

THE WILDLIFE CONSERVATION ACT, 1974

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THE UNITED REPUBLIC OF TANZANIA



No. 12 OF 1974

ASSENT,

Julius K. Nyerere
President

30 JULY, 1974

An Act to repeal and replace the Fauna Conservation Ordinance, to make provision for the protection, conservation, development, regulation and control of Fauna and Fauna products and for matters incidental thereto and connected therewith

[.....]

ENACTED by the Parliament of the United Republic of Tanzania.

PART I

PRELIMINARY

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| <p>1. This Act may be cited as the Wildlife Conservation Act, 1974 and shall come into operation on such date as the Minister may by notice in the <i>Gazette</i> appoint.</p> | <p>Short title and commencement</p> |
| <p>2.-(1) In this Act, unless the context otherwise requires-</p> <p>"aerodrome" means any area of land or water designed, equipped, set apart or commonly used for affording facilities for the landing and departure of aircraft,</p> <p>"animal" means any kind of vertebrate animal and the young and egg thereof, other than domestic animals;</p> <p>"authorized officer" means the Director, a Game Management Officer, a Game Warden, a Game Assistant, a Field Assistant or a Police Officer and includes-</p> <p>(a) an employee of the Forest Division of or above the rank of Field Assistant;</p> <p>(b) an employee of the national parks of or above the rank of Park Guide;</p> <p>(c) an employee of the Fisheries Division of or above the rank of Field Assistant;</p> <p>(d) any public officer or other person appointed as such by a writing signed by the Director;</p> | <p>Interpretation</p> |

- "authorized organization" shall have the meaning assigned thereto by section 26.
- "capture" includes any act immediately directed at the taking of any animal, nest or egg;
- "Commissioner of Customs" includes a customs officer employed by the Customs and Excise Department of the East African Community;
- "conservation area" means-
- Cap. 412 (a) a game reserve established under section 5;
- (b) a national park established under the National Parks Ordinance;
- Cap. 413 (c) the Ngorongoro Conservation Area established by the Ngorongoro Conservation Area Ordinance;
- Cap. 389 (d) a forest reserve established under the Forests Ordinance;
- "dangerous animal" means any animal for the time being specified in the Fourth Schedule to this Act;
- "designated organization" shall have the meaning assigned to that expression by section 26;
- Cap. 16 "dwelling house" has the meaning assigned to that expression in the Penal Code;
- "Director" means the Director of Game appointed under section 3;
- "export" means to take or cause to be taken from within Tanganyika to any place outside Tanganyika;
- "fish" means all forms of aquatic or amphibious life (including turtles, crabs, shell fish) and the spat, brood, fry, spawn, ova or young thereof;
- "game" and "game animal" means any animal specified in any Schedule to this Act and includes the eggs and young of any such animal;
- "game bird" means any bird specified in any Schedule to this Act and includes the eggs and young thereof;
- "game controlled area" means any area declared to be a game controlled area by an order made under section 6.
- "game licence" means any licence issued under the provisions of Part IV of this Act for the hunting of an animal;
- "game officer" means a game officer appointed under section 4;
- "game reserve" means any area declared to be a game reserve by an order made under section 5,
- "hide" means any form of man-made screen, fence, platform, pit or ambush intended to conceal a hunter;
- Cap. 167 "highway" shall have the meaning assigned to that expression in the Highways Ordinance;
- "horn" includes rhinoceros horn;
- "hours of darkness" means the period commencing at 6.30 p.m. on any day and expiring at 5.30 a.m. on the following day;
- "hunting" includes any act directed or incidental to the killing of any animal;

- "ivory" means elephant ivory;
- "licensing officer" means any game officer or any other person whom the Minister may, by notice in the *Gazette*, appoint to be a licensing officer for the purposes of this Act;
- "livestock" includes cattle, sheep, goats, pigs, horses, mules, donkeys and all other domesticated animals and their eggs and young;
- "manufactured trophy" means any article made either wholly or partly, of or from any durable part of an animal by subjecting such part to any chemical or mechanical process, tanning, sawing or other process whatsoever;
- "meat" includes the fat, blood or flesh of any animal fresh, dried, pickled or otherwise preserved;
- "mechanically propelled vehicle" means all vehicles, including watercraft and aircraft, which receive their motive power from internal combustion, steam, reaction or electrical propulsion;
- "Minister" means the Minister for the time being responsible for matters relating to the conservation of fauna;
- "national park" means an area set aside as a National Park under the Provisions of the National Parks Ordinance;
- "the Ordinance" means the Fauna Conservation Ordinance;
- "owner" in relation to any land means the person holding or deemed by any written law to be holding right of occupancy over the land and includes a lessee, a mortgagee in possession and any person authorized by the owner, lessee or mortgagee to act on his behalf in his absence;
- "partial game reserve" means any area declared to be a partial game reserve by an order under section 13;
- "private land" means any land held or deemed by any written law to be held under a right of occupancy;
- "purchase" and "sell" include barter;
- "road" means any highway and any other road to which the public has access and includes bridges over which a road passes but does not include a road or part of a road within the cartilage of a dwelling house;
- "trophy" means any animal, alive or dead, and any horn, ivory, tooth, tusk, bone, claw, hoof, skin, meat, hair, feather, egg or other portion of any animal and includes a manufactured trophy;
- "trophy dealer" means any person who engages in the buying, selling, cutting, carving, polishing, cleaning, mounting, preserving or processing of trophies;
- "vehicle" means a vehicle of any description whatsoever and howsoever drawn or propelled, and includes a vessel and an aircraft;
- "vessel" means a ship, boat, dhow, submarine and every other kind of watercraft used in navigation, either on the sea or in inland waters, and includes a seaplane and any amphibious craft;

"weapon" means any firearm, dart-gun, missile, explosive, poison, poisoned bait, spear, knife, axe, hoe, pick, bow and arrows, club, stakes, pitfall, net, gin, trap, snare or any combination of these, and any other device whatsoever capable of killing or capturing an animal;

"wound" means: any incision or puncture which divides or pierces any exterior membrane of the body and includes maiming.

(2) The Director may by notice in the *Gazette* or by a writing under his hand delegate to any public officer all or any of his functions under this Act, and where the Director has so delegated any of his functions then, in respect of. such function, references in this Act to the Director shall include references to the public officer to whom such function has been delegated.

(3) Where pursuant to subsection (2) the Director has delegated any function by a writing under his hand, such writing shall be admissible as evidence before any court and shall be *prima facie* evidence of such delegation as well as of the fact that the person whose signature appears thereon held the office of the Director when the same was signed.

(4) References in 'this Act to the Ordinance or this Act include references to all subsidiary legislation made under the Ordinance or this Act, as the case may be.

PART II

OFFICERS

Director
of Game

3. (1) There shall be a Director of Game who shall be appointed by the President.

(2) The Director shall be responsible for the proper administration and other officers.

Game
officers

4. The Minister may appoint such number of Game Officers as, in his opinion, may be necessary for the efficient administration of this Act.

PART III

PROTECTED AREAS AND GENERAL RESTRICTIONS

(a) *Game Reserves and Game Controlled Areas*

Establish-
ment of
Game
Reserves

5.(1) The President may, by order in the *Gazette*, declare any area of Tanganyika to be a game reserve.

(2) The President may by order in the *Gazette* apply any condition applicable to a game reserve to any area of Tanganyika, and, upon such order being made the condition specified therein shall apply to the area in relation to which the order is made as if such area were a game reserve, and any contravention of such condition in or in relation to such area shall be punishable accordingly.-

6. The Minister may, by order in the *Gazette*, declare any area of Tanganyika to be a game controlled area. :-

Establishment of controlled areas

7.-(1) No person other than-

(a) a person whose place of ordinary residence is within the and reserve; or

Restriction on entry into and residence in game reserves

(b) a person traveling through the reserve along a highway, shall enter a game reserve except by and in accordance with the written authority of the Director previously sought and obtained.

(2) Any person who contravenes any provision of this section or contravenes any condition attached to any authority granted under subsection (1) shall be guilty of an offence, and shall be, liable on conviction to a fine not exceeding five thousand shillings or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment.

8.-(1) No person shall be in possession of a firearm or bow or arrow in a game reserve without the written -permission of the Director" previously sought and obtained.

Restriction on carriage of weapons in game reserves

(2) Any person who contravenes any provision of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand shillings or to imprisonment for a term not exceeding twelve months or to both such fine and such imprisonment.

9.-(1) No person shall wilfully or negligently cause any bush or grass fire, or fell, cut, bum, injure or remove any standing tree, shrub, bush, sapling, seedling or any part thereof in a game reserve except by and in accordance with the written permission previously sought and obtained of the Director as well as if any part of the game reserve is included in a forest reserve, the Director of Forestry or his duly authorized representative:

Protection of vegetation in game reserves

Provided that any person' whose place of residence is within the reserve my without such permission fell trees for the purpose only of building dwellings for himself and his dependants and domestic employees, so however that this proviso shall be without prejudice to any provision of any other written law. restricting the felling of trees m any forest reserve or other area.

(2) Any person, who contravenes any provision of this section or contravenes any condition attached to any authority granted under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand shillings or to imprisonment for a term not exceeding two years or to both such fine and such imprisonment.

10.-(1) No person shall, save with the permission in writing of the Director previously, sought and obtained and in the manner specified in such, writing" hunt, capture, kill, wound or molest any animal (including fish) in any game reserve or a game controlled area:

Hunting in game reserve or game controlled area

(2) Any person who contravenes any provision of this section or contravenes any condition attached to any authority granted under subsection (1) shall be guilty of an offence and shall be liable on conviction-

- (a) in the case where the conviction relates to the hunting, capture or killing of an animal specified in Part I of the First Schedule to this Act, to imprisonment for a term of not less than three years but not exceeding seven years and the court may in addition thereto impose a fine not exceeding one hundred thousand shillings;
- (b) in the case where the conviction relates to the hunting, capture or killing of an animal specified in Part II of the First Schedule to this Act, to imprisonment for a term of not less than two years but not exceeding five years, and the court may in addition thereto impose a fine not exceeding fifty thousand shillings-;
- (c) in the case where the conviction relates to the hunting, capture or killing of an animal specified in Part III of the First Schedule to this Act, to imprisonment for a term of not less than one year but not exceeding three years and in addition thereto the court may impose a fine not exceeding twenty thousand shillings;
- (d) in the case of any other offence, to a fine of not less than three thousand shillings but not exceeding twenty thousand shillings or to imprisonment for a term of not less than three months but not exceeding two years.

Other restrictions applying to game reserves and game controlled areas

11.-(1) Save with the written permission of the Director previously sought and obtained, no person shall, within any game reserve or game controlled area-

- (a) dig, lay, or construct any pitfall, net, trap, snare or other device whatsoever, capable of killing, capturing or wounding any animal;
- (b) carry or have in his possession or under his control any weapon in respect of which he fails to satisfy the Director that it was 'intended to be used for a purpose other than the hunting, killing, wounding or capturing of an animal.

(2) Any person who contravenes any of the provisions of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding two years or to both such fine and such imprisonment.

Restrictions on grazing livestock in game reserve

12.-(1) No person shall, save with the written permission of the Director previously sought and obtained, graze any livestock in any game reserve.

(2) Any person who contravenes any of the provisions of this section shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding two years.

(b) *Partial Game Reserves*

13. The Director may, by order in the *Gazette*, declare any area of Tanganyika to be a partial game reserve for any animal or class of animals (hereinafter in this Act referred to as "protected animals").

Establishment of partial game reserve

14. Any person who without the permission of the Director previously sought and obtained hunts, captures, kills, wounds or molests any protected animal in a partial game reserve shall be guilty of all offence and shall be liable on conviction-

Restrictions relating to partial game reserve

- (a) in the case of a conviction for hunting, capturing or killing a protected animal, to imprisonment for a term of not less than three years but not exceeding seven years;
- (b) in any other case to a fine of not less than three thousand shillings but not exceeding twenty thousand shillings or to imprisonment of not less than three months but not exceeding two years.

(c) *Declaration of National Game*

15. The Minister may, by order in the *Gazette*, declare any animal or class of animals to be a national game.

Declaration of national game

16.-(1) No person shall except by and in accordance with the written permission of the Director previously sought and obtained hunt, kill, capture or wound any animal which is a national game.

Restrictions relating to national game

(2) Any person who contravenes any of the provisions of this section or contravenes any condition attached to any permission granted under subsection (1) shall be guilty of an offence and shall be liable on conviction to-

- (a) in the case where the conviction relates to the hunting, capture or killing of a national game, to imprisonment for a term of not less than three years but not exceeding seven years and in addition thereto the court may impose a fine not exceeding one hundred thousand shillings;
- (b) in any other case, to a fine of not less than three thousand shillings but not exceeding twenty thousand shillings or to imprisonment of not less than three months but not exceeding two years.

(d) *Close Season*

17. The Minister may, by order in the *Gazette*, prohibit, restrict or regulate the hunting, killing or capture of any animal or class of animals in any area of Tanganyika during such period as he may specify in such order (such period so specified is hereinafter referred to as "close season").

Declaration of close season

Restrictions relating to close season

18.-(1) Where an order under section 17 has been made in respect of any area of Tanganyika, no person shall during the close season hunt, kill, capture or wound within such area any animal to which such order applies except by and in accordance with the permission of the Director.

(2) Any person who contravenes any of the provisions of this section or contravenes any condition attached to any permission granted under subsection (1) shall be guilty of an offence and shall be liable on conviction-

- (a) in the case where the conviction relates to the hunting, capture or killing of an animal specified in Part I of the First Schedule to this Act, to imprisonment for a term of not less than three years but not exceeding seven years and the court may in addition thereto impose a fine not exceeding one hundred thousand shillings;
- (b) in the case where the conviction relates to the hunting, capture or killing of an animal specified in Part II of the First Schedule to this Act, to imprisonment for a term of not less than two years but not exceeding five years, and the court may in addition thereto impose a fine not exceeding fifty thousand shillings;
- (c) in the case where the conviction relates to the hunting, capture or killing of an animal specified in Part III of the First Schedule to this Act, to imprisonment for a term of not less than one year but not exceeding three years and in addition thereto the court may impose a fine not exceeding twenty thousand shillings;
- (d) in any other case, to a fine of not less than three thousand shillings but not exceeding twenty thousand shillings or to imprisonment of not less than three months but not exceeding two years.

(e) *Miscellaneous Provisions*

President may lift restrictions

19. The President may, by order in the *Gazette*, modify any of the restrictions imposed by this Part in relation to game reserves, game controlled areas and partial game reserves, and where any such order is made, the provisions of this Part shall take effect subject to the provisions of the order.

Where any area is a national etc.

20.-(1) Nothing in this Act shall be construed as empowering the Director to grant any permission for the hunting, killing, capture or wounding of any animal in any national park in contravention of the provisions of the National Parks Ordinance. ,

(2) Where any game reserve, game controlled area or partial game reserve, or any portion thereof, falls also within the conservation area established under the Ngorongoro Conservation Area Ordinance, the Director shall not grant any permission for the hunting, killing, capture or wounding of any animal within such area without the prior consent of the Conservator of the Ngorongoro Conservation Area.

PART IV

HUNTING, CAPTURING AND PHOTOGRAPHING OF ANIMALS

(a) Hunting of Animals

- 21.** In this Part-
 "specified animal" means an animal specified in the, Second Schedule to this Act;
 "scheduled animal" means an animal specified in the Third Schedule to this Act.
- 22.**-(1) The President may, by order in the Gazette, declare any category of persons as being a category of persons who shall not be granted any game licence in relation to any category of animals specified in the order.
- (2) Where an order under subsection (1) is made in relation to any category of persons, no person belonging to that category shall be entitled to apply for or obtain a game licence in respect of any animal to which the order applies and any such licence granted to any such person shall be void and ineffective.
- 23.** Save as otherwise expressly provided in this Act, no person shall hunt any specified animal or scheduled animal except under and in accordance with the conditions of a valid game licence issued to him, under this Act:
- Provided that the Minister may, by order, permit any person or category of persons to hunt any specified or scheduled animal without a game licence.
- 24.** The Minister may, by order in the *Gazette*, amend, add to, vary or replace the Second and the Third Schedules to this Act.
- 25.**-(1) Game licences may be issued by a licensing officer upon an application made therefor in writing in the prescribed form and upon payment by the applicant of the prescribed fee.
- (2) No game licence shall be granted to an applicant who fails to satisfy the licensing officer-
- (a) that he has attained the apparent age of eighteen years;
 - (b) that he is in possession of a valid firearm licence in respect of the firearm intended to be used in hunting;
 - (c) in the case of a licence for the hunting of a specified animal, that he is a citizen of the United Republic or that he has been ordinarily resident in the United Republic for a period of not less than twelve months immediately preceding the date of the application;
 - (d) that he has a reasonable knowledge of the use of a firearm for the purpose of game hunting;
- (3) The licensing authority may require an applicant for a game licence to appear before him and answer any question or produce any document relevant to any of the matters referred to in subsection (2) and the firearm proposed to be used.

Interpretation

President may restrict grant of licence and permits

No hunting without licence

Amendment of Second and Third Schedule

General provisions relating to game licences

Authorized associations and designated organization

26.-(1) The Minister may, by order in the *Gazette*, declare any body of persons, whether corporate or unincorporated, or any ujamaa village to be an authorized association for the purposes of this Act.

(2) The Minister may, by order in the *Gazette*, declare any body corporate to be a designated organization for the purposes of this Act.

Issue of game licences for specified animals to authorized associations

27.-(1) A licensing officer may grant a game licence for the hunting of a specified animal to any authorized association:

Provided that the licensing officer shall not grant a game licence for the hunting of a specified animal to any authorized association unless he is satisfied that the meat of the animal hunted will be made available for consumption by all the members of the association.

(2) A game licence granted to an authorized association under subsection (1) shall entitle any member of the authorized association who has attained the apparent age of eighteen years to hunt, in accordance with the conditions of the licence, the animal specified therein.

Issue of game licences for scheduled animals to designated association

28.-(1) The Director may grant a designated organization a licence to generally hunt such number of scheduled animals subject to such terms and conditions and for such period as may be specified therein.

(2) A game licence granted to a designated organization under subsection (1) shall entitle any member, employee or agent of the organization who has attained the apparent age of eighteen years to hunt, in accordance with the terms and conditions of the licence, any scheduled animal which may lawfully be hunted under such licence.

Minister may regulate issue of game licences

29. The Minister may, by regulations made under this Act-

(a) provide that no licence for the hunting of a scheduled animal shall be granted to any person save on the recommendation of a designated organization;

(b) regulate the mode of hunting of scheduled animals;

(c) prescribe the functions of the designated organization in relation to the hunting of animals hunted pursuant to any licence issued on the recommendation of such organization;

(d) authorize, subject to such terms and conditions as he may specify, the issue of a game licence for the hunting of a specified animal to any person who does not, by virtue of the provisions of paragraph (c) of subsection (2) of section 25, qualify for such licence where the application for such licence, is recommended by a designated organization;

(e) provide that no one person shall be granted licence to hunt more than the specified number of any species of animal in any specified area.

30.-(1) Subject to the provisions of section 28 and any regulations made pursuant to section 29, every game licence shall specify the species and number of specified or scheduled animals which may lawfully be prescribed.

Provisions relating to validity of game licence

31. Any person who-

- (a) not being the holder of a valid game licence, hunts, kills or wounds any specified or scheduled animal; or
- (b) being the holder of a valid game licence, hunts, kills or wounds-
 - (i) a specified or a scheduled animal of a specie, category, type or description other than that specified in the licence; or
 - (ii) a number of specified or scheduled animals larger than that authorized by the licence; or
 - (iii) a specified or scheduled animal in an area other than the area specified in the licence,

Unlawful hunting of specified of schedule animal

shall be guilty of an offence and shall be liable on conviction-

- (a) in the case where the conviction relates to the hunting or killing of an animal specified in Part I of the First Schedule to this Act, to imprisonment for a term of not less than three years but not exceeding seven years and the court may in addition thereto impose a fine not exceeding one hundred thousand shilling-;
- (b) in the case where the conviction relates to the hunting or killing of an animal specified in Part II of the First Schedule to this Act, to imprisonment for a term of not less than one year but not exceeding five years, and the court may in addition thereto impose a fine not exceeding fifty thousand shillings;
- (c) in the case where the conviction relates to the hunting or killing of an animal specified in Part III of the First Schedule to this Act, to imprisonment for a term of not less than six months but not exceeding three years and in addition thereto the court may impose a fine not exceeding twenty thousand shillings;
- (d) in any case in which the conviction relates to wounding of an animal, a fine of not less than one thousand shillings but not exceeding twenty thousand shillings or to imprisonment of not less than three months but not exceeding two years.

(b) Capture of Animals

32.-(1) Save as otherwise expressly stated in this Act, no person shall capture any animal, whether or not specified in any Schedule to this Act, except under and in accordance with the conditions of a valid capture permit issued to him under this Act.

No animal to be captured without permit

(2) The Director may grant a capture permit authorizing the capture of any animal for-

- (a) providing a specimen for any zoological garden or similar institution;
- (b) any educational, scientific or cultural purpose;
- (c) any purpose which in the opinion of the Director is in the national interest.

Methods of capture

33. The Director may grant a capture permit subject to such conditions as to the method of capture, care, stabling, feeding crating and exporting of animals as he may consider fit, and shall either specify such conditions in the permit or otherwise communicate them to the person to whom the permit is issued.

General provisions relating to capture permits

34. (1) Every capture permit shall be in the prescribed form specifying the area or areas within which the animal specified therein may be captured.

(2) A capture permit shall be valid for such period as the Director may specify therein.

(3) There shall be charged in respect of a capture permit such fee or royalty as may be prescribed or, where no fee or royalty has been prescribed, such fee or royalty as the Minister may direct.

Unlawful capture of animal

35. Any person who-

(a) not being the holder of a valid capture permit, captures any animal; or

(b) being the holder of a valid capture permit, captures-

(i) an animal of a specie, category, type or description other than that specified in the permit; or

(ii) a number of animals larger than that authorized by the permit; or

(iii) an animal in an area other than the area specified in the permit,

shall be guilty of an offence and shall be liable on conviction-

(a) in the case where the conviction relates to the capture of an animal specified in Part I of the First Schedule to this Act, to imprisonment for a term of not less than two years but not exceeding seven years and the court may in addition thereto impose a fine not exceeding one hundred thousand shillings;

(b) in the case where the conviction relates to the capture of an animal specified in Part II of the First Schedule to this Act, to imprisonment for a term of not less than one year but not exceeding five years, and the court may in addition thereto impose a fine not exceeding fifty thousand shillings;

(c) in the case where the conviction relates to the capture of an animal specified in Part M of the First Schedule to this Act, to imprisonment for a term of not less than six months but not exceeding three years and in addition thereto the court may impose a fine not exceeding twenty thousand shillings;

(d) in any other case, to a fine of not less than three thousand shillings but not exceeding twenty thousand shillings or to imprisonment for a term of not less than three months but not exceeding two years.

(q) Commercial game photography

36.-(1) No person shall engage in photographing animals for commercial purpose except under and in accordance with the conditions of a commercial game photography permit:

Commercial
game
photography

Provided that this section shall not apply in relation to the photographing by the holder of a licence or permit granted under this Act of any animal involved in any activity lawfully carried on pursuant to such licence or permit.

(2) Any person who contravenes any of the provisions of subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand shillings.

(3) For the purposes of this section-

- (a) "photograph" means any product of photography or any process akin to photography and includes cinematograph;
- (b) a person shall be deemed to engage in photographing animals for commercial purposes if-
 - (i) he intends to sell or exhibit for gain or reward the photograph or cinematograph film produced;
 - (ii) he engages in such photography on behalf of any other person for any monetary gain or reward;
 - (iii) he is a person who is ordinarily engaged in the business of a photographer or cinematograph producer.

(4) Where in any proceedings for an offence under this section the court is satisfied that the accused took any photograph of any animal the court shall, unless the accused satisfies the court to the contrary, presume that-

- (a) the photograph was taken for the purposes of commercial photography;
- (b) the proviso to subsection (1) does not apply to the accused.

37.-(1) The Director may grant a commercial game photography permit on such terms and conditions as he may specify and upon payment of such fee as may be prescribed.

Provisions
relating to
game
photography
permit

(d) Miscellaneous provisions relating to hunting

38.-(1) No person shall without the written authority of the Director previously sought and obtained, hunt, kill or wound any animal regardless of the fact that such animal is not specified in the Second or Third Schedules to this Act.

Hunting of
unscheduled
animals
without
permit

(2) Any person who contravenes the provisions of this section shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding three years.

Killing of young animals to be an offence

39. No licence, permit or authority granted under this Act shall, unless it is specifically stated therein, be construed as authorizing the holder thereof to hunt or kill the young of any animal or any female animal which is apparently pregnant or which is accompanied by its young and any person who, holding a valid licence, permit or authority to hunt an animal of any species, hunts the young of that species or the female of that species which is pregnant or is accompanied by its young shall, unless the hunting of such young or such female is expressly authorized by the licence, permit or authority, be guilty of having hunted, killed or wounded the same without a licence, permit or authority and be liable to be punished accordingly.

Hunting or capture on private land

40.-(1) No person shall hunt or capture any animal on a private land unless-

- (a) he is the holder of a valid licence, permit or written authority issued or granted under this Act to hunt, or as the case may be, to capture such animal; and
- (b) the owner of the private land has given his consent thereto.

(2) Notwithstanding the provisions of subsection (1) where the Director is of the opinion that it is in the public interest that any animal on any private land be hunted or captured he may by a writing under his hand authorize any person to hunt or capture such animal on such private land and after a copy of such authority has been served on the owner of the private land, it shall be lawful for the person authorized to hunt or capture the animal to proceed to do so without the consent of the owner:

Provided that the person so authorized shall not be entitled, without the consent of the owner, to enter any dwelling house or other building on such land.

- (3) Any person who-
 - (a) not being a person authorized under subsection (2) so to do, hunts or captures any animal on a private land without the consent of the owner;
 - (b) being a person so, authorized contravenes the provisions of the proviso to subsection (2);
 - (c) being the owner of any private land who has been served with a copy of any authority granted under subsection (2), obstructs the person authorized to hunt or capture any animal on such private land from entering on the private land or from hunting or capturing the animal,

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding three years.

President's licence

41.-(1) Notwithstanding the other provisions of this Act, it shall be lawful for the Director, with the consent of the Minister and upon such conditions as he may consider fit, with or without a fee to grant to any person a President's licence in the prescribed form authorizing the holder thereof to hunt, capture or photograph the animals specified therein for the purpose of-

- (a) scientific research;
- (b) display in a museum, zoo, or similar establishments;
- (c) educational activity;
- (d) cultural activity;
- (e) complimentary gift; or
- (f) supply of food in cases of emergency.

(2) A president's licence may authorize the hunting, capture or photography of any animal whether or not such animal is protected by any other provision of this Act or other written law.

42.-(1) The Director may, as a condition to the grant of any licence, permit or other authority under this Act, direct that the applicant shall give a security for compliance with the provisions of this Act and any subsidiary legislation made hereunder either by depositing with the Director such sum of money, not exceeding five thousand shillings or executing a bond, with or without sureties, for such amount not exceeding five thousand shillings, as the Director may decide.

Security for compliance with this Act

(2) Where a person who has given a security under this section contravenes any of the provisions of this Act or any subsidiary legislation made hereunder during the period of nine months immediately succeeding the date on which such security is given, then, notwithstanding any penalty which may have been or may be imposed upon such person for such contravention-

- (a) where a sum of money was deposited with the Director, such sum of money or such part thereof as the Director may direct, shall be forfeited to the Government;
- (b) where a security bond was executed, the bond shall be enforceable by the Director on behalf of the Government either in relation to the whole amount specified therein or such Part of such amount as the Director may decide.

43.-(1) No person shall without the prior consent in writing of the Director transfer or assign him any other person any licence, permit or other authority granted to under this Act and any such purported transfer or assignment without such consent shall be void.

License etc, not transferable

(2) Any person who without the prior consent in writing of the Director purports to transfer or assign to any other person or accepts a transfer or assignment to himself of any licence, permit or authority granted under this Act shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding three years or to both such fine and imprisonment.

Recording of
game and
surrender of
licence

44.-(1) Any person to whom there has been issued any licence, permit or written authority under this Act shall-

- (a) carry such licence, permit or authority with him when exercising the rights thereby conferred;
- (b) record thereon in Swahili or English in indelible writing, in the space provided thereof, all relevant details of all animals killed or captured by him in the exercise of the rights thereby conferred and no animal so killed, nor any part thereof shall be removed from the place where it fell unless all such details have been first so recorded;
- (c) not later than thirty days after the expiry of such licence, permit, or authority, or where he proposes to depart from Tanzania or the area for which such licence, permit or authority is valid before the date of such departure, surrender such licence, permit or authority to the licensing officer who issued it and shall sign a declaration certifying the accuracy of the record of game killed or captured in the presence of such officer.

(2) The licensing officer to whom any licence, permit or other authority is surrendered shall countersign the declaration made thereon in the space provided for such countersignature.

(3) Any person who contravenes any of the provisions of subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding three years or to both such fine and such imprisonment.

Extension of
licences by
Director

45. The Director may, in his discretion, extend the period of validity of any licence, permit or other authority granted under this Act, by a period not exceeding three months if in his opinion the holder thereof was prevented from exercising the rights thereby conferred by any reasonable cause.

Refund of
fee

46. Where in the opinion of the Director the holder of a licence, permit or other authority granted under this Act has failed to exercise any of the rights conferred thereby and it is not desirable, expedient or practical to extend the period of validity of such licence, permit or authority, the Director may, in his absolute discretion, refund the fee or any part thereof paid for such licence, permit or authority.

Animal
killed by
accident
in error

47.-(1) Any person who kills an animal specified in any of the Schedules to this Act by accident or in error shall as soon as may be or practicable thereafter-

- (a) remove from such animal any skin, ivory, horn, tooth or any other valuable trophy.
- (b) report the fact and the circumstances of such killing to the nearest Game Officer;

- (c) hand over to such Game Officer any trophy removed from such animal, which trophy shall be the property of the Government and shall be disposed of as the Director may direct; and
- (d) if so required by such Game Officer. show him the place or site where the animal was killed.

(2) An animal shall be deemed not to have been killed by accident or in error if the person killing it is the holder of a licence, permit or authority., entitling him to hunt an animal of that specie.

(3) Any person who fails to comply with any of the provisions of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty thousand shillings or imprisonment for a term not exceeding three years or to both such fine and such imprisonment.

48.-(1) The animals specified in the Fourth Schedule to this Act are hereby declared to be dangerous animals.

Dangerous animals

(2) The Minister may, by order in the *Gazette*, amend, vary or replace the Fourth Schedule to this Act.

49.-(1) Any person who wounds any animal shall use all reasonable endeavours to kill it at the earliest opportunity.

Wounding of animals

(2) If a dangerous animal which has been wounded enters a game controlled area, a game reserve, a forest reserve, a national park or the Ngorongoro Conservation Area the person wounding it shall forthwith report such entry to the nearest Game Officer, Forest Officer, Park Warden, or Conservator, as the case may be and such officer shall take all necessary measures to assist such person in killing the animal.

(3) Any person who wounds any dangerous animal and fails to kill it shall forthwith make a report thereof to the nearest Game Officer.

(4) Every report made under subsection (4) shall specify the date, time and place of the wounding, the nature of the wound, the efforts made to kill the animal and such other information as may assist in the locating the animal.

(5) Where any animal is found dead and the Director is satisfied that it is an animal which was wounded and lost by a person holding a licence, permit or authority for the hunting or capture of an animal of the same specie as the animal so found, and that such person-

- (a) after wounding the animal used every endeavour to kill it; and
- (b) on losing the wounded animal, made a report as required by this section,

the Director may, at his discretion, direct that any trophy of such animal be delivered to such person.

(6) Any person who fails to comply with any of the provisions of subsections (1), (2), (3) or (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding three years or to both such fine and such imprisonment.

Killing
animal in
defence of
life or
property
allowed

50.-(1) Nothing in this Act shall make it an offence to kill any animal in defence of human life or property or for the owner or occupier of such property or any person dependent on or employed by-such owner or occupier to drive out or kill by any means what-so-ever any animal found causing damage to such property:

Provided that-

- (a) this section shall not apply to the killing of an animal in defence of life or property if-
 - (i) the behaviour of the animal necessitating such killing is the result of molestation or deliberate provocation by or with the knowledge of the person killing such animal; or
 - (H) the person killing such animal or the person whose life or property is being defended was, when such defence became necessary, committing an act which constitutes an offence under this Act;
- (b) nothing in this section shall be deemed to authorize-
 - (i) the use of stakes in pitfalls or of any other method which is likely to result in undue cruelty to animals or to endanger human life;
 - (ii) the owner or occupier of any property adjoining any conservation area to hunt in such area without the previous consent in writing of the appropriate officer of such conservation area;
 - (iii) the killing of any national game without the written authority of the Director previously sought and obtained.
- (2) Any person killing an animal in defence of life or property shall forthwith-
 - (a) remove from such animal any skin, ivory, horn, tooth or any other valuable trophy;
 - (b) report the fact and the circumstances of such killing to the nearest Game Officer;
 - (c) hand over to such Game Officer any trophy removed from such animal, which trophy shall be the property of the Government; and
 - (d) if so required by such Game Officer, show him the damage caused to such property or the place of such killing.
- (3) The meat of any animal lawfully killed m. defence of human life or property under this section may, with the written authority of the Game Officer to whom such killing is reported, be utilised, by the person killing it and or by the owner or occupier of such property for consumption by himself and his dependants or by any other person specified in such game officer's written authority.
- (4) Any person who contravenes any of the provisions of this section or fails to comply with any lawful direction given' thereunder shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding three years or to both such fine and such imprisonment.

51. Where in any proceedings for an offence under this Act the court is satisfied that an animal was killed or wounded by the accused, the court shall presume that the animal was killed or wounded in the course of it being intentionally hunted by the accused unless the accused proves to the satisfaction of the court that the killing or wounding was an accident beyond his control and that he had taken all reasonable precautions to avoid such an accident or that the killing or wounding was in such circumstances as to be justifiable and lawful under section 49.

Defence of accident or wounding or of killing or wounding in self defence

52. Notwithstanding anything to the contrary in this Act the Director may kill or authorize the killing of any animal in any place, not being a national park or the Ngorongoro Conservation Area.

Destruction of animals

33.-(1) The Director may, by order in the *Gazette*, prescribe the type or class of weapons which may or may not be used for the hunting of any particular species of animals.

Director may regulate type of weapons

(2) Where an order under subsection (1) has been made, any person who hunts any animal or class of animals by means of any weapon prohibited by such order for use in the hunting of animals of that species or any weapon other than of the type or class authorized by such order for use in the hunting of animals of that species shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding three years.

54.-(1) No person shall, except by and in accordance with the written authority of the Director previously sought and obtained-

Unlawful methods of hunting

- (a) use for the purpose of hunting any animal-
 - (i) any mechanically propelled vehicle;
 - (ii) any poison, bait, poisoned bait, poisoned weapon, stakes, pit-fall, net, gin, trap, setgun, missile, explosives, ball ammunition, snare, hide, fence or enclosure;
 - (iii) a dog or any domesticated animal;
 - (iv) any fire-arm capable of firing more than one cartridge as a result of one pressure of the trigger or of reloading itself more than once without further action by the operator;
 - (v) any device capable of reducing or designed to reduce the sound made by the discharge of any firearm;
 - (vi) any artificial light or flare; or
 - (vii) any anaesthetic dart capable of immobilisation;
- (b) for the purpose of hunting any animal cause any grass or bush fire;
- (c) hunt any animal-
 - (i) from any mechanically propelled vehicle or within two hundred metres of such vehicle, except when hunting birds in water;
 - (ii) (other than a hippopotamus, otter, sitatunga, . water-buck or bird) within five hundred metres of any permanent water, pool, waterhole or salt-lick;

(iii) within a kilometre of a national park, a zoological garden, the Ngorongoro Conservation Area or an aerodrome;

(iv) during the hours of darkness.

(2) No person shall-

(a) for the purpose of hunting or while on a hunting trip, camp within a kilometre of any aerodrome;

(b) drug, cut or display any dead animal in the vicinity of any lodge, hotel, zoo or camp frequented by visitors;

(c) throw any animal carcass into any permanent water, pool, water-hole, salt-lick or any place commonly used by animals as a resting place;

(d) leave any animal carcass within two kilometres of any aerodrome or a kilometre of any public road, lodge, hotel or zoo;

(e) leave on any hunting site litter, refuse, unburnt trophy drying racks or a burning fire or leave such site in a state likely to constitute a danger to the public or animal health.

(3) Notwithstanding the provisions of subsection (1) the restrictions imposed by that subsection, other than the restrictions imposed by subparagraph (ii) of paragraph (a) and by paragraph (b), shall not apply where an animal is hunted under and in accordance with the provisions of section 50.

(4) The Minister may by regulations made under this Act impose such further restrictions on the methods of hunting animals as he may deem fit.

(5) Any person who contravenes any of the provisions of subsection (1) or (2) shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding three years.

(e) Provisions Relating to Licences etc.

Refusal,
cancellation
and suspension
of
licence etc.

55. (1) The Director, a Game Officer or a licensing officer may, if in his opinion it is in the public interest so to do-

(a) refuse to issue to any person any certificate, licence, permit, permission or other authority under this Act; or

(b) cancel or suspend any certificate, licence, permit, permission or other authority under this Act:

Provided that in the case of any such cancellation or suspension by a Game Officer or a licensing officer he shall, as soon as may be practicable, report the same to the Director.

(2) Any person aggrieved by any refusal, cancellation or suspension under this section may appeal there against to the Minister within such time and in such manner as may be prescribed, and the decision of the Minister on any such appeal shall be final and conclusive.

56.-(1) Any person-

(a) who has been convicted of an offence under this Act, the Ordinance, the National Parks Ordinance, the Ngorongoro Conservation Ordinance or any written law applicable in any other country and designed for the protection of wildlife in that country;

(b) whose licence, permit, permission or authority granted under this Act or the Ordinance has been canceled or suspended,

shall be disqualified from holding or being granted any licence, permit, permission or other authority under this Act unless and until such disqualification is lifted by the Director by a certificate under his hand.

(2) Any person who fails to inform the Director or any Game Officer or licensing officer at the time of his application or request for any licence, permit, permission or other authority under this Act of the fact that he is, by virtue of subsection (1), disqualified from holding or obtaining any licence, permit, permission or other authority under this Act, shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding three years.

Disqualification from grant of licence etc.

57.-(1) Any licence, permit, permission or authority granted under this Part may be granted subject to such terms and conditions as the person or officer granting the same may deem fit and all such terms and conditions shall be specified on the licence, permit, permission or authority granted:

Provided that the Minister may, by regulations made under this Act, prescribe terms and conditions which shall be deemed to be annexed to any category of licence, permit, permission or authority granted under this Part.

(2) Any person who contravenes any term or condition annexed or deemed to be annexed to any licence, permit, permission or authority shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding three years or to both such fine and such imprisonment:

Licences etc, may be issued subject to conditions

Provided that the penalty provided for by this subsection shall be without prejudice to any penalty specifically prescribed by any other provision of this Act for the contravention of any term or condition annexed or deemed to be annexed to any licence, permit, permission or authority granted under this Part.

PART V

REGISTRATION OF CERTAIN TROPHIES

58. In this Part "trophy" means ivory, rhinoceros horn, hippopotamus teeth, animal tusks, animal horns and skin of any game animal and "manufactured trophy" means any article made from any of the foregoing trophies or from any tooth, tusk, horn, bone, claw, hoof, hair, feather, egg or other durable portion whatsoever of any animal.

Interpretations

Trophy to be produced to licensing officer of the district within a month

59.-(1) Any Person who obtains possession of any trophy shall within thirty days thereof produce such trophy together with the licence, Permit or other authority under which it has been obtained and' any weapon with which the animal from which the trophy was obtained was hunted to the licensing officer having jurisdiction over the area in which such animal was hunted, or to such other officer as such licensing Officer or the Director may in writing direct, for the registration, of the trophy and the issue of a trophy certificate in respect thereof.

(2) Any Person who obtains possession of any manufactured trophy shall within thirty days of obtaining possession Of the manufactured trophy produce the manufactured trophy to a licensing officer for registration:

Provided that this subsection shall not apply where such person already holds a certificate of registration in relation to the trophy.

(3) Registration of trophy or manufactured trophy shall be effected in such manner as may be Prescribed and upon registration the owner shall be issued with a certificate of registration in the Prescribed form.

(4) If the officer to whom a trophy or a manufactured trophy is produced is not satisfied that the trophy or, as the case may be, the manufactured trophy was obtained lawfully by the person producing the same for registration, he may retain the same pending further investigation:

Provided that if no proceedings are instituted in relation to the trophy or the manufactured trophy within six months of the date when it was first produced for registration, the trophy or, as the case may be, the manufactured trophy shall be liable on conviction certificate of registration issued.

Offences relating to non-registration

60.-(1) Any Person who has in his Possession any trophy or manufactured trophy and does not hold a certificate of registration in respect thereof shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding three years:

Provided that in any proceedings for an offence under this subsection the accused shall be entitled to be acquitted if he can satisfy the court-

- (a) that he has since the commencement of the proceedings lawfully Obtained a certificate of registration in respect of the trophy or, as the case may be, the manufactured trophy;
- (b) that a period of thirty days had not expired between the date when he first acquired or obtained the trophy or the manufactured trophy and the date of the institution of the proceedings or the date when the trophy or the manufactured trophy was seized by an authorized office, in the course of an investigation resulting in the Proceedings, whichever date first occurred.

(2) Any person who in any manner whatsoever transfers to any other person any trophy or manufactured trophy (whether or not the property therein passes) in respect of which a certificate of registration does not exist at the date of the transfer and any person who accepts any such transfer of any trophy or manufactured trophy in respect of which a certificate of registration does not exist at the date of the transfer shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding three years.

(3) Any person who in any manner whatsoever transfers any trophy or manufactured trophy to any other person without handing over to the transferee the certificate of registration in respect thereof and any transferee who accepts the transfer to himself of any trophy or manufactured trophy without obtaining delivery of the certificate of registration in respect thereof shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding three years.

PART VI DEALINGS IN TROPHIES

61.-(1) No person shall manufacture articles from trophies for sale or carry on the business of a trophy dealer except under and in accordance with the conditions of a valid trophy dealer's licence.

No dealing in trophies without trophy dealer's licence

(2) The Director may, subject to any regulations made under this Act, grant to any person a trophy dealer's licence in the prescribed form upon application made therefor in the prescribed form and subject to such conditions and on payment of such fees as may be prescribed.

(3) A trophy dealer's licence shall entitle the holder to carry on the business of buying and selling trophies but shall not entitle him to hunt, kill, capture or photograph any animal.

(4) No trophy dealer shall under any circumstances accept, buy, sell or transfer any trophy before such trophy is registered under the provisions of Part V of this Act.

62.-(1) No person shall in any manner transfer by way of a gift, sale, barter, exchange or otherwise or buy or accept any trophy except under and in accordance with the conditions of a valid transfer permit granted under this section.

No transfer of trophy without a transfer permit

(2) The Director may, in his discretion with or without a fee, grant to any person a transfer permit in respect of any trophy.

(3) A transfer permit shall be in the prescribed form.

(4) The provisions of this section shall not apply to any trophy sold by a licensed trophy dealer or the Government or to any manufactured trophy in respect of which a valid certificate of registration issued under Part V exists.

63.-(1) No person shall export any trophy unless he holds a valid trophy export certificate issued in respect thereof.

Export of trophy

(2) The Director may, subject to any regulations made under this Act and on payment of any prescribed fee, issue to any person desiring and otherwise entitled to export any trophy, a trophy export certificate in the prescribed form.

(3) This section shall not apply to a manufactured trophy in respect of which a valid certificate of registration issued under Part V exists.

Import of trophy

64. No person shall, except with the written authority of the Director previously sought and obtained, import any trophy:

Provided that this section shall not apply to a manufactured trophy in respect of which the Commissioner for Customs is satisfied that it is the personal property of the importer and has been imported for personal use by the importer.

Unlawful dealings etc in trophies

65. Any person who sells, buys, transfers, accepts, exports or imports any trophy in contravention of any of the provisions of this Part or who otherwise contravenes any of the provisions of this Part shall be guilty of an offence and shall be liable on conviction to a fine not exceeding fifty thousand shillings or to imprisonment for a term not exceeding seven years or to both such fine and such imprisonment.

PART VII

GOVERNMENT TROPHIES

Government trophies

66.-(1) The following shall be Government trophies and subject to the provisions of subsection (2), shall be the property of the Government, that is to say-

- (a) any animal which has been killed or captured without a licence, permit, permission or authority, granted under this Act, and any part of any such animal;
- (b) any animal which is found dead, and any part of any such animal;
- (c) any animal which has been killed in defence of life or property and any part of any such animal;
- (d) any trophy which is in the possession of any person who is unable to satisfy the Director that he lawfully acquired the same;
- (e) any trophy in respect of which a breach of the provisions of this Act has been committed;
- (f) any animal or trophy or class of animals or trophies which the Minister may, by order in the *Gazette*, declare to be Government trophy or trophies.

(2) Any trophy found or obtained in a national park or the Ngorongoro Conservation Area or in respect of which an offence has been committed under the National Parks Ordinance or the Ngorongoro Conservation Area Ordinance shall be the property of the Trustees of the national parks or, as the case may be, the Conservator of the Ngorongoro Conservation Area.

67.-(1) No person shall be in possession of, or buy, sell or otherwise deal in any Government trophy.

Possession of
Government
trophy
unlawful

(2) Any person who contravenes any of the provisions of this section shall be guilty of an offence and shall be liable on conviction-

- (a) where the trophy which is the subject matter of the charge or any part of such trophy is part of an animal specified in Part I of the First Schedule to this Act and the value of the trophy does not exceed five thousand shillings, to imprisonment for a term of not less than two years but not exceeding seven years or to a fine of not less than twenty thousand shillings but not exceeding one hundred thousand shillings; or
- (b) where the trophy which is the subject matter of the charge or any part of such trophy is part of an animal specified in Part I of the First Schedule to this Act and the value of the trophy exceeds five thousand shillings, to imprisonment for a term of not less than three years but not exceeding seven years and in addition thereto the court may impose a fine of an amount not exceeding one hundred thousand shillings or ten times the value of the trophy, whichever is the larger amount;
- (c) in any other case-
 - (i) where the value of the trophy which is the subject matter of the charge does not exceed five thousand shillings, to a fine of not less than the amount equal to twice the value of the trophy but not exceeding twenty thousand shillings or to imprisonment for a term of not less than six months but not exceeding three years;
 - (ii) where the value of the trophy which is the subject matter of the charge exceeds five thousand shillings but does not exceed twenty thousand shillings, to a fine of not less than the amount equal to twice the value of the trophy but not exceeding one hundred thousand shillings or to imprisonment for a term of not less than two years but not more than seven years;
 - (iii) where the value of the trophy which is the subject matter of the charge exceeds twenty thousand shillings, to imprisonment for a term of not less than three years but not exceeding seven years and the court may in addition thereto impose a fine not exceeding one hundred thousand shillings or ten times the value of the trophy, whichever is the larger amount.

(3) For the purposes of subsection (2)-

- (a) in assessing the punishment to be awarded the court shall, where the accused is charged in relation to two or more trophies, take into account the aggregate value of all the trophies in respect of which he is convicted, and in any such case the provisions of paragraph (a) or (b) of subsection (2) shall apply in relation to all such trophies if any one of them is part of an animal specified in Part I of the First Schedule to this Act;

(b) the value of any trophy shall be taken to be the normal price of the trophy on a sale in the open market between a buyer and a seller independent of each other.

(4) In any proceedings for an offence under this section a certificate signed by the Director and stating the value of any trophy involved in the proceedings shall be admissible in evidence and shall be prima facie evidence of the matters stated therein including the fact that the signature thereon is that of the person holding the office specified therein.

Duty to
recovery of
Government
trophy

68.-(1) Any person who by any means obtains possession of any Government trophy or who sees any Government trophy in the possession of any other person shall forthwith report such possession to the nearest Game Officer and shall, if required, deliver the trophy to the Game Officer or give particulars of the person in possession thereof.

(2) Any person who fails to comply with any of the provisions of this section shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding three years.

(3) The Minister may authorize the payment of a reward to any person giving information leading to the recovery of a Government trophy and may by directions regulate the amount and the payment of such rewards.

Disposal of
Government
trophy

69. The Director of Game shall be responsible for the disposal of all Government trophies subject to any instructions that may be given by the Minister for the time being responsible for finance.

PART VIII

MISCELLANEOUS PROVISIONS RELATING TO OFFENCES

(a) Evidentiary provisions

Burden
of proof

70.-(1) In any proceedings for the offence of unlawfully hunting, wounding, killing or capturing any animal contrary to any provision of this Act, the burden to prove that the animal was hunted, killed, wounded or captured pursuant to and in accordance with the terms of a licence, permit or authority granted under this Act shall lie on the person charged.

(2) Where in any proceedings for an offence under section 67 it is proved to the satisfaction of the court-

(a) that the Government trophy which is the subject matter of the charge was found in any building, premises or ship, or any part of any building, premises or ship occupied by the accused or his dependant, whether or not the accused was physically present when the trophy was found; or

(b) that such Government trophy was found in any vehicle, baggage, package or parcel in possession of or owned by the accused or over which the accused had control at the time when the trophy was found,

the court shall presume that such trophy was in the possession of the accused unless the accused satisfies the court to the contrary.

(3) In any proceeding for an offence under section 67 the burden to prove--

- (a) that the possession of the Government trophy was lawful; or
- (b) that the sale, purchase or other transaction relating to the Government trophy was lawful; or
- (c) that the accused had assumed possession of the trophy in order to comply with the requirements of section 67; or
- (d) that the trophy is not a Government trophy, shall lie on the person charged.

(b) Miscellaneous Offences

71. Any person who is found in possession of any ball ammunition, poison, snare or trap in circumstances which raise a reasonable presumption that he has used or intends or is about to use the same for the purpose of the commission of an offence under this Act shall, unless he shows lawful cause for such possession, be guilty of an offence, and shall be liable on conviction to imprisonment for a term not exceeding three years.

Possession of certain weapons in circumstances to be an offence

72.-(1) Any person having in his possession, control, custody or care--

- (a) any licence, permit, certificate, licence book, permit book, certificate book or other official document granted or issued under or used for the purposes of this Act;
- (b) official mark, stamp or ink used for or in connection with the administration of this Act;
- (c) any official uniform or badge approved for use by any authorized officer;
- (d) any trophy which is required by any provision of this Act to be delivered to any public officer or which is in his possession by virtue of his holding any public office,

Duty to take care of licences permit trophies etc

shall take all reasonable precautions to prevent the same from falling into the hands or custody of any person not authorized to be in possession thereof, and if such person fails to take such reasonable precautions he shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding three years.

(2) In any proceedings against any person for an offence against subsection (1)-

- (a) the burden to prove that reasonable precautions, were taken to prevent any article or thing to which that subsection applies from falling into the hands of an unauthorized person shall be on the person charged;
- (b) where any such article or thing is shown to have been lost or stolen the court shall, unless it is satisfied to the contrary, presume that it has fallen into the hands of an unauthorized person.

Offences relating to licences etc.

73.-(1) Any person who-

- (a) fraudulently forges, alters or defaces any licence, permit, written permission or authority granted or purporting to have been granted under this Act;
- (b) fraudulently utters any such forged licence, permit, permission or authority;
- (c) obtains any licence, permit, permission or authority by fraud, misrepresentation of a material fact or a false pretence,

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding five years.

(2) Any licence, permit, permission or authority which has been forged or obtained by fraud, misrepresentation of a material fact or a false pretence shall be void *ab initio*.

(c) *General Provisions*

Power of search and arrest

74.-(1) If any authorized officer has reasonable grounds for believing that any person has committed or is about to commit an offence under this Act he may-

- (a) require any such person to produce for his inspection any animal, meat, trophy or weapon in his possession or any licence, permit, or other document issued to him or required to be kept by him under the provisions of this Act or the Arms and Ammunition Ordinance or any subsidiary legislation made thereunder;
- (b) enter and search any land, building, tent, vehicle, aircraft or vessel in the occupation or use of such person, and open and search any baggage or other thing in his possession:

Provided that no dwelling house shall be entered into without a warrant except in the presence of two independent witnesses;

- (c) seize any animal, meat, trophy, weapon, licence, permit or other authority, vehicle, vessel or aircraft in the possession or control of any person and, unless he is satisfied that such person will appear and answer any charge which may be preferred against him, arrest and detain him.

(2) It shall be lawful for any authorized officer at all reasonable times to enter the licensed premises of any trophy dealer and to inspect the records which are required to be kept under the provisions of this Act.

(3) Any person detained or things seized under the powers conferred upon the authorized officer by this Act shall be taken as soon as possible before a court of competent jurisdiction to be dealt with according to law.

(4) It shall be lawful for any authorized officer to stop and detain any person who he sees doing, or suspects of having done, any act for which a licence, permit, permission or authority is required under the provisions of this Act for the purpose to require such person to produce the same or to allow any vehicle, vessel or aircraft of which he is the owner or over which he has control to be searched, and any person

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who fails to produce his licence, permit, permission or authority when required to do so, or fails to stop when ordered or signalled to do so, or fails to allow any vehicle, vessel or aircraft of which he is the owner or over which he has control to be searched shall be guilty of an offence and may be arrested without a warrant unless he furnishes in writing his name and address and otherwise satisfies the authorized officer that he will duly answer any summons or other proceedings which may be taken against him.

(5) It shall be lawful for any authorized officer to order any person stopped or arrested by him to submit in writing his name and address and the details of any licence, permit or other authority issued to him or any other article, thing or document in his possession.

(6) In any proceedings for failing to stop a vehicle, vessel or aircraft when required or signalled to do so by an authorized officer, the owner of such vehicle, vessel or aircraft shall, unless the contrary is proved by him, be presumed to have been the person in charge of, or having control over the vehicle, vessel or aircraft at the time when the offence was alleged to have been committed.

(7) Any person convicted of an offence under this section shall be liable to imprisonment for a term not exceeding three years.

75. Any person who-

- (a) wilfully obstructs any authorized officer in the exercise by him of any of the powers conferred upon him by this Act; or
- (b) without reasonable excuse fails to give any information or produce anything or document which he is lawfully required to give or produce under any provision of this Act,

Obstruction
of authorized
Officer

shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding three years.

76. No act or thing done by any authorized officer shall, if the act or thing was done in good faith in the exercise or purported exercise of any power conferred by this Act for the purpose of carrying out of the provisions of this Act, subject such authorized officer to any action, liability, claim or demand whatsoever.

Protection
of officers

77.-(1) For the more effective carrying out of the provisions of this Act, and notwithstanding the provisions of any other written law relating to the obstruction of roads or highways, any authorized officer may erect a temporary barrier across any highway, road, waterway, taxiway or any other place, on land or water used as a passage for any vehicle, vessel or aircraft.

Erection
of offices

(2) Every pedestrian or person in charge of a vehicle, vessel or aircraft on approaching such barrier shall, on being required to do so by an authorized officer, stop or bring such vehicle, vessel or aircraft to a standstill.

(3) Every person so required to stop or any person on board of such vehicle, vessel, or aircraft shall allow the authorized officer to carry out such inspection as may be necessary to ensure that no offence under this Act has been committed.

(4) Any person who fails to comply with any of the provisions of this section, or who fails to comply with any lawful order given by an authorized officer shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding three years.

Forfeiture

78.-(1) Where any person is convicted of an offence under this Act, the court shall order forfeiture to the Government of-

- (a) any animal or trophy in respect of which the offence was committed;
- (b) any weapon in the possession or under the control of the accused at the time when the offence was committed, whether or not there is any evidence to show that such weapon was actually employed by the accused in the commission of the offence;
- (c) any article or thing used for the storage, processing, preparing, cooking or otherwise dealing with any animal, meat or trophy in relation to which the offence was committed;
- (d) any vehicle, vessel, aircraft, tent, camping equipment or other article or thing whatsoever in respect of which the court is satisfied that it was used or employed in the commission of the offence or for the conveyance or storage of any animal, meat or trophy in relation to which the offence was committed or for the conveyance or comfort of the accused while engaged in the commission of the offence;
- (e) in the case of a conviction for an offence relation to a Government trophy, any vehicle, vessel or aircraft in which the Government trophy was found.

(2) The court shall order forfeiture in accordance with the provisions of subsection (1), notwithstanding that the vehicle, vessel, aircraft, weapon, article, or thing to be forfeited was owned by a person other than the accused:

Provided that where on the application of the owner of a vehicle, vessel or aircraft the court is satisfied-

- (a) that the owner did not know and could not by reasonable diligence have known that the vehicle, vessel or aircraft was intended by the accused to be used or employed for any of the purposes which has rendered the same liable for forfeiture;
- (b) that the vehicle, vessel or aircraft has not previously been used for or in connection with the commission of any offence under this Act or the Ordinance;
- (c) that having regard to all the circumstances it is just and equitable that the vehicle, vessel or aircraft not be forfeited,

the court may make no order for the forfeiture of the vehicle, vessel or aircraft.

79.-(1) Where in any trial for an offence for which a minimum sentence of imprisonment or fine is prescribed the court is satisfied that having regard to any special mitigating factor a sentence of imprisonment or fine of a term or amount, as the case may be, less than the minimum term or amount prescribed should be imposed, the court may-

Provisions governing minimum sentences

- (a) if the trial is before the High Court, pass such sentence of imprisonment or fine as it deems fit;
- (b) if the trial is before a court other than the High Court, the court may commit the accused for sentence by the High Court with a recommendation for leniency and stating the grounds therefor and the High Court shall thereupon proceed to pass such sentence as it may deem fit.

(2) The provisions of subsections (2), (3), (4), (5) and (6) of section 5A of the Criminal Procedure Code shall apply where an accused is committed to, the High Court for sentence.

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(3) In any case where a person has been convicted of an offence under this Act by a court other than the High Court and sentenced to a minimum sentence of imprisonment or fine prescribed therefor, it shall be lawful for the High Court in the exercise of its appellate or revisional jurisdiction to pass a sentence of a term of imprisonment or fine of an amount, as the case may be, less than the minimum term or amount prescribed if The High Court for any special mitigating factor deems it fit so to do.

(4) Where in relation to any offence in respect of which a minimum sentence of imprisonment and, in the alternative, a sentence of a fine of a minimum amount are prescribed—

- (a) if the court passes a sentence of imprisonment of the prescribed minimum term or more, the court may, in addition thereto, impose a sentence of a fine not exceeding one-half of the maximum fine prescribed in relation to such offence;
- (b) if the court passes a sentence of a fine of the prescribed minimum amount or more, the court may, in addition thereto, impose a sentence of imprisonment for a term not exceeding one-half of the maximum term of imprisonment prescribed in relation to such offence.

80.-(1) Where a person is tried for an offence under this Act by a magistrate's court presided over by a resident magistrate the court shall, notwithstanding the provisions of any other written law, have jurisdiction to impose the maximum fine prescribed in respect of such offence.

Jurisdiction of court

(2) Notwithstanding the provisions of any written law a court established for any district or area of Tanganyika may try, convict and punish or acquit a person charged with an offence committed in any other district or area of Tanganyika.

81. The Director and every officer of the Game Department of or above the rank of Game Assistant shall have the power to conduct prosecution for an offence under this Act or any subsidiary legislation made hereunder and shall for that purpose have all the powers of public prosecutor under the Criminal Procedure Code.

(d) *Compounding*

Director may
compound
certain
offences

82.-(1) This section shall apply to any offence under this Act other than an offence in respect of which a minimum sentence of a fine or imprisonment is prescribed.

(2) The Director may, where he is satisfied that any person has committed an offence to which the section applies, compound such offence by requiring such person to make payment of a sum of money:

Provided that-

- (a) such sum of money shall not be less than two hundred shillings or more than five hundred shillings;
- (b) the power conferred by this section shall only be exercised where the person admits in writing that he has committed the offence and that he agrees to the offence being compounded under this section;
- (c) the Director shall give to the person from whom he receives such amount of money, a receipt thereunder.

(3) Where the Director compounds any offence under this section he may order the forfeiture of-

- (a) the animal, meat or trophy in relation to which the offence was committed;
- (b) any weapon, article or thing used in the commission of the offence or for the storage, processing, preparing or cooking of the animal, meat or trophy in relation to which the offence was committed.

(4) Where an offence is compounded in accordance with the provisions of subsection (2) and proceedings are brought against the offender for the same offence, it shall be a good defence for such offender if he proves to the satisfaction of the court that the offence with which he is charged has been compounded under subsection (2).'

(5) Where any person is aggrieved by any order made under subsection (2) or (3), he may, within thirty days of such order being made, appeal against such order to the High Court and the provisions of Part X of the Criminal Procedure Code shall apply *mutatis mutandis* to every such appeal as if it were an appeal against sentence passed by a district court III the exercise of its original jurisdiction,

(6) The Director shall, at such interval and in such form, as the Director of Public Prosecutions may direct, submit to the Director of Public Prosecutions a return of all offences compounded under this section.

PART IX

MISCELLANEOUS PROVISIONS

Rewards

83.-(1) Where in any proceedings under this Act conviction is obtained the court may, on the recommendation in writing by the Director, award a sum of money to the person or persons who gave information leading to the conviction:

Provided that-

- (a) the sum of money awarded as a reward to any person or the aggregate of such sums awarded to more than one person in any one case shall not exceed-

- (i) one-fourth of the fine or the aggregate of the fines imposed in that case; or
 - (ii) one-fourth of the value of the trophy or the trophies forfeited to the Government consequent upon such conviction; or
 - (iii) three thousand shillings,
- whichever is the smallest sum of money;
- (b) the reward shall not be paid until after the expiry of the period within which the person convicted may appeal against his conviction.

(2) The Minister may authorize the payment of rewards to persons giving information leading to arrests and convictions for offences under this Act and may by directions regulate the amount and the payment of such rewards.

84.-(1) The Minister may make regulations for the better carrying out of the purposes of this Act and for the better conservation of wildlife, and without prejudice to the generality of the foregoing may make regulations-

- (a) prescribing the forms of applications for licences, permits, certificates and other documents which may be granted or issued under this Act;
- (b) prescribing the forms and the fees for licences, permits, certificates and other documents which may be granted or issued under this Act;
- (c) prescribing or providing for anything which may be prescribed or provided for by regulations.

(2) There may be annexed to the breach of any subsidiary legislation made under this Act a penalty not exceeding a fine of fifteen thousand shillings or a term of imprisonment not exceeding three years or both such fine and such imprisonment.

85.-(1) The Fauna Conservation Ordinance is hereby repealed.

(2) Where after the commencement of this Act any person is convicted of an offence under the Ordinance he shall, notwithstanding the provisions of any other written law, be liable to be punished as if he were convicted of the corresponding offence under this Act.

86. Subject to the provisions of subsection (2) of section 85, the Minister may at any time within twelve months after the commencement of this Act, by order in the *Gazette*, make such further transitional provisions consequent upon the repeal and replacement of the Ordinance by this Act as he may deem necessary and in the event of any conflict between any provision of any such order and section 14 or section 15 of the Interpretation of Laws and General Clauses Act, 1972. the provision of the order shall prevail.

Regulations
and other
subsidiary
legislation

Repeal and
transitional
provisions
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Minister may
make further
transitional
provision

Acts 1972
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FIRST SCHEDULE

Sn.	Swahili Name	English Name	Scientific Name
PART I			
1.	Chui	Leopard	<i>Panthera (Felis) Pardus</i> (Linnaeus)
3.	Faru Mbuzi-mawe (Nguru) ...	Rhinoceros Klipspringer	<i>Diceros bicornis</i> (Linnaeus) <i>Oreotragus oreotragus</i> zimmermann)
4.	Nzohe	Sitatunga	<i>Limnotragus spekeii</i> (P.L. Sclater)
5.	Pundamilia	Zebra	<i>Equus (Hippotigris) bur-</i> <i>chellil Matschie</i>
6.	Sheshe	Puku	<i>Kobus (Adcnota) vardoni</i> (Livingstone)
7.	Simba	Lion	<i>Panthera (Felis) leo</i> (Linnaeus)
8.	Simbamangu	Caracal	<i>Felis (Lynx) caracal</i> Schreber)
9.	Swalatwiga	Gerenuk	<i>Litocranius walleri</i> (Brooke)
10.	Tandala mdogo	Lesser Kudu	<i>Tragelaphus imberbis</i> Blyth-
11.	Tembo (ndovu)	Elephant	<i>Loxodonta africana</i> (Blu- menbach)
12.	Tohe-milima	Mountain Reedbuck	<i>Redunca fulvorufula</i> (Af- zelius)
13.	Wanyama wa Rais	National Game	—
PART II			
1.	Choroa	Oryx	<i>Oryx beisa callotis</i> (Thomas)
2.	Kiboko	Hippopotamus	<i>Hippopotamus amphibius</i> (Linnaeus)
3.	Korongo	Roan	<i>Hippotragus equinus</i> (Desmarest)
4.	Kuro ndogoro	Waterbuck-common	<i>Kobus ellipsiprymnus</i> (Ogilby)
5.	Kuro-singsing	Waterbuck-defassa	<i>Kobus defassa</i> (Ruppell)
6.	Mamba	Crocodile Nile	<i>Crocodilus niloticus</i>
7.	Mbuni	Ostrich	<i>Struthio cainelus linnaeus</i>
8.	Mbwa-mwitu	Wild dog	<i>Lycan-pictus</i> (Temminck)
9.	Nyamera	Topi	<i>Danialiscus korrigum</i> (ogilby)
10.	Nyati (mbogo)	Buffalo	<i>Syncerus caffer caffer</i> (sparrman)
11.	Palahala (mbarapi)	Sable	<i>Hippotragus niger</i> (Harris)
12.	Pofu (Mbunju)	Eland	<i>Taurotragus oryx</i> (Pallas)
13.	Tandala mkubwa	Greater Kudu	<i>Tragelaphus strepsiceros</i> (Pallas)
PART III			
—	Wanyama wengine wote	All other animals	—

SECOND SCHEDULE

A. BIG GAME

Sn.	Swahili Name	English Name	Scientific Name
1.	Digidigi (Suguya) ...	Dikdik ...	<i>Rynchotragus kirkii.</i>
2.	Dondoro ...	Steinbuck ...	<i>Raphiceros campestris.</i>
3.	Kongoni ...	Hartebeest ...	<i>A. Icelaphus buselaphus.</i>
4.	Mindi ...	Abbott's Duiker ...	<i>Cephalophus spadix.</i>
5.	Ndimba ...	Blue Duiker ...	<i>Cephalophus monficela.</i>
6.	Ngiri (mbango) ...	Warthog ...	<i>Phacochoerus aethiopicus.</i>
7.	Nguruwe mwisu ...	Wild pig ...	<i>Potamochoerus porcus.</i>
8.	Nsya (Ngorombwe) ...	Common Duiker ...	<i>Sylvicapra grimmia.</i>
9.	Nungunungu ...	Porcupine ...	<i>Hystrix galeata.</i>
10.	Nyamera ...	Topi ...	<i>Damaliscus korrigum.</i>
11.	Nyati (Mbogo) ...	Buffalo ...	<i>Syncerus caffer caffer</i>
12.	Nyumbu ...	Wildebeest ...	<i>Connochaetes taurinus.</i>
13.	Paa (suni) ...	Pigmy antelope ...	<i>Nesotragus moschatus.</i>
14.	Pimbi ...	Rock hyrax ...	<i>Heterohyrax Procavia.</i>
15.	Pofu (mbunju) ...	Eland ...	<i>Taurotragus oryx.</i>
16.	Pongo (mbawala) ...	Bushbuck ...	<i>Tragelaphus script us.</i>
17.	Swalagranti ...	Grant ...	<i>Gazella grandis.</i>
18.	Swalapala ...	Impala ...	<i>Aepyceros melampus.</i>
19.	Swalatomu ...	Tommy Hare ...	<i>Gazella thomsoni.</i>
20.	Sungura ...	Hare ...	<i>Lepus capensis.</i>
21.	Taya (kihea) ...	Oribi ...	<i>Ourebia ourebi.</i>
22.	Tohe-Ndope ...	Bohor-reedbuck ...	<i>Redunca redunca.</i>
23.	Tohe-Kusi ...	Southern-reedbuck ...	<i>Redunca arundinum.</i>

B.-UPLAND GAME (BIRDS)

Sn.	Swahili Name	English Name	Scientific Name
	I. MABATA	DUCKS AND GEESE	ANATIDAZ
2.	Kotwe ...	White-backed duck	<i>Thalassornis</i>
3.		Maccoa duck ...	<i>Oxyura</i>
4.	Bata-miti ...	African pochard ...	<i>Aythya</i>
5.	Salili ...	Tree ducks ...	<i>Dendrocygna</i>
6.		Wigeons and Teals ...	<i>Anas</i>
7.	Bata Bukini ...	Pigmy goose ...	<i>Netapus</i>
8.		Spurwing goose ...	<i>Sarkidiornis</i>
9.		Knob-billed goose ...	<i>Alopochen</i>
		Egyptian goose ...	<i>Plectropterus</i>
	II. KWALE NA KANGA	FRANCOLINS AND GUINEA FOWLS	PHASIANIDAE
10.	Kwale ...	Francolins ...	<i>Francoffinus</i>
11.	Keren'gende ...	Spurfowl ...	<i>Pternistis</i>
12.		Stone-partridge ...	<i>Ptilopachus</i>
13.	Tomboro ...	Quail ...	<i>Cortunix</i>
14.		Blue-quail ...	<i>Excal-factoria</i>
15.	Kanga ...	Helmeted Guinea-fowl ...	<i>Numida</i>
16.		Vulturine Guinea-fowl ...	<i>Acryllium</i>
17.	Kororo ...	Crested Guinea-fowl ...	<i>Guitera</i>

B.-UPLAND GAME (BIRDS)-(contd.)

Sn.	Swahili Name	English Name	Scientific Name
	III. TANDAWALA	LESSER BUSTARDS	OTIDIDAE
18.	Tandawala ...	White-bellied bus-	<i>Eupodotis</i>
19.		stards ...	
20.		Black-bellied bus-	<i>Lissortis</i>
		tards ...	
		Buff-crested bus-	<i>Lophotis</i>
		tards ...	
	IV. SULULU	PAINTED-SNIPE	ROSTRATULIDAE
21.	Sululu ...	Painted-snipe ...	<i>Rostratula</i>
	V. SULULU	SNIPE	SCOLOPACIDAE
22.	Sululu ...	Snipe ...	<i>Capella</i>
	VI. FIRIGOGO	SANDGROUSE	PTEROCLIDIDAE
23.	Firigogo ...	Chestnut bellied-sand-	<i>Pterocles</i>
24.		grouse ...	
		Yellow-throated-	<i>Eremialector</i>
		sand-grouse ...	
	VII. NJIWA	PIGEONS	COLUMBIDE
25.	Ninga ...	Speckled/olive pige-	<i>Columba</i>
26.	Tetere ...	ons ...	<i>Streptopelia</i>
27.	Hua/Pugi ...	Doves ...	<i>Turtur</i>
28.	Njiwa ...	Wood-doves ...	<i>Treron</i>
		Green pigeons ...	

THIRD SCHEDULE

A.-BIG GAME

Sn.	Swahili Name	English Name	Scientific Name
1.	Bweha-dhababu ...	Golden Jackal ...	<i>Canis aureus</i>
2.	Bweha-masikio ...	Bat-eared Fox ...	<i>Otocyon megalotis</i>
3.	Bweha-miraba ...	Striped Jackal ...	<i>Canis adustus</i>
4.	Bweha-shaba, ...	Silver-backed Jackal	<i>Canis mesomelas</i>
5.	Chatu ...	Python ...	<i>Python sebae</i>
6.	Choroa ...	Oryx ...	<i>Oryx gazella callotis</i>
7.	Chui, ...	Leopard ...	<i>Panthera (Felis) pardus</i>
8.	Digidigi (<i>suguya</i>) ...	Dikdik ...	<i>Rynchotragus kirkii</i>
9.	Dondoro ...	Steinbuck ...	<i>Raphiceros campestris</i>
10.	Dondoro shapi ...	Sharpe's grysbok ...	<i>Nototragus sharpei</i>
11.	Faru ...	Rhinoceros ...	<i>Diceros bicornis</i>
12.	Fisi (<i>kingugwa</i>) ...	Spotted-Hyena ...	<i>Crocuta crocuta</i>
13.	Fisimaji ...	Otter ...	<i>Aonyxflutra</i>
14.	Fungo ...	Civet-cat ...	<i>Civettictis civetta</i>
15.	Funo (<i>mbutuka</i>) ...	Red-duiker ...	<i>Cephalophus natalensis</i>
16.	Kalunguyeye ...	Hedgehog ...	<i>Erinaceus prumeri</i>
17.	Kamendegere ...	Jumping hare ...	<i>Pedetes surdaster</i>
18.	Kanu ...	Genet cat ...	<i>Genetta genetta</i>
19.	Kiboko ...	Hippopotamus ...	<i>Hippopotamus amphibius</i>
20.	Kicheche ...	Zorilla ...	<i>Ictonyx striatus</i>
21.	Kima ...	Blue monkey ...	<i>Cercopithecus spp.</i>
22.	Kima-sykes ...	Sykes blue monkey ...	<i>Cercopithecus spp.</i>
23.	Kimburu ...	Wild cat ...	<i>Felis lybica</i>

A.-BIG GAME-(contd.)

Sn.	Swahili Name	English Name	Scientific Name
24.	Komba	Galago (<i>Bush-babby</i>) ...	<i>Galago senegalensis</i>
25.	Kongoni	Cokes Hartebeest ...	<i>Alcelaphus buselaphus cokei</i>
26.	Konzi	Lichtenstein's Hartebeest	<i>Alcelaphus buselaphus lichtensteinii</i>
27.	Korongo	Roan Antelope ...	<i>Hippotragus aequinus</i>
28.	Kuro-ndogoro	Common waterbuck ...	<i>Kobus ellipsiprymus</i>
29.	Kuro-singsing	Defassa. waterbuck ...	<i>Kobus defassa</i>
30.	Mamba	Nile Crocodile	<i>Crocodilus niloticus</i>
31.	Mbega-mweupe	Colobus Monkey (B. & W)	<i>Colobus spp.</i>
32.	Mbuni	Ostrich	<i>Struthioformes camelopardalus</i>
33.	Mbuzimawe (<i>Nguru</i>) ...	Klipspringer	<i>Oreotragus oreotragus</i>
34.	Mbwa-mwitu	Wild dog	<i>Lycan pictus</i>
35.	Mindi	Abbott's Duiker	<i>Cephalophus spadix</i>
36.	Mondo	Serval cat	<i>Felis serval</i>
37.	Ndimba	Blue Duiker	<i>Cephalophus monticola</i>
38.	Ngiri (<i>mbango</i>)	Warthog	<i>Phacochoerus aethiopicus</i>
39.	Nguchiro,	Mongoose	<i>Viverridae</i>
40.	Nguruwe	Bush-pig	<i>Potamochoerus porcus</i>
41.	Nguruwe-kuu	Giant Forest Hog	<i>Hylochoerus melnertzhageni</i>
42.	Nsya (<i>Ngorombwe</i>) ...	Common Duiker	<i>Sylvicapra grimmia</i>
43.	Nunguri	Porcupine	<i>Hystrix galeata</i>
44.	Nyamera,	Topi	<i>Damaliscus korrigum jimela</i>
45.	Nyani-mwekundu	Olive-Baboon	<i>Papio anubis</i>
46.	Nyani-njano	Yellow Baboon	<i>Papio cynocephalus</i>
47.	Nyati (<i>mbogo</i>)	Buffalo	<i>Syncerus caffer caffer</i>
48.	Nyegeere	Ratel (h.b.)	<i>Mellivora capensis</i>
49.	Nyumbu-kidevu cheupe	Wildebeest (w.b.) ...	<i>Connochaetes taurinus albojubatus</i>
50.	Nyumbu-kusi	Nyasa Wildebeest ...	<i>Connochaetes taurinus taurinus</i>
51.	Nzohe	Sitatunga	<i>Tragelaphus spekei</i>
52.	Paa (<i>sunu</i>)	Pigmy Antelope	<i>Nesotragus moschatus</i>
53.	Palahala (<i>mbarapi</i>) ...	Sable Antelope	<i>Hippotragus niger</i>
54.	Pelele (<i>wibari</i>)	Tree Hyrax	<i>Dendrohyrax aboreus</i>
55.	Pimbi (<i>kwanga</i>)	Rock Hyrax	<i>Heterohyrax Iprocavid</i>
56.	Pofu (<i>mbunju</i>)	Eland	<i>Taurotragus oryx</i>
57.	Pongo (<i>mbawaa</i>)	Bushbuck	<i>Tragelaphus scriptus</i>
58.	Pundamilia	Zebra	<i>Equus burchellii</i>
59.	Sheshe	Puku	<i>Adenota vardoni</i>
60.	Simba	Lion	<i>Panthera (Felis) leo</i>
61.	Simba-mangu	Caracal	<i>Felis caracal</i>
62.	Swalagranti	Grant's Gazelle	<i>Gazella grandis</i>
63.	Swalapala	Impalla	<i>Aepyceros melampus</i>
64.	Swalatomu	Tomson's Gazelle ...	<i>Gazella thomsonii</i>
65.	Swalatwiga	Gerenuk	<i>Litocraneous walled</i>
66.	Sungura	African Hare	<i>Lepus capensis</i>
67.	Tandala-mkubwa	Greater Kudu	<i>Strepsiceros strepsiceros</i>
68.	Tandala-mdogo	Lesser Kudu	<i>Strepsiceros imberbis</i>
69.	Taya (<i>Kihea</i>)	Oribi	<i>Ourebia ourebi</i>
70.	Tembo (<i>ndovu</i>)	Elephant	<i>Loxodonta africana</i>
71.	Tohe-kusi	Southern Reedbuck ...	<i>Redunca arundinum</i>
72.	Tohe-milima	Mountain Reedbuck ...	<i>Redunca fulvorufula</i>
73.	Tohe-ndope	Bohor Reedbuck	<i>Redunca redunca</i>
74.	Tumbili	Vervet Monkey	<i>Cercopithecus iddops</i>

THIRD SCHEDULE-(contd)

B.-UPLAND GAME (BIRDS)

Sn.	Swahili Name	English Name	Scientific Name
	I. MABATA	DUCKS AND GEESE	ANATIDAE
1.	Kotwe	White-backed duck	<i>Thalassornis</i>
2.		Maccoa duck ...	<i>Oxyura</i>
3.		African pochard ...	<i>Aythya</i>
4.	Bata-miti	Tree ducks	<i>Dendrocygna</i>
5.	Salili	Wigeons and Teals ...	<i>Anas</i>
6.		Pigmy goose ...	<i>Netapus</i>
7.	Bata Bukini	Spurwing goose ...	<i>Sarkidiornis</i>
8.		Knob-billed goose ...	<i>Alopochen</i>
9.		Egyptian goose ...	<i>Plectropterus</i>
	II. KWALE NA KANGA	FRANCOLINS AND GUINEA FOWLS	PHASIANIDAE
10.	Kwale	Francolins	<i>Francofinus</i>
11.	Kereng'gende	Spurfowl	<i>Pternistis</i>
12.		Stone-partridge ...	<i>Ptilopachus</i>
13.	Tomboro	Quail	<i>Coturnix</i>
14.		Blue-quail	<i>Excalfactoria</i>
15.	Kanga	Helmeted Guinea-fowl	<i>Numida</i>
16.		Vulturine Guinea-fowl	<i>Acryllium</i>
17.	Kororo	Crested Guinea-fowl	<i>Guttera</i>
	III. TANDAWALA	LESSER BUSTARDS	OTIDIDAE
18.	Tandawala	White-bellied bustards	<i>Eupodotis</i>
19.		Black-bellied bustards	<i>Lissortis</i>
20.		Buff-crested bustards	<i>Lophotis</i>
	IV. SULULU	PAINTED-SNIPE	ROSTRATULIDAE
21.	Sululu	Painted-snipe ...	<i>Rostratula</i>
	V. SULULU	SNIPE	SCOCOPACIDAE
22.	Sululu	Snipe	<i>Capella</i>
	VI. FIRIGOGO	SANDGROUSE	PTEROCLIDIDAE
23.	Firigogo	Chestnut bellied-sand-grouse ...	<i>Pterocles</i>
24.		Yellow-throated-sand-grouse ...	<i>Eremialector</i>
	VII. NJIWA	PIGEONS	COLUMBIDAE
25.	Ninga	Speckled/olive Pigeons	<i>Columba</i>
26.	Tetere	Doves	<i>Streptopelia</i>
27.	Hua/Pugi	Wood-doves	<i>Turtur</i>
28.	Njiwa	Green pigeons ...	<i>Treron</i>

FOURTH SCHEDULE

Sn.	Swahili Name	English Name	Scientific Name
1.	Chui	Leopard	<i>Panthera pardus (Linnaeus)</i>
2.	Faru	Rhinoceros	<i>Diceros bicornis (Linnaeus)</i>
3.	Kiboko	Hippopotamus	<i>Hippopotamus amphibius (Linnaeus)</i>
4.	Nyati (mbogo)	Buffalo	<i>Syncerus caffer (Sparman)</i>
5.	Simba	Lion	<i>Panthera leo (Linnaeus (B))</i>
6.	Tembo (ndovu)	Elephant	<i>Loxodonta Africana (Linnæus)</i>

Passed in the National Assembly on the eleventh day of June, 1974.

