

BOPHUTHATSWANA NATURE CONSERVATION ACT NO. 3 OF 1973

Assented to: 11 March 1975

Date of commencement: 9 May 1975

ACT

To provide for the protection of game and fish, the conservation of flora and fauna and the destruction of vermin in Bophuthatswana.

INDEX

CHAPTER 1 - INTRODUCTION

1. Definitions

CHAPTER 2 - WILD ANIMALS AND VERMIN

2. Classification of wild animals

3. Protection of wild animals

4. Prohibited ways of hunting

5. Prohibited ways of transporting fire-arms

6. Sale, donation, possession and transport of dead game and venison

6A. Minister may by proclamation prohibit hunting or determine hunting seasons, and creation of offense and penalty

7. Hunting of wild animals by the department

8. Destruction of vermin

9. Introduction and possession or keeping of vermin

10. Minister may grant permit

CHAPTER 3 - FISH

11. Control of catching of fish

12. Protection of waters

13. Minister may grant permit

CHAPTER 4 - PLANTS

14. Classification of indigenous plants

15. Protection of indigenous plants

16. Powers of department

17. Minister may grant permit

CHAPTER 5 - GAME RESERVES AND NATURE RESERVES

18. Establishment of game and nature reserves

19. Protection of wild animals and indigenous plants in game reserves and nature reserves

CHAPTER 6 - GENERAL PROVISIONS

20. Administration

21. General powers of department

22. Amendment of schedules

23. General provisions relating to permits

24. Nature conservation officers and field rangers

25. Powers of nature conservation officers and field rangers

25A. Honorary nature conservation officers and honorary field rangers

26. Delegation of powers

27. Offenses

27A. Presumptions

28. Penalties

29. Regulations

30. Repeal of laws

31. Short title and commencement

Schedule 1 - PROTECTED GAME

Schedule 1A - SPECIALLY PROTECTED GAME

Schedule 2 - ORDINARY GAME

Schedule 3 - WILD ANIMALS IN RESPECT OF WHICH THE PROVISIONS OF SECTION 3 (a) (ii) APPLY

Schedule 4 - WILD ANIMALS TO WHICH THE PROVISIONS OF SECTION 4 (1) (b) DO NOT APPLY

Schedule 5 - VERMIN

Schedule 6 - AQUATIC GROWTHS IN REGARD TO WHICH THE PROVISIONS OF SECTION 12 (1) (h) APPLY

Schedule 7 - PROTECTED PLANTS
Schedule 8 - SPECIALLY PROTECTED PLANTS
Schedule 9 - LAWS REPEALED

CHAPTER I INTRODUCTION

1. Definitions

In this Act, unless the context otherwise indicates-

angle means to catch fish by the use of a line and fish-hook whether or not any rod is used, and includes the use of a landing or keep-net to land or keep fish caught by means of a line and fish-hook;

Bophuthatswana means the area referred to in section 6 of the Republic of Bophuthatswana Constitution Act, 1977 (Act 18 of 1977), and any other area which, by virtue or in terms of an Act of Parliament becomes or forms a part of the Republic of Bophuthatswana;

[Definition of "Bophuthatswana" substituted by s. 1 (b) of Act No. 58 of 1980.]

buy means to buy, exchange or receive as valuable consideration;

carcass means the whole or any part of the carcass including any bone, hoof, horn, claw, tooth, hair, feather, hide, tail or skin;

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

chief means someone who has been recognised as chief or acting chief in terms of section 36 (1) of the Traditional Authorities Act, 1978 (Act 23 of 1978), and includes also someone who has been appointed as chief's deputy in terms of section 36 (4) of the said Act;

[Definition of "chief" substituted by s. 1 (c) of Act No. 58 of 1980.]

child includes a step-child;

community authority means a community authority established under or saved as such by section 14 of the Traditional Authorities Act, 1978 (Act 23 of 1978);

[Definition of "community Authority" substituted by s. 1 (d) of Act No. 58 of 1980.]

controlled game products means the tusk, horn, head, ear, trunk, skin, tail or foot, or any part thereof of any elephant or rhinoceros;

[Definition of "controlled game products" inserted by s. 1 (a) of Act No. 5 of 1993.]

deal in means, whether as principal or agent, to-

- (a) buy, offer to buy, or acquire by way of barter, pledge or otherwise;
- (b) sell or exchange or offer, advertise, forward, dispatch or deliver for sale or exchange;
- (c) supply or dispose of, whether for remuneration or otherwise; and
- (d) authorise, instruct or permit the doing of an act referred to in paragraph (a), (b) or (c);

[Definition of "deal in" inserted by s. 1 (a) of Act No. 5 of 1993.]

department means the Department of Agriculture;

exotic animal means any live vertebrate animal (including a bird and reptile but not a fish) belonging to a non-domestic species and the habitat of which is not in any part of the Republic and includes the egg of such animal;

field ranger means a field ranger appointed in terms of section 24, and includes any honorary field ranger appointed under section 25A (1), subject to the provisions of section 25A (2);

[Definition of "field ranger" substituted by s. 1 (a) of Act No. 17 of 1981.]

fish means aquatic fauna generally (except mammals and birds whether indigenous or exotic) and includes the eggs or spawn thereof,

game means any specially protected, protected or ordinary game;

[Definition of "game" substituted by s. 1 (b) of Act No. 5 of 1993.]

game reserve means any game reserve established under section 18;

Government means the Government of Bophuthatswana;

Government land means any land which is owned or controlled or which is in terms of law held in trust for any person, tribe or community, by the Government;

[Definition of "Government land" substituted by s. 1 (e) of Act No. 58 of 1980.]

headman means someone who has been appointed as headman or acting headman in terms of section 36 (3) (a) (i) or (5) (a) (i) of the Traditional Authorities Act, 1978 (Act 23 of 1978);

[Definition of "headman" substituted by s. 1 (f) of Act No. 58 of 1980.]

hunt means by any means whatsoever to hunt for, kill or capture or attempt to kill or capture, to pursue or search for or lie in wait with intent to kill or to capture, to shoot at, poison, pursue, drive, search for or willingly disturb;

indigenous plant means any species of plant, shrub or tree which is indigenous to the Republic and includes any part of such plant, but not any plant, shrub or tree declared under any law to be a weed;

local authority means a municipality or town council in Bophuthatswana established under the laws in force in relation to municipalities and town councils;

[Definition of "local authority" substituted by s. 1 (g) of Act No. 58 of 1980.]

magistrate includes an additional and an assistant magistrate;

Minister means the Minister of Agriculture;

nature conservation officer means any officer appointed in terms of section 24, and includes any honorary nature conservation officer and any honorary field ranger appointed under section 25A (1), subject to the provisions of section 25A (2);

[Definition of "nature conservation officer" substituted by s. 1 (b) of Act No. 17 of 1981.]

nature reserve means any nature reserve established under section 18;

Official Gazette means the Official Gazette of Bophuthatswana;

ordinary game means any wild animal mentioned in Schedule 2;

owner, in relation to any private land, means-

- (a) the person or body in whose name such land is registered;
- (b) in the case of land lawfully occupied by any person other than the owner as defined above, such person;

parent includes a step-parent;

permit means a permit granted or issued under this Act;

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

police officer means a member of any police force which under the provisions of any law exercises the powers and performs the functions of a police force in Bophuthatswana;

prescribed means prescribed by regulation;

private land means any land other than Government land;

protected game means any wild animal mentioned in Schedule 1;

protected plant means any plant mentioned in Schedule 7;

public road means any road to which or over which the general public or part thereof have a right of access or a right of way and includes an outspan, resting or watering place;

Secretary means the Secretary for Agriculture;

sell means to sell, barter, offer for sale, expose for sale, to advertise, have in possession for the purpose of selling, hawk, peddle, or give or offer as a valuable consideration;

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

specially protected game means any wild animal mentioned in Schedule 1A;

[Definition of "specially protected game" inserted by s. 1 (c) of Act No. 5 of 1993.]

specially protected plant means any plant mentioned in Schedule 8;

this Act includes the regulations made thereunder;

tribal authority means a tribal authority established under or saved as such by, section 3 of the Traditional Authorities Act, 1978 (Act 23 of 1978);

[Definition of "tribal authority" substituted by s. 1 (h) of Act No. 58 of 1980.]

vermin means any wild animal mentioned in Schedule 5;

waters includes the waters in rivers, streams, creeks, lakes, pans, vleis, dams, reservoirs, furrows and ponds;

weapon means a fire-arm with a barrel longer than eleven centimetres or any other weapon or instrument with which a projectile can be propelled in such a manner that it can kill or injure a wild animal and includes ammunition for use in such a fire-arm and any projectile for use in such fire-arm and any projectile for use in connection with such other weapon or instrument as well as any chemical or preparation for use in connection with such a projectile;

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

CHAPTER 2 WILD ANIMALS AND VERMIN

2. Classification of wild animals

For the purpose of this Act-

- (a) the wild animals mentioned in Schedule 1 shall be protected game;
- (b) the wild animals mentioned in Schedule 2 shall be ordinary game; and
- (c) the wild animals mentioned in Schedule 1A shall be specially protected game.

[S. 2 substituted by s. 2 of Act No. 5 of 1993.]

3. Protection of wild animals

Subject to the provisions of section 8, no person shall-

- (a) without a permit-
 - (i) hunt any specially protected game or protected or ordinary game;
[Sub-para. (i) substituted by s. 3 of Act No. 5 of 1993.]
 - (ii) buy, sell, donate, receive as donation, convey, control, keep in captivity, be in possession of or be in charge of any wild animal mentioned in Schedule 3 or any specially protected game or protected or ordinary game or any exotic animal or the egg of such animal; or
[Sub-para. (ii) substituted by s. 3 of Act No. 5 of 1993.]
 - (iii) introduce into or release within Bophuthatswana any exotic animal or the egg of such animal; or
- (b) remove from any nest or wilfully disturb, damage or destroy the egg of any bird which is protected or ordinary game.

4. Prohibited ways of hunting

- (1) No person shall without a permit-
 - (a) hunt any wild animal-

- (i) by means of a net, trap-cage, pitfall, holding pen or any similar device; or
 - (ii) by the use of an air-gun of any calibre whatsoever in a public place in an area under the jurisdiction of a local authority; or
 - (iii) by the use of a bow and arrow or like weapon; or
 - (iv) by the use of a set gun or like device; or
 - (v) with the aid of artificial light; or
- (b) hunt any wild animal other than an animal mentioned in Schedule 4-
- (i) by means of a snare or trap or bird-lime; or
 - (ii) by the use of poison; or
 - (iii) in any manner between half an hour after sunset and half an hour before sunrise; or
- (c) hunt any specially protected game or protected or ordinary game by the use of-
- (i) a fire-arm which, after it has been discharged, automatically reloads and discharges merely by pulling the trigger or holding it in the firing position; or
 - (ii) by the use of a fire-arm which discharges a rim-fire cartridge of a calibre of 5,6 millimetres or smaller; or
- [Para. (c) amended by s. 4 (a) of Act No. 5 of 1993.]
- (d) hunt any specially protected game or protected or ordinary game other than birds, by the use of a shotgun; or
- [Para. (d) substituted by s. 4 (b) of Act No. 5 of 1993.]
- (e) on any land of which he is not the owner, hunt any wild animal from or by means of any vehicle or aircraft.

(2) For the purposes of this section "hunt" shall include-

- (a) the construction or erection of a pitfall, trap-cage or holding pen; or
- (b) the possession, erection or handling of any snare, trap, gin, net, bird-lime, bow and arrow, set gun, poison or like device or means;

on any land on which any wild animal is or is likely to be present.

5. **Prohibited ways of transporting fire-arms**

- (1) No person shall, on a public road or on or in a vehicle on a public road, have in his possession a fire-arm with a barrel exceeding eleven centimetres in length unless it is in a securely fastened gunbag, guncase or gunholder designed and made for the purpose and whereof the barrel, chamber or magazine is not loaded.
- (2) The provisions of subsection (1) shall not apply-
 - (a) to the owner of private land, or the spouse, child, parent or full-time employee of such owner, whilst such owner or such spouse, child, parent or full-time employee is on a public road on such land;
 - (b) to an officer or employee of, or any other person specially authorized thereto by, the department who is engaged in the destruction of vermin or any wild animal referred to in section 7.

- (c) to the members of any police or defense force.

6. Sale, donation, possession and transport of dead game and venison

No person shall -

- (a) without a permit-

- (i) sell any dead specially protected game or special or ordinary game or the carcass of such game or venison (except game biltong and game sausage), unless he has lawfully hunted such game; or

[Sub-para. (i) substituted by s. 5 (a) (i) of Act No. 5 of 1993.]

- (ii) buy such dead game, carcass or venison unless he buys it from a person who may lawfully sell it; or

[Sub-para. (ii) substituted by s. 5 (a) (i) of Act No. 5 of 1993.]

- (iii) deal in any controlled game products;

[Sub-para. (iii) added by s. 5 (a) (ii) of Act No. 5 of 1993.]

- (b) sell any dead specially protected game or protected or ordinary game or the carcass of such game or any venison (except game biltong and game sausage), unless at the time of delivery thereof, he hands to the buyers a document containing-

- (i) the name and address of the seller;
(ii) the name and address of the buyer;
(iii) the kind and quantity of dead game or venison sold; and
(iv) the date on which such sale took place;

[Para. (b) amended by s. 5 (b) of Act No. 5 of 1993.]

- (c) buy or sell any game biltong or game sausage, unless it has been packed by the producer in a sealed container bearing his name and address;

- (d) donate any dead specially protected game or protected or ordinary game or the carcass of such game to any person, unless-

- (i) he has lawfully hunted, bought or received as a donation such game from any person who could lawfully donate it; and

- (ii) at the time of delivery of such dead game or carcass he hands to such person a document containing-

- (aa) the name and address of the donor;
(bb) a description of the game or carcass so donated;
(cc) the name and address of the person to whom such game or carcass is donated;
(dd) the manner in which the donor obtained possession thereof;
(ee) the date on which the donation took place;
(ff) the signature of the donor or his agent;

[Para. (d) amended by, s. 5 (c) of Act No. 5 of 1993.]

- (e) receive any dead specially protected game or protected or ordinary game or the carcass of such game as a donation from any person, if he is aware or has reason to suspect that such game was not hunted lawfully;

[Para. (e) substituted by s. 5 (d) of Act No. 5 of 1993.]

- (f) possess or introduce into, transport in or export or remove from Bophuthatswana, any dead specially protected game or protected or ordinary game unless he has lawfully hunted, bought or received as a donation such game or carcass and is at the time of such possession,

introduction into, transport in or export or removal thereof from Bophuthatswana in possession-

- (i) of a valid permit authorizing him to hunt such game if he has hunted such game in Bophuthatswana in accordance with the provisions of this Act; or
- (ii) of a document referred to in paragraph (b) or (d) if such game or carcass was sold or donated to him; or
- (iii) if he has hunted or obtained such game or carcass outside Bophuthatswana, of a valid license or authority issued or granted to him in terms of any law authorising him to hunt or possess such game or carcass, or in default of such license or authority or a document referred to in subparagraph (ii), of a document issued, dated and signed by a magistrate, justice of the peace or police officer, stating his name and address and the fact that to the best of the knowledge of such magistrate, justice of the peace or police officer, he has hunted or obtained such game or carcass lawfully.

[Para. (f) amended by s. 5 (e) of Act No. 5 of 1993.]

6A. Minister may by proclamation prohibit hunting or determine hunting seasons, and creation of offense and penalty

- (1) Notwithstanding the contrary provisions of this Act or any other law, but subject to the provisions of sections 7 and 19 (2), the Minister, may, by proclamation in the Government Gazette, in relation to-

- (a) wild animals of such specie or species as may be specified therein or all species of wild animals; and
- (b) any such area, district or place as may be described therein, or the whole of Bophuthatswana,

prohibit the hunting of any such wild animal or animals during the period mentioned in such proclamation, or determine that any such wild animal or animals may only be hunted during any such period as may be so mentioned (hereinafter referred to as a hunting season) and may, in his discretion, in such proclamation limit the number of any such wild animals which may be so hunted.

[Sub-s. (1) amended by s. 1 of Act No. 36 of 1982.]

- (2) Whenever, in terms of subsection (1) the hunting of any wild animal or animals has or have been prohibited or a hunting season has been determined in respect thereof, no permit purporting to authorise the hunting of any such wild animal, shall be issued in terms of this Act and no person may, subject to the provisions of section 7 and 19 (2) hunt any such wild animal-
 - (a) during the period and at any place affected by the prohibition; or
 - (b) during any period which does not form a part of the hunting season, where a hunting season has been determined in terms of subsection (1) for any place, as the case may be.
- (3) Any permit authorising the hunting of any wild animal or animals and which has been issued-
 - (a) in conflict with the provisions of subsection (2), shall be null and void; or
 - (b) before, in terms of subsection (1), the hunting of any such wild animal had been prohibited or a hunting season had been determined in respect of such wild animal, shall be null and void with effect from the date upon which the prohibition becomes operative or, as the case

may be, in so far as it purports to authorise the hunting of any such wild animal out of the hunting season determined in respect thereof.

- (4) Any person who contravenes the provisions of subsection (2) by hunting, shall be guilty of an offense and shall on conviction be liable to the penalties mentioned in section 28 (1) (a) (i) and (ii) if the court considers the imposition thereof justified and equitable.

[S. 6A inserted by s. 2 of Act No. 58 of 1980.]

7. **Hunting of wild animals by the department**

Notwithstanding anything to the contrary contained in this Chapter the department may hunt or cause to be hunted in any manner any wild animal if it is satisfied that such wild animal-

- (a) is likely to be dangerous to human life; or
- (b) is causing damage to property to such an extent that the destruction of such animal is necessary; or
- (c) is wounded, diseased or injured; or
- (d) should be hunted in the interest of nature conservation; or
- (e) is detrimental to the preservation of any wild animal.

8. **Destruction of vermin**

- (1) The wild animals mentioned in Schedule 5 shall be vermin for the purposes of this Act.
- (2) The general control and supervision of the destruction of vermin shall vest in the Minister and, under his directions, the department may out of moneys appropriated by the Legislative Assembly for the purpose, at any time hunt vermin or cause vermin to be hunted on any land.
- (3) No action, whether civil or criminal, shall lie against the Minister or the department or any officer or employee thereof or person acting under its authorisation for anything done in good faith under this section or for any unintentional damage to property or unintentional killing or injury of any livestock or game in the cause of any hunt for vermin: Provided that the department shall cause any such damage, killing or injury to be reported as soon as possible-
 - (a) if it took place on private land, to the owner of such land;
 - (b) if it took place on Government land, to the chief, tribal authority, community authority or headman administering that land.

9. **Introduction and possession or keeping of vermin**

No person shall without a permit-

- (a) introduce any vermin into Bophuthatswana; or
- (b) keep any vermin in captivity or have any vermin in his possession.

10. Minister may grant permit

- (1) The Minister may, subject to the provision of subsection (2), on application grant to any person any permit required by this Chapter.
- (2) A permit to hunt specially protected or protected game shall not be granted under subsection (1) unless the Minister is satisfied-
 - (a) that it will not endanger the survival of the species of specially protected or protected game in respect of which such permit is granted; or
 - (b) that the specially protected or protected game in respect of which such permit is granted-
 - (i) is to be hunted for recognised scientific or educational purposes; or
 - (ii) is causing damage to cultivated trees or crops; or
 - (iii) is present in such numbers that natural grazing is materially damaged and that it will be in the interest of their survival to reduce their numbers; or
 - (iv) is likely to be dangerous to human life; or
 - (v) is causing damage to or threatening private or public property to such an extent that their destruction is necessary; or
 - (vi) is wounded, diseased or injured; or
 - (vii) is detrimental or dangerous to any other specially protected or protected game.
- (3) Any person who in any manner hunts any game in terms of a permit granted to him under this section, shall carry such permit with him while hunting.
- (4) The Minister may in his discretion dispose of the carcass of any specially protected or protected game hunted in terms of a permit issued under this section, or cause such carcass to be disposed of.

[Sub-s. (2) substituted by s. 6 (a) of Act No. 5 of 1993.]

[Sub-s. (4) substituted by s. 6 (b) of Act No. 5 of 1993.]

**CHAPTER 3
FISH****11. Control of catching of fish**

No person shall-

- (a) without a permit-
 - (i) angle for any species of fish in any waters;
 - (ii) catch any species of fish in any waters, otherwise than by means of angling;
 - (iii) place in any waters any obstruction of any nature whatsoever; or
 - (iv) be in possession of a fish-net (excluding a landing-net or keep-net) or any trap or like device designed for the catching of fish;
- (b) kill or injure any fish in any waters unless he has first lawfully caught and taken such fish from the water: Provided that the provisions of this paragraph shall not apply in respect of fish which die or are injured in the course of angling or netting;
- (c) angle for any species of fish in any waters-
 - (i) by using more than two lines; or

- (ii) by using a line to which more than two single hooks are attached; or
- (iii) by means of a set line.

12. **Protection of waters**

- (1) No person shall without a permit-
 - (a) place or release in any waters within Bophuthatswana any live fresh-water fish, except-
 - (i) a fish which he has obtained from a hatchery controlled by the Government or the Government of the Republic; or
 - (ii) a fish which he has caught and is replacing in such waters; or
 - (b) import into Bophuthatswana or convey, cultivate, buy, sell or place in any waters within Bophuthatswana any species of aquatic growth.
- (2) No person shall deposit or allow to be deposited in any waters or in any place where it is likely to percolate into or to enter any waters, anything (whether solid, liquid or gaseous) which is likely to be injurious to any fish or the food of fish.

13. **Minister may grant permit**

The Minister may in his discretion on application grant to any person any permit required by this Chapter.

CHAPTER 4 PLANTS

14. **Classification of indigenous plants**

For the purposes of this Act-

- (a) the indigenous plants mentioned in Schedule 7 shall be protected plants; and
- (b) the indigenous plants mentioned in Schedule 8 shall be specially protected plants.

15. **Protection of indigenous plants**

- (1) No person shall-
 - (a) without a permit possess, pick, cut, gather, chop oil, break off, uproot, dig out, damage, destroy or convey in, introduce into or export from Bophuthatswana any specially protected plant: Provided that this provision shall not apply to the possession of such a plant which is growing in its natural habitat and which has not been planted; or
 - (b) without a permit-
 - (i) pick, cut, gather, chop off, break, uproot, dig out, damage or destroy any protected plant, wherever it may be growing; or
 - (ii) pick, cut, remove, gather, chop off, break, dig out, damage or destroy any indigenous plant which is growing within a distance of one hundred metres on either side of a public road;

unless that portion of the land on which such plant is growing is required for agricultural, industrial or any other development or activity causing the removal, damage or destruction of such plant and such removal, damage or destruction takes place in the course of the activities in connection with such development or activity.

- (2) Subject to the provisions of subsection (3), no person shall-
- (a) without a permit sell, donate, import into or convey within Bophuthatswana or export or remove from Bophuthatswana any protected plant, wherever it may be growing;
 - (b) buy any protected plant or receive any protected plant as a donation, except from a person who may lawfully sell or donate it and unless he receives from the seller or donor a document referred to in subsection (4).
- (3) The provisions of subsection (2) (a) shall not apply in respect of-
- (a) the donation of any protected plant cultivated by the donor on his premises or obtained by him in any other lawful manner;
 - (b) the importation into or conveyance within Bophuthatswana of any protected plant by any person who has lawfully purchased such plant or received such plant as a donation, if such person is at the time of the importation, conveyance, exportation or removal of such plant, in possession of a document referred to in subsection (4).
- (4) Any person who sells or donates a protected plant shall, at the time of delivery of such plant, hand to the buyer or donee a document containing-
- (a) the name and residential address of the seller or donor;
 - (b) the date and place of the transaction;
 - (c) a description of the plant sold or donated;
 - (d) if such plant was sold, particulars of the seller's authority under this Act to sell such plant;
 - (e) if such plant was donated, particulars of the manner in which the donor obtained possession of the plant so donated;
 - (f) the name and residential address of the purchaser or donee; and
 - (g) the signature of the seller or donor or his agent.

16. Powers of department

Notwithstanding anything to the contrary contained in this Chapter the department may cause any indigenous plant to be picked, cut, gathered, uprooted or removed in so far as it may be necessary for the conservation and protection thereof.

17. Minister may grant permit

The Minister may in his discretion grant to any person on application any permit required by this Chapter.

CHAPTER 5 GAME RESERVES AND NATURE RESERVES

18. Establishment of game and nature reserves

- (1) In order to promote the protection, conservation and propagation of indigenous wild animals, fish and indigenous plants, the Minister may by notice in the Official Gazette establish a game reserve or a nature reserve, under the name assigned thereto by him, on any Government land which has been set aside by the Cabinet of Bophuthatswana for the purpose.
- (2) Any such notice shall define the boundaries of the game reserve or nature reserve and may by like notice be amended or withdrawn.
- (3) The department shall, out of moneys appropriated by the Legislative Assembly, manage, control and develop any game reserve or nature reserve established under subsection (1) and for that purpose and the attainment otherwise of the aims and objects of this Chapter may-
 - (a) provide and maintain accommodation, camping facilities, transport services and undertakings for the convenience of persons visiting such game reserve or nature reserve;
 - (b) construct such roads, buildings and works in such game reserve or nature reserve as it may deem necessary;
 - (c) notwithstanding anything contained in any other provision of this Act, take such steps as it may deem necessary or desirable for the protection, preservation and propagation of wild animals, fish, indigenous birds and indigenous plants in such game reserve or nature reserve, including-
 - (i) any of the measures referred to in section 7 for the eradication of weeds or pests;
 - (ii) the making available and setting aside of conveniences or places or waters for the breeding of wild animals or fish or the cultivation of indigenous plants;
 - (d) import into Bophuthatswana or export from Bophuthatswana or buy or sell indigenous plants, wild animals or fish; and
 - (e) generally do any act or acquire anything which in its opinion is necessary for the achievement of the aforesaid aims and objects.
- (4) The Minister may-
 - (a) subject to the laws governing the public service of Bophuthatswana, appoint officers to carry out and enforce the provisions of this Chapter; and
 - (b) in consultation with the Minister of Finance, determine the tariffs for the sale by the department of any wild animals, fish, or indigenous plants and prescribe the charges, if any, to be levied for entry into or remaining in, or for the use or enjoyment of any service or thing provided in or in relation to game reserves or nature reserves generally or any particular game reserve or nature reserve.

19. Protection of wild animals and indigenous plants in game reserves and nature reserves

- (1) Subject to the provisions of subsection (2), no person shall-

- (a) hunt any wild animal in a game reserve or nature reserve; or
 - (b) catch any fish in any waters in a game reserve or nature reserve; or
 - (c) pick, cut, take, gather, uproot, break, damage or destroy any indigenous plant in a game reserve or nature reserve.
- (2) The provisions of this section shall not apply to officers or employees of the department exercising any powers or performing any functions under section 7, or section 18.

CHAPTER 6 GENERAL PROVISIONS

20. Administration

The department shall be responsible for the administration of the provisions of this Act and any power, duty or function conferred on or assigned to the department by this Act, may be exercised or performed by the Secretary or an officer or employee acting under his authority.

21. General powers of department

The department may, out of moneys appropriated by the Legislative Assembly for the purpose-

- (a) carry out investigations, make surveys, conduct experiments and obtain or publish information in connection with wild animals, vermin, fisheries, indigenous plants and aquatic growths;
- (b) take such measures as it may deem necessary or desirable in connection with the breeding or hatching and distribution of wild animals and fish, the destruction of vermin and the control of aquatic growths; and
- (c) generally do all such things as are necessary for the achievement of the aims and objects of this Act.

22. Amendment of schedules

The Minister may from time to time by notice in the Official Gazette amend Schedule 1, 2, 3, 4, 5, 6, 7 or 8 by including therein or removing therefrom any species of wild animal or indigenous plant, as the case may be.

23. General provisions relating to permits

- (1) Any permit granted under this Act-
 - (a) shall be valid for the period mentioned therein;
 - (b) shall be subject to the provisions of this Act and such conditions as the Minister may determine;
 - (c) shall not be transferred, or be capable of transfer by the person to whom it has been granted, to any other person;

- (d) shall be issued by the department upon payment of the prescribed fees;
- (e) shall on demand be produced by the person to whom it has been issued or in whose possession it maybe, to any nature conservation officer or field ranger.
- (2) The Minister may at any time, without stating any reasons, cancel any permit or amend the conditions subject to which it has been issued or impose further conditions.
- (3) If any permit is cancelled after the person to whom it was issued has been found guilty of an offense under this Act, such person shall not be entitled to a refund of any fees, or part of such fees, which he paid in respect of such permit.

24. Nature conservation officers and field rangers

- (1) The Minister may, subject to the provisions of the laws relating to the public service of Bophuthatswana, appoint nature conservation officers and field rangers to exercise the powers and perform the functions conferred on them by this Act.
- (2) Every magistrate, chief, headman, police officer and agricultural officer shall be a nature conservation officer *ex officio*.
- (3) The department shall furnish every nature conservation officer and field ranger referred to in subsection (1) with a certificate of appointment which such officer shall produce on demand when exercising any powers or performing any functions under this Act.

25. Powers of nature conservation officers and field rangers

- (1) Any nature conservation officer and any field ranger may-
 - (a) at any time enter upon any land or premises and there carry out any inspection which he deems necessary in order to determine whether the provisions of this Act are being complied with;
 - (b) search any land, premises, building, tent, camping place, vehicle, raft, boat, aircraft, or container of any nature whatsoever if he has reason to suspect that there is on or in such land, premises, building, tent, camping place, vehicle, vessel, raft, aircraft or container, anything which is being used or has been used for the purpose of or in connection with the commission of an offense under this Act or which may afford proof of the commission of such offense.

25A. Honorary nature conservation officers and honorary field rangers

- (1) The Minister may appoint any person he considers fit and suitable as a honorary nature conservation officer or honorary field ranger or honorary field ranger for the implementation of the provisions of this Act, and may at any time, without furnishing any reason therefore, cancel any such appointment.
- (2) Every honorary nature conservation officer and honorary field ranger shall have all the powers and be subject to all the duties conferred and imposed by and in terms of this Act on any nature conservation officer and field ranger appointed in terms of section 24, and shall further be subject to all the provisions of and in terms of this Act or any other law applicable in respect of the lastmentioned nature conservation officer and field rangers, excluding the

provisions of this Act or any other law relating to terms and conditions of appointment, discharge, remuneration and service, unless a contrary intention is manifest.

[S. 25A inserted by s. 2 of Act No. 17 of 1981.]

26. **Delegation of powers**

The Minister may delegate any power or function conferred on or assigned to him by this Act, other than the power to make regulations or to prescribe anything, to the Secretary to delegate further such delegated power or function to any other officer or officers in the department as the Minister may deem fit.

27. **Offences**

Any person shall be guilty of an offense who-

- (a) contravenes or fails to comply with any provision of this Act;
- (b) contravenes or fails to comply with any condition of any permit issued to him;
- (c) alters any permit;
- (d) fabricates or forges any document for the purpose of passing, using or uttering it as a permit;
- (e) passes, uses, utters or has in his possession any altered permit or any false document purporting to be a permit;
- (f) under a false name obtains any permit;
- (g) falsely holds himself out to be a nature conservation officer or field ranger or an assistant of such nature conservation officer or field ranger;
- (h) resists, hinders or obstructs any nature conservation officer or field ranger or an assistant of such nature conservation officer or field ranger in the exercise of any power or the performance of any duty or function conferred on or assigned to a nature conservation officer, field ranger or assistant;
- (i) refuses or fails to comply with any order, direction or requirement given or made by a nature conservation officer or field ranger or the assistant of a nature conservation officer or field ranger under the provisions of this Act or, whenever he complies with such order, direction or requirement, furnishes false or misleading information;
- (j) wilfully damages or removes any notice board or information or warning sign erected on any Government land by the department in the administration of this Act.

27A. **Presumptions**

If in the prosecution of any person for an offense referred to-

- (a) in section 3 (a) (ii) or 6 (f) it is proved that the accused was found in possession of any game or controlled game products, it shall be proved;

- (b) in section 4 (1) (b) (i), it is proved that the accused was found removing game from an,, trap or snare, it shall be presumed that he hunted or captured such game in contravention of such section until the contrary is proved; and
- (c) in section 4 (1) (b) (iii) it is proved that he conveyed any wild animal other than an animal mentioned in Schedule 4 between half an hour after sunset and half an hour before sunrise the following day, it shall be presumed that the accused contravened the said section until the contrary is proved.

[S. 27A inserted by s. 8 of Act No. 5 of 1993.]

28. Penalties

- (1) Any person convicted of an offense under this Act shall be liable, in the case of-
 - (a) a contravention of section 3 (a) (i)-
 - (i) in relation to protected game, to a fine not exceeding R10 000 or to imprisonment for a period not exceeding five years;
[Sub-para. (i) substituted by s. 7 (a) of Act No. 5 of 1993.]
 - (ii) in relation to ordinary game, to a fine not exceeding R7 000 or to imprisonment for a period not exceeding forty-two months;
[Sub-para. (ii) substituted by s. 7 (a) of Act No. 5 of 1993.]
 - (iii) in relation to specially protected game, to a fine not exceeding R200 000 or to imprisonment for a period not exceeding twenty years;
[Para. (a) substituted by s. 3 of Act No. 58 of 1980. Sub-para. (iii) added by 8. 7 (b) of Act No. 5 of 1993.]
 - (b) a contravention of section 4 (1) (b), to a fine not exceeding R600 or to imprisonment for a period not exceeding eighteen months;
[Para. (b) substituted by s. 7 (c) of Act No. 5 of 1993.]
 - (c) any other offense under this Act, to a fine not exceeding two hundred rand or to imprisonment not exceeding a period of six months;
 - (d) a contravention of section 6 (a) (iii), to a fine not exceeding R200 000 or to imprisonment for a period not exceeding twenty years;
[Para. (d) added by s. 7 (d) of Act No. 5 of 1993.]
 - (e) upon a second or subsequent conviction of any person for contravention of the same section or a regulation made under section 29 of this Act, the court may impose double the fine or alternatively double the term of imprisonment hereinbefore provided in respect of such contravention, or it may impose such term of imprisonment without the option of a fine.
[Para. (e) added by s. 7 (d) of Act No. 5 of 1993.]
- (2) The court convicting any person of an offense under this Act may, in addition to any other penalty imposed-
 - (a) cancel any or all of the permits granted or issued to such person;
 - (b) debar such person from obtaining a specified permit or any permit whatsoever for a specified period not exceeding three years;
 - (c) declare to be forfeited to the Government-
 - (i) any vehicle, vessel, raft, boat, aircraft or other conveyance or container used for conveying the wild animals or plants in respect of which the offense was committed; or

- (ii) any vehicle, vessel, raft, boat, aircraft or other conveyance or container, weapon, ammunition, snare, net or anything with which fish are caught, bait, lure, explosive or poison used or forming an element in the commission of the offense;
- (d) declare any animal, fish or plant in respect of which the offense was committed, forfeited to the Government or may order it to be destroyed.
- (3) The Minister, acting in consultation with the Minister of Finance, may deal as he deems fit with anything forfeited to the Government in terms of this section: Provided that nothing thus declared to be forfeited (except perishable goods) shall be destroyed or otherwise disposed of until any appeal against such declaration or the conviction which led to such forfeiture has been decided or until a period of three months has elapsed from the date of such declaration, whichever period is the greater: Provided further that the Minister may, in consultation with the Minister of Finance, on application return to the owner anything declared to be forfeited under this section or, if such thing has been sold, pay the proceeds of the sale to him.

29. **Regulations**

- (1) The Minister may make regulations in relation to-
 - (a) game reserves and nature reserves generally or any particular game reserve or nature reserve, and in particular in respect of-
 - (i) the entry or the restriction of the entry of persons into a game reserve or nature reserve, the regulation of the conduct of persons in a game reserve or nature reserve, the exclusion or ejection of certain persons from a game reserve or nature reserve on the grounds of misconduct and the periods and times of admission to or of camping within a game reserve or nature reserve;
 - (ii) the introduction into or possession within a game reserve or nature reserve of any weapon;
 - (iii) the possession within or removal from a game reserve or nature reserve by persons other than the department, of any wild animal or indigenous plant;
 - (iv) the making of fires in a game reserve or nature reserve;
 - (v) the regulation and control of motor vehicles and traffic generally in a game reserve or nature reserve; and
 - (vi) the regulation and control of the use of boats on any waters in a game reserve or nature reserve;
 - (b) the determination and the number and species of wild animals or protected game or ordinary game or fish which may be hunted or angled for in terms of any permit;
 - (c) the granting of different types of permits to different categories of persons;
 - (d) the circumstances in which and the conditions on which any permit is issued and the requirements to be complied with by the holder of any permit;
 - (e) the form in which any application for a permit shall be made and the form of any permit required by this Act;
 - (f) the keeping in captivity, conveyance or removal from one place to another of any wild animal, exotic animal or fish, the introduction into Bophuthatswana or export from Bophuthatswana of any wild animal or exotic animal;

- (g) the research in connection with any wild animal or exotic animal or fish or indigenous plant or aquatic growth;
- (h) the supervision and control and the development and protection of fisheries;
- (i) the sale of any indigenous plant, wild animal or fish;
- (j) the control, importation, cultivation or destruction of any exotic or indigenous plant which, in his opinion, could be harmful to any wild animal, fish or indigenous plant;
- (k) anything which may be prescribed under this Act, including the fees payable in respect of any permit and the circumstances in which an exemption from the payment of such fees may be granted;
- (l) generally any other matter which, in his opinion, he deems necessary or fit in order to give effect to the aims and objects of this Act:

Provided that any regulations relating to the payment of fees or the exemption from the payment of such fees shall be made in consultation with the Minister of Finance.

- (2) The regulations may provide penalties for a contravention thereof or failure to comply therewith, not exceeding the penalty mentioned in section 28 (1) (c).

30. Repeal of laws

- (1) Subject to the provisions of subsection (2) the laws mentioned in Schedule 9 are hereby repealed.
- (2) Every license, permit, permission, authority or exemption granted or issued by the competent authority in terms of a provision of any repealed law in subsection (1) shall be deemed to have been issued or granted by the appropriate authority in terms of the corresponding provision of this Act and shall remain in force for as long as it would have remained in force under the repealed law, subject to the conditions which were imposed by or under the repealed law, unless sooner cancelled or withdrawn under the provisions of this Act.

31. Short title and commencement

This Act shall be called the Bophuthatswana Nature Conservation Act, 1973 and shall come into operation on a date to be determined by the Minister by notice in the Official Gazette.

Schedule 1

PROTECTED GAME

[Schedule 1 amended by s. 9 of Act No. 5 of 1993.]

Common name

giant girdled lizard
 giant rock lizard
 giant rock lizard
 dwarf or bearded chameleon
 all species of land tortoises
 ostrich
 all species of grebes and dabchicks
 all species of pelicans

Scientific name

Cordylus giganteus
Gerrhosaurus validus
Gerrhosaurus major grandis
Microsaura ventralis
 Family *Testudinidae*
Struthio camelus
 Family *Podicipidae*
 Family *Pelecanidae*

all species of herons, egrets and bitterns	Family <i>Ardeidae</i>
hamerkop	<i>Scopus umbretta</i>
all species of storks and the wood ibis	Family <i>Ciconiidae</i>
all species of ibises and the hadeda	Family <i>Threskiornithidae</i>
spoonbill	<i>Platalea alba</i>
all species of flamingoes	Family <i>Phoenicopteridae</i>
all species of ducks, teal, geese, shovellers	Family <i>Anatidae</i> except <i>Anas undulata</i> ,
and the South African pochard, except the	<i>Alopochen aegyptiacus</i> and <i>Plectropterus</i>
yellowbill duck, the egyptian goose and the	<i>gambensis</i>
spurwing goose	
secretary bird	<i>Sagittarius serpentarius</i>
all species of vultures	Family <i>Aegypiidae</i>
all species of falcons, eagles, hodbies, kestrels,	Family <i>Falconidae</i> and Family <i>Aquilidae</i>
kites, hawks, buzzards, sparrowhawks, goshawks,	
barriers, the bearded vulture, the bataleur and the	
osprey	
african quail	<i>Coturnix coturnix</i>
harequin quail	<i>Coturnix delegorguei</i>
blue quail	<i>Excalfactoria adansoni</i>
crested guinea-fowl	<i>Guttera edouardi</i>
hottentot button-quail	<i>Turnix hottentotta</i>
kurrichane button-quail	<i>Turnix sylvatica</i>
all species of crakes, flufftails, gallinules,	Family <i>Rallidae</i> except <i>Fulica cristata</i>
moorhens, and the cape rail, except the	
redknobbed coot	
all species of cranes	Family <i>Gruidae</i>
all species of bustards and korhaans	Family <i>Otidae</i>
all species of jacanas	Family <i>Jacaniidae</i>
painted snipe	<i>Rostratula benghalensis</i>
all species of plovers, snipes, sandpipers,	Family <i>Charadriidae</i> and Family <i>Scolopacidae</i>
the little stint, the ruff, the greenshank and	
the curlew	
the avocet and the black-winged stilt	Family <i>Recurvirostridae</i>
all species of dikkops	Family <i>Burhinidae</i>
all species of courses and pratincoles	Family <i>Glareolidae</i>
grey-headed gull	<i>Larus cirrocephalus</i>
all species of doves and pigeons except the	Family <i>Columbidae</i> except <i>Columba guinae</i> ,
rock pigeon, the cape turtle dove and the	<i>Streptopelia capicola</i> and <i>Stigmatopelia</i>
laughing dove	<i>senegalensis</i>
green pigeon	<i>Treron calva</i>
all species of parrots and lovebirds	Family <i>Psittacidae</i>
all species of loeries	Family <i>Musophagidae</i>
all species of cuckoos and coucals	Family <i>Cuculidae</i>
all species of owl and owlets	Family <i>Tytonidae</i> and Family <i>Bubonidae</i>
all species of nightjars	Family <i>Caprimulgidae</i>
all species of swifts	Family <i>Micropodidae</i>
narina trogon	<i>Apaloderma narina</i>
all species of kingfishers	Family <i>Alcedinidae</i>
all species of bee-eaters	Family <i>Meropidae</i>
all species of rollers	Family <i>Coraciidae</i>
all species of hoopoes	Family <i>Upupidae</i>
all species of hornbills	Family <i>Bucerotidae</i>
all species of barbets	Family <i>Capitonidae</i>
all species of honey-guides	Family <i>Indicatoridae</i> and Family <i>Prodotiscidae</i>
all species of woodpeckers	Family <i>Picidae</i>
all species of swallows and martins	Family <i>Hirundinidae</i>
all species of orioles	Family <i>Oriolidae</i>
all species of babblers	Family <i>Timaliidae</i>

all species of thrushes, chats and robins	Family <i>Turdidae</i>
paradise flycatcher	<i>Terpsiphone viridis</i>
all species of wagtails	Genus <i>Motacilla</i>
all species of shrikes, tchagras and the bokmakierie	Family <i>Laniidae</i>
all species of oxpeckers	Family <i>Buphagidae</i>
gurney's sugarbird	<i>Promerops gurneyi</i>
hedgehog	<i>Erinaceus frontalis</i>
bush-baby	<i>Galago crassicaudatus</i>
night-ape	<i>Galago senegalensis</i>
samango monkey	<i>Ceropithecus mitis</i>
pangolin	<i>Manis temmincki</i>
aardwolf	<i>Proteles cristatus</i>
aardvark	<i>Orycteropus afer</i>
hippopotamus	<i>Hippopotamus amphibius</i>
giraffe	<i>Giraffa camelopardalis</i>
red duiker	<i>Cephalophus natalensis</i>
blue duiker	<i>Cephalophus monticola</i>
sharpe's grysbok	<i>Raphicerus sharpei</i>
steenbok	<i>Raphicerus campestris</i>
oribi	<i>Ourebia ourebi</i>
sunni	<i>Nesotragus moschatus</i>
klipspringer	<i>Oreotragus oreotragus</i>
vaalrhebok	<i>Pelea capreolus</i>
mountain reedbuck	<i>Redunca fulvorufula</i>
reedbuck	<i>Redunca arundinum</i>
waterbuck	<i>Kobus ellipsiprymnus</i>
gemsbuck	<i>Oryx gazelia</i>
tsessebe	<i>Damaliscus lunatus</i>
red hartebeest	<i>Alcelaphus buselaphus</i>
black wildebeest	<i>Connochaetes gnou</i>
nyala	<i>Tragelaphus angasi</i>
eland	<i>Taurotragus oryx</i>
buffalo	<i>Syncerus caffer</i>

Schedule 1A

SPECIALLY PROTECTED GAME

[Schedule 1A inserted by s. 10 of Act No. 5 of 1993.]

Common name	Scientific name
elephant	<i>Loxodonta africana</i>
black rhinoceros	<i>Diceros bicornis</i>
squarelipped rhinoceros	<i>Ceratotherium simum</i>
roan antelope	<i>Hippotragus equinus</i>
sable antelope	<i>Hippotragus niger</i>

Schedule 2

ORDINARY GAME

[Schedule 2 amended by s. 2 of Act No. 36 of 1982.]

Common name	Scientific name
spurwing goose	<i>Plectropterus gambensis</i>
egyptian goose	<i>Alopochen aegyptiacus</i>
yellowbill duck	<i>Anas undulata</i>
coqui francolin	<i>Francolinus coqui</i>
crested francolin	<i>Francolinus sephaena</i>
grey-wing francolin	<i>Francolinus africanus</i>
shelly's francolin	<i>Francolinus shelleyi</i>
redwing francolin	<i>Francolinus levillantii</i>
orange river francolin	<i>Francolinus levillantoides</i>

red-billed francolin	<i>Francolinus adspersus</i>
natal francolin	<i>Francolinus natalensis</i>
swainson's francolin	<i>Pternistis swainsoni</i>
red-necked francolin	<i>Pternistis afer</i>
crowned guinea-fowl	<i>Nutnida meleagris</i>
red-knobbed coot	<i>Fulica cristata</i>
all species of sandgrouse	Family <i>Pteroclididae</i>
burchell's zebra	<i>Equus burchelli</i>
greyduiker	<i>Sylvicapra grimmia</i>
impala	<i>Aepyceros melampus</i>
springbok	<i>Antidorcas marsupialis</i>
blesbok	<i>Damaliscus dorcas phillipsi</i>
blue wildebeest	<i>Connochaetes taurinus</i>
bushbuck	<i>Tragelaphus scriptus</i>
kudu	<i>Tragelaphus strepsiceros</i>
all species of hares	Family <i>Leporidae</i>
warthog	<i>Phacochoerus Aethiopicus</i>

Schedule 3

WILD ANIMALS IN RESPECT OF WHICH THE PROVISIONS OF SECTION 3 (a) (ii) APPLY

- (a) Any bird which is a wild animal but which is not game; and
- (b) the following wild animals:

crocodile	<i>Crocodilus niloticus</i>
rock leguan	<i>Varanus albigularis</i>
water leguan	<i>Varanus niloticus</i>
python	<i>Python sebae</i>
leopard	<i>Panthera pardus</i>
lion	<i>Panthera leo</i>
cheetah	<i>Acinonyx jubatus</i>

Schedule 4

WILD ANIMALS TO WHICH THE PROVISIONS OF SECTION 4 (1) (b) DO NOT APPLY

Common name	Scientific name
velvet monkey	Family <i>Cercopithecidae</i>
art	Suborder <i>Myomorpha</i>
mouse	Suborder <i>Myomorpha</i>
mole	Suborder <i>Bathyergomorpha</i>
sparrow	Genus <i>Passer</i>
Cape weaver	<i>Ploceus capensis</i>
masked weaver	<i>Ploceus velatus</i>
Red Bishop bird	<i>Euplecies orix</i>
coly	Family <i>Coliidae</i>

Schedule 5

VERMIN

Common name	Scientific name
chacma baboon	<i>Papio ursinus</i>
velvet monkey	<i>Ceropithecus aethiops</i>
black-backed jackal	<i>Canis mesomelas</i>
hunting dog	<i>Lycaon pictus</i>
bushpig	<i>Potamochoerus porcus</i>

Schedule 6

AQUATIC GROWTHS IN REGARD TO WHICH THE PROVISIONS OF SECTION 12 (1) (h) APPLY

Common name

Azolla
pondweed
parrot's feather
kariba weed
water lettuce
water hyacinth

Scientific name

Genus *Azolla*
Egeria densa
Myriophyllum spicatum
Salvinia aruiculata
Pistia startiotes
Eichhornia crassipes

**Schedule 7
PROTECTED PLANTS**

Common name

all species of trees moss
all species of fern other than the bracken fern
all species of yellow wood
all species of wild cypress
borassus palm
all species of arum lilies
all species of agapanthus
all species of aloes
all species of chortolirion
all species of dracaena
all species of pineapple flower
all species of galtonia
all species of gasteria
all species of flame lilies
all species of haworthias
all species of red-hot pokers
all species of christmas bells
blue squill
ground lily
fire lily
pink brunsvigia
all species of clivia
all species of crinum
all species of fire lily
all species of paint brush
all species of nerine
all species of elephant's foot
all species of babiana
wild montbretia
all species of hair bells
all species of wild iris
all species of gladioli
all species of lapeirousia
river lily
all species of watsonia
wild banana
transvaal strelitzia
ginger
all species of orchids
pincushion
all species of proteas
stone plant
all species of stone plants
all species of water lilies
wonder plant

Scientific name

General *Porothamnium*, *Pilotriichella* and *Papillaria*
Division *Pteritophyta* except *Pteridium aquilinum*
Genus *Podocarpus*
Genus *Widdringtonia*
Borassus flabellifer
Genus *Zantedeschia*
Genus *Agapanthus*
Genus *Aloe*
Genus *Chortolirion*
Genus *Dracaena*
Genus *Eucomis*
Genus *Galtonia*
Genus *Gasteria*
Genus *Gloriosa*
Genus *Haworthia*
Genus *Kniphofia*
Genus *Littonia*
Scilla natalensis
Amorcharis coranica
Anoiganthus breviflorus
Brunsvigia radulsoa
Genus *Clivia*
Genus *Crinum*
Genus *Cyrtanthus*
Genus *Haemanthus*
Genus *Nerine*
Genus *Dioscorea*
Genus *Babiana*
Curtonus paniculatus
Genus *Dierama*
Genus *Dietes*
Genus *Gladiolus*
Genus *Lapeirousia*
Schizostylis coccinea
Genus *Watsonia*
Ensete ventricosum
Strelitzia caudata
Kaempferia aethiopica *Burmannia madagascariensis*
Family *Orchidaceae*
Leucospermum gerrardii
Genus *Protea*
Frithia pulchra
Genus *Lithops*
Genus *Nymphaea* and *Brasenia schreberi*
Tinospora fragosum

black stinkwood	<i>Ocotea bullata</i>
stinkwood	<i>Ocotea viridis</i>
transvaal teak	<i>Pterocarpus angolensis</i>
tambotie	<i>Spirostachys africana</i>
baobab	<i>Adansonia digitata</i>
all species of begonia	Genus <i>Begonia</i>
all species of cabbage trees	Genus <i>Cussonia</i>
heath	<i>Erica oatesii</i>
red hairy heath	<i>Erica cerinthoides</i>
heath	<i>Erica alopecurus</i>
big leaf	<i>Anthocleista grandiflora</i>
impala lily	<i>Adenium obesum</i>
impala lily	<i>Adenium oleifolium</i>
rathbonia	<i>Adenium swazicum</i>
kudu lily	<i>Pachypodium saundersii</i>
all species of brachystelma	Genus <i>Brachystelma</i>
all species of caralluma	Genus <i>Caralluma</i>
all species of ceropegia	Genus <i>Ceropegia</i>
all species of ghaap	Genus <i>Decabelone</i>
all species of duvalia	Genus <i>Duvalia</i>
all species of huernia and huerniopsis	Genera <i>Huernia</i> and <i>Huerniopsis</i>
all species of riocreuxia	Genus <i>Riocreuxia</i>
all species of stapelias	Genus <i>Stapelia</i>
all species of stultitia	Genus <i>Stultitia</i>
all species of cape primula	Genus <i>Streptocarpus</i>
barberton daisy	<i>Gerbera jamesonii</i>

**Schedule 8
SPECIALLY PROTECTED PLANTS**

Common name	Scientific name
all species of cycad	Genus <i>Encephalartos</i>

**Schedule 9
LAWS REPEALED**

ORDINANCES (TRANSVAAL)

No. and year	Title	Extent of Repeal
17 of 1967	Nature Conservation Ordinance, 1967	The whole
22 of 1968	Nature Conservation Amendment Ordinance, 1968	The whole
7 of 1969	Nature Conservation Amendment Ordinance, 1969	The whole
12 of 1971	Nature Conservation Amendment Ordinance, 1971	The whole

ORDINANCES (ORANGE FREE STATE)

No. and year	Title	Extent of Repeal
11 of 1967	Vermin Extermination Ordinance, 1967	The whole
6 of 1971	Vermin Extermination Amendment Ordinance, 1971	The whole
8 of 1969	Nature Conservation Ordinance, 1969	The whole

ORDINANCES (CAPE OF GOOD HOPE)

No. and year	Title	Extent of Repeal
26 of 1965	Nature Conservation Ordinance, 1965	The whole
16 of 1967	Nature Conservation Amendment Ordinance, 1967	The whole
30 of 1968	Nature Conservation Amendment Ordinance, 1968	The whole
32 of 1970	Nature Conservation Amendment Ordinance, 1970	The whole
26 of 1959	Vermin Extermination Amendment Ordinance, 1957	The whole
21 of 1957	Vermin Extermination Amendment Ordinance, 1959	The whole
30 of 1964	Vermin Extermination Amendment Ordinance, 1964	The whole

25 of 1965	Vermin Extermination Amendment Ordinance, 1965	The whole
22 of 1968	Vermin Extermination Amendment Ordinance, 1968	The whole

PROCLAMATIONS

Proclamation R.60 of 1971.

AMENDMENTS

Nature Conservation Amendment Act, No. 58 of 1980

Nature Conservation Amendment Act, No. 17 of 1981

Nature Conservation Amendment Act, No. 36 of 1982

Nature Conservation Amendment Act, No. 5 of 1993