

Statutory Instrument No. 119 of 2020

**LOCAL GOVERNMENT ACT
(Cap. 40:01)**

**KGALAGADI DISTRICT COUNCIL (CONTROL OF LIVESTOCK AND
OTHER ANIMALS) BYE-LAWS, 2020**
(Published on 18th September, 2020)

ARRANGEMENT OF BYE-LAWS

BYE-LAW

1. Citation
2. Interpretation
3. Keeping of livestock
4. Keeping of troublesome, ferocious or dangerous animals
5. Yapping etc., of dogs, female dogs in season and animals at large
6. Keeping poultry
7. Keeping bees
8. Establishment of Council stable
9. Power to detain wandering livestock
10. Inspection after impounding livestock
11. Claiming of livestock
12. Period of detention of livestock
13. Inspection of Council area
14. Obstruction of authorised officer
15. Offences and penalties
16. Revocation of S.I. No. 87 of 1998

SCHEDULE

IN EXERCISE of the powers conferred by section 44 and 45 of the Local Government Act, and with the approval of the Minister of Local Government and Rural Development, the Kgalagadi District Council hereby makes the following Bye-laws —

- Citation **1.** These Bye-laws may be cited as the Kgalagadi District Council (Control of Livestock and Other Animals) Bye-laws, 2020.
- Interpretation **2.** In these Bye-laws, unless the context otherwise requires —
- “authorised officer” means any person authorised by the Council in writing for the purpose of giving effect to these Bye-Laws;
- “Council” means the Kgalagadi District Council;
- “Council area” means the area within the jurisdiction of the Council;
- “livestock” means any domestic animal and includes cattle, goat, sheep, pig, horse, donkey or mule;
- “owner” means, in relation to any domestic animal or livestock, any person having the charge, custody or control of any domestic animal or livestock;
- “poultry” means any fowl including turkey, goose, duck, chicken, peacock, pigeon or any domestic or captive bird under human control;
- “stable” means any kraal, stall, cowshed, pen, sty, and any site or enclosure which is used for purposes of keeping livestock; and
- “veterinary official” means a veterinary officer, livestock officer, or stock inspector employed in the service of the Government, and includes a veterinary surgeon defined under the Veterinary Surgeons Act.

<p>3. The Council may prohibit the use, for the keeping of livestock, of any stable which in the opinion of the Council is unfit, undesirable, and objectionable by reason of locality, construction, condition or manner of use.</p>	<p>Keeping of livestock</p>
<p>4. No person shall allow any troublesome, ferocious or dangerous animal to be out of the confines of the premises on which such animal is normally kept unless under the proper control of its owner.</p>	<p>Keeping of troublesome, ferocious or dangerous animals Yapping etc., of dogs, female dogs in season and animals at large</p>
<p>5. A person in charge of a dog shall — (a) take all reasonable steps to ensure that the yapping, whining or barking of his or her dog does not unduly disturb the comfort and peace of the inhabitants of the Council area or create a nuisance; and (b) not allow a female dog to be at large at the time when that dog is in heat or in season.</p>	<p>Keeping poultry</p>
<p>6. A person who keeps poultry shall take reasonable steps to ensure that such poultry does not wander outside the confines of his or her property. 7. A person who keeps bees shall — (a) keep bees in a beehive made of solid and weatherproof material; and (b) keep the beehive away from any residence, business premises, stable or enclosure where livestock is kept.</p>	<p>Keeping bees</p>
<p>8. The Council may establish a stable or enclosure as a holding ground for any livestock found wandering or otherwise in contravention of these Bye-laws.</p>	<p>Establishment of Council stable</p>
<p>9. An authorised officer may seize and detain in a Council stable any livestock found wandering within the Council area.</p>	<p>Power to detain wandering livestock</p>
<p>10. (1) An authorised officer shall, immediately after detaining any livestock cause a veterinary official to carry out a health inspection on such livestock in order to establish its health status.</p>	<p>Inspection after impounding livestock</p>
<p>(2) The Council may, upon the written report of a veterinary official to the effect that an animal suffers from a contagious disease, destroy or otherwise dispose of such animal, without compensation to the owner.</p>	
<p>11. The owner of any livestock detained in accordance with these Bye-laws may, upon production of certified documents and payment of a fine under the Schedule, claim and take possession of such livestock.</p>	<p>Claiming of livestock</p>
<p>12. (1) Any livestock detained by the Council under bye-law 9 shall, if not claimed within 14 days, be handed over to a matimela kraal as defined under the Matimela Act.</p>	<p>Period of detention of livestock Cap. 36:06</p>
<p>(2) Any poultry detained by the Council under bye-law 9 that remains uncollected after 14 days may be sold by public auction.</p>	
<p>13. An authorised officer or police officer may, at any reasonable time inspect any Council area or stable to enforce the provisions of these Bye-laws.</p>	<p>Inspection of Council area</p>
<p>14. Any person who obstructs or hinders an authorised officer or police officer in the exercise of their duties under the provisions of these Bye-laws commits an offence and is liable to a fine not exceeding P2000, or in default of payment thereof, to imprisonment for a term not exceeding two months.</p>	<p>Obstruction of authorised officer</p>
<p>15. Any person who contravenes the provisions of these Bye-laws commits an offence and is liable to a fine not exceeding P500, or in default of payment to imprisonment for a term not exceeding three months, or in the event of a second or subsequent offence to a fine not exceeding P1000, or to imprisonment for a term not exceeding six months, or to both.</p>	<p>Offences and penalties</p>
<p>16. The Kgalagadi District Council (Control of Livestock) Bye-laws, are hereby revoked.</p>	<p>Revocation of S.I. No. 87 of 1998</p>

SCHEDULE
(Bye-law 11)

A.

<i>Animal</i>	<i>Handling per head per day</i>
Cattle, horse, mule, donkey	P15.00
Sheep, goat, pig	P10.00
Poultry	P5.00
Other animals	P5.00

B.

<i>Animal</i>	<i>Handling per day</i>
Beehive	P5.00

MADE this 28th of August, 2020.

BAIPELELANG PHOTLOKWE,
Council Secretary,
Kgalagadi District Council.

APPROVED this 31st day of August, 2020.

ERIC MOTHIBI MOLALE,
Minister of Local Government
and Rural Development.