boat;

(f) navigate a boat or be in control thereof, unless he is of and above the age of 16 years: Provided that any person who is under the age of 16 years may with the prior written permission of the officer in control of the land navigate a boat or be in control thereof for the purpose of participating in a recognized official competition of juniors;

(g) use a boat during the night, unless —

(i) he has obtained the written permission of the officer in control of the land beforehand;

(ii) he uses the boat subject to any conditions contained in the permission contemplated in subparagraph (i);

(iii) the boat is equipped with efficient lamps;

(h) leave a drifting boat or a boat which is not moored, unmanned;

(i) moor a boat to any other boat or at any other place than a place set aside or assigned for the purpose, unless he has obtained the written permission of the officer in control of the land beforehand;

(j) use a boat with an internal combustion motor, unless it is equipped with an efficient silencer;

(k) use a boat with only one motor, unless it is equipped with two efficient oars and rowlocks;

(l) use a boat, unless it is equipped with an efficient —

(i) waterpump or bailing apparatus;

(ii) life belt or jacket for every person on board;

(m) convey more persons in a boat than the number indicated in the permit issued in terms of regulation 45(1) in respect of the boat;

(n) use a boat propelled by means of an airscrew, unless he is the holder of a permit which authorizes him to do so.

Powers of Nature Conservator and Administrator Relating to Certain Boats

49.(1) A nature conservator may —

(a) order any person who uses a boat —

(i) which does not comply with the requirements of;

(ii) contrary to the provisions of,

these Regulations in waters on land contemplated in regulation 44(1), to terminate the use of the boat and to remove it from the waters;

(b) seize a boat which is —

(i) left unmanned contrary to regulation 48(h);

(ii) moored contrary to regulation 48(i).

and remove it or cause it to be removed from the waters in which it was thus left or moored.

daardie soort boot afgesonder of aangewys is, te water laat of uit die waters neem nie;

(b) 'n boot op 'n ander plek as die plek of gebied wat vir die doel afgesonder, afgebaken, gesoneer, gereserveer of aangewys is, gebruik nie;

(c) 'n boot op so 'n wyse gebruik nie dat dit 'n gevaar vir iemand anders of 'n ander boot inhou of kan inhou, of 'n steurnis vir iemand wat van die oewers van die waters af hengel, veroorsaak of kan veroorsaak;

(d) op 'n boot wat besig is om te vaar 'n posisie inneem nie wat vir homself of iemand anders op die boot 'n gevaar inhou of kan inhou;

(e) van 'n boot wat besig is om te vaar, afspring of afduik nie of van 'n boot af wegsweem nie;

(f) 'n motorboot bestuur of in beheer daarvan wees nie, tensy hy van en bo die ouderdom van 16 jaar is: Met dien verstande dat iemand wat onder die ouderdom van 16 jaar is met die voorafverkreë skriftelike toestemming van die beamppte in beheer van die grond 'n motorboot kan bestuur of in beheer daarvan kan wees vir die doel om aan 'n amptelike erkende kompetisie vir juniors deel te neem;

(g) 'n boot gedurende die nag gebruik nie, tensy —

(i) hy die skriftelike toestemming van die beamppte in beheer van die grond vooraf verkry het;

(ii) hy die boot onderworpe aan die voorwaardes in die toestemming in subparagraaf (i) beoog, vervat, gebruik;

(iii) die boot met doeltreffende ligte toegerus is;

(h) 'n boot wat rondryf of nie vasgemeer is nie, onbeman laat nie;

(i) 'n boot aan 'n ander boot of op 'n ander plek as 'n plek wat vir die doel afgesonder of aangewys is, vasmeer nie, tensy hy die skriftelike toestemming van die beamppte in beheer van die grond vooraf verkry het;

(j) 'n boot met 'n binnebrandmotor gebruik nie, tensy dit met 'n doeltreffende knaldemper toegerus is;

(k) 'n motorboot met slegs een motor gebruik nie, tensy dit met twee doeltreffende roeispane en roeipenne toegerus is;

(l) 'n boot gebruik nie, tensy dit met 'n doeltreffende —

(i) waterpomp of skepparaat;

(ii) 'n reddingsgordel- of baadjie vir elkeen aan boord,

toegerus is;

(m) in 'n boot meer persone as die getal aangedui in die permit ingevolge regulasie 45(1) ten opsigte van die boot uitgereik, vervoer nie;

(n) 'n boot wat deur middel van 'n lugschroef voortgedryf word gebruik nie, tensy hy die houer is van 'n permit wat hom magtig om dit te doen.

Bevoegdhede van Natuurbewaarder en Administrateur Betreffende Sekere Bote

49.(1) 'n Natuurbewaarder kan —

(a) iemand wat 'n boot —

(i) wat nie aan die vereistes van hierdie Regulasies voldoen nie;

(ii) strydig met die bepalings van hierdie Regulasies,

gebruik in waters op grond in regulasie 44(1) beoog, gelas om die gebruik van die boot te staak en om dit uit die waters te verwyder;

(2) Any person who has been ordered in terms of subregulation (1)(a) to remove a boat, shall do so forthwith and shall not use the boat again in the waters from which it has been removed, unless he has obtained the written permission of the Administrator beforehand to do so.

(3) The Administrator may recover the reasonable expenditure incurred in connection with the removal and storage of a boat seized in terms of subregulation (1)(b) from the owner thereof.

(4) If the name and address of the owner of the boat seized in terms of subregulation (1)(b) is known to the Administrator, he shall notify the owner of the seizure.

(5) If the owner of the boat seized in terms of subregulation (1)(b) fails to take receipt of the boat within 90 days from the date of the notice contemplated in subregulation (4) or, if his name and address is not known to the Administrator, within 90 days from the date of seizure, the Administrator may declare the boat to be forfeited to the Administration.

Rules relating to boats

50. Any person who uses a boat in waters on land contemplated in regulation 44(1) —

(a) shall not, if it is a motor boat, navigate it nearer than 50 m from the banks of the waters or nearer than 15 m from any other boat, unless he navigates from the place where his boat was moored or to the place where he wishes to moor his boat;

(b) shall navigate anti-clockwise when he navigates from the place where his boat was moored or to the place where he wishes to moor his boat;

(c) shall not, if it is a motor boat, overtake any other boat at such a speed or in such a manner that the slipstream of his boat shall endanger the other boat;

(d) shall steer to the right, or to starboard, when he approaches any other boat from the front;

(e) may, if it is a motor boat, subject to paragraph (a) and when it is safe to do so, overtake any other boat navigating in the same direction, by navigating on the left side, or portside, of the other boat and by maintaining the same speed and direction until he has overtaken the other boat safely;

(f) shall —

(i) not change his speed or direction when any other boat approaches his boat from the left, or portside;

(ii) change his direction in such manner when any other boat approaches his boat from the right, or starboard, that his boat passes the other boat on the rear;

(g) shall, if it is —

(i) a motor boat, yield the right of way to any other boat;

(ii) a rowing boat or a canoe, yield the right of way to a sailing boat;

(h) shall not, when he has the right of way, impede the navigation of any other boat unnecessarily.

Rules relating to waterski

51.(1) Any person in charge of a boat towing a skier in waters on land contemplated in regulation 44(1) shall see to it that —

(b) beslag lê op 'n boot wat strydig met —

(i) regulasie 48(h) onbeman gelaat is;

(ii) regulasie 48(i) vasgemeer is;

en dit uit die waters waarin dit aldus gelaat of vasgemeer is, verwyder of laat verwyder.

(2) Iemand wat ingevolge subregulasie (1)(a) gelas is om 'n boot te verwyder, doen dit onverwyld en gebruik die boot nie weer nie in die waters waaruit dit verwyder is, tensy hy die skriftelike toestemming van die Administrateur vooraf verkry het.

(3) Die Administrateur kan die redelike onkoste aangaan in verband met die verwydering en berging van 'n boot wat ingevolge subregulasie (1)(b) in beslag geneem is, van die eienaar daarvan verhaal.

(4) Indien die naam en adres van die eienaar van die boot wat ingevolge subregulasie (1)(b) in beslag geneem is aan die Administrateur bekend is, stel hy die eienaar van die beslaglegging in kennis.

(5) Indien die eienaar van die boot wat ingevolge subregulasie (1)(b) in beslag geneem is, versuim om die boot in ontvangs te neem binne 90 dae vanaf die datum van die kennisgewing in subregulasie (4) beoog, of indien sy naam en adres nie aan die Administrateur bekend is nie, binne 90 dae na die datum van beslaglegging, kan die Administrateur die boot aan die Administrasie verbeurd verklaar.

Reëls Betreffende Bote

50. Iemand wat 'n boot gebruik in waters op grond in regulasie 44(1) beoog —

(a) vaar nie, indien dit 'n motorboot is, nader as 50 m van die oewer van die waters af nie, of nader as 15 m van 'n ander boot af nie, tensy hy vanaf die plek waar sy boot vasgemeer was of na die plek waar hy sy boot wil vasmeer, vaar;

(b) vaar antikloksgewys wanneer hy vanaf die plek waar sy boot vasgemeer was of na die plek waar hy sy boot wil vasmeer, vaar;

(c) steek nie, indien dit 'n motorboot is, 'n ander boot teen so 'n spoed of op so 'n wyse verby nie dat die warrelstroom van sy boot die ander boot in gevaar stel;

(d) stuur na regs, of na stuurboord, wanneer hy 'n ander boot van vooraf nader;

(e) kan, indien dit 'n motorboot is, behoudens paragraaf (a) en wanneer dit veilig is om dit te doen, 'n ander boot wat in dieselfde rigting vaar, verbystek deur aan die linkerkant, of bakboordkant, van die ander boot te vaar en dieselfde spoed en rigting te handhaaf totdat sy boot veilig by die ander boot verby is;

(f) verander —

(i) nie sy spoed of rigting nie wanneer 'n ander boot sy boot van die linkerkant, of bakboordkant, af nader;

(ii) sy rigting op so 'n wyse wanneer 'n ander boot sy boot van die regterkant, of stuurboordkant, af nader dat sy boot aan die agterkant van die ander boot verby vaar;

(g) verleen, indien dit —

(i) 'n motorboot is, voorrangsgereguleer aan enige ander boot;

(ii) 'n roeiboort of 'n kano is, voorrangsgereguleer aan 'n seilboot;

(h) belemmer nie, wanneer hy voorrangsgereguleer het, die vaart van 'n ander boot onnodiglik nie.

Reëls Betreffende Waterski

51.(1) Iemand in beheer van 'n boot wat 'n skiër sleep in waters op grond in regulasie 44(1) beoog, sien toe dat —

(a) a red flag with a size of at least 500 mm x 500 mm is displayed in a prominent manner on the boat when the towing of the skier commences and again when it is terminated;

(b) there is either a second person on board to keep the skier under observation or that the boat is equipped with an efficient rear view mirror in which the skier and the ski-area can be observed;

(c) the boat is steered anti-clockwise when he wishes to turn it about;

(d) the skier is not towed with a steel wire or rope.

(2) Any person who skis in water on land contemplated in regulation 44(1) shall —

(a) wear a life belt or jacket when he skis: Provided that any person who participates in an officially recognized ski-competition in such waters, may ski without wearing a life belt or jacket;

(b) not make use of an apparatus with which he can glide in the air above the surface of the waters, unless he has obtained the written permission of the Administrator beforehand.

Offences and penalties

52. Any person —

(a) who contravenes or fails to comply with any of these Regulations;

(b) to whom a permit or certificate has been issued in terms of regulation 41(1) who —

(i) contravenes or fails to comply with a condition to which the permit or certificate is subject in terms of regulation 41(2);

(ii) fails to submit the permit or certificate to the Administrator in terms of regulation 41(4) or to return it to him in terms of regulation 41(5);

(c) to whom a permit to act as a hunting-outfitter has been issued in terms of section 51(1)(b) of the Ordinance, who fails to comply with the requirements determined in terms of regulation 25(2),

shall be guilty of an offence and liable on conviction to a fine not exceeding R750 or to imprisonment for a period not exceeding 9 months or to both such fine and such imprisonment.

Short title and commencement

53. These Regulations shall be called the Nature Conservation Regulations and shall come into operation on 1 January 1984.

SCHEDULE 1 (REGULATION 17(1))
REPUBLIC OF SOUTH AFRICA
PROVINCE TRANSVAAAL
DEPARTMENT OF FINANCE
INLAND REVENUE

Revenue 1167

No.

Date Stamp

PERMIT FOR THE HUNTING OF —

- * ☐ Protected game
- * ☐ Ordinary game during a period which is not an open season
- * ☐ Protected wild animals

(a) 'n rooi vlag met 'n grootte van minstens 500 mm x 500 mm op 'n opvallende wyse op die boot vertoon word wanneer die sleep van die skiër 'n aanvang neem en weer wanneer dit gestaak word;

(b) dat daar óf 'n tweede persoon aan boord is om die skiër onder toesig te hou óf dat die boot met 'n doeltreffende truspieël toegerus is waarin die skiër en die ski-gebied waargeneem kan word;

(c) die boot antikloksgewys gestuur word wanneer hy dit wil omdraai;

(d) die skiër nie met 'n staal- of draadtou gesleep word nie.

(2) Iemand wat ski in waters op grond in regulasie 44(1) beoog —

(a) dra 'n reddingsgordel- of baadjie wanneer hy ski: Met dien verstande dat iemand wat aan 'n amptelike erkende ski-kompetisie in daardie waters deelneem, kan ski sonder om 'n reddingsgordel- of baadjie te dra;

(b) maak nie gebruik van 'n apparaat waarmee hy in die lug bo die watervlak van die waters kan sweef nie, tensy hy die skriftelike toestemming van die Administrateur vooraf verkry het.

Oortredings en Strawwe

52. Iemand —

(a) wat enige van hierdie Regulasies oortree of versuim om daaraan te voldoen;

(b) aan wie 'n permit of sertifikaat ingevolge regulasie 41(1) uitgereik is, wat —

(i) 'n voorwaarde waaraan die permit of sertifikaat ingevolge regulasie 41(2) onderworpe is, oortree of versuim om daaraan te voldoen;

(ii) versuim om die permit of sertifikaat ingevolge regulasie 41(4) aan die Administrateur voor te lê of dit ingevolge regulasie 41(5) aan hom te besorg;

(c) aan wie 'n permit ingevolge artikel 51(1)(b) van die Ordonnansie uitgereik is om as 'n jagondernemer op te tree wat versuim om aan die vereistes ingevolge regulasie 25(2) bepaal, te voldoen,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R750 of met gevangenisstraf vir 'n tydperk van hoogstens 9 maande of met daardie boete sowel as daardie gevangenisstraf.

Kort Titel en Inwerkingtreding

53. Hierdie Regulasies heet die Natuurbewaringsregulasies en tree op 1 Januarie 1984 in werking.

BYLAE 1 (REGULASIE 17(1))
REPUBLIEK VAN SUID-AFRIKA
PROVINSIE TRANSVAAAL
DEPARTEMENT VAN FINANSIES
BINNELANDSE INKOMSTE

Inkomste 1167

No

Datumstempel

PERMIT VIR DIE JAG VAN —

- * ☐ Beskermde wild
- * ☐ Gewone wild gedurende 'n tydperk wat nie 'n oop-seisoen is nie
- * ☐ Beskermde wilde diere

* ☐ Game in a nature reserve

* Mark the square as indicated in the authorization of the Administrator.

Full name and residential address of the holder of the permit

.....

Name of the owner of the land to be hunted

.....

Particulars of the Hunt

Name of farm or nature reserve and district in which it is situated	Species, number and sex of game which may be hunted	Species, number and sex of game hunted and the time at and date on which it was hunted
.....		
.....		
.....		

In terms of and subject to the provisions of the Nature Conservation Ordinance, 1983 (Ordinance of 1983), the holder of the permit is hereby authorized to hunt the species, number and sex of the game referred to in the second column of the particulars of the hunt on the farm or nature reserve referred to in the first column thereof during the period of validity of the permit, subject to the conditions of the permit.

Period of validity of the Permit

The permit shall be valid for the period

19.....to19.....

CONDITIONS OF THE PERMIT

1. The holder of the permit —

(a) may hunt the game referred to in the second column of the particulars of the hunt during the day with a weapon contemplated in section 21(1) of the Ordinance on the land of the owner referred to in the permit;

(b) shall carry it with him when he hunts the game referred to in the second column of the particulars of the hunt or conveys such game after he has hunted it;

(c) shall record the particulars of the game he has hunted forthwith in the third column of the particulars of the third column of the particulars of the hunt;

(d) shall return it to the Director of Nature Conservation, Private Bag X209, Pretoria 0001, after he has hunted the game referred to in the second column of the particulars of the hunt, or within 14 days of the expiration of the period of validity of the permit.

2. The permit —

(a) shall not be transferable;

(b) shall be invalid until the signature of the holder thereof has been appended thereto;

(c) shall lapse when it is lost or destroyed and no copy thereof shall be issued.

3. An alteration may only be made on the permit by a person authorized thereto by the Administrator.

* ☐ Wild in 'n natuurreservaat

* Merk die blokkie met 'n kruis in die magtiging van die Administrateur aangedui.

Volle naam en woonadres van die houer van die permit

.....

Naam van die eienaar van die grond waarop gejag kan word

.....

Besonderhede van die Jag

Naam van plaas of natuurreservaat en distrik waarin dit geleë is	Soort, getal en geslag van wild wat gejag kan word	Soort, getal en geslag van wild wat gejag is en die tyd en datum waarop dit gejag is
.....		
.....		
.....		

Ingevolge en behoudens die bepalings van die Ordonnansie op Natuurbewaring, 1983 (Ordonnansie 12 van 1983), word die houer van die permit hierby gemagtig om die soort, getal en geslag van die wild in die tweede kolom van die besonderhede van die jag genoem, op die plaas of natuurreservaat in die eerste kolom daarvan genoem, gedurende geldigheidsduur van die permit te jag, onderworpe aan die voorwaardes van die permit.

Geldigheidsduur van die Permit

Die permit is geldig vir die tydperk

19.....tot19.....

VOORWAARDES VAN DIE PERMIT

1. Die houer van die permit —

(a) kan die wild in die tweede kolom van die besonderhede van die jag genoem gedurende die dag met 'n wapen in artikel 21(1) van die Ordonnansie beoog, jag op die grond van die eienaar in die permit genoem;

(b) dra dit by hom wanneer hy die wild in die tweede kolom van die besonderhede van die jag genoem, jag of daardie wild vervoer nadat hy dit gejag het;

(c) teken die besonderhede van die wild wat hy gejag het onverwyld aan in die derde kolom van die besonderhede van die jag;

(d) stuur dit terug aan die Direkteur van Natuurbewaring, Privaatsak X209, Pretoria 0001, nadat hy die wild in die tweede kolom van die besonderhede van die jag genoem, gejag het, of binne 14 dae na die verstryking van die geldigheidsduur van die permit.

2. Die permit —

(a) is nie oordraagbaar nie;

(b) is ongeldig totdat die handtekening van die houer daarvan daarop aangebring is;

(c) verval wanneer dit verloor of vernietig word en geen afskrif daarvan word uitgereik nie.

3. 'n Verandering kan alleen deur iemand deur die Administrateur daartoe gemagtig op die permit aangebring word.

4. The prescribed fees paid for the issue of the permit shall not be refunded.

Number and date of the authorization of the Administrateur

.....

Received R.....

Signature of the person authorized by the Administrator to issue the permit.....

Signature of the holder of the permit.....

SCHEDULE 2 (REGULATION 17(3))

FEES PAYABLE FOR THE ISSUE OF A PERMIT TO IN REGULATION 17(1)

PROTECTED GAME

A. MAMMALS

<i>Species</i>	<i>Tariff per head</i>
	R
brown hiëna.....	100,00
elephant.....	1 000,00
white rhinoceros.....	300,00
black rhinoceros.....	500,00
mountain zebra.....	50,00
Hartmann's zebra.....	25,00
hippopotamus.....	500,00
giraffe.....	50,00
nyala.....	25,00
eland.....	25,00
red duiker.....	15,00
reedbuck.....	50,00
mountain reedbuck.....	15,00
waterbuck.....	30,00
sable antelope.....	75,00
roan antelope.....	100,00
gemsbok.....	25,00
black wildebeest.....	15,00
red hartebeest.....	15,00
bontebok.....	25,00
tsessebe.....	75,00
klipspringer.....	20,00
oribi.....	25,00
steenbok.....	10,00
Sharpe's grysbok.....	25,00
sunni.....	50,00
grey rhebok.....	25,00

B. BIRDS

<i>Species</i>	<i>Tariff per head</i>
ostrich.....	10,00
all species of ducks, teals and gees excluding the yellow-billed duck, red-billed teal, egyptian goose and the spur-winged goose.....	
all species of quail.....	1,00

ORDINARY GAME

A. MAMMALS

<i>Species</i>	<i>Tariff per head</i>
	R
all species of hare.....	1,00
Burchell's zebra.....	10,00
bushbuck.....	7,00
kudu.....	15,00
grey duiker.....	5,00
blue wildebees.....	10,00

4. Die voorgeskrewe gelde wat vir die uitreiking van die permit betaal is, word nie terugbetaal nie.

Nommer en datum van die magtiging van die Administrateur

.....

Ontvang R.....

Handtekening van die persoon deur die Administrateur daartoe gemagtig om die permit uit te reik.....

Handtekening van die houer van die permit.....

BYLAE 2 (REGULASIE 17(3))

GELDE BETAALBAAR VIR DIE UITREIKING VAN 'N PERMIT IN REGULASIE 17(1) GENOEM

BESKERMDE WILD

A. SOOGDIERE

<i>Soort</i>	<i>Tarief per stuk</i>
	R
bruin hiëna of strandjut.....	100,00
olifant.....	1 000,00
witrenoster.....	300,00
swartrenoster.....	500,00
bergsebra.....	50,00
Hartmannse sebra.....	25,00
seekoei.....	500,00
kameelperd.....	50,00
njala.....	25,00
eland.....	25,00
rooiduiker.....	15,00
rietbok.....	50,00
rooiribbok.....	15,00
waterbok.....	30,00
swartwitpens.....	75,00
bastergemsbok.....	100,00
gemsbok.....	25,00
swartwildebees.....	15,00
rooihartbees.....	15,00
bontebok.....	25,00
basterhartbees.....	75,00
klipspringer.....	20,00
oorbietjie.....	25,00
steenbok.....	10,00
tropiese grysbok.....	25,00
soenie.....	50,00
vaalribbok.....	25,00

B. VOËLS

<i>Soort</i>	<i>Tarief per stuk</i>
	R
alle soorte eende, ganse en makoue uitgenome die geelbekeend, die rooi-bekeend, die kolgans en die wildemakou.....	
alle soorte kwartels.....	1,00

GEWONE WILD

A. SOOGDIERE

<i>Soort</i>	<i>Tarief per stuk</i>
	R
alle soorte hase.....	1,00
bontsebra.....	10,00
bosbok.....	7,00
koedoe.....	15,00
gewone duiker.....	5,00
blouwildebees.....	10,00

<i>Species</i>	<i>Tariff per head</i>
blesbok.....	6,00
impala.....	6,00
springbok.....	5,00

B. BIRDS

<i>Species</i>	<i>Tariff per head</i>
	R
spur-winged goose.....	2,00
egyptian goose.....	2,00
yellow-billed duck.....	2,00
red-billed teal.....	2,00
coqui partridge.....	1,00
crested partridge.....	1,00
greywing partridge.....	1,00
Shelley's partridge.....	1,00
redwing partridge.....	1,00
Orange River partridge.....	1,00
red-billed francolin.....	1,00
Natal francolin.....	1,00
Swainson's francolin.....	1,00
red-necked francolin.....	1,00
helmeted guinea-fowl.....	1,00
red-knobbed coot.....	1,00
rock pigeon.....	0,20

PROTECTED WILD ANIMALS

<i>Species</i>	<i>Tariff per head</i>
	R
wilddog.....	20,00
cheetah.....	100,00
leopard.....	150,00
lion.....	100,00
African buffalo.....	50,00

SCHEDULE 3 (REGULATION 18(1)(a))
REPUBLIC OF SOUTH-AFRIKA
PROVINCE TRANSVAAL
DEPARTMENT OF FINANCE
INLAND REVENUE

Revenue 1166

No.

Date Stamp

LICENCE FOR THE HUNTING OF MAMMALS
WHICH ARE ORDINARY GAME DURING AN OPEN
SEASON

Full name and residential address of the holder of the permit

.....

.....

.....

.....

Particulars of the Hunt

Species, number and sex of game which may be hunted	Species, number and sex of game hunted and the time at and date on which and the name of the farm on which it was hunted
---	--

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

<i>Soort</i>	<i>Tarief per stuk</i>
blesbok.....	6,00
rooibok.....	6,00
springbok.....	5,00

B. VOËLS

<i>Soort</i>	<i>Tarief per stuk</i>
	R
wilde makou.....	2,00
kolgans.....	2,00
geelbekeend.....	2,00
rooibekeend.....	2,00
swempiepatrys.....	1,00
bospatrys.....	1,00
bergpatrys.....	1,00
laeveldpatrys.....	1,00
rooivlerkpatrys.....	1,00
Vrystaatse patrys.....	1,00
kalaharifisant.....	1,00
Natalse fisant.....	1,00
bosveldfisant.....	1,00
rooikeelfisant.....	1,00
gewone tarentaal.....	1,00
bleshoender.....	1,00
kransduif.....	0,20

BESKERMDE WILDE DIERE

<i>Soort</i>	<i>Tarief per stuk</i>
	R
wildehond.....	20,00
jagluiperd.....	100,00
luiperd.....	150,00
leeu.....	100,00
Afrikaanse buffel.....	50,00

BYLAE 3 (REGULASIE 18(1)(a))
REPUBLIEK VAN SUID-AFRIKA
PROVINSIE TRANSVAAL
DEPARTEMENT VAN FINANSIES
BINNELANDSE INKOMSTE

Inkomste 1166

No

Datumstempel

LISENSIE VIR DIE JAG VAN SOOGDIERE WAT GE-
WONE WILD IS GEDURENDE 'N OOP-SEISOEN

Volle naam en woonadres van die houer van die lisensie

.....

.....

.....

.....

Besonderhede van die Jag

Soort, getal en geslag van wild wat gejag kan word	Soort, getal en geslag van wild wat gejag is en die tyd, datum en naam van die plaas waarop dit gejag is
--	--

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

In terms of and subject to the provisions of the Nature Conservation Ordinance, 1983 (Ordinance 12 of 1983), the holder of the licence is hereby authorized to hunt the species, number and sex of the game referred to in the first column of the particulars of the hunt during the period of validity of the licence, subject to the conditions of the licence.

Period of Validity of the Licence

The licence shall be valid for a period of 1 year from 1 May 19..... tot 30 April 19.....

CONDITIONS OF THE LICENCE

1. Die holder of the licence —

(a) shall obtain the written permission of the owner of the land on which he wishes to hunt beforehand in the form as set out in section 49 of the Ordinance;

(b) may hunt the ordinary game referred to in the first column of the particulars of the hunt during the day with a weapon contemplated in section 21(1) of the Ordinance on the land of the owner referred to in paragraph (a);

(c) shall carry it on the written permission referred to in paragraph (a) with him when he hunts the ordinary game referred to in the first column of the particulars of the hunt or conveys such game after he has hunted it;

(d) shall record the particulars of the game he has hunted forthwith in the second column of the particulars of the hunt;

(e) shall return it to the Director of Nature Conservation, Private Bag X209, Pretoria 0001, after he has hunted the game referred to in the second column of the particulars of the hunt, or within 14 days of the expiration of the period of validity of the permit.

2. The licence —

(a) shall be valid for the period during which and the area in which an open season has been declared in terms of paragraph (a) of the proviso to section 17(1) of the Ordinance for the hunting of ordinary game;

(b) shall not be transferable;

(c) shall be invalid until the signature of the holder thereof has been appended thereto;

(d) shall lapse when it is lost or destroyed and no copy thereof shall be issued.

3. An alteration may only be made on the licence by a person authorized thereto by the Administrator.

4. The prescribed fees paid for the issue of the licence shall not be refunded.

Received R.....

Ingevolge en behoudens die bepalings van die Ordonnansie op Natuurbewaring, 1983 (Ordonnansie 12 van 1983), word die houer van die lisensie hierby gemagtig om die soort, getal en geslag van die wild in die eerste kolom van die besonderhede van die jag genoem, gedurende die geldigheidsduur van die lisensie te jag, onderworpe aan die voorwaardes van die lisensie.

Geldigheidsduur van die Lisensie

Die lisensie is geldig vir 'n tydperk van 1 jaar vanaf 1 Mei 19..... tot 30 April 19.....

VOORWAARDES VAN DIE LISENSIE

1. Die houer van die lisensie —

(a) verkry vooraf die skriftelike toestemming van die eienaar van die grond waarop hy wil jag in die vorm soos in artikel 49 van die Ordonnansie uiteengesit;

(b) kan die gewone wild in die eerste kolom van die besonderhede van die jag genoem, gedurende die dag met 'n wapen in artikel 21(1) van die Ordonnansie beoog, jag op die grond van die eienaar in paragraaf (a) genoem;

(c) dra dit en die skriftelike toestemming in paragraaf (a) genoem, by hom wanneer hy die gewone wild in die eerste kolom van die besonderhede van die jag genoem, jag of daardie wild vervoer nadat hy dit gejag het;

(d) teken die besonderhede van die wild wat hy gejag het onverwyld aan in die tweede kolom van die besonderhede van die jag;

(e) stuur dit terug aan die Direkteur van Natuurbewaring, Privaatsak X209, Pretoria 0001, nadat hy die wild in die eerste kolom van die besonderhede van die jag genoem, gejag het of binne 14 dae na die verstryking van die geldigheidsduur van die lisensie.

2. Die lisensie —

(a) is geldig vir die tydperk waartydens en die gebied waarbinne 'n oop-seisoen ingevolge paragraaf (a) van die voorbehoudsbepaling by artikel 17(1) van die Ordonnansie verklaar is vir die jag van gewone wild;

(b) is nie oordraagbaar nie;

(c) is ongeldig totdat die handtekening van die houer daarvan daarop aangebring is;

(d) vervel wanneer dit verloor of vernietig word en geen afskrif daarvan word uitgereik nie.

3. 'n Verandering kan alleen deur iemand deur die Administrateur daartoe gemagtig op die lisensie aangebring word.

4. Die voorgeskrewe gelde wat vir die uitreiking van die lisensie betaal is, word nie terugbetaal nie.

Ontvang R.....

Signature of the person authorized by the Administrator to issue the licence

Signature of the holder of the licence

SCHEDULE 4 (REGULATION 18(b))

REPUBLIC OF SOUTH-AFRICA

PROVINCE TRANSVAAL

DEPARTMENT OF FINANCE

INLAND REVENUE

R10

Revenue 1166A

No

Date Stamp

LICENCE FOR THE HUNTING OF BIRDS WHICH ARE ORDINARY GAME DURING AN OPEN SEASON

Full name and residential address of the holder of the licence

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

In terms of and subject to the provisions of the Nature Conservation Ordinance, 1983 (Ordinance of 1983), the holder of the licence is hereby authorized to hunt not more than 20 birds which are ordinary game per day during the period of validity of the licence, subject to the conditions of the licence.

Period of Validity of the Licence

The licence shall be valid for a period of 1 year from 1 May 19..... to 30 April 19.....

CONDITIONS OF THE LICENCE

1. The holder of the licence —

(a) shall obtain the written permission of the owner of the land on which he wishes to hunt beforehand in the form as set out in section 49 of the Ordinance;

(b) may hunt the birds contemplated in the licence during the day with a shot gun as contemplated in section 21(1) of the Ordinance on the land of the owner referred to in paragraph (a);

(c) shall carry it and the written permission referred to in paragraph (a) with him when he hunts the birds contemplated in the licence or conveys such birds after he has hunted it;

Handtekening van die persoon deur die Administrateur daartoe gemagtig om die lisensie uit te reik

Handtekening van die houer van die lisensie

BYLAE 4 (REGULASIE 18(1)(b))

REPUBLIEK VAN SUID-AFRIKA

PROVINSIE TRANSVAAL

DEPARTEMENT VAN FINANSIES

BINNELANDSE INKOMSTE

R10

Inkomste 1166A

No

Datumstempel

LISENSIE VIR DIE JAG VAN VOËLS WAT GEWONE WILD IS GEDURENDE 'N OOP-SEISOEN

Volle naam en woonadres van die houer van die lisensie

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

Ingevolge en behoudens die bepalings van die Ordonnansie op Natuurbewaring, 1983 (Ordonnansie 12 van 1983), word die houer van die lisensie hierby gemagtig om hoogstens 20 voëls wat gewone wild is per dag gedurende die geldigheidsduur van die lisensie te jag, onderworpe aan die voorwaardes van die lisensie.

Geldigheidsduur van Lisensie

Die lisensie is geldig vir 'n tydperk van 1 jaar vanaf 1 Mei 19..... tot 30 April 19.....

VOORWAARDES VAN DIE LISENSIE

1. Die houer van die lisensie —

(a) verkry vooraf die skriftelike toestemming van die eienaar van die grond waarop hy wil jag in die vorm soos in artikel 49 van die Ordonnansie uiteengesit;

(b) kan die voëls in die lisensie beoog gedurende die dag met 'n haelgeweer soos in artikel 21(1) van die Ordonnansie beoog, jag op die grond van die eienaar in paragraaf (a) genoem;

(c) dra dit en die skriftelike toestemming in paragraaf (a) genoem, by hom wanneer hy die voëls in die lisensie beoog, jag of daardie voëls vervoer nadat hy dit gejag het;

(d) shall enter the particulars of the birds he has hunted forthwith on the sheet attached to the licence;

(e) shall return it to the Director of Nature Conservation, Private Bag X209, Pretoria 0001, after he has hunted the birds he is authorized to hunt, or within 14 days of the expiration of the period of validity of the licence.

2. The licence —

(a) shall be valid for the period during which and the area in which an open season has been declared in terms of paragraph (a) of the proviso to section 17(1) of the Ordinance for the hunting of ordinary game;

(b) shall not be transferable;

(c) shall be invalid until the signature of the holder thereof has been appended thereto;

(d) shall lapse when it is lost or destroyed and no copy thereof shall be issued.

3. An alteration may only be made on the licence by a person authorized thereto by the Administrator.

4. The prescribed fees paid for the issue of the licence shall not be refunded.

Signature of the person authorized by the Administrator to issue the licence

Signature of the holder of the licence

SCHEDULE 5 (REGULATION 19(1))

REPUBLIC OF SOUTH-AFRICA

PROVINCE TRANSVAAL

DEPARTMENT OF FINANCE

INLAND REVENUE

R1

Revenue 1165

No

Date Stamp

LICENCE FOR THE SALE OF GAME MEAT

Full name and residential address of the holder of the licence

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(d) teken die besonderhede van die voëls wat hy gejag het onverwyld aan op die vel wat by die lisensie aangeheg is;

(e) stuur dit terug aan die Direkteur van Natuurbewaring, Privaatsak X209, Pretoria 0001, nadat hy die voëls wat hy gemagtig is om te jag, gejag het of binne 14 dae na die verstryking van die geldigheidsduur van die lisensie.

2. Die lisensie —

(a) is geldig vir die tydperk waartydens en die gebied waarbinne 'n oop-seisoen ingevolge paragraaf (a) van die voorbehoudsbepaling by artikel 17(1) van die Ordonnansie verklaar is vir die jag van gewone wild;

(b) is nie oordraagbaar nie;

(c) is ongeldig totdat die handtekening van die houer daarvan daarop aangebring is;

(d) verval wanneer dit verloor of vernietig word en geen afskrif daarvan word uitgereik nie.

3. 'n Verandering kan alleen deur iemand deur die Administrateur daartoe gemagtig op die lisensie aangebring word.

4. Die voorgeskrewe gelde wat vir die uitreiking van die lisensie betaal is, word nie terugbetaal nie.

Handtekening van die persoon deur die Administrateur daartoe gemagtig om die lisensie uit te reik

Handtekening van die houer van die lisensie

BYLAE 5 (REGULASIE 19(1))

REPUBLIEK VAN SUID-AFRIKA

PROVINSIE TRANSVAAL

DEPARTEMENT VAN FINANSIES

BINNELANDSE INKOMSTE

R1

Inkomste 1165

No

Datumstempel

LISENSIE VIR DIE VERKOOP VAN WILDSVLEIS

Volle naam en woonadres van die houer van die lisensie

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Name and address of the trading premises in respect of which the licence is issued

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In terms of and subject to the provisions of the Nature Conservation Ordinance, 1983 (Ordinance 12 of 1983), the holder of the licence is hereby authorized to sell fresh game meat during the period of validity of the licence on the trading premises in respect of which the licence has been issued, subject to the conditions of the licence.

Period of Validity of the Licence

The licence shall be valid for one year from 1 January to 31 December 19.....

CONDITIONS OF THE LICENCE

Conditions of the Licence

1. The holder of the licence —

(a) shall keep a register on the trading premises in respect of which the licence has been issued in which —

(i) the date on which the game of which the meat is sold, was acquired;

(ii) particulars of the species of game contemplated in subparagraph (i) and the number of carcasses or parts thereof;

(iii) the residential address of the person from whom the game was acquired,

shall be recorded;

(b) shall also be the holder of a licence which authorizes him to carry on the business of a butcher on the trading premises referred to in paragraph (a).

2. The licence —

(a) shall be kept on the trading premises in respect of which it has been issued;

(b) only authorizes the sale of fresh game meat in the form of a carcass or cuts, and not the sale of the biltong of game meat;

(c) shall not be transferable;

(d) shall lapse when it is lost or destroyed and no copy thereof shall be issued.

Naam en adres van die handelsperseel ten opsigte waarvan die lisensie uitgereik word

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Ingevolge en behoudens die bepalings van die Ordonnansie op Natuurbewaring, 1983 (Ordonnansie 12 van 1983), word die houer van die lisensie hierby gemagtig om vars wildsvleis gedurende die geldigheidsduur van die lisensie op die handelsperseel ten opsigte waarvan die lisensie uitgereik is, te verkoop, onderworpe aan die voorwaardes van die lisensie.

Geldigheidsduur van die Lisensie

Die lisensie is geldig vir een jaar vanaf 1 Januarie tot 31 Desember 19.....

VOORWAARDES VAN DIE LISENSIE

1. Die houer van die lisensie —

(a) hou 'n register aan op die handelsperseel ten opsigte waarvan die lisensie uitgereik is waarin —

(i) die datum waarop die wild waarvan die vleis verkoop word, verkry is;

(ii) besonderhede van die soort wild in subparagraaf (i) beoog en die aantal karkasse of gedeeltes daarvan;

(iii) die en woonadres van die persoon wie die wild verkry is, aangeteken word;

(b) moet ook die houer wees van 'n lisensie wat hom magtig om die besigheid van 'n slagter te dryf op die handelsperseel in paragraaf (a) genoem.

2. Die lisensie —

(a) word op die handelsperseel ten opsigte waarvan dit uitgereik is, gehou;

(b) magtig alleen die verkoop van vars wildsvleis in die vorm van 'n karkas of snitte, en nie die verkoop van die biltong van wildsvleis nie;

(c) is nie oordraagbaar nie;

(d) verval wanneer dit verloor of vernietig word en geen afskrif daarvan word uitgereik nie.

3. The prescribed fees paid for the issue of the licence shall not be refunded.

3. Die voorgeskrewe gelde wat vir die uitreiking van die lisensie betaal is, word nie terugbetaal nie.

Signature of the person authorized by the Administrator to issue the licence

Handtekening van die persoon deur die Administrateur daartoe gemagtig om die lisensie uit te reik

Signature of the holder of the licence

Handtekening van die houer van die lisensie

SCHEDULE 6 (REGULATION 20(1)(a))

REPUBLIC OF SOUTH AFRICA

PROVINCE OF TRANSCAAL

DEPARTMENT OF FINANCE

INLAND REVENUE

Revenue 1169

No

Date stamp

BYLAE 6 (REGULASIE 20(1)(a))

REPUBLIEK VAN SUID-AFRIKA

PROVINSIE TRANSCAAL

DEPARTEMENT VAN FINANSIES

BINNELANDSE INKOMSTE

Inkomste 1169

No.

Datumstempel

PERMIT TO ACT AS A PROFESSIONAL HUNTER

PERMIT OM AS 'N BEROEPSJAGTER OP TE TREE

Full name, residential and business address of the holder of the permit

Volle naam, woon- en besigheidsadres van die houer van die permit

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In terms of and subject to the provisions of the Nature Conservation Ordinance, 1983 (Ordinance 12 of 1983), the holder of the permit is hereby authorized to act as a professional hunter during the period of validity of the permit, subject to the conditions of the permit.

Ingevolge en behoudens die bepalings van die Ordonnansie op Natuurbewaring, 1983 (Ordonnansie 12 van 1983), word die houer van die permit hierby gemagtig om gedurende die geldigheidsduur van die permit as 'n beroepsjagter op te tree, onderworpe aan die voorwaardes van die permit.

Period of Validity of the Permit

Geldigheidsduur van die Permit

The permit shall be valid for a period of 3 years from 19..... to 31 December 19.....

Die permit is geldig vir 'n tydperk van 3 jaar vanaf 19..... tot 31 Desember 19.....

CONDITIONS OF THE PERMIT

VOORWAARDES VAN DIE PERMIT

1. The holder of the permit —

1. Die houer van die permit —

(a) may only act as a professional hunter while he is in the employ of a hunting-outfitter;

(a) kan alleen as 'n beroepsjagter optree terwyl hy in diens van 'n jagondernemer is;

(b) shall carry it and any exemption from sections 16(1), 17(1), 18(1), 19(1) or 24(1) of the Ordinance in terms of section 101(b) thereof, with him when he acts as a professional hunter;

(b) dra dit en enige vrystelling van artikels 16(1), 17(1), 18(1), 19(1) of 24(1) van die Ordonnansie ingevolge artikel 101(b) daarvan, by hom wanneer hy as 'n beroepsjagter optree;

(c) shall not escort more than 2 clients simultaneously during the hunting of a wild animal other than a bird;

(c) begelei hoogstens 2 kliënte gelyktydig tydens die jag van 'n wilde dier, uitgenome 'n voël;

(d) may escort a client on land of which the hunting-outfitter who presents or organizes the hunt for the client is the owner or in respect of the hunting-rights have been transferred to the hunting-outfitter: Provided that where the holder of the permit has in terms of paragraph (a) of the proviso to regulation 20(4) paid no fees for the issue thereof, he shall not escort a client on land of which he is not the owner.

2. The permit —

(a) shall not be transferable;

(b) shall be invalid until the signature of the holder thereof has been appended thereto;

(c) shall be subject to the provisions of any other law.

3. An alteration may only be made on the permit by a person authorized thereto by the Administrator.

4. The prescribed fees paid for the issue of the permit shall not be refunded.

Received R

Number and date of the authorization of the Administrator

Signature of the person authorized to issue the permit

Signature of the holder of the permit

SCHEDULE 7 (REGULATION 20(1)(b))

REPUBLIC OF SOUTH AFRICA

PROVINCE OF TRANSCAAL

DEPARTMENT OF FINANCE

INLAND REVENUE

Revenue 1168

No

Date stamp

PERMIT TO ACT AS A HUNTING-OUTFITTER

Full name, residential and business address of the holder of the permit

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In terms of and subject to the provisions of the Nature Conservation Ordinance, 1983 (Ordinance 12 of 1983), the holder of the permit is hereby authorized to act as a hunting-outfitter during the period of validity of the permit, subject to the conditions of the permit.

(d) kan 'n kliënt begelei op grond waarvan die jagondernemer wat die jag vir die kliënt aanbied of reël, die eienaar is of ten opsigte waarvan die jagregte aan die jagondernemer oorgedra is: Met dien verstande dat waar die houer van die permit ingevolge paragraaf (a) van die voorbehoudsbepaling by regulasie 20(4) geen gelde vir die uitreiking daarvan betaal het nie, hy nie 'n kliënt begelei nie op grond waarvan hy nie die eienaar is nie.

2. Die permit —

(a) is nie oordraagbaar nie;

(b) is ongeldig totdat die handtekening van die houer daarvan daarop aangebring is;

(c) is onderworpe aan die bepalings van enige ander wet.

3. 'n Verandering kan alleen deur iemand deur die Administrateur daartoe gemagtig op die permit aangebring word.

4. Die voorgeskrewe gelde wat vir die uitreiking van die permit betaal is, word nie terugbetaal nie.

Ontvang R

Nommer en datum van die magtiging van die Administrateur

Handtekening van die persoon deur die Administrateur daartoe gemagtig om die permit uit te reik

Handtekening van die houer van die permit

BYLAE 7 (REGULASIE 20(1)(b))

REPUBLIEK VAN SUID-AFRIKA

PROVINSIE TRANSCAAL

DEPARTEMENT VAN FINANSIES

BINNELANDSE INKOMSTE

Inkomste 1168

No.

Datumstempel

PERMIT OM AS 'N JAGONDERNEMER OP TE TREE

Volle naam, woon- en besigheidsadres van die houer van die permit

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Ingevolge en behoudens die bepalings van die Ordonnansie op Natuurbewaring, 1983 (Ordonnansie 12 van 1983), word die houer van die permit hierby gemagtig om gedurende die geldigheidsduur van die permit as 'n jagondernemer op te tree, onderworpe aan die voorwaardes van die permit.

Period of Validity of the Permit

The permit shall be valid for a period of 3 years from

..... 19..... to 31 December 19.....

Conditions of the Permit

1. The holder of the permit —

(a) shall carry it with him when he acts as a hunting-outfitter;

(b) may present or organize a hunt for a client on land of which he is the owner or in respect of which the hunting-rights have been transferred to him: Provided that where the holder of the permit has in terms of paragraph (b) of the proviso to regulation 20(4) paid no fees for the issue thereof, he shall not present or organize a hunt for a client on land of which he is not the owner.

2. The permit —

(a) shall not be transferable;

(b) shall be invalid until the signature of the holder thereof has been appended thereto;

(c) shall be subject to the provisions of any other law.

3. An alteration may only be made on the permit by a person authorized thereto by the Administrator.

4. The prescribed fees paid for the issue of the permit shall not be refunded.

Received R

Number and date of the authorization of the Administrator

Signature of the person authorized by the Administrator to issue the permit.....

Signature of the holder of the permit

SCHEDULE 8 (REGULATION 37(1)(a))
REPUBLIC OF SOUTH AFRICA
PROVINCE OF TRANSVAAL
DEPARTMENT OF FINANCE
INLAND REVENUE

R6

Revenue 1156

No

Date stamp

Geldigheidsduur van die Permit

Die permit is geldig vir 'n tydperk van 3 jaar vanaf

..... 19..... tot 31 Desember 19.....

Voorwaardes van die Permit

1. Die houer van die permit —

(a) dra dit by hom wanneer hy as 'n jagondernemer optree;

(b) kan 'n jag vir 'n kliënt aanbied of reël op grond waarvan hy die eienaar is of ten opsigte waarvan die jagregte aan hom oorgedra is: Met dien verstande dat waar die houer van die permit ingevolge paragraaf (b) van die voorbehoudsbepaling by regulasie 20(4) geen gelde vir die uitreiking daarvan betaal het nie, hy nie 'n jag vir 'n kliënt aanbied of reël nie op grond waarvan hy nie die eienaar is nie.

2. Die permit —

(a) is nie oordraagbaar nie;

(b) is ongeldig totdat die handtekening van die houer daarvan daarop aangebring is;

(c) is onderworpe aan die bepalinge van enige ander wet.

3. 'n Verandering kan alleen deur iemand deur die Administrateur daartoe gemagtig op die permit aangebring word.

4. Die voorgeskrewe gelde wat vir die uitreiking van die permit betaal is, word nie terugbetaal nie.

Ontvang R

Nommer en datum van die magtiging van die Administrateur

Handtekening van die persoon deur die Administrateur daartoe gemagtig om die permit uit te reik

Handtekening van die houer van die permit

BYLAE 8 (REGULASIE 37(1)(a))
REPUBLIEK VAN SUID-AFRIKA
PROVINSIE TRANSVAAL
DEPARTEMENT VAN FINANSIES
BINNELANDSE INKOMSTE

R6

Inkomste 1156

No.

Datumstempel

LICENCE FOR ANGLING IN TROUT WATERS

Full name and residential address of the holder of the licence

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In terms of and subject to the provisions of the Nature Conservation Ordinance, 1983 (Ordinance 12 of 1983), the holder of the licence is hereby authorized to angle in trout waters during the period of validity of the licence, subject to the conditions of the licence.

Period of Validity of the Licence

The licence shall be valid for a period of 1 year from 1 July 19..... to 30 June 19.....

Conditions of Licence

1. The holder of the licence shall, at the request of any person authorized thereto in terms of the Ordinance, furnish his signature for comparison thereof with the signature appearing on the licence as the signature of the holder thereof.

2. The licence —

- (a) shall not be transferable;
- (b) shall be invalid until the signature of the holder thereof has been appended thereto;
- (c) shall be subject to the provisions of any other law;
- (d) shall lapse when it is lost or destroyed and no copy thereof shall be issued.

3. An alteration may only be made on the licence by a person authorized thereto by the Administrator.

Signature of the person authorized by the Administrator to issue the licence

Signature of the holder of the licence

SCHEDULE 9 (REGULATION 37(1)(b))

REPUBLIC OF SOUTH AFRICA
PROVINCE OF TRANSVAAL
DEPARTMENT OF FINANCE
INLAND REVENUE

R3

Revenue 1159

No.

Date stamp

LISENSIE VIR HENGEL IN FORELWATERS

Volle naam en woonadres van die houer van die lisensie

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Ingevolge en behoudens die bepalings van die Ordonnansie op Natuurbewaring, 1983 (Ordonnansie 12 van 1983), word die houer van die lisensie hierby gemagtig om gedurende die geldigheidsduur van die lisensie in forelwaters te hengel, onderworpe aan die voorwaardes van die lisensie.

Geldigheidsduur van die Lisensie

Die lisensie is geldig vir 'n tydperk van 1 jaar vanaf 1 Julie 19..... tot 30 Junie 19.....

Voorwaardes van die Lisensie

1. Die houer van die lisensie verskaf op versoek van iemand ingevolge die bepalings van die Ordonnansie daartoe gemagtig, sy handtekening vir vergelyking daarvan met die handtekening wat op die lisensie as die handtekening van die houer daarvan verskyn.

2. Die lisensie —

- (a) is nie oordraagbaar nie;
- (b) is ongeldig totdat die handtekening van die houer daarvan daarop aangebring is;
- (c) is onderworpe aan die bepalings van enige ander wet;
- (d) verval wanneer dit verloor of vernietig word en geen afskrif daarvan word uitgereik nie.

3. 'n Verandering kan alleen deur iemand deur die Administrateur daartoe gemagtig op die lisensie aangebring word.

Handtekening van die persoon deur die Administrateur daartoe gemagtig om die lisensie uit te reik

Handtekening van die houer van die lisensie

BYLAE 9 (REGULASIE 37(1)(b))
REPUBLIEK VAN SUID-AFRIKA
PROVINSIE TRANSVAAL
DEPARTEMENT VAN FINANSIES
BINNELANDSE INKOMSTE

R3

Inkomste 1159

No.

Datumstempel

LICENCE FOR ANGLING IN WATERS WHICH ARE NOT TROUT WATERS

Full name and residential address of the holder of the licence

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In terms of and subject to the provisions of the Nature Conservation Ordinance, 1983 (Ordinance 12 of 1983), the holder of the licence is hereby authorized to angle in waters which are not trout waters during the period of validity of the permit, subject to the conditions of the permit.

Period of Validity of the Licence

The licence shall be valid for a period of 1 year from 1 July 19..... to 30 June 19.....

Conditions of the Licence

1. The holder of the licence shall, at the request of any person authorized thereto in terms of the Ordinance, furnish his signature for comparison thereof with the signature appearing on the licence as the signature of the holder thereof.

2. The licence —

- (a) shall not be transferable;
- (b) shall be invalid until the signature of the holder thereof has been appended thereto;
- (c) shall be subject to the provisions of any other law;
- (d) shall lapse when it is lost or destroyed and not copy thereof shall be issued.

3. An alteration may only be made on the licence by a person authorized thereto by the Administrator.

Signature of the person authorized by the Administrator to issue the licence

Signature of the holder of the licence

SCHEDULE 10 (REGULATION 38(1))

Number and Size of certain Species of Fish which may be Caught and Retained in certain Waters

Column A: Species of fish.

Column B: Number of fish which may be caught and retained on one day.

Column C: The minimum length of fish which may be caught and retained.

Column D: Waters in the Province in which the fish may be caught and retained.

A	B	C	D
1. Trout (<i>Salmo</i> species)	6	200 mm	Any waters
2. Yellow fish (<i>Barbus</i> species, including silver fish and kalwerkop fish)	10	300 mm	Any waters
3. American Bass (<i>Micropterus</i> species)	6	200 mm	Any waters
4. Tiger fish (<i>Hydrocynus</i> species)	6	300 mm	Any waters
5. Kurper (<i>Oreochromis mossambicus</i> , <i>Serranochromis meridianus</i> and <i>Tilapia rendallii</i>) blue kurper, large mouth kurper and red-breasted kurper	20	150 mm	The Komati, Crocodile, Letaba, Limpopo, Olifants, Pongola and Sabie Rivers with all their tributaries and dams therein

LISENSIE VAN HENGEL IN WATERS WAT NIE FORELWATERS IS NIE

Volle naam en woonadres van die houer van die lisensie

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Ingevolge en behoudens die bepalings van die Ordonnansie op Natuurbewaring, 1983 (Ordonnansie 12 van 1983), word die houer van die lisensie hierby gemagtig om gedurende die geldigheidsduur van die lisensie in waters wat nie forelwaters is nie, te hengel, onderworpe aan die voorwaardes van die lisensie.

Geldigheidsduur van die Lisensie

Die lisensie is geldig vir 'n tydperk van 1 jaar vanaf 1 Julie 19..... tot 30 Junie 19.....

Voorwaardes van die Lisensie

1. Die houer van die lisensie verskaf op versoek van iemand ingevolge die bepalings van die Ordonnansie daartoe gemagtig, sy handtekening vir vergelyking daarvan met die handtekening wat op die lisensie as die handtekening van die houer daarvan verskyn.

2. Die lisensie —

- (a) is nie oordraagbaar nie;
- (b) is ongeldig totdat die handtekening van die houer daarop aangebring is;
- (c) is onderworpe aan die bepalings van enige ander wet;
- (d) verval wanneer dit verloor of vernietig word en 'n afskrif daarvan word uitgereik nie.

3. 'n Verandering kan alleen deur iemand deur die Administrateur daartoe gemagtig; op die lisensie aangebring word.

Handtekening van die persoon deur die Administrateur daartoe gemagtig om die lisensie uit te reik

Handtekening van die houer van die lisensie

BYLAE 10 (REGULASIE 38(1))

AANTAL EN GROOTTE VAN SEKERE SOORTE VIS WAT IN SEKERE WATERS GEVANG EN GEHOU KAN WORD

Kolom A: Soorte vis.

Kolom B: Aantal vis wat op een dag gevang en gehou kan word.

Kolom C: Die minimum lengte van vis wat gevang en gehou kan word.

Kolom D: Waters in die Provinsie waarin die vis gevang en behou kan word.

A	B	C	D
1. Forel (<i>Salmo</i> soorte)	6	200 mm	Enige waters
2. Geelvis (<i>Barbus</i> soorte, sluit die silwervis en kalverkopvis in)	10	300 mm	Enige waters
3. Amerikaanse Baars (<i>Micropterus</i> soorte)	6	200 mm	Enige waters
4. Tiervis (<i>Hydrocynus</i> soorte)	6	300 mm	Enige waters
5. Kurper (<i>Oreochromis mossambicus</i> , <i>Serranochromis meridianus</i> en <i>Tilapia rendallii</i>)	20	150 mm	Die Komati-, Krokodil-, Letaba-, Olifants-, Limpopo-, Pongola- en Sabieriviere met al hul sytakke en damme daarin.