

DEFINITIONS

1. "adequately enclosed" in relation to land means enclosed by-
 - (a) any fence, wall or obstruction of any kind whatsoever forming an enclosure from which any wild animal of a species specified in a certificate of adequate enclosure issued in terms of section 35 (4)
 - (b) is unable to escape without breaking it;
2. "biltong" means the meat of any wild animal which has been or is being dried, smoked, salted, cured or treated in any other manner for the purpose of preservation;
3. "biltong sausage" means sausage, whether dried or not, made wholly or partly of the meat of any wild animal;
4. "buy" includes barter or exchange;
5. "captivity" in relation to any wild animal means the keeping within an enclosure by means of any fence, wall or obstruction of any kind whatsoever in such a way that such wild animal is unable to maintain itself by natural means;
6. "capture" in relation to any wild animal means by any means whatsoever to capture, catch or take or to attempt to pursue with intent to capture, catch or take;
7. "carcase" in relation to any wild animal means the whole or any part of the meat (whether dried, smoked, salted, cured or treated in any manner), the head, tooth, horns, shell, scale, tusks, bones, feathers, tail, claws, paw, hoof, skin, hide, hair, viscera or any part whatsoever of the carcase, and includes the egg;
8. "endangered wild animal" means a wild animal of any species which is in danger of extinction and is specified in Schedule 1 or Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, Washington, 1973; provided that it shall not include a wild animal of any species specified in such Appendix and Schedule 2;
9. "fire-arm" includes an air-gun having a barrel of a calibre of not less than five comma six millimetres;
10. "full-time employee" means an employee who is employed full-time on a monthly basis and is in receipt of a salary or wage which is in accordance with local tariffs for the kind of work done by him;
- X 11. "hunt" in relation to any wild animal means by any means whatsoever to hunt or search for, to kill, capture or attempt to kill or capture, or to pursue, follow or drive with intent to kill or capture, or to shoot at, poison, lie in wait for or willfully disturb;

12. "hunting season" means the period in any year determined by proclamation issued in terms of section 78(a);

13. "owner" means-

(a) in relation to land-

(I) the person in whom is vested the legal title thereto;

14. "protected wild animal" means any species of wild animal specified in Schedule 2 or Appendix II of the Conservation on International Trade in Endangered Species of Wild Fauna and Flora, Washington, 1973; provided that it shall not include any species of wild animal specified in such Appendix and Schedule 1;

15. "relative" in relation to the owner of any land means the spouse, parent, step-parent, adoptive parent, son-in-law, child, step-child, adopted child, brother, sister or grandchild of such owner provided that in relation to an owner of land which is an unincorporate association of persons, "relative" means the relative as hereinbefore defined of every member of such association;

16. "sell" includes hawk, peddle, barter or exchange or offer, advertise, expose or have in possession for the purpose of sale, hawking, peddling, bartering or exchanging;

17. "trap" means any trap, springtrap, snare, gin, cage, net, pitfall or bird-lime and any other device or method whatsoever which can be used or adapted for the capture of wild animals;

18. "weapon" means-

(a) a fire-arm having a barrel exceeding one hundred millimetres in length and includes ammunition for any such fire-arm, or

(b) any other instrument which is capable of propelling a projectile or which can itself be propelled or used in such a way that a wild animal may be killed, injured or immobilized thereby,

and includes a spear, assegai, bow-and-arrow, axe, bush-knife, knife or similar object and any narcotic whatsoever,

19. "wild animal" means any live vertebrate or invertebrate animal (including the egg or spawn of any such animal, but excluding any ostrich used for farming purposes and the egg thereof) belonging to a non-domestic species and includes any such animal which is kept or has been born in captivity.

PROTECTION OF WILD ANIMALS OTHER THAN FISH
(Heading substituted by s. 7/0 15/83.)

Application of Chapter IV.

25A. For the purpose of this fish Chapter the term “wild animal” shall not include fish.
(Inserted by s.8/0 15/83.)

Prohibition on hunting or possession of endangered wild animals.

26. No person shall without a permit hunt or be in possession of any endangered wild animal or the carcase of any such animal.

Hunting of protected wild animals.

27. (1) Subject to the provisions of subsection (2) and (3) no person shall hunt any protected wild animal.
- (a) during any hunting season, unless he is the holder of a permit or of a licence in the prescribed form issued to him by the Director, a receiver of revenue or any person authorized to do so by the Director on payment of the prescribed fee, or (Amended by s.s 6/0 26/86.)
 - (b) at any other time unless he is the holder of a permit to do so.
- (2) The provisions of subsection (1) (a) shall not apply to any owner of land, any relative of such owner or any full- time employee of such owner acting on the authority of such owner, in respect of any protected wild animal found on the land of such owner.
- (3) Subject to the provisions of regulation made under section 82 (1) (c) the provisions of subsection (1) shall not apply to any person not in possession of a weapon, who –
- (a) in the presence of the owner of any land on which any protected wild animal is being hunted by any other person as contemplated by such subsection, or
 - (b) in the absence but with the written permission of such owner, assists such other person during such hunt by acting as a beater.

Prohibition on killing or capturing of protected wild animals in excess of daily bag limit.

28. No person authorized by any provision of this ordinance to hunt any wild animal shall at any time kill or capture a greater number of any species of protected wild animal than the daily bag limit determined in respect of such species by proclamation under section 79 (a).

ILLEGAL HUNTING METHODS

Section 29.

No person shall unless he is the holder of a permit authorising him to do so, hunt any wild animal-

- (a) by means of fire or poison;
- (b) with the aid of artificial light;
- (c) on or from a public road;
- (d) by means of any trap;
- (e) during the period one hour after sunset on any day and one hour before sunrise on the following day;
- (f) by means of any weapon in a public place within the area of jurisdiction of a local authority;
- (g) by means of a fire-arm which discharges a rim-fire cartridge of a calibre less than five comma six millimetres;
- (h) by means of a fire-arm which discharges more than two shots without being manually reloaded;
- (i) by means of a bow-and-arrow;
- (j) by means of a set gun or any similar contrivance;
- (k) by means of any device which injects an intoxicating or a narcotic agent or poison into such animal;
- (l) by the use of a dog, except for the hunting of birds or for the purpose of following or searching for any such animal which has been wounded;
- (m) in the case of birds in or upon inland waters, by the use of a boat for the purpose of chasing or killing such birds;

provided that in respect of the hunting of-

- (i) rodents, the provisions of paragraph (a), (b), (d), (e) and (1), or (Amended by s.7/0 26/86.)
- (ii) any bird or any other wild animal which is not an endangered or a protected wild animal, the provisions of paragraph (g), or
- (iii) any such wild animal by a registered veterinary surgeon in the practice of his profession, the provisions of paragraph (k),

shall not apply.

PROHIBITION ON USE OF CERTAIN FIRE-ARMS TO HUNT CERTAIN WILD ANIMALS.

Section 30.

No person shall use a fire-arm having a barrel of a calibre of six comma five millimetres or less to hunt any Buffalo, Eland, Kudu, Wildebeest, Oryx or Red Hartebeest.

PROHIBITION ON THE USE OF MOTOR VEHICLES TO HUNT

Section 33.

- (1) Subject to the provisions of subsection (2), no person shall without a permit use any motor vehicle or aircraft to hunt any wild animal or to hunt, disturb, drive or stampede any wild animal or animals for the purpose of filming or photographing such hunt, disturbance, drive or stampede or for any other purpose whatsoever.
- (2) The provisions of subsection (1) shall not preclude the use of a motor vehicle for the hunting in accordance with the provisions of this ordinance of any wild animal by the owner of any land on such land.

RIGHTS OF HOLDER OF C.A.E.

Section 36.

Any owner of land to whom a certificate of adequate enclosure has been issued in terms of section 35(4)(b), any relative of such owner, any full-time employee of such owner acting under the authority of such owner and any other person in possession of a permit or of a licence referred to in section 27(1)(a) and acting with the permission of such owner may, notwithstanding anything to the contrary contained in this ordinance but subject to any conditions specified in such certificate-

- (a) at any time by any means other than by the use of fire or poison and on the land in respect of which such certificate was issued hunt any number of the species of protected wild animal specified in such certificate;
- (b) subject to the provisions of section 31(2) and any regulations made under section 82(1)(d) keep any animal of such species which has been captured on such land in captivity on such land, and (Substituted by s.9/0 15/83).
- (c) sell or donate any animal of such species which has been so captured or the carcase of any such animal.

TRANSFER OF HUNTING RIGHTS

Section 38.

(1) The Director may in writing authorise-

- (a) any owner of land to whom a certificate of adequate enclosure has been issued in terms of section 35(4)(b), or
- (b) any other owner of land,

to transfer, whether temporarily or permanently, to a person approved by him and subject to such conditions as he may impose-

- (i) in the case of an owner referred to in paragraph (a), the rights conferred on such owner by section 36, and
 - (ii) in the case of an owner referred to in paragraph (b), the rights of any such owner under this ordinance.
- (2) In the application of the provisions of this ordinance, any person to whom any rights have been transferred as contemplated by subsection (1), shall as from the date of such transfer and, in the case of a temporary transfer, for the duration of the period concerned, be deemed to be the owner of the land in question.

PERMISSION OF LANDOWNER TO HUNT

Section 39.

(2) Subject to the provisions of subsection (3) no permission granted in terms of subsection (1) shall be valid unless it is reduced to writing and reflects-

- (a) the full names and address of the owner concerned and of the person to whom it is granted, and
- (b) the number and the species of wild animal, the date or dates and the land in respect of which it is granted,

and is signed and dated by such owner.

DONATION/SALE OF GAME/CARCASE

Section 41.

No person shall donate or sell any wild animal or the carcass of such animal to any other person unless, when he delivers such animal or carcass to such other person, he furnishes such other person with a written document signed by him reflecting -

- (a) the full names and address of such firstmentioned person;
- (b) the full names and address of such other person;
- (c) the number and species of wild animals or carcasses so donated or sold;
- (d) the date on which such animal or carcass was so donated or sold, in
- (e) a statement by him that he has donated or sold such animal or carcass to such other person. (Amended by s.10/0 26/86.).

Possession of wild animal or carcass thereof.

42. (1) Any person found in possession of any wild animal or the carcass of any such animal shall be guilty of an offence unless, in the event of –
- (a) the animal having been hunted by him on the land of any other person, he is in possession of the written permission contemplated by section 39, or
 - (b) his having acquired such animal or carcass from any other person, he is in possession of a written document contemplated by section 41.
- (2) The provisions of subsection (1) shall not apply in any case where a relative or full-time employee of any owner of land is found in possession of a wild animal or the carcass of any such animal which such relative or employee has hunted on the land of such owner with his permission or which such owner has sold or donated to such relative or employee.

Documents relating to permission to hunt or to the donation of wild animals or the carcasses thereof to be retained for certain period.

43. Every document referred to in sections 39 and 41 shall be retained by the person to whom it was furnished for a period of at least two months from the date on which it was so furnished or while such person is in possession of the wild animal or carcass to which it relates, whichever is the longer period.

Miscellaneous offences in relation to certain wild animals.

44. (1) Subject to the provisions of this ordinance, no person shall without a permit authorizing him to do so –
- (a) import into, export from or transport in or through the Province any wild animal,
 - (b) (i) import into the Province from any place outside the Republic the carcass of any wild animal, or (Substituted by s. 10/0 15/83.)
 - (ii) export from the Province the carcass of any endangered wild animal or any protected wild animal specified in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, Washington, 1973,
 - (c) sell, buy, donate or receive as a donation the carcass or anything manufactured from the carcass of any endangered wild animal, (Substituted by s.10/0 15/83.)

- (d) process, prepare, cure, tan or in any manner whatsoever treat the carcass of any endangered wild animal for the purpose of-
 - (i) manufacturing any article therefrom,
 - (ii) exhibiting such carcass or any article manufactured therefrom, or
 - (iii) mounting such carcass, or
 - (e) sell, buy, donate, receive as a donation or be in possession of any live endangered or protected wild animal.
- (2) The provisions of subsection (1) (a) shall not be construed so as to preclude the export from or the transport in or through the Province without a permit, of any bird which is not an endangered or protected wild animal.

Sale and purchase of biltong and biltong sausage.

45. (1) No person shall sell biltong or biltong sausage unless –

- (a) the meat of which it was made is the meat of a wild animal hunted in accordance with the provisions of this ordinance or any other law, (Substituted by s. 11/0 15/83.)
- (b) it has been packed by the producer thereof in a securely sealed and unbroken container and such seal and container is intact, and
- (c) the names and address of the producer appear in clearly legible letters and figures on such container.

(2) No person shall buy any biltong or biltong sausage, which does not comply with the provisions of subsection (1) (b) and (c).

Sale of carcasses of wild animals.

46. No person of any wild animal shall be sold by any person other than –

- (a) the owner of any land in which the animal concerned was hunted in accordance with the provisions of this ordinance,
- (b) a market master at a public or municipal market, or
- (c) a person authorized by a permit issued under this ordinance or a licence issued under Licences Ordinance, 1981 (Ordinance 17 of 1981) , to sell such carcass. (Substituted by s. 12/0 15/83.)

SCHEDULE 1/BYLAE 1

ENDANGERED WILD ANIMALS/ BEDREIGDE WILDE DIERE

(The scientific names shown in the last column are the species of the class or order under which they appear./ Die wetenskaplike name in die laaste kolom aangedui is die spesies van die klas of orde waaronder hulle voorkom.)

<u>Common name</u> (Where known)	<u>Volksnaam</u> (Waar bekend)	<u>Scientific name/</u> <u>Wetenskaplike naam</u>	
	CLASS/KLAS:	MAMMALIA	
	Order/Orde:	PHOLIDOTA	
African Scaly A -eater	Ietermago	<u>Manis temminicki</u>	
	Order/Orde:	CARNIVORA	
Cheetah	Jagluiperd	<u>Acinonyx jubatus</u>	
	Order/Orde:	PERSISSODACTYLA	
Black Rhinoceros	Swartrenoster	<u>Diceros bicornis</u>	(Added by
) Proc. No.
square-lipped rhinoceros	Witrenoster	<u>Ceratotherium</u> <u>simum</u>) 208, 1984) Provincial) Gazette 4352 (14.12.84))
ape Mountain ebra	Kaapse Berg- kwagga	<u>Equus zebra zebra</u>	
	Order/Orde:	ARTIODACTYLA)
ibi	Oorbietjie	<u>Ourebia ourebi</u>) (Added by) Proc. No.) 16, 1986) Provincial) Gazette 4417 (14.3.86))
	Order/Orde:	LAGOMORPHA)
verine Rabbit	Rivierkonyn	<u>Bunolagus</u> <u>monticularis</u>)
	CLASS/KLAS:	AVES	
	Order/Orde:	CICONIIFORMES	

Bald Ibis

Wildekalkoen

Geronticus calvus

Order/Orde: FALCONIFORMES

Bearded Vulture

Lammergier

Gypaetus barbatus

Order/Orde: SPHENSCIFORMES

All penguins

Alle pikkewyne

Family/Familie: Spheniscidae
(Added by P.
No. 10, 19
Provincial
Gazette 48
(4.2.94))

SCHEDULE 2/BYLAE 2

PROTECTED WILD ANIMALS/BESKERMDE WILDE DIERE

(The scientific names shown in the last column are the families or species of the class or order under which they appear. Die wetenskaplike name in die laaste kolom aangedui is die families of spesies van die klas of orde waaronder hulle voorkom.)

<u>Common name</u> (Where known)	<u>Volksnaam</u> (Waar bekend)	<u>Scientific name/</u> <u>Wetenskaplike naam</u>
CLASS/KLAS: MAMMALIA		
Order/Orde: INSECTIVORA		
Elephant Shrew	Klaasneus	Family/Familie: MACROSCOLIDIDAE
Shrews	Skeerbekmuise	Family/Familie: SORICIDAE
Hedgehog	Krimpvarkie	<u>Erinaceus frontalis</u>
Order/Orde: PRIMATES		
Bush-baby	Nagapie	<u>Galago senegalensis</u>
Samango Monkey	Samango-aap	<u>Cercopithecus mitis</u>
Order/Orde: CHIROPTERA		
All bats except Fruit Bats of the family PTEROPODIDAE	Alle vlermuise behalwe Vrugtevlermuise van die familie PTEROPODIDAE	
Order/Orde: CARNIVORA		
African Lion	Leeu	<u>Panthera leo</u>
Leopard	Luiperd	<u>Panthera pardus</u>
Black-footed Cat	Miershooptier	<u>Felis nigripes</u>
Serval Cat	Tierboskat	<u>Felis serval</u>
Aardwolf	Maanhaarjakkals	<u>Proteles cristatus</u>

<u>Common name</u> (Where known)	<u>Volksnaam</u> (Waar bekend)	<u>Scientific name/</u> <u>Wetenskaplike naam</u>
Order/Orde: CARNIVORA (Contd/vervolg)		
Brown Hyaena	Strandwolf	<u>Hyaena brunnea</u>
Honey Badger	Ratel	<u>Mellivora capensis</u>
Silver Jackal	Silwerjakkals	<u>Vulpes chama</u>
Bat-eared Fox	Bakoorjakkals	<u>Otocyon megalotis</u>
Snake Mongoose	Slangmuishond	<u>Poecilogale albinucha</u>
Order/Orde: PROBOSCIDEA		
African Elephant	Olifant	<u>Loxodonta africana</u>
Order/Orde: HYRACOIDEA		
Tree Dassie	Boomdassie	<u>Dendrohyrax arboreus</u>
Order/Orde: TUBULIDENTATA		
Ant-bear	Erdvark	<u>Orycteropus afer</u>
Order/Orde: PERISSODACTYLA		
Burchell's Zebra	Bontkwagga	<u>Equus burchelli</u>
Hartmann's Zebra	Suidwes- bergkwagga	<u>Equus zebra</u> <u>hartmannae</u>

<u>Common name</u> (Where known)	<u>Volksnaam</u> (Waar bekend)	<u>Scientific name/</u> <u>Wetenskaplike naam</u>
	Order/Orde:	ARTIODACTYLA
Warthog	Vlakvark	<u>Phacochoerus aethiopicus</u>
Hippopotamus	Seekoei	<u>Hippopotamus amphibius</u>
Giraffe	Kameelperd	<u>Giraffa camelopardalis</u>
Klipspringer	Klipspringer	<u>Oreotragus oreotragus</u>
Grey Duiker	Duiker	<u>Sylvicapra grimmia</u>
Blue Duiker	Bloubokkie	<u>Cephalophus monticola</u>
Steenbok	Steenbok	<u>Raphicerus campestris</u>
Grysbok	Grysbok	<u>Raphicerus melanotis</u>
Grey Rhebuck	Vaalribbok	<u>Pelea capreolus</u>
Kudu	Koedoe	<u>Tragelaphus strepsiceros</u>
Bush-buck	Bosbok	<u>Tragelaphus scriptus</u>
Impala	Rooibok	<u>Aepyceros melampus</u>
Reed-buck	Rietbok	<u>Redunca arundinum</u>
Mountain Rhebuck	Rooiribbok	<u>Redunca fulvorufula</u>
Springbok	Springbok	<u>Antidorcas marsupialis</u>
Oryx	Gemsbok	<u>Oryx gazella</u>
Eland	Eland	<u>Taurotragus oryx</u>
African Buffalo	Buffel	<u>Syncerus caffer</u>
Blue Wildebeest	Blouwildebees	<u>Connochaetes taurinus</u>
Black Wildebeest	Swartwildebees	<u>Connochaetes gnou</u>
Red Hartebeest	Rooihartbees	<u>Alcelaphus buselaphus</u>
Bontebok	Bontebok	<u>Damaliscus dorcas dorcas</u>
Blesbok	Blesbok	<u>Damaliscus dorcas phillipsi</u>

6(a)

<u>Common name</u> (Where known)	<u>Volksnaam</u> (Waar bekend)	<u>Scientific name/</u> <u>wetenskaplike naam</u>
Mole Snakes	Molslange	Genus <u>Pseudaspis</u>
Green and Bush Snakes	Groen- en Bosslange	Genus <u>Philothamnus</u>
Shovel-snout Snakes	Graafneusslange	Genus <u>Prosymna</u>

CLASS/KLAS: AVES

All birds except -	Alle voëls behalwe -
(1) those Specified in Schedule 1, and	(1) dié in Bylae 1 bepaal, en
(2) the follow- ing:-	(2) die vol- gende:-

Volksnaam
(Waar bekend)

Common name
(Where known)

Wetenskaplike naam/
Scientific name

KLAS/CLASS: AVES (Vervolg/contd)

Alle Muisvoëls	All Colies	Familie/Family: COLIIDAE
Alle Kraaie	All Crows	Familie/Family: CORVIDAE
Swartoog-tiptol	Black-eyed Bulbul	<u>Pycnonotus barbatus</u>
Kaapse Tiptol	Cape Bulbul	<u>Pycnonotus capensis</u>
Rooioog-tiptol	Red-eyed Bulbul	<u>Pycnonotus nigricans</u>
Kaapse Mossie	Cape Sparrow	<u>Passer melanurus</u>
Engelse Mossie	European Sparrow	<u>Passer domesticus</u>
Rietvink	Masked Weaver	<u>Ploceus velatus</u>
Geelvink	Cape Weaver	<u>Ploceus capensis</u>
Kaapse Kaffervink	Cape Widow-bird	<u>Euplectes capensis</u>
Rooi Kaffervink	Red Bishop-bird	<u>Euplectes orix</u>
Europese Spreeu	European Starling	<u>Sturnus vulgaris</u>
Rooibekvink	Red-billed Quelea	<u>Quelea quelea</u>
Rooivlerkspreu	Red-winged Starling	<u>Onychognathus morio</u>
Alle uitheemse voëls, uitge- sonderd -	All exotic birds other than -	
Uitheemse voëls van die orde ANSERIFORMES	Exotic birds of the order ANSERIFORMES	
"Bobwhite"- kwartel	Bobwhite Quail	<u>Colinus virginianus</u>
Chukarpatrys	Chukar Partridge	<u>Alectoris graeca</u>
Andamanse spreu	Andaman Mynah	<u>Sturnus erythropygius</u> <u>andamanensis</u>
Pagodaspreeu	Pagoda Mynah	<u>Sturnus pagodarum</u>
Malabaarse spreu	Malabar Mynah	<u>Sturnus malabaricus</u>

Part VI - Professional Hunters and Hunting Contractors
(Substituted by PN 153/1984).

51. For the purpose of this Part-

(a) "client" in relation to -

(i) a professional hunter, means a person who is not normally resident in the Republic who is escorted by such hunter for reward, or

(ii) a hunting contractor, means a person who is not normally resident in the Republic for whom such contractor for reward organises the hunting of a wild animal;

(c) "trophy" means the carcase of a wild animal hunted by a client which he retains as a memento of his hunting success.

52. (1) Any person desiring to obtain a permit to act either as a professional hunter or as a hunting contractor shall apply therefore to the Director, on form N52 and shall furnish the Director with any other information he may require.

(2) The fee payable for a permit to act either as a professional hunter or as a hunting contractor shall be R50; provided that no fee shall be payable by any person who applies for a permit to act either as a professional hunter or as a hunting contractor-

(a) exclusively on land owned by him, and

(b) if he is already the holder of either of the permits contemplated by subregulation (1)

(3) Upon receipt of an application in terms of subregulations (1) and payment of the fee contemplated by subregulation (2) (if applicable) the Director may, if he is satisfied that the person applying is -

(a) at least 21 years of age;

(b) by virtue of his knowledge, ability, skill and experience, qualified to be issued with the permit applied for, and

(c) in the case of an application for a permit to act as a hunting contractor,-

- (i) a South African citizen or is in possession of a permit as contemplated by section 4 of the Aliens Act, 1937 (Act 1 of 1937), and
- (ii) able and will be able to maintain satisfactory standards in respect of the provision and rendering of the services contemplated by regulation 53,

subject to such conditions and restrictions as he may deem necessary, issue the permit applied for on either form N53 or form N54 as the case may be.

- (4) Subject to the provisions of section 75 of the Ordinance, a permit issued in terms of subregulation (3) shall be valid for a period of 3 years from the date of issue thereof.

53. A hunting contractor shall -

- (a) be able and equipped to provide and render the following facilities and services to his client: -
 - (i) the escorting services of a professional hunter;
 - (ii) hunting, skinning, handling and despatch services;
 - (iii) accommodation, storage, washing and sanitary conveniences;
 - (iv) catering;
 - (v) transport;
 - (vi) cleaning and refuse removal services;
 - (vii) first-aid and fire-fighting services, and
 - (viii) staff services, and
- (b) obtain the necessary licence, permit, document or permission for his client to -
 - (i) hunt a wild animal, and
 - (ii) convey or export trophies in or from the Province.

54. The Director or a person appointed in terms of regulation 55 may examine, re-examine, evaluate or re-evaluate the standards, knowledge, ability, skill and experience of a person applying for or a holder of a permit to act either as a professional hunter or as a hunting contractor and, in the case of the lastmentioned type of permit, such person's or such holder's ability to provide and render the facilities and services contemplated by regulation 53.
55. (1) The Director may appoint as many persons as he may deem necessary, who in his opinion are competent to examine, re-examine, evaluate or re-evaluate as contemplated by regulation 54, and to report to him thereon.
- (2) A person appointed in terms of subregulation (1), who is not an officer, official or employee of the State or the Administration, may from time to time determine out of moneys appropriated by the Provincial Council for that purpose.
- (3) The Director may at any time terminate the appointment of any person appointed in terms of subregulation (1).
56. (1) A hunting contractor shall, before the commencement of the provision or rendering of any facility or service to a client, conclude a written remuneration agreement in duplicate with the client and shall, thereafter, whensoever the provision or rendering of any additional facility or service or other amendment is agreed upon, in a similar manner conclude such an agreement with the client or make appropriate identical alterations on both copies of such agreement or any other agreement, as the case may be, and both copies of such agreement or any other agreement and any alterations on such copies shall be signed and dated by such contractor and such client and such agreement or agreements shall contain the following particulars:-
- (a) the name and business address of such contractor;
- (b) the name and permanent postal address of such client;
- (c) the name and business address of the professional hunter who will escort the client;
- (d) the address to which he must despatch trophies if this is required by the client;
- (e) the place and date of commencement and the place and date of termination of the provision and rendering of facilities and services to the client;
- (f) the facilities and services which will be provided or rendered to the client and the tariff for each facility or service or the daily tariff, and

- (g) the species and sex of wild animals offered for hunting and the tariff for each wild animal wounded or killed beyond any reasonable doubt whether or not such animal or the carcase of such animal can be located.
 - (2) The hunting contractor shall, upon the conclusion of a remuneration agreement as contemplated by subregulation (1), retain the original copy of such agreement and deliver the copy thereof to the client.
 - (3) A hunting contractor shall not be entitled to claim remuneration from a client in respect of anything which is not specified in a remuneration agreement as contemplated by subregulation (1) or to so claim at a tariff other than a tariff specified in such agreement or, unless inconsistent with the terms of such agreement, in respect of anything specified in such agreement which was not actually provided, rendered or delivered to the client.
57. (1) A professional hunter shall keep a register, the pages of which shall be permanently bound in quadruplicate (provided that the first three pages of each four pages may be perforated for easy detachment) and numbered consecutively, in which he shall record the following particulars (in quadruplicate) in such a manner that such particulars in respect of not more than one client appear on any one page:-
- (a) his name and business address;
 - (b) the name and permanent postal address of the client;
 - (c) the name and business address of the hunting contractor who organised the hunting for the client;
 - (d) the place where the date on which his escort service to the client commenced and the place where and the date on which such service terminated;
 - (e) the name of every farm on which he escorted the client and the name and address of the owner of every such farm, and
 - (f) the species, sex and number of wild animals killed or wounded by the client on every farm, the date on which every wild animal was killed or wounded and, in the case of a wild animal with a horn or horns, the length or the estimated length of such horn or horns, as the case may be.
- (2) Any alteration made to any entry in the register contemplated by subregulation (1), shall be identical on all four copies of the record and all four copies on which such alteration appears shall be signed and dated by the professional hunter and the client concerned.

(3) Upon the termination of his escort service to a client, the professional hunter and the client concerned shall sign and date the record of particulars in the register contemplated by subregulation (1) and such professional hunter shall detach the first three copies thereof, and-

(a) deliver one copy each to the client concerned and the hunting contractor mentioned in such record, and

(b) send one copy by registered post to the Director of Nature and Environmental Conservation, Private Bag 9086, Cape Town, 8000.

58. A professional hunter-

(a) shall not act as such unless he is in the employ of a hunting contractor or he also acts as a hunting contractor;

(b) shall not escort more than two clients during the hunting of a wild animal other than a bird;

(c) shall at all times be present during the hunting of a wild animal by his client and shall supervise the hunting of such wild animal;

(d) shall do everything within reason to ensure that his client complies with the provision of the Ordinance and these regulations, and

(e) who is aware or suspects that this client has contravened any provision of the Ordinance or these regulations, shall, within 24 hours of so becoming aware or so suspecting report the matter to a member of the South African Police Force or to a nature conservation officer.

59. No person shall act as a hunting contractor or offer to act as a hunting contractor unless-

(a) he is the owner of the land on which he will act as such or, if he is not the owner of such land, he has obtained written permission from the owner of such land to act as such on such land, and

(b) the species, sex and number of wild animals offered for hunting occur on the land contemplated by paragraph (a) and such wild animals are not kept in captivity.