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CORRECTION NOTICE

Government Gazette No. **36743**, Notice No. 809, of 12 August 2013, was erroneously allocated a duplicate number and is hereby replaced with Gazette No. **36744**, Notice No. 846 of 13 August 2013.

GENERAL NOTICE

NOTICE 846 OF 2013**DEPARTMENT OF ENVIRONMENTAL AFFAIRS****NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT, 2004
(ACT NO. 10 OF 2004)****REGULATIONS FOR THE REGISTRATION OF PROFESSIONAL HUNTERS, HUNTING OUTFITTERS
AND TRAINERS**

I, Bomo Edith Edna Molewa, Minister of Water and Environmental Affairs, hereby give notice of my intention, under section 97(1)(b)(ix),(g),(f) read with section 100 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004), to make regulations relating to the registration of professional hunters, hunting outfitters and trainers, set out in the Schedule hereto.

Members of the public are invited to submit to the Minister, within 30 (thirty) days after the publication of the notice in the *Gazette*, written comments or inputs to the following addresses:

By post to: The Director-General: Department of Environmental Affairs
 Attention: Mr Thomas Mbedzi
 Private Bag X447
 Pretoria
 0001

By hand at: 2nd Floor (Reception), Fedsure Forum Building, 315 Pretorius Street, Pretoria, 0001.

By e-mail: nmbedzi@environment.gov.za or by fax to: (012) 320 7026

Any inquiries in connection with the notice can be directed to Mr Thomas Mbedzi at (012) 310 3225

Comments received after the closing date may not be considered.



BOMO EDITH EDNA MOLEWA

MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

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CHAPTER 1 INTERPRETATION, PURPOSE AND APPLICATION

Definitions

1. (1) In these Regulations, unless the context indicates otherwise, a word or expression defined in the Biodiversity Act has the same meaning, and—

“**Biodiversity Act**” means the National Environmental Management: Biodiversity Act, 2004 (Act No.10 of 2004);

“**coup-de-grâce**” means a final shot, or a shot of mercy, given to kill a wounded specimen of a listed threatened or protected animal species;

“**dangerous game**” means the following species—

Elephant (*Loxodonta africana*);

White rhinoceros (*Ceratotherium simum simum*);

Black rhinoceros (*Diceros bicornis*);

Buffalo (*Syncerus caffer*);

Lion (*Panthera leo*);

Leopard (*Panthera pardus*); or

Hippopotamus (*Hippopotamus amphibious*);

“**duly authorised trainer**” means a trainer who has registered in terms of these regulations and obtained a permit issued in terms of provincial conservation legislation, to present the professional hunting course;

“**hunt**” in relation to a wild animal means—

- (a) to kill, or attempt to kill, such wild animal by any means, method or device whatsoever;
- (b) to search for, lie in wait for, drive, pursue, or to discharge any missile at, such wild animal with the intent to kill;
- (c) to lure by any means, method or device whatsoever, such wild animal with the intent to kill; or
- (d) to shoot at such wild animal, whether or not with the intent to kill;

but excludes—

- (i) the culling of such wild animal; or

- (ii) the killing of such wild animal that has become a damage causing animal;

“hunting client” means a person who—

- (a) is not resident in the Republic; and
- (b) pays or rewards a professional hunter directly or indirectly through a hunting outfitter for, or in connection with, the hunting of a wild animal;

“hunting outfitter” means a person who markets, assists with, offers, presents or organizes the hunting of a wild animal;

“landowner” means—

- (a) the person registered in a deeds registry as the owner of the land, and includes the authorised representative of such person;
- (b) the *bona fide* purchaser of land, prior to the registration of the deed of transfer in his name, but after the contract of sale has been concluded, to the exclusion of the person contemplated in paragraph (a);
- (c) a person in control of land, including the management authority of a protected area but excluding the occupant of land if such occupant is not the authorised representative of the person contemplated in paragraph (a);
- (d) a person who has the right to use the land; or
- (e) a person or authority in control of communal land;

“person” means a natural or juristic person;

“professional hunter” means a person who conducts a hunt, or offers or agrees to escort or accompany a hunting client in order to enable such hunting client to hunt a wild animal;

“professional hunting course” means a course developed for the training of professional hunters and hunting outfitters, and presented in accordance with a syllabus that has been approved by the provincial conservation authorities and presented by a duly authorised trainer;

“professional hunting register” means the register contemplated in regulations 6(2)(b), 7(c) and 8;

“**provincial conservation authority**” means the provincial department or provincial organ of state responsible for the conservation of biodiversity in a province;

“**Republic**” means the Republic of South Africa;

“**TOPS Regulations**” means the Threatened or Protected Species Regulations, 2007;

“**trainer**” means a person who presents the professional hunting course; and

“**wild animal**” means any vertebrate animal, but excludes a fish or any animal belonging to a domestic or stock species, that lives, grows and multiplies in an extensive wildlife system or has been released in an extensive system prior to the hunt.

(2) In these regulations, a word or expression which is a derivative or other grammatical form of a word or expression defined in subregulation (1) or in Biodiversity Act, has a corresponding meaning, unless the context indicates that another meaning is intended.

Purpose and application

2. (1) The purpose of these regulations is to provide a national system for the registration of professional hunters, hunting outfitters and trainers.

(2) Any person who intends to operate as a professional hunter, hunting outfitter or trainer must first register in terms of these regulations, and then obtain a permit from the relevant provincial conservation authority that authorises him/ her to operate as professional hunter, hunting outfitter or trainer.

(3) Registration in terms of these regulations, without having obtained a permit contemplated in subregulation (2), does not authorise a person to operate as professional hunter, hunting outfitter or trainer.

(4) These regulations must be read in conjunction with the TOPS Regulations and applicable provincial conservation legislation.

CHAPTER 2
APPLICATION FOR REGISTRATION AS PROFESSIONAL HUNTER, HUNTING OUTFITTER OR
TRAINER

Operating as professional hunter, hunting outfitter or trainer

3. A person may not operate as professional hunter, hunting outfitter or trainer, unless such person is registered in terms of these regulations.

Issuing authority

4. The Minister is the issuing authority for registration certificates relating to professional hunters, hunting outfitters and trainers.

Submission of applications

5. (1) Notwithstanding that the Minister is the issuing authority, an application for registration in terms of these regulations must be submitted to the provincial conservation authority of the province where the applicant intends to operate as professional hunter, hunting outfitter or trainer for evaluation, unless the Minister directs otherwise.

(2) A person must apply for a new registration by submitting an application on the form set out in Annexure 1 to these regulations.

(3) A person must apply for the renewal of a registration by submitting an application on the form set out in Annexure 2 to these regulations.

CHAPTER 3
REQUIREMENTS TO REGISTER AS PROFESSIONAL HUNTER, HUNTING OUTFITTER OR TRAINER

Requirements to register as professional hunter

6. (1) A person who applies for registration as professional hunter in terms of these Regulations must submit to the relevant provincial conservation authority—

(a) a completed application form and any other documents required by the relevant provincial conservation authority in order to support the application;

- (b) proof that he/ she is either a citizen of the Republic or has a valid permanent residency permit;
- (c) proof that he/ she is of the minimum age of 18;
- (d) proof that he/ she has obtained the necessary knowledge, ability, skill and experience required to act as a professional hunter, by having attended and passed the professional hunting course; and
- (e) proof of payment of a prescribed application fee as set out in Annexure 4 to these Regulations

(2) A person applying for the registration as a professional hunter to accompany a hunting client on the hunt of dangerous game, must, in addition to the requirements contemplated in subregulation (1), submit to the relevant provincial conservation authority—

- (a) a summary of information on dangerous game hunted on extensive wildlife systems, either locally or in other African countries; and
- (b) written evidence in the form of certified copies of the professional hunting registers, sworn affidavits and declarations by the hunting outfitter, professional hunter, hunting clients or owners of extensive wildlife systems involved, indicating that the applicant has either personally hunted, or hunted as a back-up professional hunter under the supervision of a registered dangerous game professional hunter, for a minimum period of sixty (60) hunting days, and at least three (3) of the six (6) dangerous game species; or
- (c) proof of having attended a course on the hunting of dangerous game, as approved by the relevant provincial conservation authority.

Requirements to renew the registration as professional hunter

7. A person who applies for the renewal of the registration as professional hunter in terms of these regulations must submit to the relevant provincial conservation authority—

- (a) the completed application form;
- (b) proof of payment of a prescribed application fee as set out in Annexure 4 to these Regulations and
- (c) proof, in the form of a professional hunting register, that he/ she has conducted as a professional hunter at least three (3) legal hunts totalling a minimum of twenty one (21) hunting days with hunting clients, in any province in South Africa, during the three (3) year period preceding the application.

Register to be kept by professional hunters

8. (1) The professional hunting register contemplated in regulation 6(2)(b) and 7(c), must contain as a minimum the following information—

- (a) the name and business address of the professional hunter who conducted the hunt;
- (b) the name and permanent postal address of the hunting client;
- (c) the name and business address of the hunting outfitter who presented or organised the hunt for the hunting client;
- (d) the province and place where, and the date on which, his/ her service as a professional hunter to the hunting client commenced and terminated;
- (e) the name, registration number and magisterial district of each farm on which he/ she accompanied the hunting client, and the name and residential address of the owner of each such farm;
- (f) the species, sex and number of wild animals hunted or wounded by the hunting client on each farm referred to in subregulation (e), as well as the date on which every wild animal was hunted or wounded;
- (g) the microchip numbers, markings or tag numbers of the specimens hunted, where applicable; and
- (h) the hunting client's instructions on trophy preparation (if any).

(2) A professional hunter and his/ her hunting client must sign and date—

- (a) the original page and three copies of the register in which the particulars contemplated in subregulation (1) have been recorded; and
- (b) any alterations made on the register, including the original page and three copies thereof.

(3) The professional hunter must detach the first three copies thereof and—

- (a) forthwith deliver the original page to the hunting client;
- (b) within 14 days after completion of the hunt, supply the second copy to the appropriate hunting outfitter mentioned in such record;
- (c) within 14 days after completion of the hunt, supply the first copy by registered post to the relevant provincial conservation authority; and
- (d) retain the remaining copy in the register for a period of two years for record purposes.

Requirements to register as hunting outfitter

9. (1) A person who applies for registration as hunting outfitter in terms of these regulations must submit to the relevant provincial conservation authority—

- (a) a completed application form and any other documents required by the relevant provincial conservation authority in order to support the application;
- (b) proof that he/ she is either a South African citizen or has a valid permanent residency permit;

- (c) proof that he/ she is of the minimum age of 21;
- (d) proof that he/ she has obtained the necessary knowledge, ability, skill and experience required to act as a hunting outfitter, by having attended and passed the professional hunting course;
- (e) proof that he/ she can provide the necessary services and facilities within the boundaries of any province;
- (f) if the applicant is not a landowner, a letter of permission from such landowner as confirmation that access will be provided to facilities for the same period that the registration will be valid;
- (g) the relevant landowner's written permission or hunting rights for the species he/ she advertises for hunting in any province;
- (h) any form of promotional material or medium intended to be used by the applicant, which must correctly describe the services, facilities, conveniences and animal species that can be provided for hunting;
- (i) proof of payment of a prescribed application fee as set out in Annexure 4 to these Regulations; and
- (j) proof that he/ she, as a professional hunter in South Africa, has been active for a period of three (3) years or has conducted hundred (100) hunting days in less than three (3) years, whichever option is achieved first.

(2) Notwithstanding the provision of subregulation (1)(j), an applicant who—

- (a) is the registered owner of an extensive wildlife system or who has the power of attorney of such land;
- (b) has made a capital investment in the professional hunting industry by erecting approved facilities on his/ her property; and
- (c) wishes to conduct the hunting outfitting on his/ her property himself/ herself;

may apply and motivate to the relevant provincial conservation authority for exemption from the requirement contemplated in subregulation (1)(j) in order to qualify to register as a hunting outfitter.

(3) A person contemplated in subregulation (2) who has been granted such exemption, may operate as hunting outfitter on his/ her extensive wildlife system only, until such time that the requirement contemplated in subregulation (1)(j) has been met.

(4) Notwithstanding the provision of subregulation (1)(j), an applicant, who is not the owner of an extensive wildlife system and who has successfully conducted three (3) hunts totaling twenty one (21) hunting days during the first year of the 3-year period contemplated in subregulation (1)(k), may on

recommendation and sufficient motivation by a trainer, apply to be exempt from the remaining twenty four (24) month period.

Requirements to renew the registration as hunting outfitter

10. (1) A person who applies for the renewal of the registration as hunting outfitter in terms of these regulations must submit to the relevant provincial conservation authority—

- (a) a completed application form;
- (b) proof that he/ she can provide the necessary services and facilities within the boundaries of any province.
- (c) if the applicant is not a landowner, a letter of permission from such landowner as confirmation that access will be provided to facilities for the same period that the registration will be valid;
- (d) the relevant landowner's written permission or hunting rights for the species he/ she advertises for hunting in any province;
- (e) any form of promotional material or medium intended to be used by the applicant, which must correctly describe the services, facilities, conveniences and animal species that can be provided for hunting;
- (f) proof of payment of a prescribed application fee as set out in Annexure 4 to these Regulations;
- (g) proof that he/ she has a valid permit to act as a professional hunter; and
- (h) proof that he/ she has organised as a hunting outfitter at least three (3) hunts, totalling a minimum of twenty one (21) outfitting days with hunting clients, during the three (3) year period preceding the application.

(2) An applicant who meets the requirements contemplated in regulation 7(c) is not required to organise three (3) hunts as a hunting outfitter in order to renew his/ her hunting outfitters permit, but is nevertheless required to be in possession of a valid professional hunters permit in order to renew his/ her hunting outfitters permit.

(3) Any hunting outfitter who can submit proof of being active for at least ten (10) consecutive years as professional hunter and hunting outfitter may be exempt from the requirement contemplated in subregulation (1)(g). In the case where such a person later wants to re-instate his/ her professional hunters permit, he/ she needs to apply for such permit by following the prescribed procedure without having to be re-assessed again.

Requirements to register as trainer

11. (1) A person who applies for registration as trainer in terms of these regulations must submit to the relevant provincial conservation authority—
- (a) a fully completed application form and any other documents required by the relevant provincial conservation authority in order to support the application;
 - (b) a full *curriculum vitae* containing—
 - (i) the applicant's personal detail;
 - (ii) the applicant's past ten (10) years experience in the accompanying of hunting clients and the organizing and management of hunts, including an approximate number of hunts organized and total number of hunting clients accompanied, where the hunting clients accompanied by the applicant himself/ herself are separated from those accompanied by other professional hunters;
 - (iii) references from hunting clients;
 - (iv) copies of professional hunters and hunting outfitters permits;
 - (v) references from an internationally recognized professional hunter's association;
 - (vi) details of experience in marketing hunting overseas, including details of at least one major international hunting convention attended; and
 - (vii) a summary of presentations made by the applicant in order to demonstrate the applicant's communication and presentation skills;
 - (c) proof that he/ she is in possession of a valid professional hunters and hunting outfitters permit for the province through which the applicant intends to apply;
 - (d) a resumé of the lecturers who will be appointed to lecture on the various subjects;
 - (e) details of the necessary training facilities, which must include as a minimum the following —
 - (i) accommodation, washing and sanitary conveniences for ten (10) students;
 - (ii) sufficient ablution facilities;
 - (iii) shooting range;
 - (iv) gun safe sufficient to hold all students' fire arms;
 - (v) provide terrain where free roaming wild animals are present for practical experience;
 - (vi) hunting, skinning, handling and dispatch services;
 - (vii) transport;
 - (viii) first aid and fire fighting services;
 - (ix) staff services; and

- (x) lecture room with the necessary audio-visual equipment and slide shows for species identification which includes small and large mammals and birds; and
- (f) proof of payment of a prescribed application fee as set out in Annexure 4 to these Regulations.

Requirements to renew the registration as trainer

12. A person who applies for the renewal of the registration as trainer in terms of these regulations must submit to the relevant provincial conservation authority—

- (a) a completed application form;
- (b) proof that he/ she is in possession of a valid professional hunters and hunting outfitters permit for the relevant province where the applicant intends to present the professional hunting course;
- (c) details of a minimum of three (3) courses conducted in the three (3) year period preceding the application;
- (d) proof that the applicant complies with the requirements for the training facility as contemplated in regulation 11(1)(e); and
- (e) proof of payment of a prescribed application fee as set out in Annexure 4 to these Regulations.

CHAPTER 4

ADMINISTRATION OF REGISTRATION AS PROFESSIONAL HUNTER, HUNTING OUTFITTER OR TRAINER

Consideration of and decision on an application to register as professional hunter, hunting outfitter or trainer

13. On receipt of an application, the provincial conservation authority contemplated in regulation 5(1) must consider the application within 10 working days, and make a recommendation in writing to the Department on the refusal of such application or the issuance of the registration certificate.

Factors to be taken into account when considering applications for registration as professional hunter, hunting outfitter or trainer

14. When considering an application for registration as professional hunter, hunting outfitter or trainer, the following factors must be considered—

- (a) all the information and documentation submitted by the applicant to the relevant provincial conservation authority in connection with the application, including any additional information

requested by the relevant provincial conservation authority in terms of regulation 15 of these Regulations; and

- (b) any applicable legal requirements.

Additional information

15. (1) The provincial conservation authority contemplated in regulation 5(1) may request, within 14 working days of receipt of the application, an applicant to furnish such additional information as the provincial conservation authority may determine for the proper consideration of the application.

(2) The provincial conservation authority must consider and recommend the application within 5 working days from the date of receipt of such additional information.

Issuing of the registration certificate

16. (1) If the recommendation contemplated in regulation 15(2) was to issue the registration certificate, the issuing authority must within 5 working days of receiving such recommendation issue the registration certificate—

- (a) in the name of the person who will be operating as professional hunter, hunting outfitter or trainer; and
- (b) in the form set out in Annexure 3 to these regulations.

(2) No registration certificate may be issued with retrospective effect.

(3) The issuing authority must forthwith provide the provincial conservation authority contemplated in regulation 5(1) with a copy of the registration certificate.

Compulsory conditions applicable to the holder of a registration as professional hunter, hunting outfitter or trainer

17. The issuing authority must issue the registration as professional hunter, hunting outfitter or trainer subject to the following conditions—

- (a) the holder of the registration is not authorised to operate as professional hunter, hunting outfitter or trainer, unless the holder of the registration is also the holder of a permit issued in terms of applicable provincial conservation legislation; and
- (b) the registration as professional hunter, hunting outfitter or trainer is not transferable.

Validity of registration certificates

18. (1) A registration certificate for a professional hunter, hunting outfitter or trainer is valid throughout the Republic.

(2) A registration certificate for a professional hunter, hunting outfitter or trainer remains valid for a period of three years.

Renewal or amendment of a registration as professional hunter, hunting outfitter or trainer

19. (1) The holder of a registration as professional hunter, hunting outfitter or trainer must apply in writing, prior to the lapsing of such registration, to the relevant provincial conservation authority contemplated in regulation 5(1) for the renewal of such registration, if he/ she intends to continue to operate as professional hunter, hunting outfitter or trainer.

(2) An application contemplated in subregulation (1) must be accompanied by proof of payment of a prescribed application fee as set out in Annexure 4 to these Regulations.

(3) The issuing authority may amend a registration as professional hunter, hunting outfitter or trainer—

- (a) on application by the holder of the registration; or
- (b) on the issuing authority's own initiative to—
 - (i) remove a condition;
 - (ii) change a condition;
 - (iii) add a condition;
 - (iv) update or change any detail on the registration certificate; or
 - (v) correct a technical or editorial error on the registration certificate.

- (4) The issuing authority must—
- (a) notify the holder of the registration, in writing, of—
 - (i) the proposed amendment; and
 - (ii) the reasons for the proposed amendment; and
 - (b) afford the holder of the registration a reasonable opportunity to submit representations regarding the proposed amendment.

(5) An application contemplated in subregulation (3)(a) must be accompanied by proof of payment of a prescribed application fee as set out in Annexure 4 to these Regulations.

Refusal or cancellation of a registration as professional hunter, hunting outfitter or trainer

20. (1) An application for the registration as professional hunter, hunting outfitter or trainer may be refused if—

- (a) the applicant has failed to comply with any provision of the Biodiversity Act;
- (b) the applicant has been convicted of an offence in terms of the Biodiversity Act;
- (c) the applicant is under investigation for the contravention or failure to comply with any provision of the Biodiversity Act, until such time that the investigation is concluded and—
 - (i) no prosecution in respect of such contravention or failure is instituted against the applicant;
 - (ii) the applicant is acquitted or found not guilty, if a prosecution in respect of such contravention or failure has been instituted; or
 - (iii) the applicant has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant or holder of the registration has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.
- (d) the applicant's professional hunters permit, hunting outfitters permit or trainers permit has been revoked in any province, prior to the application for registration;
- (e) the holder of the registration has failed to fulfill his/ her responsibilities as a professional hunter or hunting outfitter, as the case may be, as provided in terms of applicable provincial legislation; or
- (f) the applicant has failed to address a formal complaint lodged by a hunting client against the applicant to the satisfaction of the relevant provincial conservation authority.

(2) A registration certificate may be cancelled if—

- (a) the holder of the registration has failed to comply with any provision of the Biodiversity Act;
- (b) the holder of the registration who is acting as the professional hunter for a particular hunting client, allows any person other than such hunting client to hunt a wild animal on behalf of such hunting client, except in the case where the holder of the registration applies a *coup-de-grâce*;
- (c) the professional hunters permit, hunting outfitters permit or trainers permit of the holder of the registration has been revoked in any province, during the validity of the registration certificate; or
- (d) the holder of the registration has fraudulently altered the registration certificate.

CHAPTER 5 TRAINERS AND PROFESSIONAL HUNTING COURSES

Responsibilities of the trainer

21. (1) The trainer must train and evaluate candidates within the parameters of the approved syllabus.

(2) The trainer may, at his/ her discretion, include any other relevant subjects in the professional hunting course.

(3) The trainer must issue a certificate, which the trainer has signed, to a successful candidate as proof that the candidate has attended the professional hunting course and passed all relevant theoretical and practical examinations.

(4) After completion of the professional hunting course the trainer must supply each candidate with a complete written report reflecting the practical evaluation and remarks made by the trainer.

(5) The trainer must within fourteen (14) days of completion of the course, notify the relevant provincial conservation authority in writing of the results of all candidates obtained at the course.

(6) The trainer must inform each candidate of the contents of these Regulations and must sign, together with the candidate, a written confirmation to this effect.

Professional hunting course

22. (1) Each candidate must write the standard general examination, as well as the legal examination of the province in which the professional hunting course is attended, on the last day of the professional hunting course and at the facility where such course was presented.

(2) The standard general examination and the legal examination contemplated in subregulation (1) will be based on the approved syllabus and conducted by an official of the provincial conservation authority of the province where the professional hunting course has been presented.

(3) During each professional hunting course, unless agreed otherwise with the relevant provincial conservation authority, the trainer must supply the relevant provincial conservation authority with at least three (3) consecutive dates, on which the practical evaluations will be conducted.

(4) The practical evaluation of the candidates must be done in accordance with the procedures as have been approved by the provincial conservation authorities.

CHAPTER 6 MISCELLANEOUS

Additional requirement for the holder of a registration as professional hunter or hunting outfitter

23. Notwithstanding that the holder of a registration as professional hunter or hunting outfitter has written the legal examination of the province where he/ she attended and passed the professional hunting course contemplated in regulation **22(1)**, he/ she must write the legal examination of any other province prior to him/ her obtaining a permit in such other province to operate as professional hunter or hunting outfitter.

Reporting by the Department and provincial conservation authorities

24. (1) The Department must report, on a quarterly basis, to the provincial conservation authorities on the registration certificates issued for professional hunters, hunting outfitters or trainers.

(2) Provincial conservation authorities must forthwith report to the Department on any professional hunters permit, hunting outfitters permit or trainers permit that has been revoked.

Transitional provision

25. Any person who, immediately before the commencement of these Regulations, lawfully operates as a professional hunter, hunting outfitter or trainer, must apply for registration in terms of these Regulations prior to the renewal of his/ her professional hunters permit, hunting outfitters permit or trainers permit, if he/ she so wishes to renew such permit.

Offences and penalties

26. (1) A person is guilty of an offence if that person knowingly makes any false statement or submits any false report for the purpose of obtaining a registration in terms of these Regulations.

(2) The holder of a registration, issued in terms of these Regulations, is guilty of an offence of the holder thereof—

- (a) does not comply with any of the conditions of the registration;
- (b) has fraudulently altered the registration; or
- (c) allows any person other than his/ her hunting client to hunt a wild animal on behalf of such hunting client, except in the case where the holder of the registration applies a *coup-de-grâce*.

(3) A person who is convicted of an offence in terms of subregulation (1) is liable to—

- (a) imprisonment for a period not exceeding five years;
- (b) a fine not exceeding five million rand, and in the case of a second or subsequent conviction, to a fine not exceeding R10 million or imprisonment for a period not exceeding 10 years or in both instances to both a fine and such imprisonment; or
- (c) both a fine and such imprisonment.

Short title and commencement

27. These regulations are called the Regulations for the registration of professional hunters, hunting outfitters and trainers, 2013, and take effect on a date determined by the Minister by Notice in the *Gazette*.

ANNEXURE 1**APPLICATION FORM**

**APPLICATION TO REGISTER AS A PROFESSIONAL HUNTER, HUNTING OUTFITTER OR TRAINER IN TERMS OF THE
NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT (ACT 10 OF 2004)**

A. PERSONAL DETAILS:

NAME AND SURNAME:	
NAME OF BUSINESS/ COMPANY:	
IDENTITY OR PASSPORT NO:	
NATIONALITY:	
AGE:	
TEL NO (H):	
TEL NO (W):	
CELL NO:	
FAX NO:	
E-MAIL:	
POSTAL ADDRESS:	PHYSICAL ADDRESS:

B. KIND OF REGISTRATION APPLIED FOR (Tick off):

<input type="checkbox"/>	PROFESSIONAL HUNTER	NEW REGISTRATION	<input type="checkbox"/>
<input type="checkbox"/>	HUNTING OUTFITTER	RENEWAL	<input type="checkbox"/>
<input type="checkbox"/>	TRAINER	AMENDMENT	<input type="checkbox"/>

.....
Signature of applicant

.....
Date of application

C. OFFICIAL USE

NAME OF INSPECTION OFFICIAL	SIGNATURE OF INSPECTION OFFICIAL	DATE:	APPROVED / REFUSED
REASONS FOR REFUSAL:			

D. PERIOD OF VALIDITY OF REGISTRATION

FROM: (dd/mm/year)	TO: (dd/mm/year)
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NAME OF PERMIT OFFICIAL	SIGNATURE OF PERMIT OFFICIAL	DATE:	AMOUNT PAID	RECEIPT NR	RECOMMENDED / NOT RECOMMENDED
REASON FOR NOT RECOMMENDING:					

ANNEXURE 1**ADDITIONAL INFORMATION RELATING TO A NEW APPLICATION TO REGISTER AS
PROFESSIONAL HUNTER, HUNTING OUTFITTER AND TRAINER**

- A. A completed application form and any other documents required by the relevant provincial conservation authority in order to support the application.
- B. Proof of payment of a prescribed application fee of R100-00.
- C. Information to be submitted in case of an application to register as professional hunter:
- (a) Proof that he/ she is either a citizen of the Republic of South Africa or has a valid permanent residency permit;
 - (b) Proof that he/ she is of the minimum age of 18;
 - (c) Proof that he/ she has obtained the necessary knowledge, ability, skill and experience required to act as a professional hunter, by having attended and passed the professional hunting course.
-
- D. Information to be submitted in case of an application to register as hunting outfitter:
- (a) Proof that he/ she is either a South African citizen or has a valid permanent residency permit;
 - (b) Proof that he/ she is of the minimum age of 21;
 - (c) Proof that he/ she has obtained the necessary knowledge, ability, skill and experience required to act as a hunting outfitter, by having attended and passed the professional hunting course;
 - (d) Proof that he/ she can provide the necessary services and facilities within the boundaries of any province;
 - (e) If the applicant is not a landowner, a letter of permission from such landowner as confirmation that access will be provided to facilities for the same period that the registration will be valid;

- (f) The relevant landowner's written permission or hunting rights for the species he/ she advertises for hunting in any province;
 - (g) Any form of promotional material or medium intended to be used by the applicant, which must correctly describe the services, facilities, conveniences and animal species that can be provided for hunting;
 - (h) Proof that he/ she, as a professional hunter in South Africa, has been active for a period of three (3) years or has conducted hundred (100) hunting days in less than three (3) years, whichever option is achieved first.
-

E. Information to be submitted in case of an application to register as trainer:

- (a) A full *curriculum vitae* containing the following:
 - (i) the applicant's personal detail;
 - (ii) the applicant's past ten (10) years' experience in the accompanying of hunting clients and the organizing and management of hunts, including an approximate number of hunts organized and total number of hunting clients accompanied, where the hunting clients accompanied by the applicant himself/ herself are separated from those accompanied by other professional hunters;
 - (iii) references from hunting clients;
 - (iv) copies of professional hunters and hunting outfitters permits;
 - (v) references from an internationally recognized professional hunter's association;
 - (vi) details of experience in marketing hunting overseas, including details of at least one major international hunting convention attended; and
 - (vii) a summary of presentations made by the applicant in order to demonstrate the applicant's communication and presentation skills;
- (b) Proof that he/ she is in possession of a valid professional hunters and hunting outfitters permit for the province through which the applicant intends to apply;
- (c) A resumé of the lecturers who will be appointed to lecture on the various subjects;
- (d) Details of the necessary training facilities, which must include as a minimum the following:
 - (i) accommodation, washing and sanitary conveniences for ten (10) students;
 - (ii) sufficient ablution facilities;
 - (iii) shooting range;
 - (iv) gun safe sufficient to hold all students' fire arms;

- (v) provide terrain where free roaming wild animals are present for practical experience;
 - (vi) hunting, skinning, handling and dispatch services;
 - (vii) transport;
 - (viii) first aid and fire-fighting services;
 - (ix) staff services; and
 - (x) lecture room with the necessary audio-visual equipment and slide shows for species identification which includes small and large mammals and birds.
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F. Information to be submitted in case of an application to register as professional hunter accompanying a hunting client on the hunt of dangerous game:

- (a) A summary of information on dangerous game hunted on extensive wildlife systems, either locally or in other African countries;
- (b) Written evidence in the form of certified copies of the professional hunting registers, sworn affidavits and declarations by the hunting outfitter, professional hunter, hunting clients or owners of extensive wildlife systems involved, indicating that the applicant has either personally hunted, or hunted as a back-up professional hunter under the supervision of a registered dangerous game professional hunter, for a minimum period of sixty (60) hunting days, and at least three (3) of the six (6) dangerous game species; or
- (c) Proof of having attended a course on the hunting of dangerous game, as approved by the relevant provincial conservation authority.

ANNEXURE 2**APPLICATION FORM**

**APPLICATION TO RENEW REGISTRATION AS PROFESSIONAL HUNTER, HUNTING OUTFITTER OR TRAINER IN TERMS OF
THE NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT (ACT 10 OF 2004)**

A. PERSONAL DETAILS:

NAME AND SURNAME:	
NAME OF BUSINESS/ COMPANY:	
IDENTITY OR PASSPORT NO:	
NATIONALITY:	
AGE:	
TEL NO (H):	
TEL NO (W):	
CELL NO:	
FAX NO:	
E-MAIL:	
POSTAL ADDRESS:	PHYSICAL ADDRESS:

B. KIND OF REGISTRATION APPLIED FOR (Tick off):

	PROFESSIONAL HUNTER	NEW REGISTRATION	
	HUNTING OUTFITTER	RENEWAL	
	TRAINER	AMENDMENT	

.....
Signature of applicant

.....
Date of application

C. OFFICIAL USE

NAME OF INSPECTION OFFICIAL	SIGNATURE OF INSPECTION OFFICIAL	DATE:	APPROVED / REFUSED
REASONS FOR REFUSAL:			

D. PERIOD OF VALIDITY OF REGISTRATION

FROM: (dd/mm/year)	TO: (dd/mm/year)
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NAME OF PERMIT OFFICIAL	SIGNATURE OF PERMIT OFFICIAL	DATE:	AMOUNT PAID	RECEIPT NR	RECOMMENDED / NOT RECOMMENDED
REASON FOR NOT RECOMMENDING:					

ANNEXURE 2

ADDITIONAL INFORMATION RELATING TO THE RENEWAL OF A REGISTRATION AS PROFESSIONAL HUNTER, HUNTING OUTFITTER AND TRAINER

- A. A completed application form and any other documents required by the relevant provincial conservation authority in order to support the application.
- B. Proof of payment of a prescribed application fee of R100-00.
- C. Copy of the recently expired registration.
- D. In case of an application to renew a registration as professional hunter:
Proof, in the form of a professional hunting register, that he/ she has conducted as a professional hunter at least three (3) legal hunts totalling a minimum of twenty one (21) hunting days with hunting clients, in any province in South Africa, during the three (3) year period preceding the application
-
- E. In case of an application to renew a registration as hunting outfitter:
- (a) Proof that he/ she can provide the necessary services and facilities within the boundaries of any province.
 - (b) If the applicant is not a landowner, a letter of permission from such landowner as confirmation that access will be provided to facilities for the same period that the registration will be valid.
 - (c) The relevant landowner's written permission or hunting rights for the species he/ she advertises for hunting in any province.
 - (d) Any form of promotional material or medium intended to be used by the applicant, which must correctly describe the services, facilities, conveniences and animal species that can be provided for hunting.

- (e) Proof that he/ she has a valid permit to act as a professional hunter.
 - (f) Proof that he/ she has organised as a hunting outfitter at least three (3) hunts, totalling a minimum of twenty one (21) outfitting days with hunting clients, during the three (3) year period preceding the application.
-

F. In case of an application to renew a registration as trainer:

- (a) Proof that he/ she is in possession of a valid professional hunters and hunting outfitters permit for the relevant province where the applicant intends to present the professional hunting course.
- (b) Details of a minimum of three (3) courses conducted in the three (3) year period preceding the application.
- (c) Proof that the applicant complies with the requirements for the training facility.

ANNEXURE 3



REGISTRATION CERTIFICATE

(Issued in terms of the provisions of the
National Environmental Management:
Biodiversity Act 2004, Act 10 of 2004)

NAME OF ISSUING AUTHORITY	
NAME	
ADDRESS	
ADDRESS	
PROVINCE	

KIND OF REGISTRATION	
	PROFESSIONAL HUNTER
	HUNTING OUTFITTER
	TRAINER
UNIQUE REGISTRATION NUMBER (if renewal)	

DETAIL OF CERTIFICATE HOLDER			
NAME		ID NO.	
SURNAME		PASSPORT NO.	
	POSTAL ADDRESS	RESIDENTIAL ADDRESS	
ADDRESS			
ADDRESS			
ADDRESS			
TOWN			
POSTAL CODE			
PROVINCE			

CERTIFICATE VALIDATION			
PERIOD OF VALIDITY	FROM:		TO:
RECEIPT NUMBER			
SIGNATURE ISSUING OFFICER		SIGNATURE CERTIFICATE HOLDER	

DATE STAMP

GENERAL CONDITIONS

1. This CERTIFICATE is not transferable.
2. Any unauthorised alteration to this CERTIFICATE shall render it invalid.
3. This CERTIFICATE is subject to the provisions of any applicable law in force during the period of validity of the CERTIFICATE.
4. This CERTIFICATE, if not accompanied by the relevant provincial permit, does not authorise a person to operate as a professional hunter, hunting outfitter or trainer.
5. The holder of this CERTIFICATE shall, at the request of a person authorised in terms of applicable legislation so to demand, forthwith produce such CERTIFICATE to such person.
6. This CERTIFICATE shall be invalid until such time that it is signed by the holder thereof.
7. This CERTIFICATE shall be deemed invalid when it is lost or destroyed and no copy thereof shall be issued.
8. The prescribed fees paid for the issuing of this CERTIFICATE shall not be refunded.
9. This CERTIFICATE shall be subject to any applicable norms and standards in existence at the time of issuance of this CERTIFICATE.

SPECIAL CONDITIONS

1. This CERTIFICATE is subject to any additional conditions as may be determined by the issuing authority.
2. If this CERTIFICATE applies to a professional hunter, the holder of this CERTIFICATE must:
 - a) Keep a register; containing the following information:
 - (i) the name and business address of the professional hunter who conducted the hunt;
 - (ii) the name and permanent postal address of the hunting client;
 - (iii) the name and business address of the hunting outfitter who presented or organised the hunt for the hunting client;
 - (iv) the province and place where, and the date on which, his/ her service as a professional hunter to the hunting client commenced and terminated;

- (v) the name, registration number and magisterial district of each farm on which he/she accompanied the hunting client, and the name and residential address of the owner of each such farm;
 - (vi) the species, sex and number of wild animals hunted or wounded by the hunting client on each farm where the hunt was conducted, as well as the date on which every wild animal was hunted or wounded;
 - (vii) the microchip numbers, markings or tag numbers of the specimens hunted, where applicable; and
 - (viii) the hunting client's instructions on trophy preparation (if any); and
- b) Provide the information above to the relevant provincial conservation authority, within fourteen days after completion of the hunt.

ANNEXURE 4

PRESCRIBED FEES	
To register as professional hunter	R100-00
To renew the registration as professional hunter	R100-00
To register as hunting outfitter	R100-00
To renew the registration as hunting outfitter	R100-00
To register as trainer	R100-00
To renew the registration as trainer	R100-00
Amendment of a registration as professional hunter, hunting outfitter or trainer	R100-00

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