

Statutory Instrument No. 85 of 1987

FAUNA CONSERVATION ACT
(Cap. 38:01)
GABORONE GAME RESERVE REGULATIONS, 1987
(Published on 7th August, 1987)

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SCHEDULE

IN EXERCISE of the powers conferred on the Minister of Commerce and Industry by section 99 of the Fauna Conservation Act, the following Regulations are hereby made —

PART I Preliminary

1. These Regulations may be cited as the Gaborone Game Reserve Regulations, 1987, and shall come into operation on such date as the Minister may, by notice in the Gazette, appoint.
2. In these Regulations, unless the context otherwise requires, —

Citation
and
Commencement

Inter-
pretation
Cap. 24:02

"authorised officer" means the Director, his Deputy or assistant, a game officer, game scout, game guard or any person authorised in writing by the Director or his Deputy to be an authorised officer for the purposes of these Regulations;

"day time" means the period between half-past six in the morning and half-past-six in the evening;

"Director" means the Director of the Department of Wildlife and National Parks;

"explosives" has the meaning assigned to it in the Explosives Act;

"Game Reserve" means the Gaborone Game Reserve;

"night" means the period between half-past-six in the evening and half-past-six in the morning;

"other weapon" means bow, arrows, spears, traps, snares and any form of weapon or harmful object which may be used to kill or capture animals;

"permit" means a permit issued under these regulations;

PART II *Open Season, entry into Game Reserve and Picnic Sites*

3. The Game Reserve shall be open throughout the year:
Provided that an authorised officer may close the whole or part of the Game Reserve in the interest of public safety or for administrative reasons.

4. (1) No person shall enter or be within the Game Reserve unless he is in possession of a permit obtained from an authorised officer.

(2) No permit shall be issued until the fees set out in the Schedule have been paid to an authorised officer, except in the case of duly authorised visits of groups of students and others such as members of wildlife clubs engaged in field trips, or on official or Government duty, and where the issue of a free entry permit has been authorized by the Director.

(3) A permit shall be in the form set out in the Second Schedule and shall be issued subject to such conditions as an authorised officer may see fit to attach thereto.

(4) The Minister may alter the fees set out in the Schedule.

(5) For the purpose of this regulation, no person shall enter or leave the Game Reserve except through a point of entry or exit declared by the Director by notice in the Gazette and identified as such by an authorised officer by notice and sign.

(6) Any person who contravenes any provision of this regulation or fails to comply with any condition subject to which a permit was issued in terms of subregulation (3) shall be guilty of an offence and on conviction therefor shall be liable to the penalties prescribed by regulation 12 (1) (a).

5. (1) The Director may designate areas of the Game Reserve to be set aside as designated picnic sites and shall identify such areas by notice and sign.

(2) A permit may authorize the holder to occupy a designated picnic site subject to such conditions as may be endorsed on the permit.

(3) The fee to be paid for occupying a picnic site is set out in the Schedule.

Cap. 24:02

Open
season in
Game
ReserveEntry into
Game
ReserveDesignated
picnic
sites

(4) Authority in terms of subregulation (2) shall not be given to a person under the age of 16 years unless that person is accompanied by another person over the age of 16 years.

(5) Any person who occupies a picnic site without a permit authorizing such occupation shall be guilty of an offence and on conviction thereof shall be liable to the penalties prescribed by regulation 12 (1) (a).

6. (1) No person shall enter or use any services provided for the use of fee-paying visitors unless such person is in possession of a valid entry or picnic site or other permit as may from time to time be prescribed by an authorized officer.

(2) The holder of such valid permit shall be required to observe all conditions attached to the issue of such permit and all official notices issued by an authorized officer and placed on public display.

(3) Any person who contravenes any provision of this regulation or who fails to comply with any condition subject to which a permit was issued, or who fails to comply with such additional official requirements as may be displayed at any picnic site shall be guilty of an offence and on conviction thereof shall be liable to the penalties prescribed by regulation 12 (1) (a).

(4) An authorized officer may cancel any permit that may have been issued to a fee-paying visitor if, in the opinion of that authorized officer, the permit holder has failed to comply with such requirements as have been authorized and notified.

PART III *Motor vehicles and bicycles*

7. (1) No person shall, without the written permission of an authorized officer, enter the Game Reserve in a motor vehicle except with a permit issued by an authorized officer.

(2) An authorized officer may refuse to issue a permit, restrict the permit to certain areas of the Game Reserve or may revoke any permit issued if the motor vehicle to be used or being used by any person does not, in the opinion of the authorized officer, afford adequate protection to the passengers.

(3) Where an authorized officer revokes a permit in terms of subregulation (2) such person, if he is in the Game Reserve shall comply with any reasonable direction to leave the Game Reserve, or any part of the Reserve as may be given by an authorized officer.

(4) No person shall drive or permit to be driven in the Game Reserve a motor vehicle which exceeds 2250 kg weight when unladen, or which has more than two normal rear track wheels, unless specific written authority for such use has been given by the Director and on such terms as may be specified.

(5) No person shall bring into or use any motor bicycle or scooter within the Game Reserve.

(6) A permit shall not be issued for a motor vehicle to enter the Game Reserve until the fee set out in the Schedule has been paid to an authorized officer.

(7) Visitors to the Game Reserve shall observe all directions relating to motor vehicles as may be given by any authorized officer or authorised signs or notice.

Visitors
use of
picnic
sites

Only
approved
vehicles
to be used
in Game
Reserve

(8) No person using a motor vehicle shall cause or allow such vehicle to approach any animal in such a manner as to disturb such animal.

(9) A person may bring a bicycle into the Game Reserve upon payment of the prescribed fee, and any person so doing shall observe all authorised signs and all directions given by an authorised officer; failure to do so would be sufficient reason for his ejection from the Game Reserve.

(10) Any person who contravenes any provision of subregulation (1), (4), (7) or (8), or fails to comply with directions give under subregulation (3), shall be guilty of an offence and on conviction therefor shall be liable to the penalties prescribed by regulation 12 (1) (a).

PART IV *General conduct within Game Reserve*

8. (1) No person shall remove from the Game Reserve or destroy any flora, avifauna or fauna, or in any way disturb or molest any living thing, except with the written permission of the Director.

(2) No person shall leave any refuse of any kind within the Game Reserve except in bins provided at the game reserve and at picnic sites.

(3) No person shall, without the written permission of an authorised officer, light a fire in the Game Reserve except in specially constructed fireplaces at a designated picnic site.

(4) No person shall leave a fire unextinguished or leave any material capable of causing a fire, or cause a bush-fire, within the Game Reserve.

(5) No person shall drive any vehicle or cause any vehicle to be driven anywhere in the Game Reserve at a speed exceeding 30 km per hour.

(6) No person shall cause any damage to objects of geological, ethnological, archaeological or of other scientific interest within the Game Reserve or, without the written permission of the Director, remove any object from the Game Reserve.

(7) No person shall, without the written permission of the Director, introduce any wild or domestic animal into the Game Reserve or permit any domestic animal to stray into the Game Reserve, or introduce, or remove from the Game Reserve any animal or vegetation, and an authorized officer may take such action as he thinks necessary to remove any such animal from the Game Reserve, including the destruction of the trespassing animal.

(8) No person shall cut, damage or destroy any tree or other vegetation in the Game Reserve.

(9) No person shall destroy or deface any object, whether animate or inanimate, in the Reserve.

(10) No person shall erect any building or structure within the Game Reserve without the written permission of the Director.

(11) An authorized officer may direct the offender to remove any building or structure erected in contravention of subregulation (10), or may himself cause to be removed any building or structure, without compensation being payable.

(12) No person may enter or remain in the rhinoceros paddock except with the express permission of the authorised officer and subject to such conditions as such officer may impose.

General
conduct
in Game
Reserve

C.264

Animals

9. (1) No person shall interfere in any way with, or feed or provide food for, any animal in the Game Reserve.

(2) Any person who contravenes any provision of this regulation shall be guilty of an offence and on conviction therefor shall be liable to the penalties prescribed by regulation 12 (1) (b).

Prohibition of arms and ammunition and other weapons

10. (1) Subject to the provisions of subregulation (2), no person shall convey into, or be in possession of within, the Game Reserve any arms, ammunition, explosive, trap or poison or any other weapon capable of use in the killing or capture of any animal.

(2) No person shall, except with the written permission of the Director, bring into the Game Reserve any musical instrument or equipment which in the opinion of the authorized officer is likely to disturb the animals or disturb other visitors to the Game Reserve.

(3) Any person who contravenes any provision of subregulation (1) or (2) shall be guilty of an offence and on conviction therefor shall be liable to the penalties prescribed by regulation 12 (1) (b).

PART V Miscellaneous

General powers of authorized officers

11. Any person who —
(a) contravenes or attempts to contravene any provision of these regulations or any other law; or
(b) behaves in such a manner as to create or cause a nuisance or acts in any way detrimental to the interest of the Reserve,
shall comply with any reasonable order, including an order to leave the Game Reserve, as may be given by an authorised officer.

(2) An authorised officer may refuse to issue a permit to enter the Game Reserve to any person, or group of persons, who he has reason to believe may not or has not complied with these regulations, or for any other fit and proper reason, for the effective running of the Game Reserve.

(3) Any person who is ordered to leave the Game Reserve under subregulation (1) shall not be entitled to any refund of fees paid in terms of these regulations.

(4) Any person who fails to comply with any order given to him under subregulation (1) shall be guilty of an offence and on conviction therefor shall be liable to the penalties prescribed in regulation 12 (1) (b).

(5) Any person who is aggrieved by the refusal of an authorized officer to issue him with a permit to enter the Game Reserve, or who has been ordered to leave the Game Reserve under subregulation (1), may appeal in writing against such decision or order to the Director, whose decision in the matter shall be final.

Penalties

12. (1) Subject to the provisions of subregulations (2) and (3), any person convicted of an offence under these regulations in respect of which it is provided that he shall be liable to the penalties —

(a) prescribed by this paragraph, shall be liable to a fine of P100 or in default of payment of imprisonment for two months;

(b) prescribed by this paragraph, shall be liable to a fine of P250 or in default of payment to imprisonment for four months;

(c) prescribed by this paragraph, shall be liable to a fine of P500 or in default of payment to imprisonment for six months.

(2) In the case of first offenders convicted under these regulations, a minimum fine of half the prescribed fine shall be obligatory.

(3) In the case of subsequent offences, a minimum fine of not less than two thirds of the prescribed fine shall be obligatory.

(4) When any person is convicted under the provisions of these regulations the court may order that any vehicle, animal, trap, poison, arms, ammunition or explosive used in connexion with the committing of the offence shall be forfeited to the State:

Provided that if the Minister is satisfied that such vehicle, animal, trap, poison, arms, ammunition or explosive is not the property of the person convicted, and that the owner did not know it was being used for an illegal purpose, or was unable to prevent its use by the person convicted, he may, if he considers it equitable and expedient so to do, order the return thereof to the owner.

(5) Any thing forfeited to the State under the provisions of this regulation shall be disposed of as the Minister may direct.

FIRST SCHEDULE

FEEES

1. Fees payable on entry:	
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(a) For each motor vehicle	2.00 per day
(b) Person of 16 years of age and over	1.00 per day
(c) Children under 16 years and over 8 years	50c per day
(d) Children of 8 years and under	Free
2. Picnic site fee (Payable in addition to entry fee)	
(a) Person of 16 years of age and over	50c per day
(b) Children under 16 years and over 8 years	50c per day
(c) Children of 8 years and under	Free
3. Bicycle entry permit	50c per day

SECOND SCHEDULE

PERMIT TO ENTER THE GABORONE GAME RESERVE

(Regulation 4 (3))

(Please keep this Permit in your possession at all times)

NB. GOVERNMENT IS EXEMPTED FROM ANY LIABILITY ARISING FROM SUCH VISIT INTO THE RESERVE.

Permission is hereby granted to

of Address

 together with (Number) other persons to enter the Gaborone Game Reserve.

1. ENTRY FEE	NUMBER	TOTAL AMOUNT
(a) each person above the age of 16 years		P.....
(b) each person under 16 years and over 8 years		P.....
(c) children of 8 years and under		Free
2. MOTOR VEHICLE ENTRANCE FEE (Excluding Motor bicycles and scooters)		P.....
3. BICYCLE ENTRANCE FEE		P.....
4. PICNIC SITE OCCUPATION FEE (Additional to other fees)		P.....
(a) each person above age of 16 years		P.....
(b) each person under 16 years and over 8 years		P.....
(c) Children of 8 years and under		Free
GRAND TOTAL		

CONDITIONS

1. This permit is valid for one entry only.
2. This permit is for use during the day time only "DAY TIME" means the period between half past six in the morning and half past six in the evening.
3.

ALLOCATIONS:

OFFICIAL DATE STAMPS

SIGNATURE OF AUTHORISED OFFICER

MADE this 28th day of July, 1987.

M.P.K. NWAKO,
Minister of Commerce and Industry.

Statutory Instrument No. 86 of 1987

REVISION OF THE LAWS ACT
 (Act No. 15 of 1984)
RECTIFICATION OF THE LAWS (NO. 2) ORDER, 1987
 (Published on 14th August, 1987)

ARRANGEMENT OF PARAGRAPHS

PARAGRAPH

1. Citation
2. Rectification of errors

SCHEDULE

IN EXERCISE of the powers conferred on the Law Revision Commissioner by section 10 of the Revision of Laws Act, the following Order is hereby made —

1. This Order may be cited as the Rectification of the Laws (No. 2) Order, 1987. Citation
2. The errors appearing in the short titles of the Acts specified in the Schedule are rectified by substituting for the word "Bill" appearing in the said short titles of each Act, the word "Act". Rectification of errors

SCHEDULE

Palapye Water Supply Project Loan (Authorization) Act, 1987	(No. 8 of 1987)
Francistown Abattoir Project Loans (Authorization) Act, 1987	(No. 11 of 1987)
Geophysical Exploration of Sedimentary Basins of Western Botswana Project Loan (Authorization) Act, 1987	(No. 14 of 1987)

MADE this 5th day of August, 1987.

E.W.M.J. LEGWAILA,
Law Revision Commissioner.