

Statutory Instrument No. 102 of 1979

**FAUNA CONSERVATION ACT**  
(Cap. 38:01)  
**MOREMI GAME RESERVE REGULATIONS, 1979**  
(Published on 19th October, 1979)  
**ARRANGEMENT OF REGULATIONS**

**REGULATION**

**PART I Preliminary**

1. Citation and commencement
2. Interpretation

**PART II Open Season, entry into Game Reserve and Camping Sites**

3. Open season in Game Reserve
4. Entry into Game Reserve
5. Designated camping sites
6. Visitors lodge or camps

**PART III Motor Vehicles and Aircraft**

7. Only approved vehicles and aircraft to be used in Game Reserve

**PART IV Boating and Fishing within Game Reserve**

8. Boating on Game Reserve waters
9. Fishing in Game Reserve waters

**PART V General Conduct within Game Reserve**

10. General conduct in Game Reserve
11. Persons in Game Reserve to remain in camping site at night
12. Animals
13. Prohibition of arm and ammunition and other weapon

**PART VI Miscellaneous**

14. General powers of authorized officers
15. Penalties
16. Repeal of G.N. No. 137 of 1964

**SCHEDULE**

IN EXERCISE of the powers conferred on the Minister of Commerce and Industry by section 99 of the Fauna Conservation Act, the following Regulations are hereby made —

**PART I Preliminary**

Citation and commencement	1. These Regulations may be cited as the Moremi Game Reserve Regulations, 1979, and shall come into operation on such date as the Minister may, by notice published in the Gazette, appoint.
Interpretation	2. In these Regulations, unless the context otherwise requires, —
Cap. 24:01	“arm” and “ammunition” have the meanings assigned to them in the Arms and Ammunition Act;
	“authorized officer” means the Director, his Deputy, the Chief Game Warden, a game officer, game scout, game guard or any person authorized in writing by the Director or his Deputy to be an authorized officer for the purposes of these Regulations;
	“bream” means fish of the family Cichlidae;
	“Director” means the Director of the Department of Wildlife, National Parks and Tourism;
Cap. 24:02	“explosives” has the meaning assigned to it in the Explosives Act;
L.N. No. 14 of 1965	“Game Reserve” means the Moremi Wildlife Reserve established by the Declaration of Moremi Wildlife Reserve;

“night” means the period between half-an-hour after sunset and half-an-hour before sunrise;

“other weapon” means bows, arrows, spears, and any form of trap or snare which may be used to kill or capture animals.

**PART II *Open Season, entry into Game Reserve and Camping Sites***

**3. The Game Reserve shall be open throughout the year:**

Open season  
in Game  
Reserve

Provided that an authorized officer may close the whole or part of the Game Reserve in the interest of public safety.

**4. (1) No person shall enter or be within the Game Reserve unless he is in possession of a permit obtained from an authorized officer.**

Entry into  
Game Reserve

**(2) No permit shall be issued until the fees set out in the Schedule have been paid to an authorized officer, except in the case of duly authorized visits of groups of students and others engaged in field trips, or an official on Government duty, and where the issue of a free entry permit has been authorized by the Director.**

**(3) A permit shall be issued subject to such conditions as an authorized officer may see fit to attach thereto.**

**(4) The Minister may alter the fees set out in the Schedule.**

**(5) For the purpose of this regulation, no person shall enter or leave the Game Reserve except through a point of entry or exit, identified as such by an authorized officer by notice and sign.**

**(6) Any person who contravenes any provision of this regulation or fails to comply with any condition subject to which a permit was issued in terms of subregulation (3) shall be guilty of an offence and on conviction thereof shall be liable to the penalties prescribed by regulation 15 (1) (a).**

**5. (1) The Director may designate areas of the Game Reserve to be set aside as designated camping sites and shall identify such areas by notice and sign.**

Designated  
camping  
sites

**(2) A permit may authorize the holder to occupy a designated camping site at night subject to such conditions as may be endorsed on the permit.**

**(3) The fee to be paid for occupying a camping site is set out in the Schedule.**

**(4) Authority in terms of subregulation (2) shall not be given to a person under the age of 16 years unless that person is accompanied by another person over the age of 16 years.**

**(5) Any person who occupies a camping site at night without a permit authorizing such occupation shall be guilty of an offence and on conviction thereof shall be liable to the penalties prescribed by regulation 15 (1) (a).**

**6. (1) No person shall enter or use any services provided for the use of lodge or camp fee-paying visitors unless such person is in possession of a valid permit for accommodation or other permit as may from time to time be prescribed by an authorized officer.**

Visitors  
lodge or  
camps

**(2) The holder of such valid permit shall be required to observe all conditions attached to the issue of such permit and all official notices issued by an authorized officer and placed on public display.**

**(3) Any person who contravenes any provision of this regulation or who fails to comply with any condition subject to which a permit was issued, or who fails to comply with such additional official requirements as may be displayed at any lodge or camp, shall be guilty of an offence**

and on conviction thereof shall be liable to the penalties prescribed by regulation 15 (1) (a).

(4) An authorized officer may cancel any accommodation permit or such other permit as may have been issued to a lodge or camp fee-paying visitor if, in the opinion of that authorized officer, the permit holder has failed to comply with such requirements as have been authorized and notified.

(5) Where any permit has been cancelled under subregulation (4), the authorized officer shall immediately submit a detailed covering report to the Director.

### PART III *Motor Vehicles and Aircraft*

Only  
approved  
vehicles and  
aircraft  
to be used in  
Game Reserve

7. (1) No person shall, without the written permission of an authorized officer, enter the Game Reserve except in a motor vehicle or aircraft approved by an authorized officer.

(2) An authorized officer may refuse to issue a permit or may revoke any permit issued if the motor vehicle to be used or being used by any person, as the case may be, does not, in the opinion of the authorized officer, afford adequate protection to the passengers.

(3) Where an authorized officer revokes a permit in terms of subregulation (2) such person who is in the Game Reserve shall comply with any reasonable direction to leave the Game Reserve as may be given by an authorized officer.

(4) No person shall drive or permit to be driven in the Game Reserve a motor vehicle –

- (a) which exceeds 2 250 kg weight when unladen, or which has more than two normal rear track wheels, unless specific written authority for such use has been given by the Director and on such terms as may be specified;
- (b) at night unless in possession of written permission so to do issued by an authorized officer;
- (c) which is not capable of four-wheel drive operation:

Provided that an authorized officer may give written permission to the driver of a vehicle with two-wheel drive operation to enter the Game Reserve if, in the opinion of the authorized officer, such vehicle is of a type and carries on it such equipment as will allow it to be driven without undue risk or consequence to any person on it, and without undue damage to any track, road or installation in the Game Reserve.

(5) No person shall disembark from a motor vehicle in the Game Reserve within sight of an elephant, lion, buffalo, rhinoceros, hippopotamus or leopard.

(6) A permit shall not be issued for a motor vehicle or an aircraft to enter the Game Reserve until the fee set out in the Schedule has been paid to an authorized officer.

(7) An aircraft shall not, except at the time of landing and take-off, fly less than 300 m in height above the surface area of the Game Reserve.

(8) No person using a motor vehicle or aircraft shall cause or allow such vehicle or aircraft to approach any animal in such a manner as to disturb such animal.

(9) Any person who contravenes any provision of subregulation (1), (4), (5), (7) or (8), or fails to comply with directions given under subregulation (3), shall be guilty of an offence and on conviction thereof shall be liable to the penalties prescribed by regulation 15 (1) (a).

*PART IV Boating and Fishing within Game Reserve*

8. (1) No person shall enter the Game Reserve by boat or use a boat on Game Reserve waters unless he is in possession of a permit obtained from an authorized officer. Boating on  
Game  
Reserve  
waters

(2) No permit shall be issued until the fee set out in the Schedule has been paid to an authorized officer, except where a free entry permit has been authorized by the Director.

(3) No person using a boat on the waters of the Game Reserve shall cause or allow such boat –

(a) to approach any animal drinking or bathing in such waters in such a manner or so closely as to disturb such animal; or

(b) to be driven at a speed faster than 5 knots.

(4) An authorized officer may designate points in the Game Reserve which shall serve as points of embarkation and disembarkation, and shall identify such points by sign and notice.

(5) No person shall go ashore or moor or leave any boat at any place in the Game Reserve other than at a mooring place designated by an authorized officer in terms of subregulation (4).

(6) No person shall, without the written permission of an authorized officer, use a boat on the waters of the Game Reserve at night.

(7) An authorized officer may determine which portion or portions of the waters of the Game Reserve shall be open to boats, and shall identify such portion or portions by sign and notice.

(8) Any person who, without reasonable excuse, contravenes any provision of this regulation shall be guilty of an offence and on conviction thereof shall be liable to the penalties prescribed by regulation 15 (1) (a).

9. (1) No person shall catch fish within the Game Reserve except under and in accordance with a permit issued by an authorized officer and on payment of the fee prescribed in the Schedule. Fishing in  
Game  
Reserve  
waters

(2) An authorized officer may designate points in the Game Reserve to be set aside as designated fishing points, and shall identify such points by notice and sign.

(3) No person shall fish within the Game Reserve except at a designated fishing point.

(4) No person shall fish by any means other than with rod and line.

(5) No person shall be permitted to catch and retain in excess of 10 bream per day.

(6) Any person who, without reasonable excuse, contravenes any provision of this regulation shall be guilty of an offence and on conviction thereof shall be liable to the penalties prescribed by regulation 15 (1) (a).

*PART V General Conduct within Game Reserve*

10. (1) No person shall remove from the Game Reserve or destroy any flora, avifauna or fauna, or in any way disturb or molest any living thing, except with the written permission of the Director. General  
conduct in  
Game  
Reserve

(2) No person shall leave any refuse of any kind within the Game Reserve except in bins provided at lodges and camping sites.

(3) No person shall, without the written permission of an authorized officer, light a fire in the Game Reserve except at a designated camping site.

(4) No person shall leave a fire unextinguished or leave any material capable of causing a fire, or cause a bush-fire, within the Game Reserve.

(5) No person shall drive any vehicle or cause any vehicle to be driven anywhere in the Game Reserve at a speed exceeding 40 km per hour.

(6) No person shall cause any damage to objects of geological, ethnological, historical, archaeological or of other scientific interest within the Game Reserve or, without the written permission of an authorized officer, remove any object from the Game Reserve.

(7) No person shall, without the written permission of an authorized officer, introduce any wild or domestic animal into the Game Reserve or permit any domestic animal to stray into the Game Reserve, or introduce any vegetation into the Game Reserve, except where lawfully introduced, or remove from the Game Reserve any animal or vegetation.

(8) No person shall cut, damage or destroy any tree or other vegetation in the Game Reserve, with the exception that dead wood may be collected for camping purposes only.

(9) No person shall destroy or deface any object, whether animate or inanimate, in the Game Reserve.

(10) No person shall erect any building or structure within the Game Reserve without the written permission of the Director.

(11) An authorized officer may direct the offender to remove any building or structure erected in contravention of subregulation (10), or may himself cause to be removed any building or structure, without compensation being payable.

(12) Any person who contravenes any provision of subregulations (1) to (10) inclusive, or fails to comply with directions given under subregulation (11), shall be guilty of an offence and on conviction thereof shall be liable to the penalties prescribed by regulation 15 (1) (b).

Persons in Game Reserve to remain in camping site at night

11. (1) No person shall, without the written permission of an authorized officer, remain in the Game Reserve at night unless he is in a designated camping site or lodge and in possession of a valid camping permit.

(2) Any person who, without reasonable excuse, fails to comply with the provisions of subregulation (1) shall be guilty of an offence and on conviction thereof shall be liable to the penalties prescribed by regulation 15 (1) (b).

Animals

12. (1) No person shall interfere in any way with, or feed or provide food for, any animal in the Game Reserve.

(2) Any person who contravenes any provision of this regulation shall be guilty of an offence and on conviction thereof shall be liable to the penalties prescribed by regulation 15 (1) (b).

Prohibition of arm and ammunition and other weapon

13. (1) Subject to the provisions of subregulation (2), no person shall convey into, or be in possession of within, the Game Reserve any arm, ammunition, explosive, trap or poison or any other weapon capable of use in the killing or capture of any animal.

(2) An authorized officer may, on payment of the fee set out in the

Schedule, endorse on a permit authority to introduce into the Game Reserve an arm and ammunition:

Provided that before any arm is so introduced an authorized officer shall attach a seal to it or its container in such a manner that the arm cannot be loaded or the container opened without breaking the seal.

(3) Where an arm is introduced into the Game Reserve in terms of subregulation (2) and the seal attached thereto is broken, the person in possession of the arm shall, before or immediately after leaving the Game Reserve, deliver the arm to an authorized officer and report to him the circumstances under which the seal was broken.

(4) Any person who contravenes any provision of subregulations (1) and (3) shall be guilty of an offence and on conviction thereof shall be liable to the penalties prescribed by regulation 15 (1) (b) and (c) respectively.

#### PART VI *Miscellaneous*

14. (1) Any person who –

(a) contravenes or attempts to contravene any provision of these Regulations or any other law; or

(b) behaves in such a manner as to create or cause a nuisance or acts in any way detrimental to the interests of the Game Reserve,

shall comply with any reasonable direction, including a direction to leave the Game Reserve, as may be given by an authorized officer.

(2) An authorized officer may refuse to issue a permit to enter the Game Reserve to any person, or group of persons, who he has reason to believe may not or has not complied with these Regulations, or for any other fit and proper reason, for the effective running of the Game Reserve.

(3) Any person who is ordered to leave the Game Reserve under subregulation (1) shall not be entitled to any refund of fees paid in terms of these Regulations.

(4) Any person who fails to comply with any direction given to him under subregulation (1) shall be guilty of an offence and on conviction thereof shall be liable to the penalties prescribed in regulation 15 (1) (b).

(5) Any person who is aggrieved by the refusal of an authorized officer to issue him with a permit to enter the Game Reserve, or who has been directed to leave the Game Reserve under subregulation (1), may appeal in writing against such decision or direction to the Director, whose decision in the matter shall be final.

15. (1) Subject to the provisions of subregulations (2) and (3), any person convicted of an offence under these Regulations in respect of which it is provided that he shall be liable to the penalties –

(a) prescribed by this paragraph, shall be liable to a fine of P50 or in default of payment to imprisonment for one month;

(b) prescribed by this paragraph, shall be liable to a fine of P100 or in default of payment to imprisonment for three months;

(c) prescribed by this paragraph, shall be liable to a fine of P200 or in default of payment to imprisonment for six months.

(2) In the case of first offenders convicted under these Regulations, a minimum fine of half the prescribed fine shall be obligatory.

(3) In the case of subsequent offences, a minimum fine of not less than two thirds of the prescribed fine shall be obligatory.

General powers of authorized officers

Penalties

