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GENERAL NOTICE

Environmental Affairs and Tourism, Department of

General Notice

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GENERAL NOTICE

NOTICE 1614 OF 2009

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT, 2004 (ACT NO. 10 OF 2004)

DRAFT NORMS AND STANDARDS FOR THE REGULATION OF THE HUNTING INDUSTRY IN SOUTH AFRICA

I, *Buyelwa Patience Sonjica*, Minister of Water and Environmental Affairs, hereby publish in terms of Section 9(1)(a) read with Section 100 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) for public comment the draft Norms and Standards for the Regulation of the Hunting Industry in South Africa in the Schedule hereto.

Any person who wishes to submit written representations and/or objections to the proposed norms and standards is invited to do so within 30 days of the publication of this notice. All representations and comments must be submitted in writing to the following addresses:

By post to: The Director-General: Environmental Affairs and Tourism
 Attention: Ms. Olga Kumalo
 Private Bag X447
 PRETORIA, 0001

Delivered to: The Department of Environmental Affairs
 Attention: Ms. Olga Kumalo
 North Tower (Room 1212)
 315 Pretorius Street
 PRETORIA

By fax to: (012) 320 7026

By e-mail to okumalo@deat.gov.za

Any inquiries in connection with the draft regulations can be directed to Ms. Olga Kumalo at Tel. (012) 310-3573. Comments received after the closing date may not be considered.



BUYELWA SONJICA
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

SCHEDULE

DRAFT NORMS AND STANDARDS FOR THE REGULATION OF THE HUNTING INDUSTRY IN SOUTH AFRICA

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CHAPTER 1**INTERPRETATION, PURPOSE AND APPLICATION OF THIS SCHEDULE****Definitions**

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

"agent" means a person or a legal entity that advertises, organizes, sells or presents the hunt of an indigenous wild animal and/or exotic animal on behalf of a hunting outfitter, whether or not for commission or for gain;

"associate professional hunter" means a person who is capable to perform the functions of a professional hunter, but lacks the ability to execute the administrative duties that are required from a professional hunter;

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

"bow and arrow" means an instrument consisting of a body and string designed to launch and propel an arrow;

"centre fire" means ammunition that is ignited by a primer fitted in the centre of the base of the cartridge;

"dangerous game" means an elephant, rhinoceros, buffalo, lion, leopard or hippopotamus;

"designated official" means an official from the issuing authority who is—

- (a) responsible for the regulation of the professional hunting industry in the province; and
- (b) a member of the Inter-Provincial Professional Hunting Committee;

"exotic animal" means a vertebrate animal of which the natural distribution falls outside the borders of the Republic, but occurs in a free state in the Republic as a result of human introduction;

"feathered game" means any bird but excluding ostrich;

"furred game" means any wild mammal;

"game birds" means birds declared open for hunting in terms of provincial hunting proclamations;

"game bird hunting" means the activity of hunting gamebirds using shotguns and bird-dogs;

"handgun" means a handheld firearm that can be operated without a shoulder mounted stock;

"humane" means a condition that does not conflict with the prevailing societal norms and applicable legal requirements relating to cruelty against animals, and does not cause unnecessary suffering of the individual hunted animal or distress to other animals in the vicinity of the hunted animal;

"hunt" has the meaning as defined in the TOPS Regulations;

"hunter" means any person who undertakes the restricted activity of hunting;

"hunting authorization" means a permit, licence, certificate or any other document issued by the issuing authority in terms of the Biodiversity Act or provincial conservation legislation, and which authorizes a person to lawfully hunt a wild animal;

"hunting client" means a natural person who—

- (a) is not normally a resident in the Republic; and
- (b) pays or rewards any other person for or in connection with the hunting of a wild animal or exotic animal;

“hunting outfitter” means any person who represents or organizes the hunting of a wild animal or exotic animal for payment or reward;

“issuing authority” means—

- (a) the authority as defined in the Biodiversity Act; or
- (b) an organ of state authorized in terms of provincial conservation legislation to issue a provincial permit;

“pachyderm” means any thick-skinned animal;

“plains game” means any wild animal excluding dangerous game;

“professional hunter” means any person who escorts a hunting client for payment or reward in order to enable the latter to hunt a wild animal or exotic animal;

“provincial hunting proclamation” means a notice in the *Provincial Gazette* which declares a period to be an open season for the hunting of certain species of wild animals;

“Republic” means the Republic of South Africa;

“rifle” means a device manufactured or designed to propel a bullet or projectile through a rifled barrel or cylinder by means of burning propellant and which is intended to be fired from the shoulder, but excludes a net gun;

“rim fire” means any ammunition that is ignited by a primer in the rim of the cartridge;

“TOPS Regulations” means the Threatened or Protected Species Regulations promulgated in terms of section 97 of the Biodiversity Act and published under Government Notice No. R.152 in *Gazette* No. 29657 of 23 February 2007, as amended;

“training provider” means the Director of a Professional Hunting School that is authorized by the issuing authority to present the prescribed professional hunting course;

“trophy” means any part of a wild animal or exotic animal that is hunted by a hunting client and that is retained as a token or memento of the hunt; and

“wild animal” means a vertebrate animal of which the natural distribution occurs within the borders of the Republic, whether temporarily or permanently, but excludes a fish or any animal belonging to a domestic species.

Purpose and application

2. (1) These national Norms and Standards aim to ensure that—
 - (a) wild animals are hunted in a manner and at a rate that will—
 - (i) not lead to the long term decline of those species at a national level;
 - (ii) not disrupt the ecological integrity of the ecosystems in which those species occur; and
 - (iii) ensure the sustainable utilization of those species to meet the needs and aspirations of present and future generations of people;
 - (b) hunting is regulated as far as possible—
 - (i) in a uniform manner throughout the Republic;
 - (ii) in accordance with national and provincial legislative requirements relating to biodiversity conservation, management, sustainable utilization and development; and
 - (iii) in accordance with the obligations of the Republic in terms of international agreements on biodiversity management that are binding on the Republic; and
 - (c) the role of hunting in conservation management and sustainable utilization of biodiversity resources is recognised.
- (2) These norms and standards are informed by the guiding principles contained in paragraph 3.
- (3) The provisions of these norms and standards aim to assist in regulating the hunting industry and apply to all hunters within the borders of the Republic.

- (4) These norms and standards apply to all wild animals and exotic animals.

Guiding Principles

3. These norms and standards are guided by the following principles—
- (a) ecologically sustainable utilization of natural resources to maintain viable populations of indigenous species and their environments;
 - (b) encouraging cooperation between land owners, hunters, related industries and local communities in managing the off-take of indigenous species within limits that are not detrimental to the survival of the species;
 - (c) promoting that hunting off-take is utilized to such an extent that wastage is avoided;
 - (d) promoting development of the competence and responsibility of users of wildlife resources;
 - (e) promoting ethical hunting with fair chase as foundation of hunting practices;
 - (f) promoting the avoidance of unnecessary stress to and suffering by animals; and
 - (g) ensuring that these norms and standard are realistic, implementable, understandable, respected and supported by the broader public.

CHAPTER 2

ETHICAL CONDUCT AND GOOD PRACTICE

Code of ethical conduct and good practice

4. The code of ethical conduct and good practice of a hunting organization—
- (a) requires its members to act in strict compliance with—
 - (i) any applicable legislation that regulates the hunting industry; and
 - (ii) any conditions subject to which the hunting authorization is granted to a member;
 - (b) defines criteria for the hunting of wild animals or exotic animals in accordance with—
 - (i) the fair chase principle; and
 - (ii) humane methods;
 - (c) requires its members to act in strict compliance with the criteria contemplated in sub-paragraph (b) when hunting a wild animal or exotic animal; and

- (d) provides for disciplinary steps against any member who breaches a provision of the code, which should include steps for the suspension or expulsion of such a member from the organisation.

CHAPTER 3 PROFESSIONAL HUNTING

Professional hunter – plains game

5. A plains game professional hunter may—
- (a) be employed by any number of hunting outfitters at any point in time;
 - (b) advertise his willingness to act as a professional hunter to hunting outfitters; and
 - (c) guide hunting clients on the hunting of plains game only.

Professional hunter - dangerous game

6. A dangerous game professional hunter may—
- (a) be employed by any number of hunting outfitters at any point in time;
 - (b) advertise his willingness to act as a professional hunter to hunting outfitters; and
 - (c) guide hunting clients on the hunting of plains game and dangerous game.

Associate professional hunter - plains game

7. (1) A plains game associate professional hunter may—
- (a) be employed by one specific hunting outfitter only at any point in time;
 - (b) not advertise his willingness to act as a professional hunter to hunting outfitters; and
 - (c) guide hunting clients on the hunting of plains game only.

(2) For the duration of the employment period, the hunting outfitter undertakes to fulfill the administrative duties that may be required in terms of provincial or national conservation legislation, on behalf of the associate professional hunter.

Associate professional hunter - dangerous game

8. (1) A dangerous game associate professional hunter may—
- (a) be employed by one specific hunting outfitter only at any point in time;

- (b) not advertise his willingness to act as a professional hunter to hunting outfitters; and
- (c) guide hunting clients on the hunting of plains game and dangerous game.

(2) For the duration of the employment period, the hunting outfitter undertakes to fulfill the administrative duties that may be required in terms of provincial or national conservation legislation, on behalf of the associate professional hunter.

Issuance of a new professional hunters permit.

9. (1) An applicant applying for a new plains game professional hunters permit, must submit to the issuing authority—

- (a) a completed prescribed application form and any other documents required by the relevant issuing authority;
- (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 as required in terms of any applicable legislation;
- (d) proof that he/ she obtained the necessary knowledge, ability, skill and experience required to act as a professional hunter, by having attended and successfully completed the prescribed course presented by a training provider;
- (e) proof that he/ she passed the prescribed standard general examination and relevant legal examination/s, as well as the practical examination;
- (f) payment of the approved permit application fee; and
- (g) a document signed by both the candidate and training provider that the candidate takes cognisance of the contents of these Norms and Standards.

(2) If the applicant did not pass the prescribed course the candidate is given a maximum period of one year from attendance of the course, within which period all outstanding examinations must be passed and the professional hunters permit obtained.

(3) The permit of a new applicant must be endorsed to exclude the escorting of a hunting client on the hunting of dangerous game, for a period of sixty (60) hunting days. During this period the professional hunter must accompany an experienced dangerous game professional hunter on the hunt of at least three (3) of the six (6) dangerous game species.

(4) Any professional hunter who has actively hunted dangerous game in Africa, and who is either a South African citizen or holds a permanent residency permit, may apply in writing to the relevant issuing authority for exemption from the endorsement contemplated in sub-paragraph (3).

(5) An applicant applying for a new dangerous game professional hunters permit must, in addition to the requirements contemplated in sub-paragraph (1), submit to the issuing 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 (certified copies of the hunting register, sworn affidavits and declarations by the hunting outfitter, professional hunter (PH1), hunting clients or owners of extensive wildlife systems involved) that he/ she has personally hunted, or hunted as the back-up professional hunter (PH2) under the supervision of a registered dangerous game professional hunter (PH1), a minimum period of sixty (60) hunting days on at least three (3) of the six (6) dangerous game species;

Renewal of a professional hunters permit

10. An applicant applying for the renewal of a professional hunters permit must submit to the issuing authority—

- (a) the completed prescribed application form;
- (b) payment of the approved permit application fee; and
- (c) proof 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.

Issuance of a new hunting outfitters permit.

11. (1) An applicant applying for a new hunting outfitters permit must submit to the issuing authority—

- (a) a completed prescribed application form and any other documents required by the relevant issuing authority;
- (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 as required in terms of any applicable legislation;

- (d) proof that he/ she obtained the necessary knowledge, ability, skill and experience required to act as a hunting outfitter, by having attended and successfully completed the prescribed course presented by a training provider;
- (e) proof that he/ she passed the prescribed standard general examination and relevant legal examination/s, as well as the practical examination;
- (f) proof that he/ she can provide the necessary services and facilities within the boundaries of that particular province.
- (g) 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 permit will be valid and proof that the facilities have been approved by the issuing authority prior to the permit being issued;
- (h) the relevant landowner's written permission or hunting rights for the species he/ she advertises for hunting in that particular province;
- (i) any form of promotional material or medium intended to be used by the applicant, for approval by the issuing authority, which material or medium must correctly describe the services, facilities, conveniences and animal species that can be provided;
- (j) payment of the approved permit application fee; and
- (k) 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) If the promotional material or medium referred to in sub-paragraph (1)(i) is amended, a new copy must be submitted to the issuing authority to update its records.

(3) The use of agents by hunting outfitters will be subject to the provisions as set out in paragraph 19.

- (4) Any South African citizen or permanent resident 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 issuing authority, for exemption from the requirement contemplated in sub-paragraph (1)(k) before qualifying to register as a hunting outfitter.

(5) If the exemption contemplated in sub-paragraph (4) is granted, the permit holder is limited to outfitting on his/ her property only, for the first 3 (three) year period, or until he/ she has organized hundred (100) hunting days as a hunting outfitter on his/ her own land, whichever is achieved first.

(6) Any person who is not a landowner may on recommendation and sufficient motivation by a training provider, with the approval of the relevant issuing authority, be exempted for the remaining twenty four (24) month period, if the candidate has successfully conducted three (3) hunts totaling twenty one (21) hunting days during the first year.

Renewal of a hunting outfitters permit

12. (1) An applicant applying for the renewal of a hunting outfitters permit must submit to the issuing authority—

- (a) a completed prescribed application form;
- (b) proof that he/ she can provide the necessary services and facilities within the boundaries of that particular province. If the applicant is not a landowner, the applicant must submit a letter of permission from such landowner as confirmation that access will be provided to facilities for the same period that the permit will be valid. These facilities must be approved by the issuing authority prior to the permit being issued;
- (c) the relevant landowner's written permission or hunting rights for the species he/ she advertises for hunting in that particular province;
- (d) any form of promotional material/ medium intended to be used by the applicant, for approval by the issuing authority. Such material must correctly describe the services, facilities, conveniences and animal species that can be provided. If such promotional material is amended it must be submitted to the relevant issuing authority for update of records;
- (e) payment of the approved permit application fee;
- (f) proof that he/ she has a valid permit to act as a professional hunter;

(g) 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 paragraph 10(c) does not have to organise three (3) hunts as a hunting outfitter 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 in the professional hunting industry may be exempted from the requirement contemplated in subparagraph (1)(f). 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.

Issuance of a new permit for training providers

13. (1) An applicant applying for a permit to act as a training provider must submit to the issuing authority —

- (a) a fully completed prescribed application form;
- (b) a full curriculum vitae containing—
 - (i) the applicant's personal detail;
 - (ii) the applicant's past ten (10) years professional hunting experience, including the organizing and management of hunts and escorting of hunting clients (including approximate number of hunts organized and total number of hunting clients escorted, where the hunting clients escorted by the candidate himself/ herself are separated from those escorted by other professional hunters);
 - (iii) references from hunting clients;
 - (iv) copies of professional hunters and hunting outfitters permits from other provinces or countries;
 - (v) references from an internationally recognised professional hunter's association; and
 - (vi) details of experience in marketing hunting overseas, including at least one major convention each in the USA and Europe (give details of overseas trips and conventions attended);

- (c) proof that he/ she is in possession of a valid professional hunters and hunting outfitters permit for the province through which the applicant applies;
- (d) a resumé of the lecturers who will be appointed to lecture on the various subjects; and
- (e) details of the necessary training facilities, which must meet the following minimum criteria—
 - (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' rifles;
 - (v) provide terrain where free roaming wild animals are present for practical experience;
 - (vi) hunting, skinning, handling and dispatch services;
 - (vii) catering;
 - (viii) transport;
 - (ix) cleaning and refuse removal services;
 - (x) first aid and fire fighting services;
 - (xi) staff services;
 - (xii) lecture room with the necessary audio-visual equipment and slide shows for species identification which includes small and large mammals and birds;
 - (xiii) minimum of eighty (80) sets of horns involving eighteen (18) different species of wild animals for practicing horn judgment during the course, including—
 - (aa) five (5) sets each of three (3) different species of spiral horns, totaling fifteen (15) sets;
 - (bb) ten (10) sets of outside spread horns;
 - (cc) five (5) sets of black wildebeest horns; and
 - (dd) five (5) sets each of eight (8) different species of straight horns,totaling forty (40) sets; and
 - (xiv) three (3) sets of horns, for the final practical evaluation, for each of the following—
 - (aa) an outside spread;
 - (bb) a black wildebeest;
 - (cc) two (2) different species of spiral horns; and
 - (dd) six (6) different species of straight horns.

(2) Qualification as an official measurer for either Safari Club International (SCI) or Rowland Ward will be a recommendation.

(3) Communication and presentation skills will be judged according to the quality of presentation and planning of the course work.

Renewal of a permit for training providers

14. An applicant applying for the renewal of a permit to act as a training provider must submit to the issuing authority—

- (a) a completed prescribed application form;
- (b) proof that he/ she is in possession of a valid professional hunters and hunting outfitters permit for the relevant province to which the applicant applies;
- (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 paragraph 13(1)(e); and
- (e) pay the approved permit application fee.

Training provider

15. (1) The training provider must instruct and evaluate candidates within the parameters of the prescribed syllabus.

(2) The training provider may, at his/ her discretion, include any other relevant subjects in the prescribed course.

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

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

(5) The training provider must within fourteen (14) days of completion of the course, notify the relevant issuing authority in writing of the results obtained at the course.

(6) The training provider must inform the candidate of the contents of these Norms and Standards and must sign, together with the candidate, a written confirmation to this effect.

Professional hunting course

16. (1) The training provider must give the relevant issuing authority thirty (30) days written notice of the dates on which courses are due to commence and end.

(2) The duration of the course must be a minimum of ten (10) consecutive days.

(3) A maximum of ten (10) candidates may attend the course at any point in time. In exceptional cases, upon written request from the training provider to the relevant conservation authority, a maximum of twelve (12) candidates may be approved.

(4) Re-assessment courses, varying in duration, may be presented according to the requirements of the students attending such courses, and at the discretion of the training provider.

Theoretical examinations written as part of the course

17. (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 course and at the facility where the course was presented.

(2) The theoretical (standard general and provincial legal) examinations will be based on the prescribed syllabus and conducted by the issuing authority of the province where the course has been attended.

(3) No person under the age of twenty-one (21) will be permitted to write the theoretical examinations. It is the responsibility of the training provider to inform under-aged candidates accordingly.

(4) If an under-aged candidate has attended the course less than a year before turning twenty one (21), the candidate has to re-do the theoretical and practical examinations only. If an under aged candidate has attended the course more than a year before turning twenty one (21), the candidate has to re-do the entire course.

(5) All theoretical and practical examinations must be passed with a minimum of 70%.

(6) If a candidate has passed the theoretical and practical examinations conducted at the course, the results will remain valid for only one (1) year, during which period the candidate must register as a professional hunter.

(7) If a candidate has passed the theoretical and practical examinations conducted at the course and applies for a professional hunting permit more than one (1) year but less than four (4) years after completion of the course, he/ she must re-do the theoretical and practical examinations.

(8) If a candidate has passed the theoretical and practical examinations conducted at the course and applies for a professional hunting permit more than four (4) years after completion of the course, he/ she must re-do the entire course.

(9) If a candidate has not passed the theoretical and/ or practical examination/s conducted at the course, the candidate has a period of one (1) year from the date of attendance of the course, to pass the examination/s and register as a professional hunter.

(10) Only when the theoretical and practical examinations, conducted as part of the course, have been passed, can a candidate write and re-write the legal examinations of other provinces at the offices of the provincial conservation authorities.

(11) Depending on the circumstances, candidates who have failed the initial standard general examination may re-write the examination once only. Should a candidate fail again he/ she must attend the relevant re-evaluation course provided by a training provider.

Practical examinations

18. (1) During each course presented by the training provider, such training provider must supply the relevant nature conservation authority with at least three (3) consecutive dates, on which the practical evaluations will be conducted.

(2) A candidate who must to be re-assessed on the practical aspects must submit proof (supportive evidence) of having practiced the relevant aspects on which he/ she must be re-assessed.

Use of agents to represent hunting outfitters

19. (1) An agent may only represent a hunting outfitter if he/ she is in possession of a legally binding contract between him/ her and the hunting outfitter. A copy of the contract must be available at all times.

(2) The contract must be signed by both the hunting outfitter and the agent.

(3) A hunting outfitter, who is in possession of a valid permit to act as such, must appoint, in writing, each agent that he/ she wishes to represent him/ her.

(4) The hunting outfitter must provide the relevant issuing authorities with a copy of the contract and all relevant documentation.

(5) The hunting outfitter must supply the agent with copies of his/ her valid permits/ licenses and inform his/ her agent of the legal requirements pertaining to professional hunting in South Africa.

(6) The hunting outfitter must be held accountable for any contravention of legislation in South Africa pertaining to professional hunting, by his/ her agent.

(7) The hunting outfitter must in writing confirm to the relevant issuing authority that he/ she has fulfilled all the requirements and accepts accountability on behalf of his/ her agent.

(8) The hunting outfitter must be held accountable for any incorrect information supplied by him/ her, to his/ her agent.

(9) The agent must use the brochure/ promotion material of the hunting outfitter he/ she represents, or the information contained in the brochures/ promotional material, as approved by the relevant issuing authorities. In all instances the name of the hunting outfitter must be reflected.

(10) The agent must supply the hunting clients with the correct information at all times.

(11) The agent may only advertise/ market within the limitations applicable to the hunting outfitter with regards to geographical area/ province, species, services, facilities and validity period as specified on the hunting outfitters permit.

(12) The remuneration agreement between the hunting outfitter and his/ her hunting client is compulsory and is not replaced by the contract between the hunting outfitter and his/ her agent, or the contract between the agent and the prospective hunting client.

(13) Appointment of agents in writing by hunting outfitters must be made compulsory by means of a condition on the permits of the hunting outfitters.

Theoretical examinations conducted at provincial offices

20. (1) The conducting of legal examinations at an approved central venue is an agreement between the issuing authorities, and at the discretion of the relevant issuing authority, which may be withdrawn at any time if misused/ abused in any way.

(2) Only designated officials may conduct legal examinations and have access to legal papers of other issuing authorities.

(3) In the case where a designated official is unable to conduct legal examinations, the relevant issuing authority may annually/ periodically nominate two officials, and provide their contact details to other issuing authorities, who will be responsible for conducting the legal examinations within the boundaries of that province.

(4) Only such nominated officials as contemplated in sub-paragraph (3) will be provided access to examination papers and relevant documentation, and such documents will be treated as "Strictly Confidential".

(5) Designated officials will be responsible for the safe-keeping of all examination papers and relevant documentation supplied to them by the designated officials of other provinces.

(6) The breach of confidentiality by the designated official or other official of any issuing authority may result in the withdrawal/ exclusion of the breaching issuing authority from the agreement contemplated in sub-paragraph (4).

(7) All un-used, outdated hard copies of legal papers that are no longer applicable must be destroyed by designated officials.

(8) Examinations will, under normal circumstances, be conducted on the last Monday of each month as agreed by all designated officials. However, legal examinations may be conducted on any other day of the month at the discretion of the issuing authority.

(9) The candidate must first apply in writing and obtain permission from the issuing authority whose legal paper he/ she intends to write.

(10) The issuing authority whose legal paper will be conducted must approve/ disapprove/ confirm in writing such decision to the issuing authority where the legal paper will be conducted, at least fourteen (14) days prior to the examination date. Electronic communication is accepted.

(11) The candidate must apply in writing and pay the prescribed fees applicable for the legal examination, to the issuing authority that will conduct the legal examination.

(12) The candidate must confirm with the conducting issuing authority his/ her attendance at least one (1) week prior to the examination date.

(13) The issuing authority whose legal paper will be conducted must provide the conducting issuing authority with either a hard copy or electronic copy of the required examination paper.

(14) The conducting issuing authority must send, by registered mail, the original of the completed examination paper to the designated official of the relevant issuing authority.

(15) A copy of each completed examination paper must be retained by the conducting issuing authority in order to make provision for instances where such paper is misplaced. The receiving issuing authority must confirm receipt of the original examination paper, and permission may only then be granted to the conducting issuing authority to destroy the copy thereof.

(16) The official marking the examination paper must inform the candidate, and in the case of re-writing the examination, the relevant training provider, in writing of the result of the examination within fourteen (14) days of marking the paper.

(17) Should the candidate fail the legal examination the first time, he/ she may re-write the examination at his/ her earliest convenience as agreed upon by the candidate and the relevant issuing authority.

(18) Should the candidate fail the legal examination a second time, he/ she will not be allowed to re-write the examination within a month of failing the previous legal examination.

(19) Should the candidate fail the legal examination a third time, he/she will not be allowed to re-write again and must be referred to the relevant training provider for re-training on the legal aspects.

(20) Only when written proof of the re-training contemplated in sub-paragraph (19) is submitted by the candidate to the relevant issuing authority, he/ she may be allowed to write the legal examination again.

(21) General examinations may be re-written at offices of issuing authorities, only on the discretion of the issuing authorities involved.

CHAPTER 4 CATEGORIES OF HUNTING

Minimum calibers for rifle hunting

21. The following norms apply to minimum rifle calibers for the hunting of different categories of wild animals—

- (a) .22 or 5.56mm rimfire rifle for the hunting of—
 - (i) furred game up to and including the size of rock hyrax; and
 - (ii) feathered game;
- (b) .22 or 5.56mm centre fire rifle for the hunting of furred game up to and including the size of springbok;
- (c) .270 or 7mm rifle for the hunting of—
 - (i) furred game larger than springbuck, up to and including eland, but excluding dangerous game or giraffe; and
 - (ii) ostrich; and
- (d) .375 H&H Magnum or larger caliber for the hunting of—
 - (i) giraffe;
 - (ii) dangerous game; and
 - (iii) pachyderms, provided that the bullet must be of full metal jacket (solid) or monolithic solid construction.

Minimum barrel lengths for handgun hunting

22. (1) The following norms apply to minimum barrel lengths of handguns for the purpose of hunting—

- (a) 100mm for—
 - (i) centre fire single action revolver;
 - (ii) centre fire double action revolver;
 - (iii) rimfire single action revolver; and
 - (iv) rimfire double action revolver.
- (b) 150mm for—
 - (i) centre fire single action break neck pistol for the hunting of—
 - (aa) any furred game; and
 - (bb) feathered game, including ostrich;
 - (ii) rimfire single action break neck pistol for the hunting of—
 - (aa) furred game up to and including the size of a rock hyrax; and
 - (bb) feathered game;
 - (iii) centre fire bolt action pistol for the hunting of—
 - (aa) furred game; and
 - (bb) feathered game, including an ostrich;
 - (iv) rimfire bolt action pistol for the hunting of—
 - (aa) furred game up to and including the size of a rock hyrax; and
 - (bb) feathered game;
 - (v) centre fire falling block pistol for the hunting of—
 - (aa) furred game; and
 - (bb) feathered game, including an ostrich; and
 - (vi) rimfire falling block pistol for the hunting of—
 - (aa) furred game up to and including the size of a rock hyrax; and
 - (bb) feathered game; and
- (c) 125mm for—
 - (i) centre fire semi-automatic pistol; and
 - (ii) rimfire semi-automatic pistol.

Minimum calibers for handgun hunting

23. (1) The following norms apply to minimum calibers for revolvers—
- (a) a rimfire single or double action revolver for the hunting of—

- (i) furred game up to and including the size of a rock hyrax; and
 - (ii) feathered game;
- (b) a centre fire single or double action revolver of less than .357 magnum caliber for the hunting of furred game larger than rock hyrax, up to and including the size of a grey duiker; and
- (c) a centre fire single or double action revolver of .357 magnum or larger caliber for the hunting of—
- (i) furred game larger than grey duiker; and
 - (ii) ostrich.
- (2) The following norms apply to minimum calibers for semi-automatic pistols—
- (a) a rimfire semi-automatic pistol for the hunting of—
- (i) furred game up to and including the size of a rock hyrax; and
 - (ii) feathered game;
- (b) a centre fire semi-automatic pistol smaller than .357 magnum or 357 Sig for the hunting of furred game larger than rock hyrax up to and including the size of a grey duiker; and
- (c) a centre fire semi-automatic pistol of .357 magnum or 357 Sig or larger for the hunting of—
- (i) furred game larger than the size of grey duiker; and
 - (ii) ostrich.

Inclusion of game birds in provincial hunting proclamations

24. *Game birds should meet all of the following criteria for consideration to be included in the provincial hunting proclamation—*

- (a) the species belongs to one of the traditional gamebird groups of guinea fowl, francolins, partridges, doves and pigeons, ducks and geese, quail, sand grouse and snipe;
- (b) the species has a high reproductive potential;
- (c) the species is common to abundant in at least in one or more biomes;
- (d) the population status of the species is stable or increasing in abundance or distribution; and
- (e) the species is edible.

Gamebird hunting methods

25. The following are acceptable methods for the hunting of gamebirds—

- (a) walk-up shooting;

- (b) driven and surround shoots; and
- (c) stationary shooting

Permissible bows for bow hunting

26. The following are acceptable types of bows for bow hunting—

- (a) longbow;
- (b) recurve bow; and
- (c) compound bow, excluding a compound crossbow.

Categories of wild animals for bow hunting

27. The following norms apply to the hunting of wild animals with bow and arrow—

- (a) small game, including gamebirds, small carnivores, hares, hyraxes, rabbits and pygmy antelope (Category 1)—
 - (i) bow with a minimum draw mass of 40 pounds;
 - (ii) bow generating a minimum kinetic energy 30ft/ lbs; and
 - (iii) minimum arrow weight of 300 grains;
- (b) medium game, including reedbuck, impala, blesbuck, warthog, bushpig, springbuck, and nyala (Category 2)—
 - (i) bow with a minimum draw mass of 50 pounds;
 - (ii) bow generating a minimum kinetic energy 50ft/ lbs; and
 - (iii) minimum arrow weight 400 grains;
- (c) large game, including wildebeests, kudu, gemsbuck, zebra, waterbuck, sable, and hartebeests (Category 3)—
 - (i) bow with a minimum draw mass of 60 pounds;
 - (ii) bow generating a minimum kinetic energy of 60ft/ lbs; and
 - (iii) minimum arrow weight of 500 grains;
- (d) Cape buffalo (Category 4)—
 - (i) bow with a minimum draw mass of 80 pounds;
 - (ii) bow generating a minimum kinetic energy of 80ft/ lbs; and
 - (iii) minimum arrow weight of 750 grains; and
- (e) giraffe (Category 5)—

- (i) bow with a minimum draw mass of 90 pounds;
- (ii) bow generating a minimum kinetic energy of 90ft/lbs; and
- (iii) minimum arrow weight of 750 grains.

Additional norms for bow hunting equipment

28. Notwithstanding the requirements contemplated in Paragraph 27 the following conditions apply—

- (a) in the case of mechanical broad heads 5% additional kinetic energy is required for Category 1, 2 and 3 wild animals;
- (b) broad heads must have at least two cutting edges; and
- (c) *the minimum permitted arrow length is 50cm.*

Short title and commencement

29. These norms and standards are called the National Norms and Standards for the Regulation of the Hunting Industry, 2009, and take effect on a date determined by the Minister in the *Gazette*.

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