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Statutory Instrument 362 of 1990.

[ACT 14/75]

## Parks and Wild Life (General) Regulations, 1990

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IT is hereby notified that the Minister of Natural Resources and Tourism, in terms of section 116 of the Parks and Wild Life Act, 1975, has made the following regulations:—

## PART I

### PRELIMINARY

#### *Title*

1. These regulations may be cited as the Parks and Wild Life (General) Regulations, 1990.

#### *Interpretation*

2. In these regulations—

“accommodation” means a chalet, cottage or lodge provided within the Parks and Wild Life Estate by the Director;

“appropriate fee” means the appropriate fee specified or fixed in terms of Part VI;

“area of the Parks and Wild Life Estate” means a development area, a refuge area, a wild area or a wilderness area;

“badge” means the Badge of the Department referred to in section 107;

“bush-camp” means a camp-site set aside by the Director in a safari area;

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- “camping-site” means a site set aside by the Director for use by campers, but does not include a bush-camp;
- “caravan-site” means a site set aside by the Director for use by caravanners;
- “development area” means an area of the Parks and Wild Life Estate depicted as a development area on the map;
- “domesticated animal” means any live domestic or domesticated vertebrate animal other than a fish;
- “facility” means any facility provided by the Director for use by any person;
- “map” means the map of any part of the Parks and Wild Life Estate lodged with the Director, which is available for inspection free of charge by any person during normal office hours;
- “Parks and Wild Life Estate” means every national park, botanical reserve, botanical garden, sanctuary, safari area and recreational park, but does not include any botanical garden in respect of which the Minister has, in terms of subsection (5) of section 16 of the Act, ceded the functions conferred upon him in terms of the Act;
- “picnic-site” means a site set aside by the Director as a site at which persons may picnic;
- “refuge area” means an area of the Parks and Wild Life Estate which has been set aside by the Director for specific research or allied purposes, and is depicted as a refuge area on the map;
- “road” means any road or track within the Parks and Wild Life Estate other than a prescribed road, but does not include a river-bed;
- “special camp” means a camp-site set aside by the Director as a special camp;
- “vessel” include every description of water-craft, including a hover-craft, used, or capable of being used, as a means of transportation on water;
- “waters” means any waters within the Parks and Wild Life Estate;

“weapon” means any firearm or ammunition therefor, or any other article capable of propelling a projectile or designed to be propelled or used in such manner that any animal can be killed or injured thereby;

“wild area” means an area of the Parks and Wild Life Estate depicted as a wild area on the map;

“wilderness area” means an area of the Parks and Wild Life Estate depicted as a wilderness area on the map.

## PART II

### THE PARKS AND WILD LIFE ESTATE

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##### *Interpretation in Part II*

###### 3. In this Part—

“designated road” means a road declared to be a designated road in terms of subsection (8) of section 6;

“entry-point” means a place appointed by the Director and designated by notice erected at such place as a point at which persons may enter a part of the Parks and Wild Life Estate or an area of the Parks and Wild Life Estate;

“fishing permit” means a fishing permit issued in terms of section 28;

“foreshore”, in relation to any dam or reservoir, means land extending from the edge of the water to a distance inland of ten metres beyond the full-supply level;

“general permit” means a general permit issued in terms of section 20;

“hunter” means any person who is in possession of a hunting permit;

“hunting permit” means a hunting permit issued in terms of section 25 or 30 of the Act;

“leased area” means an area which has been leased in terms of section 28 or 33 of the Act;

“lessee” means any person holding a lease in respect of a leased area;

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- “office” means a reception office in a development area or the office specified in terms of subsection (3) of section 6;
- “pool area” means an area of a safari area depicted as a pool area on the map;
- “prescribed hours” means such hours as may be designated by the director by notice at an entry-point;
- “pursuit” means a pursuit which may be permitted in a safari area in terms of section 26 of the Act;
- “registered”, in relation to a vessel, means registered in terms of the Inland Waters Shipping Regulations, 1971, published in Rhodesia Government Notice 832 of 1971;
- “rest-camp” means a place where facilities are provided;
- “right-holder” means any person to whom rights have been granted in a safari area in terms of section 28 of the Act;
- “trout-fly” means an artificial fly which—
- (a) does not exceed a total mass of one gram and, except for a single, unbaited hook and conventional ribbing or tying, is comprised of non-metallic, soft, stranded, fibrous material only; and
  - (b) is not designed to rotate, undulate or move erratically when drawn at uniform speed through the water.

### *General exemption*

4. Notwithstanding anything to the contrary in these regulations, the Director may, by notice erected at an office or entry-point, exempt the application of any provision to a part of the Parks and Wild Life Estate or an area of the Parks and Wild Life Estate where, because of the nature of such part or area, or the facilities provided therein, or because of any other relevant circumstances, he considers that the provisions should not apply.

### **GENERAL PROVISION RELATING TO THE PARKS AND WILD LIFE ESTATE**

#### *When the Parks and Wild Life Estate is open*

5. (1) Subject to these regulations, the Parks and Wild Life Estate may be open throughout the year.

(2) Notwithstanding subsection (1), the Director may, for good and sufficient reason at any time, and for such period as he thinks fit, close any part or area of the Parks and Wild Life Estate by displaying a notice at the entry-point to such part or area, declaring it to be closed.

(3) No unauthorized person shall be within any part or area of the Parks and Wild Life Estate which has been closed in terms of subsection (2).

*Entry into, and departure from, the Parks and Wild Life Estate*

6. (1) Where an entry-point has been appointed and designated by the Director in respect of any part or area of the Parks and Wild Life Estate, no person shall enter or leave that part or area otherwise than at such entry-point and on payment of the prescribed fee, except—

- (a) with the written permission of the Director; or
- (b) on a prescribed road or a designated road.

(2) The Director may, by notice erected at an entry-point, require every person, or, in the case of a group of persons, a representative of such group, to report at such office during normal office hours as may be specified in such notice directly on entering the Parks and Wild Life Estate.

- (3) No person shall—

(a) enter or leave a part of the Parks and Wild Life Estate specified in Part A of the First Schedule; or

(b) leave—

(i) a prescribed road; or

(ii) a designated road;

within a part of the Parks and Wild Life Estate specified in Part B of the First Schedule; or

(c) remain overnight in a part of the Parks and Wild Life Estate specified in Part C of the First Schedule;

without reporting his intention to the officer in charge of the office named opposite such part and receiving the permission of the officer to do so.

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(4) Except in accordance with the written permission of an officer or employee, no person shall enter or leave an area of the Parks and Wild Life Estate on foot other than while travelling on a prescribed road or a designated road.

(5) Except in accordance with the permission of an officer, no person shall enter or leave an area of the Parks and Wild Life Estate during the prescribed hours other than while travelling on a prescribed road or a designated road.

(6) Except in accordance with the permission of an officer, no person under the age of fourteen years shall enter or be within a national park or safari area unless he is accompanied by a person over the age of eighteen years.

(7) The Director may limit the number of persons or vehicles which may be permitted to enter any part or area of the Parks and Wild Life Estate, and an officer or an employee may refuse to permit any person or any vehicle to enter such part or area where the number of persons or vehicles which has entered has reached such limit, notwithstanding that such person has paid the appropriate fee to enter such part or area.

(8) The Director may, by notice in the *Gazette*, declare any road which enters or leaves a part of the Parks and Wild Life Estate to be a designated road.

### *Use of roads*

7. (1) The Director may—

(a) prohibit any class of vehicle from using any road by reason of its type or mass; and

(b) by erecting appropriate signs—

(i) restrict the speed at which any vehicle may travel; and

(ii) close and prohibit travel; and

(iii) prohibit any person from leaving a vehicle or riding on its exterior;

on any road or part of any road.

(2) Except in accordance with the permission of an officer, no person within the Parks and Wild Life Estate shall—

- (a) drive any vehicle anywhere other than on a road; or
- (b) disregard any prohibition or restriction imposed in terms of subsection (1):

Provided that, notwithstanding any prohibition, a person may alight from his vehicle in the event of an emergency, the onus of proof whereof shall lie upon such person.

*Prohibitions to preserve the Parks and Wild Life Estate*

8. Except in accordance with the permission of an officer, no person shall, within the Parks and Wild Life Estate, except while travelling on a prescribed road—

- (a) be in possession of—
  - (i) any wild life except in accordance with a permit; or
  - (ii) any plant except in terms of section 43; or
- (b) cause any noise or behave in any manner likely to disturb wild life or any person; or
- (c) offer food to, or feed, any animal; or
- (d) be in possession of any weapon, explosive or poison or, in the case of a botanical reserve or a botanical garden, any gardening-tool; or
- (e) dispose of any refuse other than by—
  - (i) burning it at a place where fires may be made; or
  - (ii) placing it in a receptacle provided for that purpose; or
- (f) commit any act liable to endanger the adequacy or purity of any water; or
- (g) without reasonable excuse, the onus of proof whereof shall lie upon such person, destroy, damage or deface in any way or remove any State property or any object of geological, ethnological, historical or scientific interest; or
- (h) collect or remove any wood, rock, sand, soil or other substance; or
- (i) hold a political or public meeting; or

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- (j) display an advertisement or notice or collect money for any purpose from the public; or
- (k) land or take off an aircraft or fly an aircraft at less than one hundred and fifty-five metres above ground-level; or
- (l) camp or occupy a caravan except at a site allocated in terms of subsection (1) of section 11.

### *Control fires*

9. (1) Except in accordance with the permission of an officer no person within the Parks and Wild Life Estate shall light a fire in the open air other than at a place where fires may be made.

(2) A person shall carefully and properly extinguish a fire kindled or used by him within the Parks and Wild Life Estate and, until he has done so, shall not go so far away from that fire as to be unable to control it by himself.

(3) No person within the Parks and Wild Life Estate shall discard any burning object.

### *Presence in the Parks and Wild Life Estate during prescribed hours*

10. (1) Except in accordance with the written permission of an officer, no person shall be within the Parks and Wild Life Estate during the prescribed hours other than while travelling on a prescribed road or a designated road, unless a facility has been allocated for his use in terms of subsection (1) of section 11 during such prescribed hours.

(2) Except in accordance with the permission of an officer, no person who is lawfully within the Parks and Wild Life Estate shall, during the prescribed hours, be within a wild area or wilderness area except at a camping-site allocated for his use in terms of subsection (1) of section 11 during such prescribed hours.

### *Use of facilities*

11. (1) An officer may, on receipt of the appropriate fee, if any, and at his discretion, allocate any accommodation, bush-camp, camping-site, caravan-site, picnic-site or special camp, or any other facility, for the use of any person.

(2) No person shall enter or use any facility referred to in subsection (1) unless—

- (a) it has been allocated for his use and he has paid the appropriate fee, if any; or
- (b) he is lawfully within the Parks and Wild Life Estate and has been invited by the lawful occupant of such facility to enter and use it.

(3) No person shall use any facility for a continuous period exceeding three weeks without the permission of the Director.

(4) Notwithstanding that a person has reserved accommodation, a camping-site or a caravan-site, an officer may, if such person has not reported to the office within the area of the Parks and Wild Life Estate concerned before 5.30 p.m. on the day of his arrival, or has not notified that office of his intended late arrival, allocate such accommodation, camping-site or caravan-site to another person for use during that night.

(5) Except in terms of section 101, where accommodation, a camping-site or a caravan-site has been allocated in terms of subsection (4), the person who reserved such facility shall not be entitled to any claim or refund in respect of any appropriate fee paid for that facility.

(6) Any person who uses any facility shall leave it and its environs in a clean and orderly condition.

(7) Any person who has used a bush-camp shall produce a clearance certificate issued by an officer when, before leaving an open safari area, he reports in terms of subsection (4) of section 6.

(8) In the event of any person losing or damaging any furniture, equipment or fitting in any facility, the cost of restoring or replacing such furniture, equipment or fitting shall be a debt due to the State.

#### *Domesticated animals*

12. (1) Except in accordance with the written permission of an officer, no person shall introduce any domesticated animal into the Parks and Wild Life Estate.

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(2) An officer or an employee may seize any domesticated animal which has been unlawfully introduced into the Parks and Wild Life Estate, and may detain such animal or hand it over for detention by some other person.

(3) An officer or other person may, before releasing any domesticated animal detained in terms of subsection (2), require the payment of the cost incurred in seizing and detaining such domesticated animal.

(4) Notwithstanding this section, an officer may destroy any domesticated animal within the Parks and Wild Life Estate which is not under the physical control of any person.

*Abandoned property*

13. (1) Should any person abandon any thing within the Parks and Wild Life Estate for any period exceeding three days, an officer or an employee may take possession of and detain such thing.

(2) The Director may, by notice in the *Gazette*, call upon any person who is entitled thereto to take possession of any thing abandoned before such date as may be specified in the notice, being not less than thirty days from the date of publication of the notice, and stating that, unless so repossessed, the thing concerned may be disposed of in accordance with subsection (4).

(3) Any person entitled thereto may repossess any thing detained in terms of subsection (1) upon payment to the Director of any expenses incurred in connexion with its removal or storage.

(4) If no person entitled thereto repossesses any thing in respect of which a notice has been given in terms of subsection (2) before the date specified in the notice, or fails to pay the expenses referred to in subsection (3) before that date, the thing concerned may, after that date, be sold by public auction:

Provided that, if, in the opinion of the Director, the thing concerned is of such a nature that it should not, or cannot, be sold by public auction, or the proceeds of the sale by public auction will not be sufficient to cover the costs of the sale and the expenses of removing and storing the thing, he may direct that

it should be sold out of hand or appropriated to the State without payment of compensation, and, if it cannot be sold out of hand and is of no value to the State, it shall be destroyed.

(5) The proceeds of the sale of any thing in terms of subsection (4) shall be applied first to the payment of the expenses of removing, storing and selling the thing, and any balance may be claimed by any person entitled thereto.

#### SPECIAL PROVISIONS RELATING TO AREAS OF THE PARKS AND WILD LIFE ESTATE

##### *Special provisions relating to wild areas*

14. (1) No person shall enter or leave a wild area except in accordance with the permission of an officer or an employee and upon payment of the appropriate fee, if any, and—

- (a) at an entry-point; or
- (b) by road into or from a rest-camp; or
- (c) by vessel in the case of islands or waters; or
- (d) by air into or from an airfield.

(2) An officer may, on payment of the appropriate fee, if any, and at his discretion, allow a person to construct in a wild area a temporary hide of approved materials from which he may photograph or view wild life under such conditions as the officer may determine.

(3) An officer may, on payment of the appropriate fee, if any, and at his discretion, allow a person to walk or ride a horse within a wild area under such conditions as the officer may determine.

##### *Special provisions relating to wilderness areas*

15. (1) No person shall enter a wilderness area except—

- (a) with the written permission of an officer and upon payment of the appropriate fee, if any; and
- (b) after reporting his intention to an officer; and
- (c) where vehicles are permitted, in a vehicle equipped with four-wheel drive; and

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- (d) with sufficient food and water, vehicle-fuel and equipment for the duration of his presence in the area.
- (2) Any person within a wilderness area shall—
  - (a) where he has entered in a vehicle, only use that vehicle to travel directly between his point of entry into the area and any facility which has been allocated for his use; and
  - (b) before leaving, return that part of the area which he has used, so far as is practicable, to its natural state.
- (3) Any person who leaves a wilderness area shall—
  - (a) remove from the area any refuse and unused food, vehicle-fuel and equipment which he introduced into the area; and
  - (b) report to an officer within such period as may have been determined by an officer when he entered, and shall provide such information concerning his use of the area as may be required by an officer.

### *Special provisions relating to refuge areas*

16. No person shall enter a refuge area except in accordance with a permit issued to him by the Director.

## HUNTING IN THE PARKS AND WILD LIFE ESTATE

### *Prohibition against hunting in parts of the Parks and Wild Life Estate*

17. No person shall hunt any animal in any part of the Parks and Wild Life Estate which is a botanical reserve, botanical garden or recreational park, except in accordance with a permit issued by the Director.

### *Prohibited methods of hunting*

18. (1) No person shall, within the Parks and Wild Life Estate, hunt any animal by using—

- (a) any equipment to transmit sound as a lure to attract animals; or
- (b) an aircraft; or
- (c) fire as a means of driving or surrounding any animal.

(2) Except in accordance with a permit issued by the Director, no person shall within the Parks and Wild Life Estate, hunt any animal by night or use any dazzling light for the purpose of hunting.

(3) No person shall shoot at any animal within four hundred metres of—

- (a) a prescribed road; or
- (b) a development area.

(4) No person shall, within the Parks and Wild Life Estate—

- (a) while he is in or upon any motor-vehicle, vessel or aircraft, discharge any weapon at or towards any animal;
- (b) use any motor-vehicle, vessel or aircraft, in such manner as to drive, stampede or disturb any animal for any purpose whatsoever.

*Mercy killing and shooting in self-defence*

19. Within the Parks and Wild Life Estate—

- (a) an animal which is apparently sick may not be killed except in terms of a hunting permit;
- (b) any animal may be killed in self-defence or in defence of any other person without the possession of a hunting permit;
- (c) where an animal is killed in accordance with paragraph (b)—
  - (i) the onus of proof that such animal was lawfully killed shall lie upon the person who killed such animal; and
  - (ii) the meat or any trophy of such animal may only be used in accordance with the terms of a permit.

*Other pursuits*

20. No person shall occupy a bush-camp for any pursuit permitted in terms of subsection (1) of section 26 of the Act except in accordance with a hunting permit, a fishing permit or a

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general permit issued by the Director, and upon payment of the appropriate fee, if any.

### *Nomination of persons to hunt in hunter's stead*

21. (1) Any person who, in terms of subsection (2) of section 30 of the Act, wishes to nominate a person to hunt in his stead shall obtain the written permission of the Director to such nomination not less than forty-eight hours prior to the commencement of such hunting.

(2) Where permission has been granted in terms of subsection (1), any terms and conditions of a hunting permit shall apply equally to such person nominated.

### *Application of sections 23, 24 and 25*

22. Sections 23, 24 and 25 shall apply to a safari area over which hunting or other rights have been granted in terms of section 28 of the Act.

### *Payment of fees*

23. Notwithstanding these regulations, any fee payable by a right-holder for an animal hunted in terms of a hunting permit shall be payable within twenty-one days of such animal being hunted.

### *Use of pool areas*

24. (1) The Director may allocate the use of pool areas to right-holders.

(2) No person shall enter or be within a pool area unless—  
(a) he has been allocated the use of such pool area; or  
(b) he has the permission of the right-holder who has been allocated the use of such pool area.

(3) No person other than the right-holder who was allocated the use of the pool area in terms of subsection (1) or his employees shall recover the meat or any trophy of any animal killed in a pool area.

*Injured animals*

25. Without derogation from sections 51 and 52 of the Act, whenever a right-holder or any employee or agent of a right-holder becomes aware that an animal has been injured within the area over which the right-holder has been granted rights, such right-holder, employee or agent shall, as soon as possible, and in any event within seven days, make a report to an officer or to the nearest police station or at the offices of the local authority for the area concerned.

*Submission of returns*

26. (1) A person to whom a hunting permit or a general permit has been issued shall keep a record in such form as may be required by an officer, in which he shall cause to be recorded relevant information concerning animals hunted, or wild life seen, within twelve hours of an animal having been hunted, or wild life having been seen, as the case may be.

(2) A record required in terms of subsection (1) shall be made and submitted to an officer within such period as the officer may determine or, if no such period is determined, within twenty-one days from the date of expiry of the hunting permit or general permit.

(3) No person shall falsify any record required in terms of subsection (1).

*Collection of specimens*

27. A hunter shall, if so required by the Director, collect and identify the skull or other trophy of any animal killed and submit such skull or other trophy to an officer for examination within twenty-one days of such animal being killed.

**FISHING IN THE WATERS OF THE PARKS AND WILD LIFE ESTATE**

*Fishing subject to possession of permit*

28. (1) No person shall fish in any waters, except—  
(a) in terms of a fishing permit issued to him; or  
(b) in terms of a block fishing permit issued in terms of subsection (4); or

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- (c) in accordance with any rules or arrangements displayed in terms of section 41.
- (2) An officer or an employee may, upon receipt of the appropriate fee, if any, issue a fishing permit.
- (3) A fishing permit may limit the number and species of fish which may be taken, and shall be subject to such terms and conditions as may be imposed thereon by the officer or employee who issues it.
- (4) The Director may, upon receipt of the appropriate fee, issue a block fishing permit to an angling society affiliated to the National Anglers' Union of Zimbabwe, which shall entitle a paid-up member of such society to fish, subject to the terms and conditions of the permit and to the limits of the numbers and species of fish which may be taken, which are fixed in relation to the permit from time to time by the Director, in any waters except the waters of the Chimanimani National Park and the Rhodes Inyanga National Park.

*Restrictions on fishing-gear*

29. Except in accordance with a permit issued in terms of section 83 of the Act, no person shall, in any waters, use any fishing-gear other than a rod and line or hand line to which—

- (a) not more than three single hooks or trout-flies are attached; or
- (b) not more than one conventional lure having not more than three single or three double or three treble hooks is attached.

*Submission of returns*

30. (1) A person to whom a fishing permit has been issued shall, if required in terms of his permit or by an officer or employee, submit a return, in writing, to an officer, stating the number, mass and species of fish caught and removed from the waters, together with any other relevant information which may be so required.

(2) Subsection (1) shall apply, *mutatis mutandis*, in relation to a member of an angling society to which a block fishing permit has been issued in terms of subsection (4) of section 28.

*Production of proof of membership of angling society*

31. A member of an angling society to which a block fishing permit has been issued in terms of subsection (4) of section 28 shall produce proof of his paid-up membership of the angling society when so ordered by an officer or an employee.

**SAILING ON THE WATERS OF THE PARKS AND WILD LIFE ESTATE**

*Vessels on the waters to be registered*

32. (1) No person shall, on any waters, use, moor or keep a vessel which has not been registered.

(2) Notwithstanding subsection (1), an unregistered vessel may be used, moored or kept on the waters—

- (a) if it is owned by a visitor to Zimbabwe; or
- (b) in terms of—

- (i) a commercial testing permit issued in terms of section 34; or
- (ii) permission granted for a regatta in terms of section 37.

*Display of registered number*

33. No person shall use, moor or keep a registered vessel on the waters unless its registered number is displayed in accordance with the provisions of the Inland Waters Shipping Regulations, 1971, published in Rhodesia Government Notice 832 of 1971.

*Commercial testing permit*

34. The Director may, on application and upon payment of the appropriate fee, issue a commercial testing permit authorizing a manufacturer of, or a dealer in, vessels to test, demonstrate or display any vessel on the waters.

*Use of waters*

35. (1) The Director may—

- (a) limit the number of vessels which may be on the waters or any part thereof at any one time;
- (b) prohibit any class of vessel from using any waters by reason of its type or mass;

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- (c) by notice erected in an office or at any place within the Parks and Wild Life Estate to which such notice relates—
  - (i) restrict the speed at which any vessel may travel;
  - (ii) close and prohibit boating thereon;
  - (iii) restrict the places from which a vessel may be launched or beached.

(2) Except in accordance with the permission of an officer, no person shall disregard any prohibition or restriction imposed in terms of subsection (1).

### *Prohibitions in the operation of vessels*

36. No person using a vessel on the waters shall—

- (a) endanger the safety of, or cause annoyance to, any other person;
- (b) cause or allow that vessel to trail any loose ropes, wires or lines other than fishing-lines while it is under way;
- (c) tow a water-skier unless such person is accompanied by another person over the age of ten years who is observing the water-skier; or
- (d) except in accordance with the written permission of the Director, tow another person who is wearing equipment designed to lift him above the water.

### *Regattas and sailing at night*

37. (1) Except in accordance with the written permission of an officer, no person or association of persons shall, on the waters—

- (a) hold a regatta; or
- (b) use a vessel during the night.

(2) No person shall use a vessel on the waters in such manner as to obstruct the course of a vessel used in a regatta authorized in terms of subsection (1).

### *Impounding of vessels*

38. (1) An officer may impound a vessel which is not lawfully on the waters, and may remove it to such place as may be set aside for the safe custody of such vessels.

(2) For the purposes of removing a vessel in terms of subsection (1), an officer may board such vessel and release it from its moorings.

(3) A vessel which has been impounded in terms of subsection (1)—

- (a) shall be released to the owner thereof on payment of the appropriate fee; or
- (b) if the appropriate fee is not paid within six months from the date of the vessel being impounded, it shall be deemed to be abandoned, and shall be disposed of in accordance with section 13.

#### POLLUTION OF THE WATERS OF THE PARKS AND WILD LIFE ESTATE

*Precautions against introduction of *Salvinia* spp.  
and *Eichornia crassipes**

39. (1) No person shall place on the waters any plant or seed of *Salvinia* spp. or *Eichornia crassipes*.

(2) No person shall place on the waters a vessel which has been used on any waters in which *Salvinia* spp. or *Eichornia crassipes* is present before such vessel has had all such weed removed.

#### SPECIAL PROVISIONS RELATING TO LEASED AREAS OF THE PARKS AND WILD LIFE ESTATE

*Use of leased areas*

40. (1) No person shall enter a leased area without the permission of the lessee.

(2) Where a leased area is contiguous to any waters, a person whose presence within the Parks and Wild Life Estate is lawful shall, at all times, be permitted free access to the foreshore and water's edge, and shall, for the purpose of obtaining such access, be entitled to a right of way along the foreshore of such leased area:

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Provided that no such person shall—

- (i) use the right of way conferred by this subsection in such manner as will interfere unduly with the rights of the lessee;
  - (ii) have right of access to a building, pier, jetty, floating platform, buoy or other structure lawfully erected by the lessee on the leased area or on the foreshore.
- (3) Except with the permission of, and in accordance with, any terms and conditions imposed by the lessee, no person shall fish from a leased area.

### POWERS OF DIRECTOR AND OFFICERS WITHIN THE PARKS AND WILD LIFE ESTATE

#### *Rules and arrangements for good administration or management of the Parks and Wild Life Estate*

41. (1) Every person within the Parks and Wild Life Estate shall comply with such rules and arrangements as may have been made for the good administration or management thereof, and as may have been displayed by notice, in writing, at the office, or have been conveyed to him by an officer.

(2) If any person fails to comply with any rule or arrangement referred to in subsection (1), an officer may order him to depart forthwith from the Parks and Wild Life Estate or request him to comply with the rule or arrangement.

(3) An officer may order a person within the Parks and Wild Life Estate—

- (a) to provide his name and address;
- (b) to produce for examination the contents of any receptacle in his possession or under his control.

#### *Removal from, and prohibition of re-entry into, the Parks and Wild Life Estate*

42. (1) Notwithstanding the issue or grant of any authority, permission or permit, an officer may order a person to depart from the Parks and Wild Life Estate if he contravenes any of the provisions of this Part.

(2) A person ordered to depart from the Parks and Wild Life Estate in terms of subsection (1) or in terms of subsection (2) of section 41 shall comply with such order forthwith, and shall not be entitled to a refund of the whole or any portion of any fee which he has paid in respect of any right or any thing in the Parks and Wild Life Estate.

(3) Any person who has been ordered to depart from the Parks and Wild Life Estate in terms of these regulations or who has been convicted of any offence committed within the Parks and Wild Life Estate, including any contravention of these regulations, may, by notice in writing, be prohibited, for a period not exceeding twelve months, from re-entering—

- (a) that part of the Parks and Wild Life Estate from which he was ordered to depart, by an officer; or
- (b) the Parks and Wild Life Estate, by the Director:

Provided that a person who is aggrieved by such a prohibition may appeal against that prohibition to the Minister, whose decision shall be final.

(4) A person to whom a notice has been given in terms of subsection (3) shall not enter any part of the Parks and Wild Life Estate in contravention of the notice unless the Minister has cancelled such prohibition.

#### *Purchase of plants by visitors*

43. (1) An officer or an employee may offer such plants for sale to the public as may be surplus to the requirements of a botanical garden for such price as is within a general scale of prices authorized by the Director.

(2) Any person who purchases a plant offered for sale in terms of subsection (1) shall—

- (a) forthwith place it in a vehicle from which it shall not be removed while he remains in such botanical garden; or
- (b) leave it at the place of purchase until he leaves such botanical garden.

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*Provision of assistance*

44. (1) If an officer or employee has reason to believe that—

- (a) any person within the Parks and Wild Life Estate is lost or in need of assistance; or
- (b) any property within the Parks and Wild Life Estate is lost or endangered;

the officer or employee may take whatever measures he considers necessary to search for or assist that person or search for or safeguard that property, as the case may be.

(2) Where an officer or employee has taken any measures in terms of subsection (1)—

- (a) any person who has been searched for or assisted; or
- (b) the owner of any property that has been searched for or safeguarded;

as the case may be, shall pay the appropriate fee for the search, assistance or safeguarding, as the case may be, unless the Director waives the fee.

**PART III**

**SPECIALLY PROTECTED INDIGENOUS PLANTS**

*Interpretation in Part III*

45. In this Part—

“certificate of sale or transfer” means a certificate of sale or transfer issued in terms of section 49;

“cultivator” means a person who propagates specially protected indigenous plants and has been registered in terms of section 46;

“dealer” means a dealer in specially protected indigenous plants;

“permit” means a permit issued in terms of section 43 of the Act;

“recognized horticultural society” has the meaning ascribed to it in terms of section 42 of the Act;

“registered” means registered in terms of section 46;

"temporary permit" means a temporary permit issued in terms of section 43 of the Act.

*Registration of cultivators and issue of permits*

46. (1) Any person who wishes to register as a cultivator shall—

- (a) apply to the Director, in writing, giving such details as may be required; and
- (b) submit the appropriate fee, if any.

(2) On receipt of an application and any appropriate fee referred to in subsection (1), the Director may take such steps as he considers necessary to satisfy himself that the applicant is a cultivator.

(3) Where the Director is satisfied that an applicant is a cultivator, he shall register such applicant as a cultivator, and shall issue him with a numbered permit.

(4) Where the Director is not satisfied that an applicant is a cultivator, he shall refuse to register such applicant as a cultivator.

*Cancellation of registration of cultivators*

47. In addition to any other penalty provided in the Act or these regulations, the failure of a cultivator to comply with the Act or these regulations or the terms and conditions of his permit shall be a ground for cancelling the registration of such cultivator:

Provided that the Director may, upon application, issue a temporary permit in such circumstances to enable the cultivator to dispose of his specially protected indigenous plants.

*Issue of temporary permit*

48. (1) Any person who wishes to obtain a temporary permit to sell or transfer specially protected indigenous plants shall apply, in writing, to the Director, giving such details as may be required.

(2) On receipt of an application in terms of subsection (1), the Director may—

- (a) issue a numbered temporary permit to sell or transfer such specially protected indigenous plants as may be specified in such temporary permit; or
- (b) refuse to issue a temporary permit.

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*Certificate of sale or transfer*

49. (1) Any person who sells or transfers a specially protected indigenous plant in terms of a temporary permit shall, on or before delivery of the plant to the purchaser, deliver to the purchaser a certificate of sale or transfer, signed by himself and setting out the number of his permit, particulars of the plant and the name and address of the purchaser.

(2) No person shall, unless he receives a certificate of sale or transfer in respect of a specially protected indigenous plant, accept such plant from any person other than—

- (a) a cultivator;
- (b) a dealer;
- (c) a person operating a stall at any fête, bazaar or other like function open to the public; or
- (d) if he is a member of a recognized horticultural society, from another member of a recognized horticultural society.

*Cultivators and dealers to keep records*

50. (1) Any dealer who purchases any specially protected indigenous plant specified in the Second Schedule shall maintain a record of the species involved, the date of the transaction and the name of the person from whom the plant was obtained.

(2) Any cultivator or dealer who sells or transfers any plant listed in the Second Schedule shall maintain a record of the species involved, the date of the transaction and the name and address of the person taking delivery.

*Recognition of horticultural societies*

51. A horticultural society which wishes to become a recognized horticultural society shall apply, in writing, to the Director for such recognition.

PART IV

HUNTING, REMOVAL, VIEWING AND SALE OF ANIMALS  
AND ANIMAL PRODUCTS

PRELIMINARY

*Interpretation in Part IV*

52. In this Part—

“breeder” means any person who keeps, breeds or produces reptiles or amphibia for the purpose of selling any reptile or amphibian, or any trophy therefrom;

“breeder’s licence” means a breeder’s licence issued in terms of section 62;

“certificate of ownership” means a certificate of ownership issued in terms of subsection (3) of section 77;

“dealer” means—

- (a) a trophy dealer; or
- (b) a trophy retailer; or
- (c) an ivory dealer; or
- (d) an ivory manufacturer;

“dealer’s licence” means—

- (a) a trophy dealer’s licence; or
- (b) a trophy retailer’s licence; or
- (c) an ivory dealer’s licence; or
- (d) an ivory manufacturer’s licence;

referred to in subsection (1) of section 66;

“dust” means any residue of ivory resulting from the manufacture, processing, carving or embellishment of such ivory;

“horn” means rhinoceros horn;

“ivory dealer” means any person who carries on the business of buying or selling raw ivory;

“ivory manufacturer” means any person who processes, carves, embellishes or otherwise manufactures ivory;

“manufactured ivory” means ivory which, through a skilled process of manufacture, carving or embellish-

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ment in accordance with these regulations, has been transformed into a utensil, ornament or article of adornment;

“marked ivory” means a piece of manufactured ivory which has been engraved in terms of section 80;

“raw ivory” means ivory that is not manufactured ivory;

“register” means a register required to be kept by—

(a) a breeder in terms of section 64; or

(b) a dealer in terms of section 72; or

(c) a registered dealer in, or manufacturer of, fishing-nets in terms of subsection (1) of section 86;

“registered”, in relation to ivory or horn, means registered in terms of section 77;

“specified officer” means a person appointed in terms of section 76;

“transaction” means the purchase, sale or processing of any trophy, or the sale or manufacture of articles from a trophy;

“trophy dealer” means any person who—

(a) processes, carves, embellishes or otherwise manufactures any trophy for sale or reward; or

(b) carries on the business of buying or selling trophies;

but does not include an ivory dealer, an ivory manufacturer or a person who has authority to sell a trophy in terms of section 30, 37 or 65 of the Act.

“unmarked ivory” means a piece of manufactured ivory that is not marked ivory.

### WEAPONS FOR HUNTING

#### *Prohibition or restriction on use of certain weapons for hunting*

53. (1) Subject to subsection (2), no person shall use for hunting purposes—

(a) any rifle or shot-gun capable of firing more than one cartridge as a result of one pressure on the trigger; or

(b) any weapon with a barrel less than five hundred millimetres in length; or

(c) a pistol or revolver or a bow and arrow.

(2) Paragraph (c) of subsection (1) shall not apply to communal land unless the Minister, with the consent of the appropriate authority for such land, by notice in the *Gazette*, declares that it shall apply to the whole or any part of such land.

(3) Any person who hunts any animal specified in Part A of the Third Schedule shall use a weapon having a rifled barrel and propelling a projectile of not less than nine comma two millimetres in diameter with not less than five comma three kilojoules of energy at the muzzle.

(4) Any person who hunts any animal specified in Part B of the Third Schedule shall use a weapon having a rifled barrel and propelling a projectile of not less than seven millimetres in diameter with not less than four comma three kilojoules of energy at the muzzle.

(5) Any person who hunts any animal specified in Part C of the Third Schedule shall use a weapon having a rifled barrel and propelling a projectile of not less than seven millimetres in diameter with not less than three kilojoules of energy at the muzzle.

(6) Any person who hunts any animal specified in Part D of the Third Schedule shall use a weapon having a rifled barrel and propelling a projectile of not less than five comma six millimetres in diameter with not less than eight hundred and fifty joules of energy at the muzzle.

(7) Any person who hunts any animal except a bird or an animal which is specified in the Third Schedule shall use—

(a) a weapon having a rifled barrel and propelling a projectile of not less than five comma six millimetres in diameter with not less than eight hundred and fifty joules of energy at the muzzle; or

(b) a smooth-bore weapon with an internal barrel-diameter of not less than fifteen millimetres and propelling shot of an average diameter of not less than five millimetres.

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- (8) Any person who hunts any bird shall use a weapon having—
- (a) a rifled barrel and propelling a projectile with not less than one hundred and fifty joules of energy at the muzzle; or
  - (b) a smooth-bore weapon with an internal barrel-diameter of not less than ten millimetres.

*Exemptions*

54. (1) Notwithstanding section 53, it shall be lawful for any person to use any weapon—

- (a) to hunt any animal if—
    - (i) the Director has, by notice in writing, permitted him to use that weapon to hunt animals of that species; and
    - (ii) he complies with any conditions which the Director may have imposed when granting his permission; or
  - (b) to kill or injure any animal in terms of section 49 of the Act; or
  - (c) to kill any animal, other than a specially protected animal, causing damage to any livestock, crop, water-installation or fence on land for which he is the appropriate authority.
- (2) Where an animal is killed or injured by use of a weapon other than a weapon specified in terms of section 53, the burden of proving that such animal was killed or injured lawfully shall lie on the person who killed or injured such animal.

(3) Notwithstanding section 53, it shall be lawful for the owner of any animal which was born or hatched and has remained in captivity to kill such animal by any means which does not contravene the Prevention of Cruelty to Animals Act [Chapter 71] or any law which replaces such Act.

PROFESSIONAL HUNTERS, LEARNER PROFESSIONAL  
HUNTERS AND PROFESSIONAL GUIDES

*Issue of licences*

55. (1) Any person who wishes to obtain a professional hunter's licence, a learner professional hunter's licence or a professional guide's licence shall—

- (a) apply to the Director, in writing, giving such details as may be required; and
- (b) submit the appropriate fee, if any.

(2) On receipt of an application and any appropriate fee referred to in subsection (1), the Director may take such steps as he considers necessary in the circumstances to satisfy himself that the applicant is a person qualified and otherwise suitable to be issued with the licence for which application was made.

(3) An applicant shall not be qualified for the issue of a licence if—

- (a) he does not, in the opinion of the Director, possess sufficient skill or knowledge to be issued with the licence concerned; or
- (b) he is not ordinarily resident in Zimbabwe:

Provided that the Minister may, on the application of the person concerned, by notice in writing, declare that any person who is not ordinarily resident in Zimbabwe is nevertheless qualified for the issue of a licence.

(4) After taking the steps referred to in subsection (2), the Director, shall refuse to issue the licence applied for—

- (a) if he is satisfied that the applicant is not qualified to be issued with it;
- (b) if he considers that the applicant is otherwise unsuitable to be issued with it;

and in any other case shall issue to the applicant a numbered professional hunter's licence, learner professional hunter's licence or professional guide's licence, as the case may be.

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### *Period of validity of licences*

56. Every professional hunter's licence, learner professional hunter's licence and professional guide's licence shall, unless earlier cancelled, expire on the 31st December of the year on which it was issued.

### *Suspension and cancellation of licences*

57 (1) Where the holder of a professional hunter's licence, a learner professional hunter's licence or a professional guide's licence is, in terms of these regulations, ordered to leave part of the Parks and Wild Life Estate, such licence shall forthwith be suspended pending any prosecution under these regulations or any decision regarding prohibiting such holder's re-entry to the Parks and Wild Life Estate.

(2) In addition to any other penalty provided in these regulations, conviction for an offence in terms of the Act or the Forest Act [Chapter 125] or an order prohibiting re-entry to any part of the Parks and Wild Life Estate shall be grounds to cancel and debar the holding of a professional hunter's licence, a learner professional hunter's licence or a professional guide's licence for such period as the Director may determine.

### *Payment for services rendered by holders of licences to non-residents*

58. (1) Subject to subsection (2), every holder of a professional hunter's licence, learner professional hunter's licence, or professional guide's licence who has conducted a person who is ordinarily resident in Zimbabwe on a hunting, photographic or viewing safari shall ensure that all payments made to him by that person—

- (a) are made in foreign currency in the form of cheques, bills, drafts or cash; and
  - (b) are deposited with a registered commercial bank in Zimbabwe within seven days after—
    - (i) the conclusion of the safari; or
    - (ii) the final departure of that person from any premises owned, occupied or used by the holder of licence;
- whichever is the earlier.

(2) The provisions of subsection (2) shall not apply to any holder of a licence to the extent that he has been exempted from those provisions by a registered bank in Zimbabwe before he conducted the safari concerned.

*Notice of intention to conduct safari*

59. (1) Every person who, for reward or otherwise, intends to conduct any other person who is not ordinarily resident in Zimbabwe on a hunting safari shall, before the commencement of the proposed safari, send the Director a written notice, in duplicate, setting out the following information—

- (a) the full names and address of the person who is to be conducted on the safari; and
- (b) the title or other descriptive appellation of the land on which he proposes to conduct the safari; and
- (c) the dates on which the safari is to be conducted; and
- (d) the amounts, if any, to be paid by the person who is conducted on the safari in respect of accommodation, meals, transport and any other service which may be provided in relation to the safari; and
- (e) the currency in which any amounts referred to in paragraph (d) are to be paid.

(2) On receipt of a notice sent to him in terms of subsection (1), the Director shall in writing authorize the hunting safari concerned unless he is satisfied on reasonable grounds that—

- (a) any information contained in the notice is untrue; or
- (b) a contravention of any law is likely to take place if the hunting safari takes place.

(3) The Director may attach such reasonable conditions as he thinks fit to any authority given by him in terms of subsection (2), and any such conditions shall be endorsed in writing on the authority concerned.

(4) No person shall, for reward or otherwise, conduct any other person who is not ordinarily resident in Zimbabwe on a hunting safari unless—

- (a) at the commencement of the safari he is in possession of the written authority given by the Director in terms of subsection (2) in respect of the safari concerned; and

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- (b) he complies with any conditions which the Director may have attached to the written authority.
- (5) This section shall not apply to any hunting safari which commences within a period of sixty days after the date of commencement of these regulations.

### *Register of hunting safaris*

60. (1) Every person who, for reward, conducts any other person who is not ordinarily resident in Zimbabwe on a hunting safari shall—

- (a) immediately upon the conclusion of the safari, complete and sign a return in triplicate in the form set out in the Fourth Schedule, and ensure that the person who is not ordinarily resident in Zimbabwe also signs the return; and
- (b) within fourteen days thereafter, send the original copy of the completed form to the Director at the address indicated on the form.

(2) A person who is required to complete a return in terms of subsection (1) shall retain one copy of the return for not less than three years thereafter and make it available for inspection if required to do so in terms of section 88.

(3) If a copy of a return that is required to be retained in terms of subsection (2) is lost, stolen or destroyed, the person who was required to retain it shall notify the Director within fourteen days after he became aware of such loss, theft or destruction.

## BREEDING AND PRODUCTION OF REPTILES AND AMPHIBIA

### *Licence required by breeders*

61. No person shall keep, breed or produce reptiles or amphibia for sale or for the purpose of selling any trophy therefrom unless he is the holder of a breeder's licence.

### *Issue of breeder's licence*

62. (1) Any person who wishes to obtain a breeder's licence shall—

- (a) apply to the Director, in writing, giving such details as may be required; and
- (b) submit the appropriate fee, if any.

- (2) On receipt of an application and any appropriate fee referred to in subsection (1), the Director shall—
- (a) refuse to issue a breeder's licence if he considers that the applicant is unsuitable to hold a breeder's licence; or
  - (b) issue a numbered breeder's licence.

*Cancellation of breeder's licence*

63. In addition to any other penalty provided in the Act or these regulations, the failure of a breeder to comply with the Act or these regulations or the terms and conditions of his licence shall be grounds to cancel such breeder's licence:

Provided that the Director may, upon application, issue a temporary permit in such circumstances to enable the breeder to dispose of his reptiles or amphibia.

*Keeping of registers and returns by breeders*

64. (1) A breeder of reptiles shall keep a register in which he shall cause to be recorded, by species—

- (a) the number of eggs acquired, the place from which they were acquired and the number of eggs successfully hatched; and
- (b) the number of live reptiles acquired and the place from which they were acquired; and
- (c) the number of reptiles disposed of, by age or size class, and the method of disposal.

(2) A breeder of amphibia shall maintain a register in which he shall cause to be recorded, by species—

- (a) the number of amphibia acquired and the place from which they were acquired; and
- (b) the number of amphibia disposed of and the method of disposal.

(3) A breeder shall, within seven days of the end of each month, submit to the Director a certified return of all details recorded in the register during the preceding month on the appropriate forms prescribed in the Fifth Schedule.

*Disease*

65. In the event of any disease affecting reptiles or amphibia being suspected or found present on a breeder's premises, the Director may take such steps, or require such breeder to take such steps, as the Director may deem necessary for the control or elimination of that disease.

**TROPHY DEALERS**

*Prohibition of unlicensed manufacture of or dealing in trophies and ivory*

66. (1) Subject to subsection (2)—

- (a) no person shall process, carve, embellish or otherwise manufacture any trophy, other than ivory, for sale or reward unless he is authorized to do so by a trophy dealer's licence issued in terms of section 67;
- (b) no person, whether as an agent or employee or in any other capacity, shall process, carve, embellish or otherwise manufacture ivory, whether for sale or reward or otherwise, unless he is authorized to do so by an ivory manufacturer's licence issued to him personally in terms of section 67.
- (c) no person shall employ, hire, engage or procure any other person to process, carve, embellish or otherwise manufacture any trophy unless he has satisfied himself that the other person is entitled to do so by a trophy dealer's licence or an ivory manufacturer's licence, as the case may be, issued in terms of section 67.
- (d) no person shall carry on the business of buying, selling, importing or exporting any trophy, other than raw ivory, unless he is authorized to do so by a trophy dealer's licence or a trophy retailer's licence, as may be appropriate, issued in terms of section 67.
- (e) no person shall carry on the business of buying, selling, importing or exporting raw ivory unless he is authorized to do so by an ivory dealer's licence issued in terms of section 67.

- (2) Subsection (1) shall not apply—  
(a) in respect of any manufacture or sale authorized by a permit issued in terms of section 30, 37 or 65 of the Act; or  
(b) subject to the terms and conditions of such exemption, to any person who has been granted a written exemption by the Minister from all or any of the provisions of subsection (1).

*Issue of dealer's licence*

67. (1) Any person who wishes to obtain a dealer's licence may apply therefor in writing to the Director, and shall—

- (a) provide the Director with such information as the Director may require relating to—  
(i) each of the premises in respect of which he seeks the issue of a dealer's licence; and  
(ii) the business which he intends to conduct within such premises; and  
(iii) his personal character and circumstances;  
(b) submit with his application the appropriate fee, if any.

(2) On receipt of an application in terms of subsection (1) and any fee submitted therewith, the Director may—

- (a) grant an appropriate dealer's licence in respect of each of the premises in respect of which such licence was sought; or  
(b) refuse to grant a dealer's licence in respect of all or any of the premises in respect of which such licence was sought, if he considers that—  
(i) the applicant is not a fit and proper person to hold such licence; or  
(ii) the premises in respect of which the licence was sought are unsuitable for the conduct of the business of a trophy dealer, an ivory dealer or an ivory manufacturer, as the case may be; or  
(iii) the applicant will not exercise sufficient control over the conduct of the business at the premises concerned to ensure compliance with the terms and conditions of the licence.

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*Period of validity of dealer's licence*

68. Every dealer's licence shall expire on the thirty-first day of December in the year in which it was issued.

*Terms and conditions of dealer's licence*

69. (1) Subject to the provisions of this section, a trophy dealer's licence shall authorize the holder thereof—

- (a) to purchase trophies other than raw ivory—
  - (i) from any person who has authority in terms of the Act to sell such trophies;
  - (ii) obtained from any animal which was born or hatched and has remained in captivity; and
- (b) within the premises to which the licence relates, to process, carve, embellish or otherwise manufacture trophies, other than ivory, of animals which have been lawfully hunted or have died from natural causes or which were born or hatched and have remained in captivity; and
- (c) within the premises to which the licence relates, to sell trophies, other than raw ivory, which—
  - (i) were sold to him by any person who had authority in terms of the Act to sell such trophies; or
  - (ii) were obtained from any animal which was born or hatched and has remained in captivity; and
- (d) subject to any enactment relating to such importation and exportation, to import and export trophies, other than raw ivory, into and out of Zimbabwe.

(2) Subject to this section, an ivory dealer's licence shall authorize the holder thereof—

- (a) to purchase ivory, whether raw or manufactured from any person who has authority in terms of the Act to sell such ivory; and
- (b) within the premises to which the licence relates, to sell ivory which has been purchased by him in terms of paragraph (a).

(3) Subject to the provisions of this section, an ivory manufacturer's licence shall authorize the holder thereof—

- (a) to purchase ivory, whether raw or manufactured, from any person who has authority in terms of the Act to sell such ivory; and
- (b) within the premises to which the licence relates, personally to carve, embellish or otherwise manufacture ivory purchased by him in terms of paragraph (a) or purchased on his behalf by some other holder of an ivory manufacturer's licence; and
- (c) within the premises to which the licence relates, to sell ivory which he has processed, carved, embellished or otherwise manufactured in terms of paragraph (b).

(4) A trophy retailer's licence shall authorize the holder thereof—

- (a) to purchase, from any person who has authority under the Act to sell them, trophies that have been processed, carved, embellished or otherwise manufactured in accordance with the terms and conditions of a dealer's licence; and
- (b) within the premises to which the licence relates, to sell trophies that he has purchased in terms of paragraph (a).

(5) A dealer's licence shall authorize the sale of trophies, outside the premises to which the licence relates, to persons who are holders of dealer's licences and who are authorized by their licences to purchase trophies.

#### *Display of dealer's licence*

70. Every holder of a dealer's licence shall at all times display such licence in a prominent place within the premises to which the licence relates.

#### *Cancellation of dealer's licence*

71. (1) Upon the failure of a holder of a dealer's licence to comply with any of the provisions of the Act or these regulations or with the terms and conditions of his licence, the Director may, in addition to any other penalty which may be imposed upon such holder—

- (a) amend any of the terms and conditions of; or
  - (b) suspend or cancel;
- that or any other dealer's licence held by such holder.
- (2) Where the Director has suspended or cancelled any dealer's licence in terms of subsection (1), he may issue to the holder thereof a temporary licence, subject to such terms and conditions as the Director may specify therein, to enable the holder to dispose of any trophies possessed by him.

*Registers, returns and accounts of dealers*

72. (1) Subject to subsection (2), every dealer shall—
- (a) keep a register in the appropriate form set out in the Sixth Schedule, in which he shall enter all transactions or arrangements by which he acquires or comes into possession or control of trophies for manufacture or resale, within five business hours of such trophies entering his possession or control; and
  - (b) keep adequate records and books of account relating to the manufacture and sale of trophies by him; and
  - (c) on being requested to do so during business hours, immediately make the records and books referred to in paragraph (b) available for inspection by the Director or by an inspector or officer authorized thereto by the Director; and
  - (d) within seven days after the end of each month, submit to the Director—
    - (i) a certified return of all transactions and arrangements whereby he acquired or came into possession or control of trophies for manufacture or resale; or
    - (ii) a statement that no such transactions or arrangements occurred;

during the preceding month, as may be appropriate.
- (2) Subsection (1) shall not apply to the holder of an ivory manufacturer's licence who is employed by another such holder, in relation to ivory which he possesses, carves, embellishes or manufactures in the course of such employment.

(3) If a dealer who is required by these regulations to keep proper records of trophies or dust is in possession of trophies or dust in excess of the amount shown to be in his possession by his records, he shall be deemed to be in illegal possession of such excess.

*Dust*

73. (1) An ivory manufacturer shall—

- (a) subject to subsection (2), retain and record the dust resulting from the manufacture, processing or embellishment of ivory in the appropriate form prescribed in the Sixth Schedule; and
- (b) within seven days after the end of each month, submit to the Director—
  - (i) a certified return of all dust accumulated or sold; or
  - (ii) a statement that no such dust has been accumulated or sold;during the preceding month, as may be appropriate.

(2) An ivory manufacturer may sell dust referred to in paragraph (a) of subsection (1), and, if he does so, the provisions of these regulations relating to the sale of ivory by an ivory manufacturer shall apply *mutatis mutandis*, to such sale of dust.

*Change of address of holder of dealer's licence*

74. Every holder of a dealer's licence shall, within seven days after changing the address to which such licence relates, notify the Director in writing, by registered post, of such change of address.

*Cessation of business by holder of dealer's licence*

75. Every holder of a dealer's licence who ceases to carry on business as a dealer shall, within seven days after so ceasing—

- (a) give written notice, by registered post, of that fact to the Director; and
- (b) return his dealer's licence, by registered post, to the Director.

## IVORY AND HORN

### *Appointment of specified officers*

76. The persons occupying the posts listed in Part I of the Seventh Schedule are hereby appointed as specified officers for the purposes of sections 77, 78 and 79.

### *Ivory and horn to be registered*

77. (1) Any person who—

- (a) acquires or comes into possession of any unregistered raw ivory or horn shall, within fifteen days of such acquisition or coming into possession; or
- (b) imports into Zimbabwe any unregistered raw ivory or horn shall, within twenty-four hours of such importation;

produce the ivory or horn to a specified officer for registration.

(2) A specified officer shall require evidence that any ivory or horn has been lawfully acquired or imported or is lawfully possessed, as the case may be, by the person seeking to have it registered.

(3) after satisfying himself as to the matters referred to in subsection (2), the specified officer shall register the ivory or horn, and shall—

- (a) cause it to be marked with a distinctive mark as provided in Part II of the Seventh Schedule; and
- (b) issue a certificate of ownership in the form prescribed in the Eighth Schedule.

(4) The specified officer shall record in a register such information as may be required of any ivory or horn which he has registered.

### *Retention of ivory and horn*

78. If evidence required in terms of subsection (2) of section 77 is not produced, the specified officer shall retain the ivory or horn pending the production of such evidence as he may require.

*Disposal of retained ivory and horn*

79. (1) If, within six months after the date on which ivory or horn was retained in terms of section 78, the evidence required in terms of subsection (2) of section 77 has not been produced, the ivory or horn concerned shall be registered as a State trophy.

(2) Where a person is convicted of any offence in respect of ivory or horn, such ivory or horn shall, unless any other person owns or is entitled to possess it, thereupon become a State trophy.

(3) If no person claims ivory or horn retained in terms of section 78 within one month from the date on which he first becomes entitled to claim it in terms of subsection (2), the Director may give notice in the *Gazette* that, unless the ivory or horn is claimed by a person entitled thereto within a period of two months from the date of publication of the notice, the ivory or horn will be disposed of in terms of subsection (4).

(4) If, on the expiry of the period of two months from the date of publication of a notice referred to in subsection (3), the ivory or horn concerned has not been claimed by a person entitled thereto, it shall become a State trophy.

*Marking of manufactured ivory*

80. (1) Subject to subsection (5), every holder of an ivory manufacturer's licence who processes, carves, embellishes or otherwise manufactures ivory to produce an article exceeding two hundred grams in mass of ivory shall engrave upon the article, in such a manner as to form a clear depression below the normal surface of the ivory, the following particulars—

- (a) the number of the register in which he has entered a description of the article concerned; and
- (b) the identifying letters that have been registered in his name in terms of subsection (4).

(2) No person shall alter, deface or remove any engraving referred to in subsection (1) without the written permission of the Director.

(3) Every holder of any ivory manufacturer's licence shall apply to the Director for the registration of his initials or other

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identifying letters which he wishes to engrave upon ivory in terms of paragraph (b) of subsection (1).

(4) On receipt of an application in terms of subsection (3), the Director—

- (a) may refuse to register the identifying letters concerned if in his opinion they are indecent or so similar to any such letters previously registered as to be likely to cause confusion;
- (b) in any other case, shall register the identifying letters concerned in a register to be kept by him for the purpose and shall notify the applicant in writing accordingly.

(5) Where, on the 19th December, 1986, a holder of an ivory manufacturer's licence was in possession of an ivory article exceeding two hundred grams in mass which he had processed, carved, embellished or otherwise manufactured before that date, he may, instead of engraving the article in the manner prescribed in subsection (1), mark the article in indelible ink with the particulars specified in that subsection, in such a manner as will reasonably ensure that the marks cannot be erased.

(6) These regulations shall apply to any article marked in terms of subsection (5), and to the marks thereon, as if the article had been engraved in terms of subsection (1).

### *Sale or transfer of registered raw ivory*

81 (1) Upon the sale or transfer of any registered raw ivory, the person disposing of it shall immediately endorse upon the certificate of ownership the name and address of the person to whom the sale or transfer has been effected, and shall sign and date such endorsement.

(2) Should any registered raw ivory be lost, stolen, exported, processed, embellished, manufactured or destroyed, the owner of the ivory shall, within fourteen days, return to the Director the certificate of ownership relating to the ivory, together with details of its loss, theft, export, process, embellishment, manufacture or destruction, as the case may be.

*Restriction on acquisition, possession, sale or transfer of unregistered or unmarked ivory*

82. (1) Subject to section 85, no person shall acquire, have in his possession, sell or transfer any raw ivory that has not been registered unless the raw ivory—

- (a) was lawfully taken from an animal that was lawfully hunted in terms of the Act; or
- (b) was lawfully taken from an animal that died on any land for which that person is the appropriate authority; or
- (c) has been lawfully imported into Zimbabwe;

and the period within which that person is required to produce the raw ivory for registration in terms of section 77 has not elapsed.

(2) Subject to subsection (5) of section 80 and to section 85, no person shall acquire, have in his possession, sell or transfer any piece of manufactured ivory which exceeds two hundred grams in mass unless such ivory is marked ivory.

(3) In any prosecution arising out of a contravention of subsection (1), the burden of proving—

- (a) any fact referred to in paragraph (a), (b) or (c) of that subsection; and
- (b) that the period referred to in that subsection has not elapsed;

shall rest on the accused.

*Sale or manufacture of horn prohibited*

83. No person shall purchase, sell, manufacture, process, carve or embellish any horn.

*Acquisition, possession or transfer of horn*

84. (1) Subject to section 85, no person shall acquire, have in his possession or transfer any horn which has not been registered.

(2) Upon the transfer of any registered horn, the person transferring such horn shall immediately endorse on the certificate of ownership—

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- (a) the name and address of the person to whom the transfer has been effected; and
  - (b) sign and date such endorsement.
- (3) Should any horn be lost, stolen, exported or destroyed, the owner shall, within fourteen days thereof, return to the Director the certificate of ownership, together with details of such loss, theft, export or destruction, as the case may be.

### *Exemptions*

85. (1) Sections 77, 82 and subsection (1) of section 84 shall not apply in respect of the acquisition or possession of ivory or horn by any museum or scientific or educational institution, where such ivory or horn is *bona fide* acquired or possessed for the purposes of the museum or for scientific or educational purposes.

(2) Sections 77, 82 and subsection (1) of section 84 shall not apply in relation to the acquisition, possession, sale or transfer of any ivory or horn by any person in the lawful execution of his duties on behalf of the State.

(3) Section 82 shall not apply in respect of the acquisition or possession of—

- (a) any unregistered ivory by any person in accordance with an authority granted to him by the Director; or
- (b) any marked ivory that has been lawfully imported into Zimbabwe after being manufactured outside Zimbabwe; or
- (c) any marked ivory that was manufactured prior to the 19th December, 1986.

(4) In any prosecution arising out of a contravention of section 77, 82 or subsection (1) of section 84, the burden of proving that he was entitled to an exemption in terms of this section shall rest on the person claiming such exemption.

## FISHING-NETS

### *Registered dealers in, and manufacturers of, fishing-nets*

86. (1) A registered dealer in, or a manufacturer of, fishing-nets shall—

- (a) keep a register in the appropriate form prescribed in the Sixth Schedule, in which he shall cause to be recorded all transactions involving the acquisition, manufacture or sale of fishing-nets within five business hours of such acquisition, manufacture or sale being effected; and
  - (b) within seven days of the end of each month, submit to the Director—
    - (i) a certified return of all transactions; or
    - (ii) a statement that no transaction has occurred; during the preceding month, as may be appropriate.
- (2) A registered dealer in or manufacturer of fishing-nets shall not sell or transfer a fishing-net to any person who is not—
- (a) a registered dealer in or manufacturer of fishing-nets; or
  - (b) the holder of a permit issued by the Minister in terms of paragraph (a) or (e) of section 83 of the Act; or
  - (c) the appropriate authority for any waters.

#### GENERAL REQUIREMENTS AND POWERS

##### *Retention of registers*

87. A breeder, dealer, registered dealer in, or manufacturer of, fishing-nets shall retain a register in his possession for a period of three years from the date of the final entry made in such register.

##### *Inspections by officers*

88. (1) An officer may, during normal business hours, require—

- (a) the holder of a professional hunter's licence or any other person who, for reward, has conducted a hunting safari; or
- (b) a breeder, dealer or a registered dealer in or manufacturer of fishing-nets;

to produce for his inspection any register which he is required to keep by these regulations, or any trophy, horn, ivory, dust or fishing-net which the officer may require to inspect.

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(2) An officer may, at all reasonable times, require any person who is in possession of any ivory to produce that ivory for inspection by the officer for the purpose of ascertaining if it is registered or marked in accordance with these regulations.

(3) An officer may, at all reasonable times, require any person who has any trophy, horn, dust, ivory or fishing-net in his possession or custody to produce for his inspection the certificate of ownership or permit authorizing his possession or use of such trophy, ivory, horn, dust or fishing-net.

### *Advertisement of sale or transfer of wild life or trophies*

89. No person shall publish or display any written advertisement for the sale or transfer of any wild life or trophy, the sale or transfer of which requires a permit or authority in terms of the Act or these regulations, unless he publishes or displays in the advertisement the nature of the permit or authority held by him and its serial number.

### *Offences*

90. No person shall—

- (a) make, or be party to the making of, any false entry in a register; or
- (b) falsify a return required in terms of subsection (3) of section 64 or subsection (1) of section 72; or
- (c) refuse to produce any register, trophy, certificate of ownership or permit for inspection when required to do so in terms of section 88.

## PART V HONORARY OFFICERS

### *Interpretation in Part V*

91. In this Part—

“certificate” means a certificate of appointment furnished to an honorary officer in terms of subsection (4) of section 98 of the Act.

*Honorary officers to present themselves for duty*

92. (1) The Director may require an honorary officer to present himself for duty on not more than one Saturday or one Sunday or one public holiday during each month.

(2) An honorary officer may volunteer to present himself for duty more frequently than is required in terms of subsection (1).

(3) An honorary officer who reports for duty in terms of subsection (1) or (2) shall undertake such duties as an officer may allocate to him.

(4) An honorary officer may decline to present himself for duty as required in terms of subsection (1):

Provided that, if he does so on more than three occasions during any twelve-month period, his appointment shall be terminated.

(5) An honorary officer who presents himself for duty in terms of subsection (1) or (2), and who undertakes duties outside the Parks and Wild Life Estate, shall be entitled to claim the allowance which may be claimed by an officer in terms of the Public Services (Travelling and Subsistence) Regulations, 1972, published in Rhodesia Government Notice 605 of 1972, for the use of his private motor-vehicle.

*Powers of honorary officer while on duty*

93. (1) An honorary officer may, in the course of undertaking duties allocated in terms of subsection (3) of section 92 within the Parks and Wild Life Estate—

(a) require any person found in possession of, or using, any animal, fish, plant, meat, trophy, weapon, fishing-net or other thing to produce to him any authority required in terms of the Act or any regulations made thereunder in respect of the possession or use of such animal, fish, plant, meat, trophy, weapon, fishing-net or other thing;

(b) seize and deliver to an officer any animal, fish, plant, meat, trophy, weapon, fishing-net or other thing, of any nature whatsoever, which appears, on reasonable grounds, to afford evidence of the commission of an

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offence in terms of the Act or any regulations made thereunder;

- (c) stop any person, whether or not such person is in a boat or, except on a prescribed road, a vehicle, whom he sees doing, or believes, on reasonable grounds, to have done, any act for which authority in terms of the Act or any regulations made thereunder is required, and require such person to furnish his name and address and to produce evidence of such authority;
- (d) notwithstanding the issue or grant of any permission, authority or permit, order a person to report to a particular officer if, in his opinion, that person within the Parks and Wild Life Estate behaves in a manner which disturbs or interferes with, or is likely to disturb or interfere with, the peace, order or good management or administration of the Parks and Wild Life Estate or the rights of other persons therein;
- (e) destroy any domesticated animal if such animal is not under the physical control of any person.

(2) An honorary officer may, on the instructions of the Director, and subject to such terms and conditions as the Director may deem fit to impose in each case, and with the consent of the appropriate authority for the land, in respect of any area other than the Parks and Wild Life Estate—

- (a) exercise the powers which may be exercised within the Parks and Wild Life Estate in terms of subsection (1); and
- (b) destroy any animal, other than a specially protected animal, which—
  - (i) has caused, is causing or is likely to cause damage to any livestock, crop, water-installation or fence; or
  - (ii) is, or is likely to be, dangerous to human life on such land.

(3) Notwithstanding subsection (2), in the case of a dangerous animal which has been injured and which is a source of danger to human life, an honorary officer may follow such dangerous animal with the intention of killing it on any land.

(4) Any honorary officer who follows a dangerous animal on to any land in terms of subsection (3) shall, as soon as possible, inform the appropriate authority for such land that he followed such dangerous animal on to such land, and whether he was successful in killing such dangerous animal or whether it is still at large.

*Return of certificate or badge*

94. Any person who ceases to hold office as an honorary officer, for any reason whatsoever, shall return his certificate and his badge within thirty days of being informed that he has ceased to hold office.

*Offences*

95. Any person who fails to comply with any request or direction made or given in terms of this Part, or who obstructs any honorary officer in the exercise of the powers conferred upon him in terms of this Part, or knowingly gives false information to an honorary officer who is exercising those powers, shall be guilty of an offence.

**PART VI**

**FEES, THE RESERVATION OF FACILITIES AND  
APPLICATIONS FOR PERMITS, ET CETERA**

*Interpretation in Part VI*

96. In this Part—

“safari-operator” means a person engaged in conducting photographic or viewing safaris for reward;

“Senior Tourist Officer” means the Senior Tourist Officer in charge of the Department’s Central Booking Office.

*Fixing of appropriate fees*

97. (1) With the approval of the Minister, the Director may fix the appropriate fees to be paid for—

- (a) entering any area or part of the Parks and Wild Life Estate;
- (b) doing anything within any area or part of the Parks and Wild Life Estate;

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- (c) using any article or facility provided within any area or part of the Parks and Wild Life Estate;
- (d) any authority, permit, licence, register or return granted, issued or supplied in terms of the Act or any regulations made thereunder;

and may at any time in like manner alter any such appropriate fee.

(2) The Director may, in terms of subsection (1), fix different appropriate fees to be paid by persons resident in Zimbabwe and persons not so resident.

### *Information on appropriate fees to be given*

98. (1) The Senior Tourist Officer shall, on receipt of an inquiry, provide such information as is required concerning any appropriate fee which has been fixed in terms of this Part.

(2) An officer or an employee who has allocated the use of any article or facility to any person shall provide such information as is required concerning any appropriate fee payable by such person for the use of such article or facility.

### *Reservation of accommodation, camping-sites, caravan-sites or special camps*

99. (1) Any person who wishes to reserve accommodation, a camping-site, a caravan-site or a special camp shall apply to the Senior Tourist Officer.

(2) On receipt of an application in terms of subsection (1), the Senior Tourist Officer may, if the type of facility applied for is available as required by the applicant, provisionally reserve such facility for a period of fourteen days.

(3) The applicant shall, during the period of provisional reservation specified in subsection (2), pay the deposit specified in subsection (4) to confirm the reservation, failing which any provisional reservation shall be cancelled by the Senior Tourist Officer.

(4) The deposit payable in terms of subsection (3) shall be, in respect of each continuous period—

- (a) the full amount of the appropriate fee, to reserve a camping-site or a caravan-site; and
- (b) half the appropriate fee, to reserve accommodation or a special camp.

*Applications for and issue of permits*

100. (1) Any person who, before the day on which he wishes to do anything in respect of which a permit is required, wishes to apply for a permit shall do so at the office of the Director, in such manner and upon payment of the appropriate fee, if any, or such deposit as the Director may require:

Provided that fishing permits for Purdon Dam or Lake Gulliver shall be applied for from the Research Officer (Fisheries), Private Bag T 7901, Mutare.

(2) Any person who, on the day on which he wishes to do anything in respect of which a permit is required, wishes to apply for a permit shall do so to an officer or an employee in that area of the Parks and Wild Life Estate where he wishes to do such thing, and upon payment of the appropriate fee, if any.

(3) The Director may, in respect of a permit to do anything permitted in a safari area—

- (a) set a date after which no further applications will be considered; and
- (b) authorize any person or association of persons to receive any application and deposit.

(4) Any permit issued in respect of the doing of anything in a safari area may authorize the holder thereof, free of charge, to enter any part of that safari area accompanied by his visitors and employees, not exceeding any maximum number fixed by the Director, and to occupy a bush-camp.

*Refund of deposits*

101. (1) Where a deposit has been accepted in terms of this Part, no refund shall be made unless—

- (a) the person who made the deposit notifies the Director or the Senior Tourist Officer, as the case may be, in writing, not less than thirty days before the first day of his reservation or the validity of his permit, that he

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- wishes to cancel such reservation or no longer requires such permit; or
- (b) the facility in respect of which his deposit was accepted is subsequently reserved or used, or the permit is subsequently issued to some other person.
- (2) Any refund made of a deposit in terms of subsection (1) shall be for the full deposit less an amount of ten *per centum* of such deposit, which shall be deducted to meet administrative expenses, and shall be paid into the Consolidated Revenue Fund.

(3) Notwithstanding this section, the Director may authorize a refund in full of any deposit paid in such circumstances as he deems fit.

*Appropriate fee for provision of assistance*

102. (1) The appropriate fee for the taking of any measures in terms of section 44 shall be calculated in accordance with the Ninth Schedule.

(2) The Director may, if an officer or an employee is requested by any person, and assist in the capture or movement of wild life, require payment by the person who made the request of an appropriate fee as if such assistance was provided in terms of section 44.

*Fees payable on demand*

103. Any appropriate fee shall be payable on demand.

*Waiver, reduction and refund of appropriate fees*

104. (1) With the approval of the Secretary for Finance, Economic Planning and Development, the Director may waive or reduce the whole or any part of an appropriate fee in respect of any person or class of persons.

(2) Without derogation from subsection (1), if a person who has paid an appropriate fee to enter any area or part of the Parks and Wild Life Estate is subsequently refused entry to that area or part in terms of section 6, the Director may refund the whole or part of the fee if he considers it just and equitable to do so.

PART VII

GENERAL

*Disposal of State trophies*

105. The Director may dispose of any State trophy in terms of an authority issued in terms of section 20 of the Audit and Exchequer Act [Chapter 168].

*Keeping of certain animals in urban areas*

106. (1) In this section—

“urban land” means any piece of land less than ten hectares in extent which is situated within—

- (a) a municipal area, town area or local government area; or
- (b) a designated area of a rural council; or
- (c) a specified area of a rural district council; or
- (d) an area of Communal Land set aside in terms of the Communal Land Act, 1982 (No. 20 of 1982), for the establishment of a township, village, business centre or industrial area.

(2) No person shall possess any problem animal, dangerous animal or primate on any urban land—

- (a) without the written permission of the Director; or
- (b) except in accordance with any terms or conditions imposed by the Director when giving his written permission.

(3) This section shall be additional to and not in substitution for any other enactment relating to the possession of animals on any urban land.

*Badge of the Department*

107. The badge of the Department which shall be carried, worn or displayed by officers, employees and honorary officers shall be in the form prescribed in the Tenth Schedule.

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### *Permission subject to conditions*

108. (1) Where, in terms of these regulations, any permission may be given to exempt any person from any provision, the person who gives such permission may make that permission conditional, as he considers necessary, and subject to the payment of an appropriate fee within a scale of fees approved by the Director.

(2) No person shall disregard any conditions made in terms of subsection (1).

### *Compliance with lawful orders*

109. Every person shall comply forthwith with any lawful order given to him in terms of these regulations.

### *Appeals*

110. (1) Any person who is aggrieved by the refusal or cancellation of any registration, permit or licence, or by the terms and conditions of any permit or licence issued to him, may, within thirty days of—

- (a) being notified of such refusal or cancellation; or
- (b) the receipt of the permit or licence which has been issued to him;

as the case may be, appeal in writing to the Minister, who may dismiss the appeal or uphold it in whole or in part.

(2) Where the Minister upholds an appeal in terms of subsection (1), the Director shall take such steps as may be necessary to give effect to the Minister's decision.

### *Offences and penalties*

111. Any person who contravenes any provision of these regulations shall be guilty of an offence and liable—

- (a) subject to paragraphs (b) and (c), in respect of a contravention of section 26, 27, 30, 32, 33, 37, 40, 64, 72, 94 or 103—
  - (i) on a first conviction, to a fine not exceeding six hundred dollars or to imprisonment for a period not exceeding six months or both such fine and such imprisonment;

(ii) on a second or subsequent conviction—

- A. to a fine not exceeding one thousand dollars or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment; or
- B. in the case of a continuing offence that has continued for more than fifty days, to a fine of twenty dollars or to imprisonment for a period not exceeding five days or to both such fine and such imprisonment for each day during which the offence has continued;

(b) in respect of any offence to which subsection (4a) of section 115 of the Act relates, to the penalties set out in that subsection;

(c) in respect of any offence involving ivory or rhinoceros horn, other than an offence referred to in paragraph (b) to a fine not exceeding—

(i) three times the value of the ivory or rhinoceros horn concerned; or

(ii) five thousand dollars;

whichever is the greater, or to imprisonment for a period not exceeding two years, or to both such fine and such imprisonment;

(d) in respect of any other offence, to a fine not exceeding one thousand dollars or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

#### *Repeals and savings*

112. (1) The regulations specified in the Eleventh Schedule are repealed.

(2) Notwithstanding the provisions of subsection (1), anything lawfully made, done or commenced in terms of the regulations specified in the Tenth Schedule before the date of commencement of these regulations which, immediately before such date, had, or was capable of acquiring, legal force or effect shall, on and after that date, continue to have, or to be capable of acquiring, as the

## Parks and Wild Life (General) Regulations, 1990

case may be, the same force or effect as if that thing had been duly made, done or commenced, as the case may be, in terms of the appropriate provision of these regulations.

### FIRST SCHEDULE (Section 6 (3))

#### PARTS OF THE PARKS AND WILD LIFE ESTATE WHERE PERMISSION IS REQUIRED BEFORE ENTRY OR DEPARTURE

##### PART A: *Entry and departure*

<i>Part</i>	<i>Office at which to report</i>
1. Chete Safari Area . . . . .	Chizarira National Park or Chete Safari Area
2. Chewore Safari Area . . . . .	Marongora or Mkanga
3. Chimanimani National Park . . . . .	Chimanimani Eland Sanctuary or Base Camp, Chimanimani National Park
4. Island 52 Safari Area . . . . .	Zambezi National Park or Chete Safari Area
5. Kazuma Pan National Park . . . . .	Matetsi Safari Area
6. Malapati Safari Area . . . . .	Malapati or Mabalauta
7. Sapi Safari Area . . . . .	Marongora or Mkanga
8. Umfurudzi Safari Area . . . . .	Umfurudzi Base Camp

##### PART B: *Where permission is required to leave a prescribed road or a designated road*

<i>Part</i>	<i>Office at which to report</i>
1. Chirisa Safari Area . . . . .	Sengwa Research Station or Chirisa
2. Dande Safari Area . . . . .	Marongora or Mkanga
3. Deka Safari Area . . . . .	Matetsi Safari Area
4. Doma Safari Area . . . . .	Chinhoyi Caves Recreational Park or Doma
5. Hurungwe Safari Area . . . . .	Marongora

##### PART C: *For remaining overnight*

<i>Part</i>	<i>Office at which to report</i>
1. Chipinge Safari Area . . . . .	Provincial Warden, Manicaland, or Chipinge Safari Area

### SECOND SCHEDULE (Section 50)

#### PLANTS OF WHICH RECORDS ARE TO BE KEPT

*Zamiaceae: Encephalartos—all species*

THIRD SCHEDULE (*Section 53*)

ANIMALS WHICH SHALL BE HUNTED WITH  
SPECIFIED WEAPONS

PART A

Black rhinoceros  
Buffalo  
Elephant

Hippopotamus  
Square-lipped rhinoceros

PART B

Eland  
Giraffe

Lion

PART C

Blesbok  
Blue wildebeest  
Brown hyaena  
Burchell's zebra  
Cape hartebeest  
Cheetah  
Crocodile  
Gemsbok  
Kudu

Leopard  
Lichtenstein's hartebeest  
Nyala  
Roan  
Sable  
Spotted hyaena  
Tsessebe  
Water-buck

PART D

Bush-buck  
Bush-pig  
Impala  
Reed-buck

Sitatunga  
Wart-hog  
Wild dog

FOURTH SCHEDULE (*Section 60*)

REGISTER OF HUNTING SAFARIS FOR NON-RESIDENT CLIENTS

[OBVERSE]

Register Number F

Page Number No.  
NP/CITES

Form 9

DEPARTMENT OF NATIONAL PARKS AND WILD LIFE  
MANAGEMENT/RESERVE BANK OF ZIMBABWE

FORM OF REGISTER AND RETURN OF HUNTING SAFARIS  
CONDUCTED FOR REWARD ON ALIENATED AND UNALIENATED  
LAND IN ZIMBABWE WHERE THE CLIENT IS A PERSON NOT  
ORDINARILY RESIDENT IN ZIMBABWE

Name of professional hunter, or other person, conducting the hunt: .....

## Parks and Wild Life (General) Regulations, 1990

**Address** .....

Company (if any) on behalf of which the professional hunter, or other person, is submitting return:

Name: \_\_\_\_\_

Full names of foreign client: .....

**Client's physical address:** .....

Client's passport details: (Country of issue and serial number) .....

Area, areas, ranch or farm where the hunt was conducted: .....

Inclusive dates of duration of the hunt: From ..... to .....

## ANIMALS HUNTED

**Note 1.**—Under the column "Number Hunted" enter kill or wounding information e.g. "1K/2W".

*Note 2.*—In the event of insufficient space the list is to be continued on the following page.

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Total amount of foreign currency paid by the client to the professional hunter, other person, or the company submitting return: (see Note 3).

Currency ..... Amount .....

Name and branch of the Zimbabwe commercial bank where foreign currency deposited: .....

Date of deposit: ..... Account number .....

Amount ..... (see Note 3)

Certificate to be completed by the foreign client immediately on completion of the hunt:

I certify that the animals listed on this return were hunted by me or the members of my party for whom I am responsible or who accompanied me on the hunt during the period stated. The total amount of foreign currency stated and paid by me to the professional hunter, other person, or his company is the full amount I was charged.

Signature of foreign client ..... Date .....

Certificate of professional hunter, or other person, completing the register/return and conducting the hunt: I certify that the animals listed on this return were actually hunted by the client (or the members of his party who accompanied him during the hunt) in accordance with the terms and conditions of a permit. The foreign currency deposited is the full amount paid by the client or his agents for the hunt.

Signature of professional hunter or other person .....

Date .....  
(see notes and conditions overleaf)

[REVERSE]

Notes and conditions (In addition, see notes 1 and 2 under "Animals Hunted")

3. The total amount of foreign currency paid by the client is the total foreign currency value per individual animal charged to the client plus the cost of all overheads and extras. No payment for any services rendered by the professional hunter, other person, or his company may be paid in kind. Any currency, deposited by the client for the cost of processing or shipping his trophies to their destination must be included. Where there is a discrepancy between the total amount of foreign currency paid by the foreign client to the professional hunter, or other person, and the actual amount deposited with a Zimbabwe commercial bank, the professional hunter or other person is required to provide a written explanation for such discrepancy which is to be attached to the original return and NP/CITES Form 2 before presentation to an authorized dealer.

## Parks and Wild Life (General) Regulations, 1990

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4. This form must be completed by the professional hunter or other person who was in direct control of the hunt in question (see Parks and Wild Life Act, 1975 No. 14/75). Registers must be produced to any authorized officer, as defined by law, on demand. The professional hunter or other person is therefore required to ensure that the register is available for inspection within his hunting area during the actual hunting period. In the event of the theft, loss or destruction of a register, the Director of National Parks and Wild Life Management must be notified within seven days of such occurrence.
5. The original return (*top copy*) is to be submitted to the Director of National Parks and Wild Life Management, P.O. Box 8365, Causeway, within fourteen days following the date of completion of the actual hunt.
6. The duplicate return (*second copy*), stamped by the appropriate Permits Officer of the Department, is to be attached to the client's export permit (NP/CITES Form 2) and both are to be presented to a Zimbabwe commercial bank when authorization of section 16 of the Form 2 is required. If both documents are not exhibited to an authorized dealer, the export of the trophies will not be permitted. The foreign client should be advised to export all his required trophies in one consignment for this reason.
7. The export of trophies listed in this form may not be exported in terms of a Certificate of sale/Short Export Permit (NP/CITES Form 1) after manufacture.
8. The foreign client and professional hunter, or other person, are required to sign this form immediately upon the completion of the hunt. This is a legal requirement and non-compliance will render the professional hunter, or other person liable to prosecution. For this reason all professional hunters or other persons should ensure that they are in possession of a register whilst the hunt is being conducted.
9. Where part of the hunt is conducted by the holder of a Learner Professional Hunter's Licence, this form must be completed by the holder of a full Professional Hunter's licence (under whose direct control the learner is operating).
10. "Other person" means a person who is not the holder of a professional hunter's licence but who is the appropriate authority of any land upon which a hunting safari is conducted for reward by any person who is not resident in Zimbabwe. It includes the *bona fide* employee of the appropriate authority.
11. Ensure that all carbon copies are clear and legible.

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**FOR OFFICIAL USE ONLY (Parks and Wild Life Permits Officers)**

*Notes:* See Note 6 above and stamp original Form 2 in section 15 with  
“Additional section 16 information for Zimbabwe banks only (check  
and remove NP/CITES Form 9).”

Export Permit Number (NP/CITES Form 2) .....

Date Stamp

**FOR OFFICIAL USE ONLY (Exchange Control Officers, Commercial banks)**

- NOTES.**—1. Endorse CDI number on both original and duplicate copies  
of NP/CITES Form 2.  
2. Check “Animals Hunted” and values overleaf against those  
listed on NP/CITES Form 2 (*see also Notes 3 and 6 above.*)  
3. Retain this copy and attach to the Authorized Dealer’s copy  
of Form CDI.

Date Stamp

Form CDI Number .....

## Parks and Wild Life (General) Regulations, 1990

**FIFTH SCHEDULE (Section 64)**

**FORM OF REGISTER AND RETURN OF AMPHIBIA AND REPTILES**

Name of registered breeder

**Address of premises**

Type of amphibian/reptile

I certify that this is a true record of transactions conducted by me during the calendar month of

Sigma

Signed

Age/Class	On hand previous month	Number hatched	Number acquired	Sub-total	Number of deaths	Number cropped	Number sold	Stock on hand
Hatchlings	• • •	•	•	•	•	•	•	•
Rearing-stock	• • •	•	•	•	•	•	•	•
Breeding-stock	• • •	•	•	•	•	•	•	•
				Wild	Farm	Total		
Eggs acquired	• • •	•	•	•	•	•	•	•
Hatched	• • •	•	•	•	•	•	•	•
Balance	• • •	•	•	•	•	•	•	•
Bad/Infertile	• • •	•	•	•	•	•	•	•

**SIXTH SCHEDULE (Section 72 and 86)**

**FORMS OF REGISTERS AND RETURNS FOR IVORY DEALERS, TROPHY DEALERS AND REGISTERED DEALERS IN, OR MANUFACTURERS OF, FISHING-NETS**

**IVORY MANUFACTURER'S REGISTER AND RETURN OF IVORY ACQUIRED FOR MANUFACTURE**

Name .....	Address of premises .....	Licence number .....	Page .....	Register number .....	
I certify that this is a true record of transactions conducted by me during the calendar month of ..... 19 .....					
Date .....	Signed .....				
Registered number of ivory	Certificate number	Mass	Description of articles manufactured	Number of articles manufactured	Mass of articles manufactured
		kg g			kg g
Disposal of dust					To whom disposed of: name and address
		kg	g	kg	g
Mass of dust brought forward from previous month					
Mass of dust accumulated during month					
Mass of dust acquired during month					
TOTAL					
Mass of dust sold/manufactured during month					
Balancce of dust on hand at end of month					
				TOTAL	

*Notes.—Mass of articles manufactured is the mass of manufactured ivory only, and shall not include the mass of any embellishments.  
"dust" includes off-cuts, chips or any other residue resulting from the manufacture of ivory.*

## Parks and Wild Life (General) Regulations, 1990

IVORY DEALER'S REGISTER AND RETURN OF IVORY ACQUIRED AND DISPOSED OF

Name \_\_\_\_\_

Address of the trustees

Licence number

I certify that this is a true record of transactions conducted by me during the calendar month of

19

Date \_\_\_\_\_

CONSTITUTION OF IOWA

### Total mass acquired

Mass brought forward from previous month.

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Total mass on hand . . .

#### Total dispensed

*N.B.*—If raw ivory is manufactured, the entry must be transferred to the Ivory Manufacturer's Register/Return.

**TROPHY DEALER'S AND OTHER PERSONS' REGISTER OF MANUFACTURED TROPHIES  
ACQUIRED FROM A DEALER FOR RESALE**

Page .....  
Register number .....  
Name .....

Page .....

Register number ...

Names

Licence number (when applicable)

Licence number (when applicable)

Licence number (when applicable)

I certify that this is a true record of transactions conducted by me during the calendar month of

19

## **Parks and Wild Life (General) Regulations, 1990**

**TROPHY DEALER'S REGISTER AND RETURN OF TROPHIES (OTHER THAN MANUFACTURED TROPHIES AND IVORY) ACQUIRED OR MANUFACTURED**

Dealer's name ..... Register number ..... Page .....

Address of premises

Licence number

RECENTLY PUBLISHED WORKS AND THEORIES IN LITERATURE

Signed \_\_\_\_\_  
Date \_\_\_\_\_

Signed

**\* Supplier's authority is a dealer's licence number, section number, permit number or a certificate of ownership of ivory.**

**REGISTER AND RETURN OF REGISTERED DEALERS IN OR MANUFACTURERS  
OF FISHING-NETS**

Name .....	Address of premises .....	Register number .....	Page .....
.....	.....	.....	.....

I certify that this is a true record of transactions conducted by me during the calendar month of

**Purchaser's authority:** Before a person may acquire a net, he must produce a relevant permit or proof that he is the appropriate authority for the water concerned.

Parks and Wild Life (General) Regulations, 1990

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**SEVENTH SCHEDULE (*Sections 76 and 77*)**  
**SPECIFIED OFFICERS AND DISTINCTIVE MARKS**

**PART I**

**SPECIFIED OFFICERS**

1. The Director.
2. The Provincial Warden, Mashonaland North.
3. The Provincial Warden, Matabeleland North.
4. The Provincial Warden, Matabeleland South.
5. The Provincial Warden, Masvingo.
6. The Warden, Kariba.
7. The Warden, Matetsi Safari Area.

**PART II**

**DISTINCTIVE MARKS**

The distinctive mark shall consist of—

- (a) a prefix ZW; and
- (b) the last two numerals of the year in which registration is effected, followed by a hyphen or dash; and
- (c) a registered number, followed by a hyphen or dash; and
- (d) the mass of the ivory or horn in grams or, where appropriate, in kilograms.

Example: ZW 86/7700/25

**CERTIFICATE OF OWNERSHIP OF IVORY AND HORN**  
**EIGHTH SCHEDULE (Section 77)**

## COUNTERFOIL DETAILS

**Certificate**

Date registered

Specified officer's signature  
and date-stamp

Tusk serial  
number

Tusk mass  
(kilograms)  
Tusk length  
(centimetres)

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Authority

Name .....

Address.....

Notes

1. See reverse for details of transfer/sale.
2. This certificate must be returned to the Director, Department of National Parks and Wild Life Management, P.O. Box 8365, Causeway, in the event of the ivory being cut up for manufacturing purposes, lost, stolen or exported.
3. After four sales have been effected on this certificate, a new one shall be obtained from the Director.

**CERTIFICATE OF OWNERSHIP OF IVORY AND HORN  
(issued in terms of section 77 of the Parks and Wild Life (General)  
Regulations, 1990)**

## Certificate

Name \_\_\_\_\_

Specified officer's signature  
and date-stamp

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100

sale. Sent to the Director, Department of Management, P.O. Box 8365, Causeway, up for manufacturing purposes, lost, I on this certificate, a new one shall be

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100

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Notes

sale. Sent to the Director, Department of Management, P.O. Box 8365, Causeway, up for manufacturing purposes, lost, I on this certificate, a new one shall be

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## Parks and Wild Life (General) Regulations, 1990

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### DETAILS OF TRANSFERS/SALES

(Certificate to be retained by new owner)

1. Transferred/Sold to .....  
(name)

Address.....

.....  
(signature of transferor)

2. Transferred/Sold to .....  
(name)

Address.....

.....  
(signature of transferor)

3. Transferred/Sold to .....  
(name)

Address.....

.....  
(signature of transferor)

4. Transferred/Sold to .....  
(name)

Address.....

.....  
(signature of transferor)

This certificate of ownership shall also be regarded as an authority to sell such ivory in terms of section 65 of the Parks and Wild Life Act, 1975.

NINTH SCHEDULE (*Section 102*)

APPROPRIATE FEE FOR SEARCHES, ASSISTANCE AND  
SAFEGUARDING OF PROPERTY

In respect of any journey necessarily made to search for or assist  
any person to search for or safeguard any property—

(a) in a motor-vehicle, per kilometre . . . . . \$ 1,00

Provided that the minimum payable  
shall be \$10,00

(b) in a vessel, per hour or part thereof . . . . . \$10,00

(c) in an aircraft, per hour or part thereof . . . . . \$80,00

Parks and Wild Life (General) Regulations, 1990

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TENTH SCHEDULE (*Section 107*)  
BADGE OF THE DEPARTMENT



ELEVENTH SCHEDULE (*Section 112*)

REPEALS

<i>Title</i>	<i>Statutory Instrument</i>
Parks and Wild Life (General) Regulations, 1981	900 of 1981
Parks and Wild Life (General) (Amendment) Regulations, 1986 (No. 1)	340 of 1986
Parks and Wild Life (General) (Amendment) Regulations, 1987 (No. 2)	110 of 1987

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*Supplement to the Zimbabwean Government Gazette dated the  
23rd November, 1990. Printed by the Government Printer, Harare.*