

FAUNA CONSERVATION ACT

(Cap. 38:01)

FAUNA CONSERVATION (UNIFIED HUNTING) REGULATIONS, 1979

(Published on 16th March, 1979)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation
2. Interpretation
3. Duty of licensing officer
4. Hunting without licence
5. Issue of bird licence
6. Issue of small game licence
7. Issue of special game licence
8. Issue of a single game licence
9. Licence fees
10. Number of licences and animals
11. Assisting a holder to kill an animal
12. Transfer of licences
13. Inspection of licences and permits
14. Permits
15. Refusal to issue licence or permit
16. Quota
17. Hunting in a controlled hunting area
18. Elephant and buffalo hunting
19. Government trophy
20. Hunting card
21. Escort
22. Reporting to officer by a holder
23. Disposal of trophies
24. Killing of elephants and lions
25. Littering
26. Offences and penalties
27. Revocation of subordinate legislation

FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

FOURTH SCHEDULE

FIFTH SCHEDULE

SIXTH SCHEDULE

SEVENTH SCHEDULE

EIGHTH SCHEDULE

NINTH SCHEDULE

IN EXERCISE of the powers conferred by sections 4, 21, 79 and 99 of the Fauna Conservation Act, the Minister of Commerce and Industry hereby makes the following Regulations —

1. These Regulations may be cited as the Fauna Conservation (Unified Hunting) Regulations, 1979.

2. In these Regulations, unless the context otherwise requires, —
“escort” means any person designated by the Chief Game Warden to escort a hunter;

“holder” means a person in respect of whom a licence or permit has been issued or transferred under these Regulations;

“litter” means any waste material not natural to any area;

“permit” means a permit to hunt in a controlled hunting area issued under regulation 14.

Duty of licensing officer	<p>3. (1) A licensing officer to whom an application for a licence or permit is made shall –</p> <p>(a) where he grants the application endorse upon the licence or permit the name and address of the holder; and</p> <p>(b) advise the applicant of any further conditions or requirements endorsed on the licence or permit.</p> <p>(2) A licensing officer shall in the exercise of his functions comply with such directions as may be given by the Chief Game Warden.</p>
Hunting without licence	<p>4. No person shall hunt unless licensed to hunt any animal specified in the Fourth, Fifth and Sixth Schedules.</p>
Issue of bird licence	<p>5. Subject to the Fifth Schedule to the Act, a bird licence may be issued to any person upon application being made to the licensing officer accompanied by a fee prescribed in the Fifth Schedule to the Act.</p>
Issue of small game licence	<p>6. (1) A small game licence in a form prescribed in the First Schedule shall be issued to citizens only and shall entitle the holder to hunt animals specified therein in any area endorsed therein.</p> <p>(2) The holder of a small game licence who holds one or more single game licences may use the small game licence for hunting only in the area in respect of which a valid single game licence is held.</p>
Issue of a special game licence	<p>7. (1) A special game licence in a form prescribed in the Second Schedule shall be issued only to any person of the class of persons described in section 4 (2) and shall entitle the holder thereof to hunt the animals specified in the Fifth Schedule throughout the year.</p> <p>(2) A special game licence shall not entitle the holder thereof to be issued with a single game licence or a small game licence.</p>
Issue of a single game licence	<p>8. (1) A single game licence shall be in a form prescribed in the Third Schedule and the holder thereof may upon application be issued with a small game licence.</p> <p>(2) A duly completed return which was issued as part of a single game licence shall be surrendered to wildlife office or to the nearest police station within thirty days of termination of hunting.</p> <p>(3) Notwithstanding subregulation (2), any person who holds a permit issued under regulation 14 shall only surrender the permit.</p> <p>(4) Any person who contravenes subregulations (2) and (3) shall be guilty of an offence.</p>
Licence fees	<p>9. (1) Subject to subregulation (2), a prescribed fee in the Fourth, Fifth and Sixth Schedules shall be paid for each type of licence therein specified.</p> <p>(2) Where a non-resident is issued with a licence under section 16A, he shall pay the fees prescribed in the fourth column of the Fourth Schedule in respect of each animal therein specified.</p>
Number of licences and animals	<p>10. (1) No licensing officer shall issue to any person a number of licences which exceeds the maximum number prescribed for each type of licence in respect of each species prescribed in the Fourth, Fifth and Sixth Schedules.</p>

(2) No licensing officer shall grant a holder a number of animals which exceeds the maximum number prescribed in the third column of the Fifth and Sixth Schedules, for each type of licence.

(3) Any person who makes any statement which to his knowledge is false or in any respect misleading and thereby obtains more than the maximum number of licences prescribed under these Regulations shall be guilty of an offence and liable to a fine of P100 and to imprisonment for six months or where such person uses such a licence he shall be guilty of an offence and liable to a fine of P500 and to imprisonment for two years.

11. (1) A person who is not disqualified from the grant of a licence may assist a holder to kill an animal or bird which the holder is licensed to hunt as long as they are hunting together.

Assisting a holder to kill an animal

(2) Subregulation (1) does not constitute authority to transfer firearms in contravention of the Arms and Ammunition Act.

Cap. 24:01

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

12. (1) A holder who is a citizen may make application to the licensing officer to transfer his licence to another citizen and where a holder is unfit or unable for some reason to hunt the licensing officer may authorize the transfer.

Transfer of licences

(2) A holder of a special game licence may be authorized to transfer only to persons who are eligible for the issue of such licence.

(3) Any person who makes any statement which to his knowledge is false or in any respect misleading in connexion with any information demanded or required by a licensing officer for the purposes of this regulation shall be guilty of an offence.

13. (1) A licensing officer, game officer, game scout, game guard or police officer may, at any reasonable time, demand a holder to produce the licence or permit for inspection.

Inspection of licences and permits

(2) Any person who fails without reasonable excuse to produce a licence or permit when required so to do shall be guilty of an offence.

(3) Where a holder requires an identification of the person making the demand to inspect the licence or permit in accordance with subregulation (1), such identification shall not be unreasonably withheld.

14. (1) A permit to hunt any animal for which a single game licence is prescribed shall be issued on payment of a prescribed fee to any of the persons specified in the Seventh Schedule.

Permits

(2) A permit shall be in a form prescribed in the Eighth Schedule and may be valid for seven, fourteen, twenty-one or twenty-eight days from noon on Tuesday to noon on Tuesday following.

(3) A permit shall not be issued except on the production of a single game licence as proof to hunt the animal in respect of which a permit is being applied for.

(4) Notwithstanding subregulation (1), where a holder being a client of a hunting safari company is licensed to hunt in any area and applies for a permit to hunt in an area leased to such hunting safari company and such holder is to be accompanied by a professional hunter the licensing officer shall issue him with a permit free.

(5) Any person who hunts without being issued with a permit in accordance with this regulation shall be guilty of an offence.

Refusal to issue licence or permit	15. A licensing officer shall refuse to issue a licence or permit where the applicant has no right of entry for the purposes of hunting in a controlled hunting area.
Quota	16. (1) The Chief Game Warden shall, after consulting with relevant local authorities and the land boards, by notice published in the Gazette, determine the number and species of animals which may be hunted during any open season in any controlled hunting area or any other land. (2) The Chief Game Warden shall display the notice made under subregulation (1) at his office and at such other places as he may determine.
Hunting in a controlled area	17. A holder of a bird licence may hunt birds in any controlled hunting area not closed for hunting and a holder of a permit may hunt any animal within a controlled hunting area specified therein.
Elephant and buffalo hunting	18. (1) A licence or permit authorizing the hunting of an elephant or buffalo shall be issued only on production by the applicant of an arms certificate or temporary permit of a rifle of a calibre not less than 9,3 mm or ,375 magnum and capable of firing a cordite cartridge. (2) No person shall use a Martin Henry or Muzzle loader or other firearm of a calibre or a type other than that prescribed in subregulation (1) for the hunting of elephant or buffalo. (3) Any person who contravenes the provisions of subregulation (2) shall be guilty of an offence.
Government trophy	19. (1) An elephant tusk of an immature elephant killed in Botswana weighing 11 kg or less is hereby prescribed a government trophy and a licensing officer shall not register and return such tusk to the person who produced it. (2) A holder who kills an elephant shall produce its lower jaw, tail and tusk for registration and a licensing officer shall refuse to register any tusk where a holder has killed an elephant and fails to produce its lower jaw, tail and tusk.
Hunting card	20. (1) A card in a form prescribed in the Ninth Schedule shall be issued to each person with the first licence or permit and is hereinafter referred to as "a hunting card". (2) A hunting card shall be personal to the holder whose name shall be written thereon and shall not be transferable. (3) A hunting card shall be carried at all times by the holder whilst engaged in hunting. (4) The holder of a hunting card shall make it available for inspection or endorsement – (a) when required to do so by a game officer, game guard, game scout or a police officer; (b) when a permit is surrendered to the licensing officer, game officer, game guard, game scout or police officer; (c) when the return on a single game licence is surrendered; and (d) whenever an application for the grant of a licence is made. (5) A licensing officer, traditional authority, game officer, game guard, game scout or police officer to whom a hunting card is produced shall make an appropriate endorsement therein. (6) The loss of a hunting card shall be reported to a game officer, game guard, game scout, traditional authority or a police officer without unreasonable delay and in any event within 30 days of the loss having been detected.

- (7) Any person who –
- (a) obtains or attempts to obtain another person's card;
 - (b) uses another person's hunting card;
 - (c) makes a false declaration to a licensing officer in order to obtain a hunting card; or
 - (d) refuses to produce a card for inspection or endorsement in accordance with subregulation (4),

shall be guilty of an offence and liable to a fine of P500 and to imprisonment for two years.

21. (1) Except with the written permission of the licensing officer, no holder shall hunt unless he is accompanied by a game officer, game guard, game scout or escort. Escort

(2) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

22. (1) Except with the written permission of the licensing officer endorsed on his permit, the holder of a permit prior to hunting and within 48 hours of completion of hunting within a controlled hunting area shall report to the wildlife office or police station. Reporting to officer by a holder

(2) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

23. (1) No trophy obtained by hunting under a licence shall be sold to any person or acquired from any person unless the licence is produced to the buyer or person acquiring the trophy: Disposal of trophies

Provided that where the licence is not a small game licence or special game licence the person buying or acquiring the trophy must take such licence and keep it as long as he keeps the trophy and shall deliver such licence along with the trophy to the person subsequently buying or acquiring the trophy.

(2) Where the person buying or acquiring the trophy buys or acquires it from a holder of a small game licence or special game licence the person buying or acquiring the trophy shall record the number of the licence, the address of the holder of the licence and shall supply such particulars to the person who subsequently buys or acquires the trophy.

(3) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

24. (1) Any person who kills an elephant shall on production of the ivory for registration to an authorized officer also produce the licence for marking. Killing of elephants and lions

(2) Any holder who kills a lion shall produce its skull to the licensing officer for inspection.

(3) Any person who contravenes the provisions of subregulation (2) shall be guilty of an offence and liable to a fine of P100 and to imprisonment for three months.

25. (1) No person shall litter any place or area whilst engaged in a hunting activity. Littering

(2) Every person who uses a hunting camp or a resting place shall remove any litter before he leaves such place.

(3) Any person who contravenes the provisions of this regulation shall be guilty of an offence.

26. Any person guilty of an offence under these Regulations for which no penalty is provided shall be liable on first conviction to a fine of P100 Offences and penalties

and to imprisonment for six months and on the second and subsequent convictions to a fine of P500 and to imprisonment for two years.

Revocation
of sub-
ordinate
legislation

27. The following Regulations are hereby revoked —
- (a) the Fauna Conservation (Bamangwato Tribal Territory) Hunting Regulations, 1967;
 - (b) the Fauna Conservation (Batawana Tribal Territory) Hunting Regulations, 1967;
 - (c) the Fauna Conservation (State Land Controlled Areas) Regulations, 1968;
 - (d) the Fauna Conservation (Tribal Territories Controlled Hunting Areas) Regulations, 1968;
 - (e) the Fauna Conservation (Bakwena Tribal Territory) Hunting Regulations, 1968;
 - (f) the Fauna Conservation (Bangwaketse Tribal Territory) Hunting Regulations, 1968;
 - (g) the Fauna Conservation (Bakgatla Tribal Territory) Hunting Regulations, 1973; and
 - (h) the Fauna Conservation (Lake Ngami Controlled Hunting Area) Regulations, 1968.

FIRST SCHEDULE

Form Rev.....

(reg. 6 (1))

COAT OF ARMS

FAUNA CONSERVATION ACT
(Cap. 38:01)

FAUNA CONSERVATION (UNIFIED HUNTING) REGULATIONS, 1979

SMALL GAME LICENCE
(regulation 6 (1))

No.....

In terms of regulation 6 (1) of the Fauna Conservation (Unified Hunting) Regulations, 1979, licence is hereby granted to
of to hunt the animals specified below in
numbers shown opposite each animal in areas
from..... to

Jackal (Phokoje)	*U
Silver Fox (Lesie)	5
Bat eared Fox (Mothhose)	20
Genet (Tshipa)	20
Caracal (Thwane)	5
Monitor Lizard (Kgwathe, Gopane)	5
Steenbok (Phuduhudu)	5
Duiker (Phuti)	5
Wildcat (Tibe, Phage)	20

*U — Unlimited

ENDORSEMENT: (1) This licence is also valid for areas

.....

(2) In terms of regulation 12, this licence may be used by

.....

of

for and on behalf of the holder.

*(3) The holder must be accompanied by an escort.

*(4) The holder is exempted from the necessity of being accompanied by escort.

*Delete whichever is not applicable.

Licensing Officer.

Date

Fees Paid

Fee	Head	Subhead	Item

Licensing Officer

Date and Place of Issue

SECOND SCHEDULE

Form

(reg. 7(1))

Coat of Arms

FAUNA CONSERVATION ACT
(Cap. 38:01)

FAUNA CONSERVATION (UNIFIED HUNTING) REGULATIONS, 1979

SPECIAL GAME LICENCE
(regulation 7 (1))

In terms of regulation 7(1) of the Fauna Conservation (Unified Hunting) Regulations, 1979, licence is hereby granted to

of

to hunt the animals specified below in numbers shown opposite each animal in areas

.....
from.....,to.....

*Hartebeest	4	*Duiker	30
*Ostrich	2	*Steenbok	30
*Wildebeest	4	Monitor Lizard	10
*Lechwe	3	Wildcat	50
*Springbok	4	Jackal	*U
*Kudu	1	Bat-eared Fox	50
*Impala	4	Silver Fox	10
*Sitatunga	1	Genet	50
*Buffalo	2	Caracal	10
*Tsesebe	1	Monkey	20
*Warthog	3	Spotted Hyena	20
*Gemsbok	2	Wilddog	*U
*Eland	1	Baboon	*U

Plus All Birds (except Conserved Species)

*U – Unlimited

*Delete whichever is not applicable.

ENDORSEMENTS: (1) This licence is also valid for areas.....

(2) In terms of regulation 12 this licence may be used by.....

of.....
for and on behalf of the holder.

*(3) The holder must be accompanied by escort.

*(4) The holder is exempted from the necessity of being accompanied by an escort.

*Delete whichever is not applicable.

Licensing Officer.....

Date.....

Licensing Officer.....

Date and Place of Issue.....

THIRD SCHEDULE

Form Rev.....

(reg. 8)

Coat of Arms

FAUNA CONSERVATION ACT
(Cap. 38:01)

FAUNA CONSERVATION (UNIFIED HUNTING) REGULATIONS, 1979

SINGLE GAME LICENCE
(regulation 8)

In terms of section 19 of the Fauna Conservation Act and regulation 8 of the Fauna Conservation (Unified Hunting) Regulations, 1979, licence is hereby granted to of to hunt one animal of the species below in areas from to

REGISTER

Species	Date of Killing	Sex	Area	Signature

Endorsements: (1) This licence is also valid for areas

(2) In terms of regulation 12 this Licence may be used by of for and on behalf of the holder.

*(3) The holder must be accompanied by an escort.

*(4) The holder is exempted from the necessity of being accompanied by an escort.

*Delete whichever is not applicable.

Licensing Officer

Date

		Fee	Head	Subhead	Item
Fees Paid	*Citizen				
	*Resident				
	*Non-Resident				

*Delete whichever is inapplicable

Licensing Officer

Date

RETURN

Return of game shot on Form Rev.

Licence No.

Issued to

of

at on

In terms of regulation (8) this Return must be submitted to the Licensing Officer by the Hunter, after endorsement, within thirty days after hunting has been terminated.

RETURN

Species	Sex	Area	Date	Signature of Hunter

FOURTH SCHEDULE

(reg. 10 (1))

<i>First Column</i> Species	<i>Second Column</i> Maximum number of licences to be held in one season under single Game Licences			<i>Third Column</i> Fees to be paid for each Licence		<i>Fourth Column</i> Non- Resident (S.16A of Act)	
	<i>Citizen</i>	<i>Resident</i>	<i>Non- Resident</i>	<i>Citizen P</i>	<i>Resident P</i>	<i>Non- Resident P</i>	<i>Non- Resident P</i>
Buffalo	2	1	2	10,00	50,00	100,00	50,00
Bushbuck	1	1	1	5,00	25,00	50,00	25,00
Duiker	2	1	1	0,25	1,00	5,00	1,00
Elephant	1	1	2	100,00	300,00	600,00	300,00
Gemsbok	3	1	2	3,00	40,00	75,00	40,00
Hartebeest	4	2	2	1,00	5,00	30,00	5,00
Impala	4	2	2	0,50	3,00	15,00	3,00
Kudu	1	1	1	5,00	50,00	150,00	50,00
Ostrich	2	1	1	3,00	20,00	35,00	20,00
Lechwe	2	2	2	1,00	15,00	75,00	15,00
Reedbuck	1	1	1	2,00	15,00	50,00	15,00
Sitatunga	1	1	1	2,00	30,00	100,00	30,00
Springbok	3	2	2	0,50	3,00	15,00	3,00
Steenbok	2	1	1	0,25	1,00	5,00	1,00
Tsesebe	2	1	1	1,00	20,00	50,00	20,00
Warthog	2	2	2	0,25	1,00	5,00	1,00
Wildebeest	4	2	2	1,00	5,00	30,00	5,00
Wildpig	1	2	2	0,50	1,00	5,00	1,00
Zebra	2	1	2	10,00	50,00	100,00	50,00
Crocodile	1	1	1	10,00	30,00	75,00	30,00
Lion	1	1	1	50,00	500,00	800,00	500,00
Eland	1	1	1	25,00	130,00	150,00	130,00
Sable	1	1	1	50,00	250,00	300,00	250,00
Leopard	1	1	1	50,00	300,00	400,00	300,00

FIFTH SCHEDULE

<i>First Column</i> Species	<i>Second Column</i> Maximum number of special Game Licences to be held in one year by any person	<i>Third Column</i> Maximum number of animals to be hunted in any one season by a licence holder
Hartebeest		4
Wildebeest		4
Springbok		4
Ostrich		2
Impala		4
Lechwe		3
Buffalo		2
Kudu		1
Tsesebe		1
Sitatunga	1	1
Gemsbok		2
Warthog		3
Eland		1

Monkey	20
Duiker	30
Baboon	*U
Steenbok	30
Spotted-Hyena	20
Wilddog	*U
Jackal	*U
Wildcat	50
Bat-eared Fox	50
Silver Fox	10
Genet	50
Caracal	10
Monitor Lizard	10
All Birds (except Conserved Species)	

*U – Unlimited

Free for Special Game Licence – Free

SIXTH SCHEDULE

(reg. 10 (1))

<i>First Column</i>	<i>Second Column</i>	<i>Third Column</i>
<i>Species</i>	<i>Maximum number of Small Game Licences to be held in one year by any person</i>	<i>Maximum number of animals to be hunted in any one season by a Licence holder</i>
Duiker		5
Steenbok		5
Wildcat		20
Jackal		*U
Bat-eared Fox	1	20
Silver Fox		5
Genet		20
Caracal		5
Monitor Lizard		5

B

*U – Unlimited

Free for small Game Licence – P1,50

SEVENTH SCHEDULE

(reg. 14 (1))

The following fees shall be paid by specified person when hunting in controlled hunting areas or other designated land:

<i>Specified Persons</i>	<i>Fee</i> (per 7 day period per person)
Residents of Botswana	P30,00
Non-Residents of Botswana	P100,00

EIGHTH SCHEDULE

(reg. 14 (2))

FAUNA CONSERVATION (UNIFIED HUNTING) REGULATIONS, 1979

PERMIT TO HUNT IN A CONTROLLED HUNTING AREA
(regulation 14(2))

No.

In terms of regulation 14 of the Fauna Conservation (Unified Hunting) Regulations, 1979, permission is hereby granted to
of

to hunt the following number and species of game animal in the
Controlled Hunting Area during the period:

From: Noon, Tuesday the of 19

To: Noon, Tuesday the of 19

having paid a fee of P for weeks collected on G.R. No.

dated This permit is issued subject to the condition that the holder is in possession of a valid Game Licence to cover all game animals for which this permit is issued.

Details of game killed must be entered in the register below before such game is either abandoned or cut up or the carcass moved.

This permit must be handed to the Licensing Officer within forty-eight hours after hunting.

			Register						Register		
Species	No.	Sex	Date	Sex	Area	Species	No.	Sex	Date	Sex	Area

*The holder of this Permit must report to a Police Station or Wildlife Office.

*The holder of this Permit must be accompanied by escort.

+The holder of this Permit has been exempted from the necessity of being accompanied by an escort.

*Delete whichever is not applicable.

Date

Licensing Officer

Office of Issue

NINTH SCHEDULE

(reg. 20)

HUNTING CARD

<i>Fauna Conservation (Unified Hunting) Regulations, 1979, Hunting Card</i>					<i>Transfer-Red to Name & Card No.</i>	<i>Date Permit Return Surrendered</i>	<i>Signature of person Receiving CHA Permit Return</i>
	<i>Type of Licence</i>	<i>Serial Number</i>	<i>Date Issued</i>	<i>Place Issued</i>			
Name of Holder							
Address/Village							
Age							
Serial No.							

MADE this 12th day of March, 1979.

B.B. SELABE,
Acting Permanent Secretary,
Ministry of Commerce and Industry.

L2/7/88/4 IV