

GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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WINDHOEK - 29 January 2010

No. 4416

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Government Notice

MINISTRY OF ENVIRONMENT AND TOURISM

No. 9 2010

AMENDMENT OF REGULATIONS RELATING TO NATURE CONSERVATION: NATURE CONSERVATION ORDINANCE, 1975

Under section 84 of the Nature Conservation Ordinance, 1975 (Ordinance 4 of 1975), read with sections 27 and 36 of that Ordinance, I have amended the regulations set out in the Schedule.

N. NANDI-NDAITWAH
MINISTER OF ENVIRONMENT
AND TOURISM

Windhoek, 14 January 2010

SCHEDULE

Definitions

1. In these regulations, “the Regulations” means the Regulations Relating to Nature Conservation, published under Government Notice No. 240 of 1976, as amended by Government Notices Nos. 256 of 1976; 112, 248, 302, 314 and 364 of 1977; 114, 190 and 247 of 1978; 10, 50 and 56 of 1979; AG.8 of 1981; AG.41 of 1982; 23, 49 and 61 of 1983; 72 of 1984; 3, 36, 101 and 121 of 1985; 122 and 242 of 1986; 81 of 1987; 89 of 1988; AG.37 and AG.44 of 1989; 152 of 1993; 304 of 1996, 83 of 1997 and 59 of 2009.

Insertion of certain definitions in Regulations

2. The following definitions are inserted in the Regulations after the definition of “Naukluft Mountain Zebra Park”:

“‘predator’, in relation to regulations 114A, 114B and 114C, means a cheetah, leopard or lion;

“trophy hunting guide” means a hunting guide, master hunting guide or professional hunter;”.

Insertion of regulations 114A, 114B and 114C in Regulations

3. The following regulations are inserted after regulation 114 of the Regulations:

“Leopard trophy hunting quota

114A. (1) Only a trophy hunting operator registered with NTB and the Ministry may apply for leopard trophy hunting quota.

(2) A person who wants a leopard trophy hunting quota must apply by fully completing the application form in Schedule E.

(3) An applicant may only be allocated a maximum of two leopard trophy hunting quotas per trophy hunting season in a form of leopard trophy hunting quota tag, which tag -

- (a) is issued by the Permit Office;
- (b) reflects the trophy hunting quota Number; and
- (c) is valid for a specific trophy hunting season.

(4) The Ministry allocates leopard trophy hunting quotas based on the size of land (2500ha is the cut off limit) and any relevant scientific information available such as estimated population size, trophy size and trends, hunting success rate, density and habitat, and communal conservancies and hunting concessions on State land are not included.

(5) Applications for leopard trophy hunting quotas for the following trophy hunting season end on 30 September in each year.

(6) Leopard trophy hunting tags are allocated and handed over to successful applicants from 31 October until 30 January.

(7) The cost for a leopard trophy hunting tag is as set out in Schedule D paragraph (d).”.

Application for predator trophy hunting permit

114B. (1) A person who wants a predator trophy hunting permit must apply by fully completing the application form in Schedule F.

(2) Only fully completed application form for a predator trophy hunting permit is processed, and it is the duty of the applicant to ensure that his or her application form is completed in full.

(3) An application for a predator trophy hunting permit must be submitted to the Permit Office of the Ministry 14 days before the hunt commences.

(4) When applying for a predator trophy hunting permit for a leopard, an applicant must have a leopard trophy hunting quota tag available.

(5) A copy of the passport or identity document of a trophy hunter must be attached to the application for a predator trophy hunting permit.

Conditions of predator trophy hunting permit

114C. (1) A trophy hunter, trophy hunting guide and trophy hunting operator must read and acknowledge and sign the predator trophy hunting permit conditions before the hunt commences.

(2) A predator trophy hunting permit must be obtained before the hunt for a predator commences and must be in the physical possession of the trophy hunting guide while the predator is being hunted.

(3) The trophy hunting operator concerned must give notice of the predator hunt to the regional office of the Ministry seven days before the hunt commences.

(4) A predator trophy hunting permit is -

(a) issued to a trophy hunter;

(b) non-transferable; and

(c) valid for a period specified in the permit.

(5) Predators may only be hunted for trophies under the following conditions -

(a) only free roaming, self-sustaining and adult predators may be hunted as trophies with a minimum skull measurement of 27cm for a cheetah, 32cm for a leopard and 52cm for a lion;

(b) a female leopard may not be hunted as trophy;

(c) a predator may not be shot in any form of confinement or in a trap or in an area which is smaller than 1000ha;

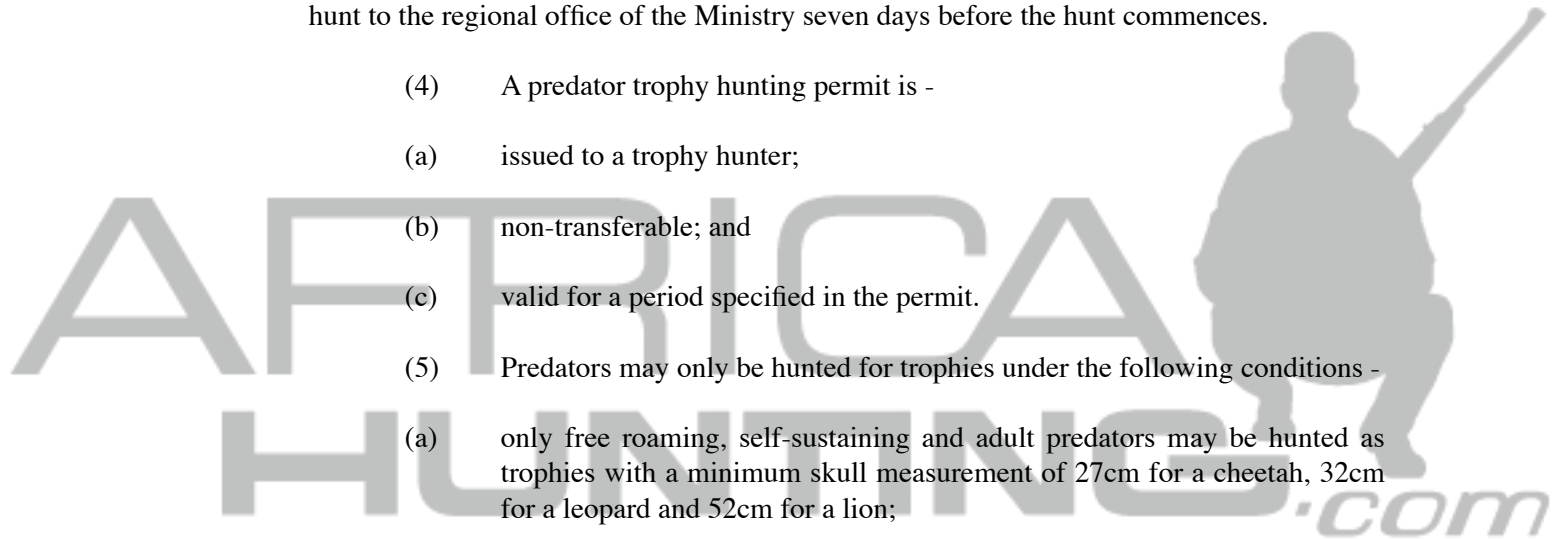
(d) a predator may be baited, but a live animal may not be used as bait;

(e) a predator may not be shot within a range of 1km of any other predator kept in captivity in any form;

(f) a predator may be stalked, tracked or ambushed, but dogs or horses may not be used for that purpose or for hunting;

(g) predator trophy hunting may not take place during the period between 30 minutes after sunset in any day and 30 minutes before sunrise the following day and artificial light is prohibited;

(h) a predator may not be shot from a moving vehicle or chased in any way with an aircraft;



- (i) a predator may not be hunted unless it belongs to a wild and sustainable population (It exists as a naturally interacting member of a wild and sustainable population in an area large enough for it to breed, forage and hunt freely and where there is a natural state of balance between forage, predator and prey);
- (j) a predator bred in captivity may not be trophy hunted;
- (k) a predator to be hunted may not be drugged in any form;
- (l) a canned hunting (any restriction of an animal's natural movement for the purpose of trophy hunting) in any form is illegal;
- (m) a predator may only be hunted in areas as specified on the predator trophy hunting permit;
- (n) once the predator has been killed, the following must occur -
 - (i) the following photos must be taken immediately after the hunt, at the location where the predator was killed -
 - (aa) the predator lying on its right showing the feet;
 - (bb) the predator lying on its left showing the feet;
 - (cc) a close-up photo from the front showing the face of the predator, clearly depicting facial features: nose, eyes, and mouth, and a visible leopard hunting quota tag number, in case of a leopard; and
 - (dd) a photo of the trophy hunter and trophy hunting guide posing with the predator, with all four legs of the predator stretched out for clear visibility; and
 - (ii) the trophy hunter and trophy hunting guide must sign all the photos on the reverse side;
- (o) the recording sheet of the predator trophy hunting permit in Schedule G has to be filled in, in permanent ink, immediately after the hunt;
- (p) the trophy hunter and trophy hunting guide must sign on the reverse side of the predator trophy hunting permit with the following statement:

"We hereby individually and collectively declare that the predator recorded and photographed was hunted, shot and killed by us in full accordance with all the predator trophy hunting permit conditions.";
- (q) a telephonic report must be given to the staff member responsible for the predator trophy hunting permit register in the Permit Office in Windhoek within 72 hours of the predator being killed, and full details of the predator trophy hunting permit must be provided;
- (r) an unsuccessful predator hunt has to be reported to the Permit Office in Windhoek within 72 hours after the trophy hunting permit has expired;

- (s) no application for subsequent predator trophy hunting permit from a trophy hunting operator may be processed if the Permit Office has not received the report on the previous permit issued to his or her client (trophy hunter);
- (t) the original predator trophy hunting permit with full details as described in paragraph (u) must be handed in to the Taxidermist or shipping agent with the trophy;
- (u) an application for a permit to export a predator trophy must be handed in at the Permit Office in Windhoek and must be accompanied by -
 - (i) a copy of the passport of the trophy hunter and of a page thereof with an immigration stamp indicating the date of entry;
 - (ii) the original predator trophy hunting permit;
 - (iii) the trophy hunting quota tag, in case of a leopard;
 - (iv) the recording sheet; and
 - (v) the photos referred to in paragraph (n); and
- (v) export permit may not be issued if the conditions in paragraph (u) have not been met.

Any contravention or non compliance with any regulation or permit condition is dealt with in accordance with the Nature Conservation Ordinance, 1975 (Ordinance No. 4 of 1975), especially sections 84(5), 86, 87, 88 and 89.

Amendment of Schedule D to Regulations

4. Schedule D to the Regulations is amended by the substitution for paragraph (d) of the following paragraph:

“(d) Issue of permits and quota tags:

Type of permit	Fees
Night Cropping Permit	N\$100
Import Permit	N\$100
Export Permit	N\$100
Export Permit for carcass or raw meat of game or wild animal:	
• Cloven-footed animal as big or smaller than springbok (per whole carcass or portion or raw meat)	N\$12
• Cloven-footed animal bigger than a springbok (per whole carcass or portion or raw meat)	N\$25
Biltong Hunting Permit	N\$100
Trophy Hunting Permit	N\$100
Any other Permit	N\$50
Leopard Hunting Quota Tag	N\$5 000

”.

Addition of Schedules E, F and G to Regulations

5. The following Schedules are added to the Regulations:

“SCHEDULE E

REPUBLIC OF NAMIBIA

MINISTRY OF ENVIRONMENT AND TOURISM

Nature Conservation Ordinance, 1975 (Ordinance No. 4 of 1975)

APPLICATION FOR LEOPARD TROPHY HUNTING QUOTA

(Regulation 114A)

I, (Name and Surname), of

..... (name of outfitter/operator) herewith declare

that I intend to hunt for one leopard/two leopards during the (year)
hunting season.

Details of Applicant/Trophy Hunting Operator:

Registered Name of Trophy Hunting Operation:

NTB Registration number:

Name of Registered Owner:

Identification number:

Postal Address:

Residential address:

Tel: Fax:

Email:

Details of applicant/Authorized Representative:

First Name(s): Surname:

Identification number:

Tel: Fax:

Email:

Relationship to operator:

Farm Name	Unit name	District	Relation of Applicant to Farm Owner/ Lessee/ Manager	Hunting Right

Signature: Date:
(Applicant)

Accompanying Documentation

The following documents must be submitted with the application for leopard trophy hunting quota:

1. Copy of NTB Certificate;
2. Written proof of Landowners authorization for the hunting rights (long term; min 12 month; exclusive hunting rights for leopard);
3. Copy of Land Tax Certificate ; and
4. List of share holders in the business entity showing their interests and nationalities.

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Recommendations: _____

Conditions: _____

Approved/Not approved

Signature _____ Date: _____

SCHEDULE F**REPUBLIC OF NAMIBIA****MINISTRY OF ENVIRONMENT AND TOURISM**

Nature Conservation Ordinance, 1975 (Ordinance No. 4 of 1975)

APPLICATION FOR PREDATOR TROPHY HUNTING PERMIT**(Regulation 114B)****Predator Hunting Operator:****Applicant (operator/representative on behalf of trophy hunter):**

First Name(s): Surname:

Identification number:

Details of Trophy Hunting Guide:

First Name(s): Surname:

Identification number:

Postal Address:

Tel: Fax:

Email:

Details of Trophy Hunter:

First Name(s): Surname:

Passport Number:

Residential Address:

.....

Tel: Fax:

Email:

Country:

A copy of the passport of the trophy hunter must be attached to this application form.

Indicate species and quantity applied for maximum of 1 per species:

Cites I Cheetah

Cites I Leopard

Cites II Lion

Trophy hunting Quota Tag No.:

Period over which the hunt takes place: to

Signature **Date:**

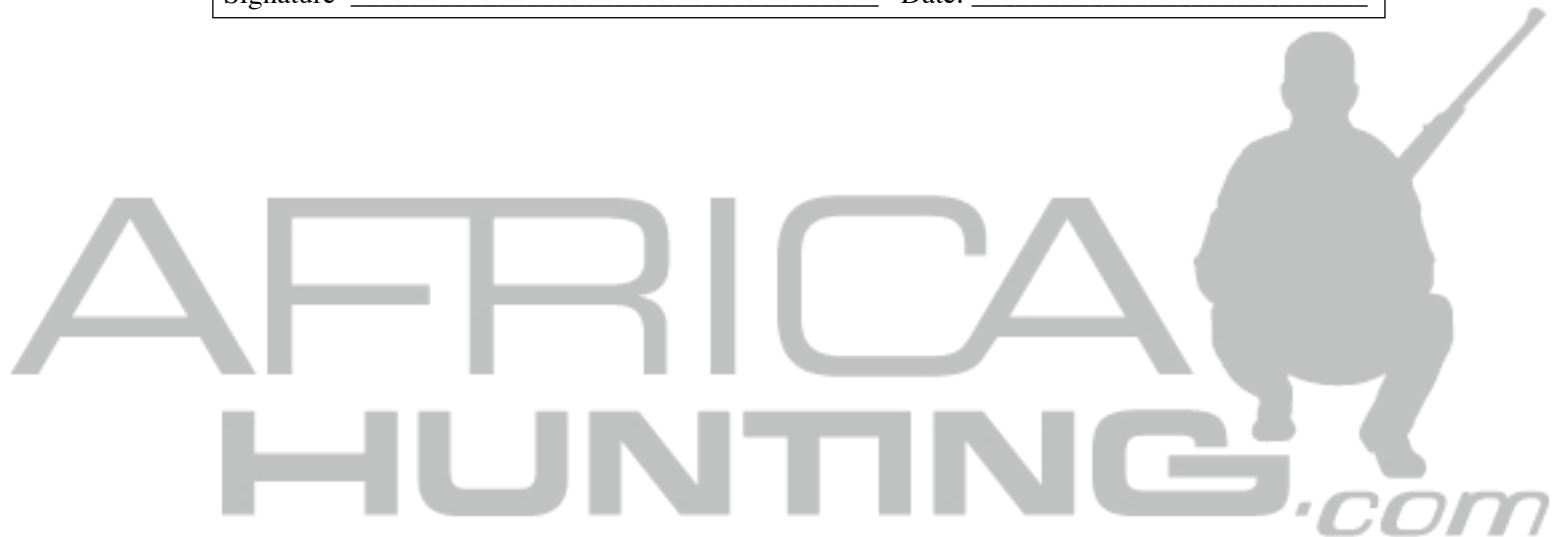
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Recommendations: _____

Conditions: _____

Approved/Not approved

Signature _____ Date: _____



SCHEDULE G**REPUBLIC OF NAMIBIA****MINISTRY OF ENVIRONMENT AND TOURISM**

Nature Conservation Ordinance, 1975 (Ordinance No. 4 of 1975)

RECORD SHEET**(Regulation 114C(o))**

Hunting date:

Hunting time: from to

Species hunted: Sex of an animal hunted:

Estimated age of animal hunted (in years):

Body measurements of animal hunted:

Carcass length in cm (tip of nose to tip of tail) :

Tail length in cm (tail base to tip) :

Weight in kg

Location where animal was shot (farm name, number and district):

SCI skull measurements (total length & width), this is only required once skull has been cleaned if available:

GPS co-ordinators:

Signature of:

Trophy Hunter: Date:

Trophy Hunting Guide: Date:

Trophy Hunting Operator: Date: ”.
