

# NATURE CONSERVATION ORDINANCE 8 of 1969

[NB. The administration of the whole of this Ordinance has under Proclamation 113 of 1994, published in *Government Gazette* 15813 of 17 June 1994, been assigned to Free State Province with effect from 17 June 1994.]

## ORDINANCE

To provide for the conservation of fauna and flora and the hunting of animals causing damage and for matters incidental thereto. <sup>1\*</sup>

*(Promulgated 12th December, 1969)*  
*(Date of commencement - 1st January, 1970)*  
*(English text signed)*

### DIVISION OF ORDINANCE

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### CHAPTER I INTRODUCTION (sec 1)

#### 1 Definitions

In this Ordinance, unless the context otherwise indicates -

"**Administration**" means the Provincial Administration of the Orange Free State;

"**Administrator**" means the Administrator acting on the advice and with the consent of the Executive Committee of the Province;

"**angle**" means to catch fish by the use of a line and fish-hook, whether or not a rod is used;

<sup>2\*</sup> "**authorized officer**" means an officer or honorary officer appointed under section 39 (1), and-

- (i) a member of the Force as defined in section 1 of the Police Act, 1958 (Act 7 of 1958);
- (ii) a traffic officer appointed under section 3 of the Road Traffic Act, 1989 (Act 29 of 1989);

"**biltong**" means meat which has been dried for the purpose of preservation or which is in the process of being dried;

<sup>3\*</sup> "**captivity**", in relation to an animal, means the confinement or mutilation of such animal to such an extent that it cannot maintain its natural way of living;

"**catch**", in relation to fish, includes the use of any means or method of taking (whether alive or dead), injuring, immobilizing or killing fish;

<sup>4\*</sup> **"Director-General"** means the Director-General: Provincial Administration of the Orange Free State;

<sup>5\*</sup> **"endangered species"**, in relation to an animal or plant, <sup>6\*</sup> [means] a species specified in Appendix 1 to the Convention on International Trade in Endangered species of Wild Fauna and Flora (Washington, 1973) and includes any reasonably identifiable part or derivative of such species;

**"exotic animal"** means any live vertebrate animal (except a fish) belonging to a non-domestic species and the habitat of which is not in any part of the Republic or the territory of South-West Africa and includes the egg of such animal;

<sup>7\*</sup> **"fish"** . . .

**"fishing tackle"** means any fishing gear, apparatus or other device or any part thereof usually used for catching fish;

**"game"** means any species of protected or ordinary game (whether alive or dead) as contemplated in sections 2 and 3;

**"hunt"** means-

- (a) in any manner whatsoever to kill or capture or to attempt to kill or capture;
- (b) to shoot at;
- (c) to search for, follow or lie in wait with intent to kill, shoot at or capture; or
- (d) wilfully to disturb,

and the word **"hunting"** has a corresponding meaning;

**"indigenous plant"** means any species of plant which is indigenous to the Republic or the territory of South-West Africa (whether it is or has been cultivated and whether it is no longer growing in the wild state or has for some time not been growing in the wild state) and includes the flower, seed, fruit, bulb, tuber, stem, root or any other part of such plant but not a plant declared under any law to be a weed;

**"natural bait"** means any animal or vegetable matter (whether alive or dead, except live aquatic fauna generally known as fish) used in angling;

**"owner"**, in relation to land, means-

- (a) in the case of land which is let to a person where such lessee is not prohibited by such owner from exercising the rights of an owner in terms of this Ordinance, such lessee;
- (b) in the case where the owner is dead or has disposed of the land, his successor in title before the registration of the transfer of the land;
- (c) in the case of land subject to a usufruct, the usufructuary thereof;
- (d) in the case where it is recorded in the Deeds Registry that the ownership of such land vests in a particular person, such person;
- (e) in all other cases, the registered owner,

and also, in the case of land which is not occupied by the owner thereof, the person who is in actual

occupation, and exercises general control over such land, provided he <sup>8\*</sup>... has been authorised in writing by the owner to act on his behalf:

Provided that-

- (i) when two or more persons are joint owners of land only that one of them who has been designated by the majority of such persons in writing for the purpose shall be deemed to be the owner of such land;
- <sup>9\*</sup> (ii) when a juristic person or an association of persons is the owner of land, the person designated in writing by such juristic person or association for the purpose shall be deemed to be the owner of such land;
- (iii) no person shall be deemed to be the owner of land merely by reason of his holding the shooting or angling rights in respect thereof;

**"pick"** includes gather, cut, chop off, uproot, damage or destroy;

**"poison"** includes any poison, preparation or chemical substance used to catch, immobilize, sterilize or to harm physically a wild animal;

**"prescribed"** means prescribed by regulation under this Ordinance;

**"public road"** means a road to which the public or a section thereof has a right of access and includes a rest camp as defined in section 1 of the Roads Ordinance, 1968 (Ordinance 4 of 1968);

<sup>10\*</sup> **"public sale"** . . .

<sup>11\*</sup> **"receiver of revenue"** . . .

<sup>12\*</sup> **"registering authority"** means a registering authority as referred to in section 2 of the Road Traffic Act, 1989 (Act 29 of 1989);

**"relative"**, in relation to an owner of land, means the spouse or a parent, child, brother, sister or grandchild, whether by consanguinity or affinity or by law, of such owner;

<sup>13\*</sup> **"scarce species"**, in relation to an animal or plant, <sup>14\*</sup> [means] a species specified in Appendix 11 to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (Washington, 1973) and includes, in the case of an <sup>15\*</sup> [animal], any reasonably identifiable part or derivative of such species;

**"sell"** includes to exchange or to dispose of for any consideration whatsoever or to offer or expose for sale;

**"set line"** means a line and fish-hook which when used for catching fish is not under the direct charge of a person but is attached to something, but does not include a line and fish-hook attached to a reel and rod lying loose on the ground;

**"this Ordinance"** includes a proclamation, regulation or notice issued in terms thereof;

**"waters"** includes water in a river, stream, creek, lake, pan, vlei, dam, reservoir, furrow or pond;

**"weapon"** means a fire-arm <sup>16\*</sup> ... or any other weapon or instrument with which a projectile can be propelled in such manner that it can kill, injure or immobilize a wild animal and includes ammunition for use in such fire-arm and any projectile for use in connection with such other weapon or instrument as

well as any chemical substance or preparation for use in connection with such projectile;

"**wild animal**" means any vertebrate (including a bird and reptile but not a fish) belonging to a non-domestic species whose habitat is either temporarily or permanently in any part of the Republic or the territory of South West Africa, and includes the carcass, egg, meat (fresh or cured), biltong and the unprocessed or partly processed hide, skin, thong, tooth, bone, horn, shell, scale, claw, nail, hoof, paw, tail, hair, feather or any other part of any such vertebrate animal.

## **CHAPTER II** **WILD ANIMALS (secs 2-21)**

### **2 Protected game**

(1) The species of wild animals specified in Schedule 1 to this Ordinance are hereby declared protected game.

<sup>17\*</sup> (2) ...

<sup>18\*</sup> (3) No person shall hunt protected game, except under authority of a permit which may be issued by the Administrator: <sup>19\*</sup> . . .

### **3 Ordinary game**

(1) The species of wild animals specified in Schedule 2 to this Ordinance are hereby declared ordinary game.

<sup>20\*</sup> (2) ...

### **4 Hunting seasons <sup>21\*</sup>**

The Administrator may by proclamation declare that ordinary game, or ordinary game of a specified species, or a specified number of such game or species, may, during a specified period, be hunted in the Province, or in a specified area of such Province, by any person or persons of a specified class.

### **5 Prohibition of hunting of ordinary game <sup>22\*</sup>**

(1) No person shall hunt ordinary game unless such hunt is authorized by a proclamation in terms of section 4: Provided that this provision shall not apply to a hunt-

- (a) carried out in a private nature reserve, which has been declared as such in terms of section 36 (1), by the owner of such reserve or a person under his direct supervision;
- (b) of ordinary game, during the period between half an hour before sunrise and half an hour after sunset, by the owner of land while such game is damaging cultivated trees or crops on such land.

<sup>23\*</sup> (c) authorized by a permit which may be issued by the Administrator.

(2) No person shall hunt ordinary game, unless-

- (a) he is the holder of a licence issued in accordance with section 37 (2) which authorizes him to hunt ordinary game; and
- (b) he hunts under the direct supervision of the owner of the land on which the hunt is carried out or he carries with him the written permission of such owner, containing the prescribed particulars, while he hunts:

Provided that this provision shall not apply to the owner of land or a relative of such owner, or a full-time employee of such owner acting on the instructions of such owner, when he hunts on such land.

## **6 Hunting at night <sup>24\*</sup>**

With the exception of game specified in Schedule 8, no person shall hunt game during the period between half an hour after sunset and half an hour before sunrise, except under the authority of a permit which may be issued by the Administrator.

## **7 Prohibition of hunting with or laying of poison <sup>25\*</sup>**

(1) No person shall hunt with poison or lay poison or cause poison to be laid at any place where it is likely to be picked up by a wild animal, except under authority of a permit which may be issued by the Administrator: <sup>26\*</sup> Provided that the laying of poison to destroy rodents or insects shall not be prohibited on condition that such poison is a poison that is manufactured exclusively for use against rodents or insects.

(2) No person, except a veterinarian as defined in the Veterinary and Para-veterinary Professions Act, 19 of 1982, shall hunt a wild animal by means of a weapon or other contrivance which injects an intoxicating agent or poison into an animal, except under authority of a permit which may be issued by the Administrator.

## **8 Hunting with certain weapons prohibited**

Except under authority of a permit which may be issued by the Administrator, no person shall hunt game by means of a-

- (a) weapon which is capable of discharging more than two shots consecutively and which, after it has been discharged, automatically reloads and discharges merely by pulling the trigger or by holding it in a discharged position;

<sup>27\*</sup> (b) ...

<sup>28\*</sup> (c) ...

<sup>29\*</sup> Provided that the owner of land or a relative of such owner, or a full-time employee of such owner acting on the instructions of such owner, shall not be prohibited from hunting with any such weapon on such land.

## **9 Hunting with certain contrivances prohibited**

Except under the authority of a permit which may be issued by the Administrator, no person shall hunt a wild animal with the aid of-

- (a) a snare, trap, gin, net, bird-lime, pitfall, holding pen, trap-cage or any other like medium, contrivance or method;

<sup>30\*</sup> (b) kerrie, stick or like weapon;

(c) a set gun or like contrivance; or

(d) a dog:

Provided that-

- (i) the owner of land, a relative of such owner or, <sup>31\*</sup> a full-time employee of such owner acting on the instructions of such owner shall not be prohibited from hunting a wild animal which is not game on such land with the aid of any such medium, contrivance, methods or weapon or a dog;
- (ii) it shall not be prohibited to use a dog at a lawful hunt for birds or in pursuit of a wild animal which was wounded at a lawful hunt.

#### **10 Prohibition of possession of certain contrivances capable of being used for hunting <sup>321</sup>**

Except under authority of a permit which may be issued by the Administrator, no person except-

- (a) the owner of land; or
- (b) a relative or full-time employee of such owner who has the written permission of such owner therefor,

shall be in possession of a snare, trap, gin, net, bird-lime, trap-cage or other contrivance intended or suitable for the hunting of wild animals, on such land or construct a pitfall or holding pen thereon.

#### **11 Prohibition of sale or purchase of wild animal <sup>33\*</sup>**

(1) Except under authority of a permit which may be issued by the Administrator, no person shall sell a wild animal: Provided that-

- (a) the owner of land shall not be prohibited from selling game lawfully hunted on such land;
- (b) the holder of a butcher's licence issued in terms of the Licences Ordinance, 8 of 1972, shall not be prohibited from selling the carcass or meat of game lawfully hunted, provided he keeps a record in the prescribed manner of such carcasses or meat acquired by him.

(2) No person shall sell a wild animal unless he, when he delivers the animal, hands to the purchaser a document containing the prescribed particulars.

(3) No person shall-

- (a) purchase a wild animal except from a person who sells it lawfully in terms of subsection (1); or
- (b) be in possession of a wild animal purchased by him unless he is the holder of a document referred to in subsection (2).

#### **12 Donation of wild animal <sup>34\*</sup>**

(1) No person shall donate a wild animal to any person unless he, when he delivers such wild animal, hands to the recipient a document containing the prescribed particulars.

(2) Except under authority of a permit which may be issued by the Administrator, no person shall donate a wild animal which is kept in captivity under a permit in terms of section 14 (1) to any other person.

(3) No person shall be in possession of a wild animal donated to him unless he is the holder of a document referred to in subsection (1).

#### **13 Conveyance of wild animal <sup>35\*</sup>**

(1) Subject to the provisions of subsection (2), no person shall convey a wild animal unless he has with him at the time of such conveyance-

- (a) in the case where such wild animal was hunted by him under authority of a permit, licence or permission referred to in section 2 (3) or 5, such permit, licence or permission;
- (b) in the case where such wild animal was donated to him, the document or permit referred to in section 12;
- (c) in the case where he has imported the wild animal into the Province, the permit referred to in section 16;
- (d) in the case where the wild animal is being conveyed through the Province, authoritative documents indicating that the exportation thereof from the area of origin and the importation thereof into the area of destination are lawful; or
- (e) in all other cases, an authoritative document indicating that the wild animal was hunted or acquired lawfully.

(2) The provisions of subsection (1) shall not apply to the owner of land on which the wild animal was lawfully hunted.

(3) No person shall convey a wild animal or cause a wild animal to be conveyed, unless such conveyance takes place in such manner and in such containers or crates as may be prescribed.

#### **14 Prohibited acts in respect of wild and exotic animals <sup>36\*</sup>**

(1) No person shall keep any live wild animal in captivity, except under authority of a permit which may be issued by the Administrator: Provided that this provision shall not apply in the case where <sup>37\*</sup> [game] which has been lawfully hunted and is intended for sale or donation, in accordance with the provisions of section 11 or 12, is kept in captivity for a period not exceeding thirty days and is, while it is thus in captivity, properly accommodated and cared for.

<sup>38\*</sup> (2) Except under authority of a permit which may be issued by the Administrator, no person shall-

- (a) possess, convey, buy, sell, grant, exchange, process or manufacture any product from any part of the body of a wild or exotic animal of a species specified in Schedule 3;
- (b) sell any such processed part or product; or
- (c) possess any processed part or product of a rhino horn.

<sup>39\*</sup> (3) Except under authority of a permit which may be issued by the Administrator, no person shall stuff any bird of prey that is a wild animal or possess it in a stuffed form.

(4) No person shall hunt wild animals that are not game, as defined, unless he is under the direct supervision of the owner of the land on which the hunt is carried out or carries with him the written permission of such owner, containing the prescribed particulars, while he hunts: Provided that this provision shall not apply to the owner of land when he hunts on such land.

#### **15 Export of animals <sup>40\*</sup>**

No person shall export from the Province-

- (a) an animal of an endangered or scarce species; or
- (b) a wild animal of any other species,

except under authority of a permit which may be issued by the Administrator: Provided that the export to another province or the territory of South-West-Africa of the carcass, fresh meat or biltong of any such wild animal of another species which was hunted or acquired lawfully is not prohibited.

#### **16 Importation of animals <sup>41\*</sup>**

No person shall import into the Province-

- (a) an animal of an endangered or scarce species; or
- (b) a wild or exotic animal of any other species,

except under authority of a permit which may be issued by the Administrator: Provided that the importation from another province or the territory of South-West-Africa of the carcass, fresh meat or biltong of any such wild animal of another species is not prohibited if it is accompanied by an authoritative document indicating that it was hunted or acquired lawfully in such other province or territory.

#### **17 Administrator may cause wild or exotic animal to be hunted**

(1) Whenever, in the opinion of the Administrator, a wild or exotic animal found on land-

- <sup>42</sup>1 (a) is detrimental to the preservation of any animal or plant;
- (b) is likely to be dangerous to human life;
- (c) is wounded, diseased or injured; or
- (d) should be hunted in the interest of nature conservation,

the Administrator may authorize any person to enter upon such land to hunt such animal thereon: Provided that, except in the case when an animal in the process of being hunted escapes and is immediately pursued on any land, such person shall inform the owner of such land, if he is present on such land at the commencement of such hunt, of his intention to hunt on such land and shall consult him in regard to the manner in which such hunt is to be conducted.

(2) The carcass of an animal killed during a hunt in terms of subsection (1), shall become the property of the Administrator.

#### **18 Hunting of exotic animal <sup>43\*</sup>**

Except in the circumstances referred to in section 17, no person shall hunt an exotic animal on any land unless he is the owner of such land or, hunts under the direct supervision of such owner or, while he hunts, has with him the written permission, containing the prescribed particulars, of such owner to hunt such animal.

#### **19 Prohibited acts in respect of exotic animals**

(1) Except under authority of a permit which may be issued by the Administrator, no person shall-

- (a) <sup>44\*</sup> ... release in the Province any exotic animal; or



- (b) keep in captivity or under his control or supervision, sell, donate or otherwise dispose of, purchase or acquire in any other manner or convey any exotic animal referred to in Schedule 4 to this Ordinance.

<sup>45\*</sup> (2) . . .

**20 Prohibition of organization of hunt for reward <sup>46\*</sup>**

(1) Except under authority of a permit which may be issued by the Administrator, no person shall organize or arrange, for reward, a hunt in which a person who is not an inhabitant of the Republic participates.

(2) For the purposes of subsection (1) "inhabitant" means a person who has been resident in the Republic for a period of not less than one year immediately preceding the date of the hunt in question.

**21 Entry upon land with weapon and hunting on public road <sup>47\*</sup>**

No person shall-

- (a) while he is in possession of a weapon, without lawful reason, enter upon or be on land, except a public road, upon which game is likely to be found, unless he has with him the written permission of the owner of such land to do so;
- (b) hunt a wild animal on or from a public road-
- (i) except under authority of a permit which may be issued by the Administrator; or
- (ii) unless he is the owner of the land over which the road runs.

**CHAPTER III  
FISH (secs 22-29)**

**22 Provisions in connection with the catching of fish not applicable to certain persons**

The provisions of this Chapter or a provision of this Ordinance which relates to the catching of fish shall not apply-

- (a) to the owner of land or a relative of such owner; or
- (b) to an employee of such owner acting on the instructions of such owner,

in so far as such provision applies to waters in a constructed dam which is not constructed in a public stream as defined in section 1 of the Water Act, 1956 (Act 54 of 1956) and which is entirely surrounded by such land.

**23 Angling licences**

(1) Subject to the provisions of subsection (2), no person shall angle in any water unless he-

- (a) is the holder of a licence issued in terms of section 37 (2) which empowers him to angle; and
- (b) has such licence with him while he angles.

<sup>48\*</sup> (2) Subsection (1) shall not apply to the owner of land or a relative of such owner when such owner or relative angles in waters on or from such land, in waters immediately adjacent to such land.

## **24 Permission to catch fish**

No person shall-

- (a) catch or attempt to catch fish in waters on any land; or
- (b) while he is in possession of fishing tackle, enter upon any land on which there are waters in which fish is likely to be found,

except with the previously obtained permission of the owner of such land.

## **25 Prohibition of the catching of fish during closed season**

(1) The Administrator may, by proclamation, prohibit any person from catching fish, or fish of a specified species or fish other than of a specified species, during a specified period in the waters of the Province or a specified area of the Province.

(2) No person shall wilfully injure or disturb-

- (a) the ova, brood or spawn of any fish; or
- (b) any spawning bed, bank or shallow whereon or wherein the spawn of any fish is deposited,

during the period when and in the waters in which the catching of such fish is prohibited by proclamation in terms of subsection (1).

## **26 Fishing methods**

(1) Except under authority of a permit which may be issued by the Administrator, no person shall catch fish in any waters otherwise than by angling.

(2) No person shall-

- (a) angle otherwise than by using not more than two lines to each of which is attached-
  - (i) not more than two single hooks with natural bait; or
  - (ii) one or more non-spinning artificial flies; or
  - (iii) not more than one artificial lure or spoon;
- (b) while angling employ any method calculated to hook a fish in any part of its body other than in the mouth;
- (c) catch or attempt to catch fish by means of a set line;
- <sup>49</sup>1 (d) place a marker, buoy or float on or in any waters to indicate an angling place or a feeding place for fish.

## **27 Prohibition of the possession of a fish-net or trap**

(1) Subject to the provisions of subsection (2), no person shall be in possession of a fish-net or trap, except a landing-net or keep-net designed for the purpose of bringing to land or keeping fish caught with a line and fish-hook.

(2) Subsection (1) shall not apply to-

- (a) an owner of land on which there is a constructed a dam as contemplated in section 22;
- <sup>50\*</sup> (b) the holder of a licence, issued in terms of the Licences Ordinance, 1972 (Ordinance 8 of 1972), which authorizes him to carry on a business with fish-nets and traps, provided he keeps a record in the prescribed manner of fish-nets and traps sold by him;
- (c) a person who is the holder of a permit issued in terms of section 26 (1) which authorizes him to catch fish with a fish-net or trap.

**28 Prohibition of the importation of live fish, the sale of live freshwater fish and the releasing of fish in waters**

Except under the authority of a permit which may be issued by the Administrator, no person shall-

- (a) import any live fish into the Province;
- (b) sell any live freshwater fish;
- (c) place or release any live fish in any waters:

Provided that a fish may be replaced immediately after it has been caught, in the waters in which it was caught.

**29 Prohibited acts in respect of certain aquatic growths**

(1) Except under authority of a permit which may be issued by the Administrator no person shall cultivate, possess, convey, import, sell or otherwise dispose of, purchase or otherwise acquire any species of aquatic growth referred to in Schedule 5 to this Ordinance.

<sup>51\*</sup> (2) ...

**CHAPTER IV  
INDIGENOUS PLANTS (secs 30-36)**

**30 Protected plants**

(1) The species of indigenous plants specified in Schedule 6 to this Ordinance are hereby declared protected plants.

<sup>52\*</sup> (2) . . .

<sup>53\*</sup> (3) Except under authority of a permit which may be issued by the Administrator, no person shall pick any protected plant: Provided that-

- (a) the unavoidable damaging or destruction of a protected plant in the course of any agricultural or development activity which is being lawfully carried out on land shall not be prohibited; and
- (b) an owner of land or a relative of such owner or a full-time employee of such owner acting on the instructions of such owner shall not be prohibited from picking-
  - (i) the flower of a protected plant on such land;
  - (ii) a protected plant specially cultivated on such land; or
  - (iii) a protected plant on any portion of such land which is on the point of being taken into use

for an activity referred to in paragraph (a).

### **31 Written permission of owner of land to pick indigenous plant**

(1) Subject to the provisions of subsection (2), no person shall pick any indigenous plant on land of which he is not the owner-

- (a) except with the written permission of such owner; and
- (b) unless he has such permission with him while picking such plant.

(2) Subsection (1) shall not apply to a relative of the owner of the land on which the plant is picked or a <sup>54\*</sup> full-time employee of such owner while he is acting on the instructions of such owner of such land.

### **32 Picking of indigenous plant on or near public road**

Except under authority of a permit which may be issued by the Administrator, no person shall pick any indigenous plant on land within <sup>55\*</sup> 100 metres on either side of the roadway of a public road: Provided that a person referred to in the proviso to section 30 (3) shall not be prohibited from picking any indigenous plant on such land in the circumstances contemplated in the said proviso.

### **33 Prohibited acts in respect of certain plants <sup>56\*</sup>**

(1) No person shall sell, donate, import into or export from the Province any protected plant or a plant of an endangered or scarce species, except under authority of a permit which may be issued by the Administrator: Provided that a person shall not be prohibited from-

- (a) donating any such plant picked by him in the circumstances contemplated in paragraph (b) of the proviso to section 30 (3) to any person; or
- (b) importing into or exporting from the Province any such plant which was lawfully donated to him in the Republic or the territory of South-West Africa or which he has purchased from a business which is registered or exempt from registration in terms of the Plant Improvement Act, 53 of 1976.

(2) No person shall-

- (a) purchase or take in receipt as a gift any protected plant or a plant of an endangered or scarce species except from a person who sells or donates it lawfully in accordance with the provisions of this Ordinance;
- (b) sell or donate any such plant unless he, when he delivers such plant, hands to the recipient thereof a document containing the prescribed particulars; or
- (c) be in possession of any such plant purchased by or donated to him unless he is the holder of a document containing the particulars referred to in paragraph (b).

### **34 Conveyance of plants <sup>57\*</sup>**

No person shall convey any protected plant or a plant of an endangered or scarce species unless he has with him at the time of such conveyance-

- (a) in the case where the plant was purchased by him or donated to him, a document containing the particulars referred to in section 33 (2) (b);

- (b) in the case where the plant is imported into or exported from the Province under a permit issued in terms of section 33 (1), such permit;
- (c) in the case where the plant is being conveyed through the Province, authoritative documents indicating that the exportation thereof from the area of origin and the importation thereof into the area of destination are lawful; or
- (d) in any other case, a permit which may be issued by the Administrator and which authorizes the conveyance of the plant.

## CHAPTER V NATURE RESERVES

### 35 Provincial nature reserves

(1) The Administrator may establish, maintain and manage a nature reserve and may for this purpose also establish a transport service and provide accommodation and camping and other facilities for visitors to such reserve.

(2) The Administrator may, by notice in the *Gazette*, declare a nature reserve established by him in terms of subsection (1), to be a provincial nature reserve.

(3) No person shall hunt a wild animal or pick an indigenous plant in a provincial nature reserve except with the permission of the Administrator.

### 36 Private nature reserve

(1) The Administrator may, on the application of the owner of land and on such conditions as may be prescribed or as the Administrator may determine, declare such land or any portion thereof, by notice in the *Gazette*, to be a private nature reserve.

(2) The Administrator may, by notice in the *Gazette*, amend or withdraw a declaration in terms of subsection (1).

(3) No person shall hunt a wild animal or pick an indigenous plant in a private nature reserve except with the written permission of the owner of such reserve or of a person authorized in writing by such owner to give such permission.

## CHAPTER VA ANIMALS CAUSING DAMAGE (secs 36A-36E) <sup>58\*</sup>

### 36A Definitions

For the purpose of this Chapter-

"**animal**" means a mammal, but excluding an animal classed as game or livestock;

"**livestock**" means an animal kept for the production of food, wool or skins or as a draught animal or for riding;

"**occupier**" means, in relation to land-

- (a) which is leased, the lessee thereof;
- (b) which is subject to a usufruct but is not leased, the usufructuary thereof; and

- (c) in other cases, the registered owner of the land or, if he has sold the land or is deceased, his successor in title;

<sup>59\*</sup> "Oranjejag" . . .

<sup>60\*</sup> "problem animal hunter" means a person to whom a permit has been issued under section 36B (a);

"rural area" the area situated outside the area of jurisdiction of a municipal council, a village management board and local board established in terms of the Local Government Ordinance, 8 of 1962, and outside a Black residential area as defined in the Blacks (Urban Areas) Consolidated Act, 25 of 1945.

### **36B Problem-animal hunters** <sup>61\*</sup>

The Administrator may-

- (a) issue a permit to a person which authorises him, subject to the provisions of this Ordinance, to hunt animals causing damage; and
- (b) on the basis and conditions as he determines, grant a problem-animal hunter assistance out of funds voted for this purpose.

### **36C Entry of land for purpose of hunt** <sup>62\*</sup>

When it is suspected that an animal has caused damage to property in a rural area, a problem-animal hunter or an authorized officer may, notwithstanding anything to the contrary contained in this Ordinance, enter upon any land, other than State land, in such area with or without vehicles, horses, dogs or other aids to hunt the animal which is suspected of having caused such damage and to carry out any other act, including the making of an opening in a fence which he deems necessary for the purpose of such hunt: Provided that a private nature reserve, referred to in section 36, shall not be entered except with the approval of the owner thereof.

**36D** . . . <sup>63\*</sup>

### **36E Offences and penalties** <sup>64\*</sup>

Any person who-

- (a) obstructs or hinders a problem-animal hunter or an authorized officer in the exercise of a power or the discharge of a duty in terms of section 36C;
- (b) knowingly kills, injures, damages or destroys a horse, dog, equipment or other property used in connection with a hunt in terms of section 36C; or
- (c) being an occupier of land refuses or fails to render such reasonable assistance as a problem-animal hunter or, an authorised officer may require of him during any such hunt,

shall be guilty of an offence and liable on conviction to a fine not exceeding R400 or to imprisonment for a period not exceeding 6 months or to both such fine and imprisonment.

## **CHAPTER VB** **NATURE CONSERVATION FUND (secs 36F-36H)** <sup>65\*</sup>

### **36F Definitions**

For the purpose of this Chapter-

**"fund"** means the Nature Conservation Fund established by section 36G;

**"Provincial nature reserve"** means a nature reserve as contemplated in section 35.

### **36G Establishment of Nature Conservation Fund**

A fund is hereby established to be known as the Nature Conservation Fund into which shall be paid-

- (a) the moneys donated to the Administration for purposes referred to in section 36H (b) and such other moneys as may be appropriated by the Provincial Council; and
- (b) the interest on investments made by the fund.

### **36H Appropriation of moneys in the fund**

The Administrator may-

- (a) invest moneys in the fund with the Corporation for Public Deposits; or
- (b) appropriate any such moneys to meet any expenditure authorized by the Provincial Council for the establishment and development of Provincial nature reserves in the Orange Free State.

## **CHAPTER VI GENERAL (secs 37-47)**

### **37 Permits, licences and exemptions**

(1) A permit or exemption in terms of this Ordinance may be issued by the Administrator on such conditions as may be prescribed or determined by the Administrator <sup>66\*</sup> . . . and may at any time be cancelled by the Administrator.

<sup>67\*</sup> (2) A licence in terms of this Ordinance shall be issued by a registering authority or such other person as may be designated by the Administrator and shall be subject to such conditions as may be prescribed, and may at any time be cancelled by the Administrator.

(3) When the Administrator has cancelled a permit, licence or exemption he shall cause the holder of such permit, licence or exemption to be notified thereof and such holder shall return such permit, licence or exemption immediately to the Administrator.

(4) When a permit, licence or permission issued to a person has been cancelled in terms of this section or section 41 (1) (a) (ii), no permit or permission shall, within such period after such cancellation as the Administrator may determine, and no licence shall, without the previously obtained permission of the Administrator, be issued to such person in terms of this Ordinance, and such person shall not, within such period or without such permission, obtain such permit, licence or exemption.

(5) A permit, licence or exemption issued contrary to the provisions of this Ordinance shall be null and void and the holder thereof shall at the request of the Administrator, immediately return such permit, licence or exemption to him.

### **37A Fees <sup>68\*</sup>**

Fees, as determined by the Administrator from time to time, may be levied in respect of-

- (a) entrance to a provincial nature reserve;
- (b) the use of the amenities and facilities provided at a provincial nature reserve; and
- (c) the issuance of a permit, licence or exemption in terms of this Ordinance.

### **38 Regulations**

(1) The Administrator may make regulations as to-

- (a) <sup>69\*</sup> . . . the conditions subject to which a permit, licence or exemption shall be issued;
- (b) the particulars which a permission or document issued in terms of this Ordinance shall contain;
- (c) the control and management of a provincial nature reserve, the conditions subject to which persons may be allowed into such reserve, <sup>70\*</sup> ... and the conditions subject to which a nature reserve may be declared a private nature reserve in terms of section 36 (1);
- (d) the hunting, possession, breeding, conveyance, importation, export, handling, release or disposal of wild and exotic animals;
- (e) the catching, possession, breeding, conveyance, importation, export, handling, release or disposal of fish;
- (f) the picking, possession, cultivation, conveyance, importation, export, planting, disposal or destruction of any plant;
- (g) the measurements, number, weight, size or sex of any animal which may be hunted or caught;
- (h) the protection of any animal, plant or natural surroundings against any activity or condition which, in his opinion, may be harmful to such animal, plant or surroundings;
- (i) the measurements, number, weight or size of fish which may be caught and retained;
- (j) the nature, measurements, form and construction of fishing tackle;
- (k) the control and regulation of fisheries in specified waters;
- (l) the promoting or holding of, or the participating in, angling competitions;
- (m) the sale of indigenous plants;
- (n) the possession of protected plants;
- (o) the control, importation, cultivation or eradication of any plant which, in his opinion, could be harmful to or create less favourable conditions for any wild animal, fish or indigenous plant;
- (p) generally, without such generality being limited by any of the preceding provisions, any matter which he considers it necessary or expedient to regulate in order that the purposes of this Ordinance may be achieved.

(2) The power to make any regulation in terms of subsection (1) shall include the power to restrict or prohibit any matter, thing or act in connection with the matter in question.

(3) Different regulations may be made in terms of subsection (1) in regard to different species of wild or exotic animals, fish or plants or different areas of the Province or different classes of persons, or



regulations may be made to apply only to specified species of animals, fish or plants or specified areas of the Province or specified classes of persons.

### **39 Appointment of officers and their powers**

(1) The Administrator may appoint any person in the service of the Administration in its Nature Conservation Branch as an officer and any other person as an honorary officer.

(2) Every officer or honorary officer shall be issued with a certificate of appointment which he shall, when exercising a power under this Ordinance, produce for inspection on request.

(3) An authorized officer may-

- (a) at any time, for the purpose of ascertaining whether the provisions of this Ordinance are being complied with, enter any land, premises, place, building, tent, vehicle, vessel, float or aircraft and inspect it and also any container or other thing found thereon or therein;
- (b) if he suspects that there is on any vehicle, vessel, float or aircraft anything which may afford evidence of a contravention of a provision of this Ordinance, order the driver or pilot thereof to stop such vehicle, vessel, float or aircraft and to keep it stationary until he has searched it;
- (c) seize anything which may, in his opinion, afford evidence of a contravention of a provision of this Ordinance;
- (d) remove any snare, trap, gin, net, bird-lime, fish-trap, set line, pitfall, holding pen, trap-cage, set gun, poison or any other like means or contrivance which he suspects of being used to hunt or catch any wild animal or fish unlawfully, from the place where it was found or, if such removal is impossible, destroy or render it harmless;
- (e) destroy any dog not used in a lawful hunt which is pursuing or in search of any game on any land;
- (f) demand the name and address and any other information necessary for his identification from any person whom he suspects-
  - (i) of having contravened a provision of this Ordinance; or
  - (ii) of being able to furnish information in connection with a contravention of a provision of this Ordinance;
- (g) at any time question any person whom he suspects of having information in connection with a contravention of a provision of this Ordinance in regard thereto;
- (h) demand from any person performing or whom he suspects to have performed any act in respect of which such person is required to be the holder, or in possession of a permit, licence, exemption, permission or other document in terms of this Ordinance, to produce such permit, licence, exemption, permission or other document.

(4) An authorized officer may, in the exercise of a power under this Ordinance, be accompanied by a person to assist him as an interpreter or in any other manner and such person shall, while acting under the direction of such authorized officer, be deemed to be an authorized officer.

(5) An owner of land shall, while he is on such land, have the same powers as an authorized officer in terms of subsection (3) (a), (c), (d), (e), (f) and (h).

### **40 Offences and penalties**

<sup>71</sup>\* (1) Any person who-

- (a) contravenes or fails to comply with a provision of section 2 (3), 7, 14 (2), 15 (a), 16 (a) or 33;

[NB. Please *see* section 34 and Part (b) of Schedule 3 of Act 107 of 1998 for provisions in respect of criminal proceedings.]

- (b) contravenes or fails to comply with any other provision of this Ordinance, a prohibition in terms of section 25 (1), a request in terms of section 37 (5) or a condition subject to which a permit, licence or exemption was issued in terms of this Ordinance;
- (c) is in possession of a wild animal, fish or plant, or derivative or part thereof, in respect of which there is a reasonable suspicion that it has not been hunted, caught, picked or obtained in accordance with the provisions of this Ordinance and is unable to give a satisfactory account of such possession;
- (d) hinders or obstructs a person in the exercise of any power in terms of section 17 or an authorized officer or an owner of land in the exercise of any power in terms of section 39 or refuses or fails to answer to the best of his ability any question lawfully put to him by such officer or owner;
- (e) falsely pretends that he is an authorized officer;
- (f) falsely pretends that a certain act may be performed on land; or
- (g) knowingly makes a false statement in an application for a permit, licence or exemption in terms of this Ordinance,

shall be guilty of an offence and liable upon conviction-

- (i) in the case of an offence referred to in paragraph (a), to a fine not exceeding R100 000 or to imprisonment for a period not exceeding 10 years or to both such fine and such imprisonment; and
- (ii) in the case of any other such offence, to a fine not exceeding R20 000 or to imprisonment for a period not exceeding 5 years or to both such fine and such imprisonment.

(2) (a) When a court has convicted a person of a contravention of section 7 (1) and such court is satisfied that an animal has been poisoned as a result of the picking up of the poison to which such contravention relates and that a person has thereby suffered damage, the court may in addition to any other punishment which it may impose, sentence the convicted person to a fine not exceeding the damage suffered by the aggrieved person or to imprisonment for a period not exceeding six months.

(b) Such fine shall, when it has been paid or recovered from the convicted person, be paid to the aggrieved person.

(c) Paragraphs (a) and (b) shall not apply in the case where the aggrieved person has applied for compensation under the provisions of the Criminal Procedure Act, 1955 (Act 56 of 1955).

#### **41 Forfeitures**

- (1) (a) Whenever any person is convicted of an offence under this Ordinance, the court shall-
- (i) declare any wild or exotic animal, fish, indigenous or exotic plant or aquatic growth in respect of which the offence was committed forfeit to the Administration;

- (ii) if such person is the holder of a permit, licence or exemption issued in terms of this Ordinance, cancel such permit, licence or exemption.

(b) The holder of a permit, licence or exemption cancelled in terms of paragraph (a) (ii) shall return it immediately after it has been cancelled to the Administrator.

(2) Whenever any person has been convicted of any offence under this Ordinance-

- (a) the court <sup>72\*</sup> may declare any weapon, lamp, battery, fishing tackle, contrivance, article referred to in sections 9 and 27, animal or other article or object used for the purpose or in connection with the commission of the offence forfeit to the Administration;
- (b) the court may declare any vehicle, vessel, float or aircraft used in connection with the commission of such offence or for the conveyance of anything in respect of which such offence was committed, or the right of such person to such vehicle, vessel, float or aircraft, forfeit to the Administration: Provided that such a declaration of forfeiture shall not be made if the court is satisfied that the vehicle, vessel, float or aircraft does not belong to the person convicted of such offence and that the owner thereof was unable to prevent it from being so used by such person.

(3) The provisions of subsection (2), shall not apply -

- (a) in the case of an offence which was committed by the owner of land or a relative of such owner on such land;
- (b) in the case of a contravention of section 21 or 24 (b), or of section 23 (1) where the convicted person was the holder of a licence but did not have it with him while he was angling.

<sup>73\*</sup> (4) The provisions of section 35 (4) of the Criminal Procedure Act, 1977 (Act 51 of 1977), shall apply *mutatis mutandis* to a forfeiture under subsection (2).

#### **41A Payment of compensation to informant <sup>74\*</sup>**

The Director General may pay a cash amount that is in his opinion under the circumstances reasonable and fair, to any person that supplies any information or exhibit with regard to an offence referred to in section 14 (2), regardless of whether such information or exhibit leads to a prosecution and conviction in a competent court.

#### **42 Presumptions**

(1) In any prosecution in terms of this Ordinance it shall be presumed until the contrary is proved-

- (a) in the case where it is alleged that a person is not the holder of a permit, licence, exemption or document issued in terms of this Ordinance, that such person is not the holder of such permit, licence, exemption or document;
- (b) in the case where it is alleged that an animal, fish or plant is of a specified species or sex, that such animal, fish or plant is of that species or sex;
- (c) in the case where an animal, fish or plant is found on a vehicle, vessel, float or aircraft or at a camping place, that every person, who at the time such animal, fish or plant was so found, was upon such vehicle, vessel, float or aircraft or at such camping place or was in any way associated therewith, was in possession of such animal, fish or plant;
- (d) that any person caught in the act while removing an animal or fish from a snare, trap, gin, net, bird-lime, fish-trap, set line, pitfall, holding pen, trap-cage or any other like means or contrivance, was busy hunting or catching such animal or fish;

- (e) in the case where an animal, fish or plant is found in any shop or other place of sale, that the person in whose possession it is found or who has control over such shop or place, has attempted to sell such animal, fish or plant;
- (f) in the case of a contravention of section 7 (1), that the owner of the land on which poison or an animal which died of poison was found laid or caused such poison to be laid on such land.

#### 43 Exemption from and suspension of provisions of Ordinance

(1) The Administrator may exempt any person from any or all of the provisions of this Ordinance.

(2) The Administrator may, by notice in the *Gazette*, suspend any or all of the provisions of this Ordinance for a definite or indefinite period in so far as it relates to a specified species of animal, fish or plant in the Province or a specified area of the Province.

#### 44 Fines and fees

Fines and fees collected in terms of this Ordinance shall be paid into the Provincial Revenue Fund.

#### 45 Repeal of ordinances

The ordinances specified in Schedule 7 to this Ordinance are hereby repealed to the extent set out in the third column thereof.

#### 46 . . . <sup>75\*</sup>

#### 47 Short title and commencement

This Ordinance shall be called the Nature Conservation Ordinance, 1969, and shall come into operation on a date to be fixed by the Administrator by proclamation. <sup>76\*</sup>

### SCHEDULE 1 PROTECTED GAME (SECTION 2)

Common Name	Scientific Name
All species of land tortoises <sup>77*</sup>	<i>Family Testudinidae.</i>
Girdled lizards <sup>78*</sup>	<i>Family Cordylidae.</i>
Hedgehog	<i>Erinaceus frontalis.</i>
Pangolin	<i>Manis temminckii.</i>
Antbear	<i>Orycteropus afer.</i>
Aardwolf	<i>Proteles cristatus.</i>
Bat-eared fox	<i>Orocyon megalotis.</i>
All species of chameleons	<i>Family Chamaeleonidae.</i>
Python	<i>Python sebae.</i>
Elephant	<i>Loxodonta africana.</i>

Hippopotamus	<i>Hippopotamus amphibius</i>
Sable antelope	<i>Hippotragus niger</i>
Black rhinoceros <sup>79*</sup>	<i>Diceros bicornis</i>
White rhinoceros <sup>80*</sup>	<i>Ceratotherium simum</i>
Roan antelope <sup>81*</sup>	<i>Hippotragus equinus</i>
Oribi <sup>82*</sup>	<i>Ourebia ourebi</i>

All birds which are wild animals except those which are ordinary game and except the following:

All species of mousebirds	<i>Family Coliidae</i>
All species of bulbuls	<i>Family Pycnonotidae</i>
Red-winged Starling	<i>Onychognathus morio</i>
Pied Starling	<i>Spreo bicolor</i>
Indian Myna	<i>Acridotheres tristis</i>
House Sparrow	<i>Passer domesticus</i>
Cape Sparrow	<i>Passer melanurus</i>
All species of crows and ravens	<i>Family Corvidae</i>
All species of weavers, queleas, widow-birds and bishop-birds	<i>Subfamily Ploceinae</i>
Rock Pigeon	<i>Columba guinea</i>
Cape Turtle Dove	<i>Streptopelia capicola</i>
Ostrich	<i>Struthio camelus</i>
Laughing Dove	<i>Stigmatopelia senegalensis</i>
Reed Cormorant	<i>Phalacrocorax africanus africanus</i>
White-breasted Cormorant	<i>Phalacrocorax carbo lucidus</i>

**SCHEDULE 2  
ORDINARY GAME (SECTION 3)**

Common Name	Scientific Name
Zebra <sup>83*</sup>	<i>Family Equidae</i>

Giraffe	<i>Giraffa camelopardalis</i>
Bushbuck	<i>Tragelaphus scriptus</i>
Kudu	<i>Tragelaphus strepsiceros</i>
Eland	<i>Taurotragus oryx</i>
Gemsbok	<i>Oryx gazella</i>
Waterbuck	<i>Kobus ellipsiprymnus</i>
Reedbuck	<i>Redunca arundinum</i>
African buffalo	<i>Syncerus caffer</i>
Blue wildebeest	<i>Connochaetes taurinus</i>
Black wildebeest	<i>Connochaetes gnou</i>
Red hartebeest	<i>Alcelaphus buselaphus</i>
Impala	<i>Aepyceros melampus</i>
Klipspringer	<i>Oreotragus oreotragus</i>
Steenbok	<i>Raphicerus campestris</i>
Grey duiker	<i>Sylvicapra grimmia</i>
Blesbok	<i>Damaliscus dorcas phillipsi</i>
Springbok	<i>Antidorcas marsupialis</i>
Grey rhebuck	<i>Pelea capreolus</i>
Mountain reedbuck	<i>Redunca fulvorufula</i>
Bontebok	<i>Damaliscus dorcas dorcas</i>
All species of hare except springhare	<i>Family Leporidae</i>
Spurwing Goose	<i>Plectropterus gambensis</i>
Guinea Fowl	<i>Numida melagris</i>
Egyptian Goose	<i>Alopochen aegyptiacus</i>
Blue Crane	<i>Tetrapteryx paradisea</i>
African Shelduck	<i>Tadorna cana</i>
Yellow-billed Duck	<i>Anas undulata</i>
Red-knobbed Coot	<i>Fulica cristata</i>
Francolins and quails	<i>Family Phasianidae</i>
Red-billed Teal	<i>Anas erythrorhyncha</i>

**SCHEDULE 3  
SPECIFIED WILD ANIMALS <sup>84\*</sup>**

[Section 14 (2) (a) (i)]

<b>Common Name</b>	<b>Scientific Name</b>
All elephants	Family <i>Elephantidae</i>
All rhinoceroses	Family <i>Rhinocerotidae</i>

**SCHEDULE 4  
EXOTIC ANIMALS TO WHICH THE PROVISIONS OF SECTION 19(1)(b) APPLY**

<b>Common Name</b>	<b>Scientific Name</b>
All species of exotic tortoises, turtles and terrapins	<i>Order Chelonia</i>
Nutria	<i>Myocastor coypus</i>
Bobwhite quail	<i>Colinus virginianus</i>
Chukar partridge	<i>Alectoris graeca</i>
<sup>85*</sup> Mallard Duck	<i>Anas platyrhynchos</i>
<sup>86*</sup> All species of exotic monkeys, baboons and apes	<i>Order primate</i>
<sup>87*</sup> All species of exotic carnivorous animals	<i>Order carnivora</i>
<sup>88*</sup> All species of deer	<i>Family cervidae</i>
<sup>89*</sup> Barbary sheep	<i>Ammotragus lervia</i>
<sup>90*</sup> Himalajatahr	<i>Hemitragus jemlahicus</i>

**SCHEDULE 5  
AQUATIC PLANTS (SECTION 29)**

<b>Common Name</b>	<b>Scientific name</b>
Azolla	<i>genus Azolla</i>
Pondweed	<i>Egeria (elodea) densa</i>
Parrots' feather	<i>Myriophyllum spicatum</i>
Kariba weed	<i>Salvinia auriculata</i>
Water lettuce	<i>Pistia stratiotes</i>

Water hyacinth

*Eichhornia crassipes*

**SCHEDULE 6**  
**PROTECTED PLANTS (SECTION 30)**

Common Name	Scientific Name
<sup>91</sup> * Tree-fern . . . . .	<i>Alsophila dregei</i> (= <i>Cyathea dregei</i> )
. . . . .	
all species of cycads	<i>genus Encephalartos</i>
all species of yellowwoods	<i>genus Podocarpus</i>
all species of arum lilies	<i>genus Zantedeschia</i>
all species of red-hot pokers	<i>genus Kniphofia</i>
all species of aloes	<i>genus Aloe</i>
"kleinkanniedood" . . . . .	<i>Haworthia nervosa</i> subsp. <i>recurva</i> (=
. . . . .	<i>Haworthia tessellata</i> )
all species of agapanthus	<i>genus Agapanthus</i>
all species of berg lilies	<i>genus Galtonia</i>
all species of wild squill	<i>genus Scilla</i>
all species of pineapple flower	<i>genus Eucomis</i>
all species of paint brushes and blood flowers	<i>genus Haemanthus</i>
all species of poison bulbs or century plants	<i>genus Boophane</i>
all species of nerines	<i>genus Nerine</i>
all species of brunsvigia	<i>genus Brunsvigia</i>
all species of kukumakrankas	<i>genus Gethyllis</i>
all species of crinums	<i>genus Crinum</i>
ground lily	<i>Ammocharis coranica</i>
all species of fire lilies	<i>genus Cyrtanthus</i>
all species of elephant's foot or wild yam	<i>genus Dioscorea</i>
river lily, vlei lily	<i>Schizostylis coccinea</i>
all species of fairy-bells, hair-bells or flowering grass	<i>genus Dierama</i>
all species of tritonia	<i>genus Tritonia</i>
all species of gladioli	<i>genus Gladiolus</i>
all species of watsonias	<i>genus Watsonia</i>



all species of freesias	<i>genus Freesia</i>
all species of orchids	<i>family Orchidaceae</i>
the protea species of the O.F.S	<i>Protea caffra, P. roupelliae and P. subvestita</i>
all species of stone faces or stone plants	<i>genus Lithops</i>
Neohenricia vygie	<i>Neohenricia sibbettii</i>
all species of pleiospilos	<i>genus Plesiopilos</i>
sheep's tongue	<i>Titanopsis calcarea</i>
all species of anacampseros	<i>genus Anacampseros</i>
all species of sundew	<i>genus Drosera</i>
"ploegbreker" or "tamboekwiewortel"	<i>Erythrina zeyheri</i>
all species of "vingerpol, voetangel, noorsdoring, melkbol" or "melkpol"	<i>genus Euphorbia</i>
wild begonia	<i>Begonia sutherlandii</i>
all species of Cabbage trees	<i>genus Cussonia</i>
all species of heath	<i>genus Erica</i>
wild olive tree	<i>Olea europaea subsp. africana</i>
all species of pachypodiums	<i>genus Pachypodium</i>
all species of the stapeliae, ceropegias and trichocaulons	<i>family Asclepiadaceae</i>
all species of everlastings	<i>genus Helichrysum.</i>

**SCHEDULE 7**  
**ORDINANCES REPEALED** <sup>92\*</sup>

(Section 45)

<b>No. and year of Ordinance</b>	<b>Short Title of Ordinance</b>	<b>Extent of Repeal</b>
6 of 1937	Game Protection Ordinance, 1937.	The whole.
13 of 1937	Game Protection Amendment Ordinance, 1937.	The whole.
4 of 1939	Game Protection Amendment Ordinance, 1939.	The whole.
14 of 1943	Game Protection Amendment Ordinance, 1943.	The whole.
9 of 1952	Game Protection Amendment Ordinance, 1952.	The whole.

	1952.	
7 of 1953	Native Flora Ordinance, 1953.	The whole.
5 of 1964	Fish Preservation Ordinance, 1964.	The whole.
11 of 1967	Vermin Extermination Ordinance, 1967.	The whole.
12 of 1968	Game Protection Amendment Ordinance, 1968.	The whole.
6 of 1971	Vermin Extermination Amendment Ordinance, 1971.	The whole.
7 of 1974	Vermin Extermination Amendment Ordinance, 1974.	The whole.
9 of 1976	Vermin Extermination Amendment Ordinance, 1976.	The whole.
6 of 1977	Vermin Extermination Amendment Ordinance, 1977.	The whole.
2 of 1980	Vermin Extermination Amendment Ordinance, 1980.	The whole.
10 of 1981	Vermin Extermination Amendment Ordinance, 1981.	The whole.

**SCHEDULE 8  
HUNTING AT NIGHT <sup>93\*</sup>**

(SECTION 6)

Common Name	Scientific Name
Springbok	<i>Antidorcas marsupialis</i>
Blesbok	<i>Damaliscus dorcas phillipsi</i>
Black wildebeest	<i>Connochaetes gnou</i>
Blue wildebeest	<i>Connochaeles taurinus</i>
Gemsbok	<i>Oryx gazella</i>
Eland	<i>Taurotragus oryx</i>
Red hartebeest	<i>Alcelaphus buselaphus</i>
Impala	<i>Aepyceros melampus</i>
Kudu	<i>Tragelaphus strepsiceros</i>
Zebra	family <i>Equidae</i>

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- <sup>1</sup>Long title substituted by s. 24, O. 2/1983 w.e.f. 6/5/1983.
- <sup>2</sup>Definition substituted by s. 1, P. 4/1991 w.e.f. 25/1/1991.
- <sup>3</sup>Definition inserted by s. 1, O. 2/1983 w.e.f. 6/5/1983.
- <sup>4</sup>Definition inserted by s. 1, P. 4/1991 w.e.f. 25/1/1991.
- <sup>5</sup>Definition inserted by s. 1, O. 7/1976 w.e.f. 30/7/1976.
- <sup>6</sup>Word in square brackets inserted by s. 1, O. 2/1983 w.e.f. 6/5/1983.
- <sup>7</sup>Definition deleted by s. 1, O. 2/1983 w.e.f. 6/5/1983.
- <sup>8</sup>Words "is a white person and" deleted by s. 1, O. 2/1983 w.e.f. 6/5/1983.
- <sup>9</sup>Par. (ii) substituted by s. 1, O. 2/1983 w.e.f. 6/5/1983.
- <sup>10</sup>Definition deleted by s. 1, O. 2/1983 w.e.f. 6/5/1983.
- <sup>11</sup>Definition deleted by s. 1, P. 134/1993.
- <sup>12</sup>Definition inserted by s. 1, P. 134/1993.
- <sup>13</sup>Definition inserted by s. 1, O. 7/1976 w.e.f. 30/7/1976.
- <sup>14</sup>Words in square brackets inserted by s. 1, O. 2/1983 w.e.f. 6/5/1983.
- <sup>15</sup>Words in square brackets substituted for the word "plant" by s. 1, O. 2/1983 w.e.f. 6/5/1983.
- <sup>16</sup>Words "with a barrel longer than four inches" deleted by s. 1, O. 2/1983 w.e.f. 6/5/1983.
- <sup>17</sup>Subs. (2) deleted by s. 2, P. 4/1991 w.e.f. 25/1/1991.
- <sup>18</sup>Subs. (3) substituted by s. 2, O. 2/1983 w.e.f. 6/5/1983.
- <sup>19</sup>Proviso deleted by s. 2, P. 2/1991 w.e.f. 25/1/1991.
- <sup>20</sup>Subs. (2) deleted by s. 3, P. 4/1991 w.e.f. 25/1/1991.
- <sup>21</sup>**S. 4 substituted by s. 3, O. 2/1983 w.e.f. 6/5/1983.**
- <sup>22</sup>S. 5 substituted by s. 4, O. 2/1983 w.e.f. 6/5/1983.
- <sup>23</sup>Par. (c) inserted by s. 4, P. 4/1991 w.e.f. 25/1/1991.
- <sup>24</sup>S. 6 substituted by s. 5, P. 4/1991 w.e.f. 25/1/1991.
- <sup>25</sup>S. 7 substituted by s. 5, O. 2/1983 w.e.f. 6/5/1983.
- <sup>26</sup>Proviso substituted by s. 6, P. 4/1991 w.e.f. 25/1/1991.
- <sup>27</sup>Par. (b) deleted by s. 7, P. 4/1991 w.e.f. 25/1/1991.
- <sup>28</sup>Par. (c) deleted by s. 6, O. 2/1983 w.e.f. 6/5/1983.
- <sup>29</sup>Proviso substituted by s. 6, O. 2/1983 w.e.f. 6/5/1983.
- <sup>30</sup>Par. (b) substituted by s. 4, O. 7/1976 w.e.f. 30/7/1976.
- <sup>31</sup>Amended by s. 7, O. 2/1983 w.e.f. 6/5/1983.
- <sup>32</sup>S. 10 substituted by s. 8, O. 2/1983 w.e.f. 6/5/1983.
- <sup>33</sup>**S. 11 substituted by s. 9, O. 2/1983 w.e.f. 6/5/1983.**
- <sup>34</sup>S. 12 substituted by s. 10, O. 2/1983 w.e.f. 6/5/1983.
- <sup>35</sup>**S. 13 substituted by s. 11, O. 2/1983 w.e.f. 6/5/1983.**
- <sup>36</sup>S. 14 substituted by s. 12, O. 2/1983 w.e.f. 6/5/1983.
- <sup>37</sup>Word in square brackets substituted for the words, "a wild animal" s. 8, P. 4/1991 w.e.f. 25/1/1991.
- <sup>38</sup>Subs. (2) substituted by s. 8, P. 4/1991 w.e.f. 25/1/1991.
- <sup>39</sup>Subs. (3) inserted by s. 8, P. 4/1991 w.e.f. 25/1/1991.
- <sup>40</sup>**S. 15 substituted by s. 8, O. 7/1976 w.e.f. 30/7/1976.**
- <sup>41</sup>**S. 16 substituted by s. 9, O. 7/1976 w.e.f. 30/7/1976.**
- <sup>42</sup>Par. (a) substituted by s. 13, O. 2/1983 w.e.f. 6/5/1983.
- <sup>43</sup>**S. 18 substituted by s. 14, O. 2/1983 w.e.f. 6/5/1983.**
- <sup>44</sup>Words "import into or" which appeared before the word "release" deleted by s. 10, O. 7/1976 w.e.f. 30/7/1976.
- <sup>45</sup>Subs. (2) deleted by s. 9, P. 4/1991 w.e.f. 25/1/1991.

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- <sup>46</sup>**S. 20 substituted by s. 15, O. 2/1983 w.e.f. 6/5/1983.**
- <sup>47</sup>**S. 21 substituted by s. 16, O. 2/1983 w.e.f. 6/5/1983.**
- <sup>48</sup>Subs. (2) substituted by s. 11, O. 7/1976 w.e.f. 30/7/1976.
- <sup>49</sup>Par. (d) inserted by s. 17, O. 2/1983 w.e.f. 6/5/1983.
- <sup>50</sup>Par. (b) substituted by s. 12, O. 7/1976 w.e.f. 30/7/1976.
- <sup>51</sup>Subs. (2) deleted by s. 10, P. 4/1991 w.e.f. 25/1/1991.
- <sup>52</sup>Subs. (2) deleted by s. 11, P. 4/1991 w.e.f. 25/1/1991.
- <sup>53</sup>Subs. 3 substituted by s. 18, O. 2/1983 w.e.f. 6/5/1983.
- <sup>54</sup>Word "full-time" substituted for the word "white" by s. 12, P. 4/1991 w.e.f. 25/1/1991.
- <sup>55</sup>Expression "100 metres" substituted for the words "three hundred feet" by s. 14, O. 7/1976 w.e.f. 30/7/1976.
- <sup>56</sup>**S. 33 substituted by s. 19, O. 2/1983 w.e.f. 6/5/1983.**
- <sup>57</sup>**S. 34 inserted by s. 20, O. 2/1983 w.e.f. 6/5/1983.**
- <sup>58</sup>**Chapter VA inserted by s. 21, O. 21/1983 w.e.f. 6/5/1983.**
- <sup>59</sup>Definition deleted by s. 2, P. 134/1993.
- <sup>60</sup>Definition inserted by s. 2, P. 134/1993.
- <sup>61</sup>**S. 36B substituted by s. 3, P. 134/1993.**
- <sup>62</sup>**S. 36C substituted by s. 4, P. 134/1993.**
- <sup>63</sup>**S. 36D repealed by s. 5, P. 134/1993.**
- <sup>64</sup>**S. 36E substituted by s. 6, P. 134/1993.**
- <sup>65</sup>**Chapter VB inserted by s. 1, O. 11/1984 w.e.f. 9/11/1984.**
- <sup>66</sup>Words "and on payment of the prescribed fees" deleted by s. 14, P. 4/1991 w.e.f. 25/1/1991.
- <sup>67</sup>Subs. (2) substituted by s. 7, P. 134/1993.
- <sup>68</sup>**S. 37A inserted by s. 15, P. 4/1991 w.e.f. 25/1/1991.**
- <sup>69</sup>Words "the fees which shall be paid on the issue of a permit, licence or exemption in terms of this Ordinance, and" deleted by s. 16, P. 4/1991 w.e.f. 25/1/1991.
- <sup>70</sup>Words "the fees to be paid for entrance to such reserve and the use of the facilities provided there" deleted by s. 16, P. 4/1991 w.e.f. 25/1/1991.
- <sup>71</sup>Subs. (1) substituted by s. 22, O. 2/1983 w.e.f. 6/5/1983 and by s. 17, P. 4/1991 w.e.f. 25/1/1991.
- <sup>72</sup>Amended by s. 17, O. 7/1976 w.e.f. 30/7/1976.
- <sup>73</sup>Subs. (4) inserted by s. 18, P. 4/1991 w.e.f. 25/1/1991.
- <sup>74</sup>**S. 41A inserted by s. 18, P. 4/1991 w.e.f. 25/1/1991.**
- <sup>75</sup>**S. 46 is an amending provision relating to s. 13, O. 11/1976.**
- <sup>76</sup>1 January 1970-Proclamation 203 of 12/12/1969.
- <sup>77</sup>List of names substituted by A.N 345 dd. 14/12/1985.
- <sup>78</sup>Expression substituted for "Giant girdled lizard ... Cordylus gigantius" A.N. 269 dd. 18/10/1985.
- <sup>79</sup>Expression inserted by s. 20, P. 4/1991 w.e.f. 25/1/1991.
- <sup>80</sup>Expression inserted by s. 20, P. 4/1991 w.e.f. 25/1/1991.
- <sup>81</sup>Expression inserted by s. 20, P. 4/1991 w.e.f. 25/1/1991.
- <sup>82</sup>Expression inserted by s. 20, P. 4/1991 w.e.f. 25/1/1991.
- <sup>83</sup>List of names substituted by A.N. 345 dd. 14/12/1984 and amended by A.N. 269 dd. 18/10/1985 and by s. 21, P. 4/1991 w.e.f. 25/1/1991.
- <sup>84</sup>**Schedule 3 inserted by s. 23, O. 2/1983 w.e.f. 6/5/1983.**
- <sup>85</sup>Name added by A.N. 18, dd. 23/1/1987.
- <sup>86</sup>Name added by A.N. 18, dd. 23/1/1987.

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<sup>87</sup> Name added by A.N. 18, dd. 23/1/1987.

<sup>88</sup> Name added by A.N. 18, dd. 23/1/1987.

<sup>89</sup> Name added by A.N. 18, dd. 23/1/1987.

<sup>90</sup> Name added by s. 22, P. 4/1991 w.e.f. 25/1/1991.

<sup>91</sup> List of names substituted by A.N. 269 dd. 18/10/1985.

<sup>92</sup> **Schedule 7 substituted by s. 2, O. 5/1986 w.e.f. 23/5/1986.**

<sup>93</sup> **Schedule 8 added by s. 23, P. 4/1991 w.e.f. 25/1/1991.**