

THE NGORONGORO CONSERVATION AREA RULES

[1st October, 1971]

G.Ns. Nos.
12 of 1972
18 of 1977
337 of 1989

1. Title

The Rules may be cited as the Ngorongoro Conservation Area Rules.

2. Interpretation

In these Rules, unless the context otherwise requires—

"the Act" means the Ngorongoro Conservation Area Act *;

"the Conservator" means the Conservator of the Conservation Area appointed under Section 4 of the Act.

"the Crater" means the Ngorongoro Crater;

"the Gorge" means the part of the Oldupai Gorge, which is demarcated or fenced off from the remaining part of the Gorge as a protected area;

"licensed professional guide" means any person who holds a certificate issued by the College of African Wildlife Management or any other College or Institution recognised by the Conservator for the purposes of these Rules, including a professional hunter, licensed under the provisions of section 26 of the Wildlife Conservation Act *, who whether on foot or in a motor vehicle or otherwise, for monetary reward, escorts any visitor or tourist with the view to leading such visitor to any natural feature, including wildlife within the Conservation Area;

"licensed safari attendant" means any person other than the professional guide or official guide who is licensed to accompany the tourists in the Conservation Area, including a cook, a driver or a turnboy;

"official guide" means any employee of the Conservation Unit, who holds a certificate issued by the College of African Wildlife Management or any other College or Institution recognised by the Conservator for the purpose of these Rules, who is authorised by the Conservator whether on foot, in a motor vehicle or otherwise, to escort any visitor or tourist to any natural feature, including wildlife within the Conservation Area or the Gorge;

"photographs" means pictures, images or likenesses whether cinematographic or still, obtained by means of a camera;

"professional hunter" means any person holding a professional hunter's licence issued in accordance with the provisions of section 26 of the Wildlife Conservation Act *,

"resident" means a person ordinarily residing in the United Republic of Tanzania;

"tourist" means any person who enters the Conservation Area other than a resident or visitor;

"the Unit" means the Conservation Unit including any person employed by the Unit to work in the Conservation Area;

"**visitor**" means any person other than a tourist or a resident who enters the Conservation Area for the purposes of trade, business or employment and includes any person employed by the Government or Masai District Council who enters the Conservation Area in the course of his employment.

3. Tourist's and visitor's permits

(1) Every tourist or visitor who enters or wishes to enter the Conservation Area shall first obtain a tourist's permit from the Conservator.

(2) Such permit shall be obtained—

(a) before entry, on application by post to the Conservator at the Conservation Office in Arusha; or

(b) in the case of tourists or visitors entering the Conservation Area at Lodoare Gate or Naapi Hill Gate, on entry at such points; or

(c) in the case of the tourists or visitors who do not apply for a permit from the Conservator by post in accordance with the provisions of subparagraph (a) of paragraph (2) or who do not enter the Conservation Area at Lodoare Gate or Naapi Hill Gate, shall obtain a permit within one week after the entry or before leaving the Conservation Area, whichever shall be the sooner at the Conservation Office, at Ngorongoro.

(3) Any person who enters and remains in the Conservation Area without a permit for more than one week after his entry in the Conservation Area shall be guilty of an offence against these Rules.

(4) The permits issued under paragraph (2) shall be in the Form prescribed in the First Schedule hereto.

4. Crater and camper's permits

(1) In addition to the tourist's or visitor's permit referred to in rule 3 of these Rules, every tourist or visitor who intends to visit the Crater shall obtain a Crater Permit issued by the Conservator.

(2) In addition to the tourist's and visitor's permit referred to in rule 3 of these Rules every tourist or visitor who intends to spend one or more nights in the Conservation Area otherwise than in dwelling house, hotel or lodge or other building shall before entering the Conservation Area, obtain camper's permit issued by the Conservator.

(3) The permits mentioned in paragraph (2) of this rule shall be obtained at the Conservator's office or the Crater Gates at Ngorongoro.

5. Gorge permits

(1) In addition to the tourist's and visitor's permit referred to in rule 3 of these Rules, every tourist or visitor who intends to visit the Oldupai Gorge shall obtain a permit which shall be available either at the entrance to the Gorge or the Conservator's office.

(2) No person shall enter the Gorge unless he is accompanied by an official guide or, if he is with a group of tourists or visitors, such a group is accompanied by an official guide.

(3) A fee payable by every tourist or visitor or group of tourists or visitors in respect of the official guide accompanying the tourists or visitors shall be as prescribed in the Second Schedule hereto.

6. Official guide, professional guide and safari attendant to act as guides

(1) No person other than an official guide, a licensed professional guide, a licensed safari attendant or an employee of the Conservation Unit, authorised in writing by the Conservator, may act as a guide or safari attendant, as the case may be, within the Conservation Area.

(2) Any person who acts as an official guide, professional or safari attendant without having first obtained a licence or without the written authority of the Conservator or who contravenes any of the provisions of these Rules commits an offence against these Rules.

7. Permit to act as a guide or safari attendant

(1) Any person who intends or is required to act as a professional guide or safari attendant within the Conservation Area shall apply in writing to the Conservator for a licence to act as a professional guide or safari attendant.

(2) Such an application shall be accompanied by the appropriate fee prescribed in the Second Schedule hereto.

(3) A licence shall be valid for a period of one year or for three months. Unless previously cancelled, a yearly licence shall expire on the thirtieth day of December, and a three-month licence shall expire on the following thirtieth day of September, thirty-first day of December, thirty-first day of March or thirtieth day of June, whichever is the earliest.

(4) The Conservator may, while issuing a licence or permit endorse on such licence or permit such terms and conditions as may be necessary to secure the physical safety of any tourist or visitor escorted by the professional guide or safari attendant or the protection of the wildlife from disturbance or fright, and where any such terms or conditions are endorsed on a licence or permit such licence or permit shall be valid only subject to such terms and conditions.

(5) When any guide or safari attendant contravenes any provision of the Act or condition endorsed on the licence or permit or conducts himself in such a manner, as to endanger the safety of any tourist or visitor under his charge or to disturb or frighten any wildlife, the Conservator shall cancel such licence or permit without refund.

8. Certificate of residence

(1) Every person to whom the provisions of the Act apply and who resides in or intends to reside in or intends to enter the Conservation Area and reside within the Conservation Area shall first obtain a resident certificate from the Conservator.

(2) Upon being satisfied that the applicant for a residence certificate is a person to whom the provisions of paragraph (1) of this Rule apply, the Conservator may issue a certificate to such a person subject to such conditions as he may deem fit to impose. A certificate issued to such an applicant shall be in the form prescribed in the First Schedule hereto.

(3) Any person to whom paragraph (1) of this rule applies and who resides in or within or enters in the Conservation Area without a certificate commits an offence:

Provided that the provisions of this paragraph shall not come into operation until after the expiration of ninety days from the date of coming into operation of these Rules.

(4) The Conservator may revoke the certificate of any person who is convicted of any offence against these Rules.

(5) Any person to whom a certificate of residence is issued under this rule shall upon demand produce the same to the Conservator, Assistant Conservator or any other person authorised in writing by the Conservator in that behalf.

(6) The Conservator or any person authorised by the Conservator in writing may require any person within the Conservation Area without a permit or certificate to leave the Conservation Area and any person who fails to comply with such an order within a reasonable time commits an offence against these Rules.

9. Validity of licences and refusal to issue certificates

(1) A certificate issued under these Rules shall be valid for such period and shall be subject to such conditions as may be imposed by the Conservator and endorsed on the certificate.

(2) The Conservator may endorse on the licence, permit or certificate any conditions which he may deem fit to impose.

(3) Any person who is aggrieved by the decision of the Conservator or of any person authorised by him in writing concerning the refusal to issue a permit, licence or certificate of residence may within fourteen days of being notified of such refusal appeal against such refusal to the Minister whose decision shall be final.

(4) The Minister may either confirm the refusal or condition or may vary, modify or quash the order or condition or direct the issue of a licence or permit, with or without conditions, as the case may be, and the Conservator shall give effect to such directions.

10. Motor vehicle permits

(1) No motor vehicle may be driven in or within the Crater unless a motor vehicle permit in respect of such motor vehicle has previously been obtained from the Conservator by the person in charge thereof.

(2) No person shall drive or cause to be driven, a motor vehicle at a speed exceeding twenty-five miles an hour inside the Crater, except in an emergency or where authority has previously been obtained from the Conservator.

11. Road barriers

(1) The Conservator may for the purpose of controlling entry into the Conservation Area, erect and maintain road barriers on the public highway or any track within the Conservation Area.

(2) The Conservator or any person duly authorised in writing by him may, for such periods or such times as he may consider necessary for the protection of the highway or track or due to weather conditions, by notice in the *Gazette* in that behalf, close to any kind of traffic; or vehicle

any highway or track or part of the highway or track within the Conservation Area, unless the person in charge of any such vehicle first obtains the permission of the Conservator to travel on any such road or track.

12. Display of signs and advertisement

(1) Except with the permission of the Conservator and in accordance with the permit issued by the Conservator or any person authorised by the Conservator in writing in that behalf no person shall—

(a) erect or display any notice or advertisement in or within the Conservation Area or at any entrance gate or on any boundary of the Conservation Area; or

(b) collect any money from members of the public or sell any goods or offer any goods for sale or purchase any goods or carry on any trade, within the Conservation Area.

(2) Such permit shall specify the form, size, location of such sign and design or advertisement or stall or stand and shall be subject to such other terms and conditions as may be imposed by the Conservator and endorsed on the permit.

13. Fees

(1) The fees prescribed in the Second Schedule hereto shall be payable in respect of the permits, licences and other facilities provided in the Conservation Area by the Conservator or the Conservation Unit:

Provided that the Conservator may exempt any person or group or class of persons from the payment of the whole or any part of such fees.

(2) The concession fees to be paid to the Unit by the hotel owners shall be paid in arrears at the end of each month in respect of which the fee is payable.

(3) Every person who stays in a Government Rest House situated within the Conservation Area shall pay a fee specified in the Second Schedule hereto.

14. Penalty

Any person who commits any offence under these Rules shall be liable on conviction to a fine not exceeding one thousand shillings or to imprisonment for a term not exceeding three months or to both such fine and imprisonment, and in the case of a second and subsequent offence to a fine not exceeding three thousand shillings or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

15. Revocation

The Ngorongoro Conservation Area (Control of Guides) Rules, 1963, and the Ngorongoro Conservation Area Rules, are hereby revoked:

Provided that all the permits, licences and certificates which were issued before the coming into operation of these Rules shall be deemed to continue to be valid until such time as they expire or they are revoked.