

Tanzania

## Wildlife Conservation (Dealings in Trophies) Regulations, 1974

Government Notice 268 of 1974

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## Wildlife Conservation (Dealings in Trophies) Regulations, 1974

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## Tanzania

# Wildlife Conservation (Dealings in Trophies) Regulations, 1974

## Government Notice 268 of 1974

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Commenced on 8 November 1974

*[This is the version of this document at 31 July 2002.]*

*[Note: This legislation has been thoroughly revised and consolidated under the supervision of the Attorney General's Office, in compliance with the Laws Revision Act No. 7 of 1994, the Revised Laws and Annual Revision Act (Chapter 356 (R.L.)), and the Interpretation of Laws and General Clauses Act No. 30 of 1972. This version is up-to-date as at 31st July 2002.]*

*[Section 94; G.N.s Nos. 268 of 1974; 353 of 1987; 190 of 1989; 514 of 1995]*

### 1. Citation

These Regulations may be cited as the Wildlife Conservation (Dealings in Trophies) Regulations.

### 2. Issue of Trophy Dealer's Licence

A Trophy Dealer's Licence may be issued to any citizen of the United Republic upon an application made by him in the form prescribed in the First Schedule to these Regulations and upon payment of the fee prescribed in the Second Schedule in relation to the dealing in trophy for which a licence is applied for.

### 3. Trophy Dealer's Licence to be in prescribed form

A Trophy Dealer's Licence shall be in the form prescribed in the Third Schedule to these Regulations.

### 4. Criteria for issue of Trophy Dealer's Licence

No person shall be issued with a Trophy Dealer's Licence unless—

- (a) the licensing officer is fully satisfied that the applicant is a person of integrity;
- (b) the applicant has been recommended for a trophy dealer's licence by a designated organisation.

### 5. Conditions of licence

(1) A licensed trophy dealer shall not—

- (a) carry on any dealing or enter into any transaction in relation to any trophy unless such dealing or transaction is authorised by his licence;
- (b) carry on his business except on the premises specified in the licence; or
- (c) deal in any category of trophies other than that specified in the licence.

(2) Every licensed trophy dealer shall—

- (a) store the trophies in which he deals with in the premises approved by the licensing officer as adequate and suitable for storage of trophies;

- (b) if he is carrying on any other business in addition to his trophy business, assign a portion of his business premises for the carrying on of the trophy business and no other business shall be carried on within such portion:  

Provided that it shall not be necessary to separate that portion from the rest of the business premises by any partition if that portion is otherwise easily identifiable as the portion within which trophy business is being carried on;
  - (c) exhibit in some conspicuous place within the portion of his business premises in which trophy business is being carried on a notice in the form prescribed in the Fourth Schedule;
  - (d) keep and maintain an appropriate trophy dealer's register in the form prescribed in the Fifth or Sixth Schedule to these Regulations (whichever form is applicable in his case) and shall, as soon as may be practicable after the conclusion of any transaction involving a trophy, enter in the register the particulars as are required to be recorded in the registers;
  - (e) submit on or before the thirty-first day of January, thirtieth day of April, thirty-first day of July and thirty-first day of October in each year a copy of all the entries in his register relating to all the transactions entered into during the three months immediately preceding the month in which that copy is to be submitted.
- (3) Any person who contravenes any of the provisions of this regulation commits an offence on conviction is liable to a fine not exceeding fifteen thousand shillings or to imprisonment for a term not exceeding three years or to both that fine and imprisonment.

## 6. Trophy export certificate

- (1) A trophy export certificate under section 63 of the Wildlife Conservation Act <sup>1</sup>, shall be in the form prescribed in the Seventh Schedule to these Regulations and may be issued upon payment by applicant of a fee of two shillings.
- (2) A licensing officer may refuse to issue a trophy export certificate in relation to a trophy if in his opinion the trophy was not lawfully acquired or that it is against the public interest for the trophy to be exported.
- (3) Every trophy export certificate shall be valid for a period of one month from the date of issue except where a longer period is specified in that certificate.
- (4) Where two or more trophies are sought to be exported as one consignment, the licensing officer may issue one trophy export certificate in relation to all the trophies in that consignment.
- (5) Notwithstanding the provision of subregulations (1), (2), (3) and (4) a trophy export certificate in respect of any animal or trophy made from any part of an animal specified in the Eighth Schedule to these Regulations and which is protected by the 1973 Convention of International Trade in Endangered Species of Wild Fauna and Flora entered into at Washington shall be valid only if issued and signed both by the Director and the Chief Research Officer of the Game Division.

## 7. Import or export of trophies

No person shall, without the prior approval in writing of the Director, import or export any trophy otherwise than through one of the customs posts specified in the Ninth Schedule to these Regulations.

## 8. Production of trophy to licensing officer

Any trophy which is in Mainland Tanzania on transit from one country to another shall forthwith upon being brought into Mainland Tanzania be produced to a licensing officer who may, if he is satisfied that the trophy was lawfully acquired by the owner, direct the owner to deposit the trophy in a customs

<sup>1</sup>

bonded warehouse or in such other place as the Director may specify for that purpose until such trophy is exported.

## **9. Offences**

Any person who fails to comply with any of the provisions of these regulations or makes any false statement in any application or other document or to any authorised officer performing any function under the Act or any subsidiary legislation commits an offence and on conviction is liable to a fine not exceeding fifteen thousand shillings or to imprisonment for a term not exceeding three years or to both that fine and imprisonment.

### **First Schedule (Regulation 2)**

#### **Game form 13 - Application for a Trophy Dealer's Licence**

*[Editorial note: The form has not been reproduced.]*

**Second Schedule (Regulation 2)****Classes of trophy dealing**

<b>Class</b>	<b>Description</b>	<b>Fees</b>
1	Dealing in Hippopotamus teeth or Warthog tusches in a whole condition or piece without being submitted to any process other than necessary for preservation	20,000/=
2.	Dealing in game skins, other than Hyrax and Colobus monkey skins, in whole condition or as piece without being submitted to any process other than necessary for preservation	10,000/=
3.	Dealing in Hyrax skins in any condition	10,000/=
4.	Polishing, carving, manufacturing or commercial processing of Hippopotamus teeth or Warthog tusches and sale of same and any article made therefrom	10,000/=
5.	Cutting, manufacturing or commercial processing of turned skins of leopard, lion, serval or other cat skins and any dealing in articles made from those skins	10,000/=
6.	Cutting, manufacturing or commercial processing of turned skins of other game animals other than Hyrax and Colobus Monkey skins, and any dealing in articles made from these skins	10,000/=
7.	Dealing in manufactured trophies	10,000/=
8.	Dipping, curing and tanning of game trophies	10,000/=

9.	Commercial processing or dealing in game bones, horn or feet and articles made therefrom	5,000/=
10.	Commercial processing or dealing in animal tails other than elephant and rhino and articles made therefrom	5,000/=
11.	Clearing and forwarding of trophies	5,000/=
12.	Commercial dealing in live or stuffed birds	10,000/=
13.	Commercial dealing in live primates	10,000/=
14.	Commercial dealing in live mammals other than primates	10,000/=
15.	Commercial dealing in live or stuffed reptiles	10,000/=
16.	Commercial dealing in other live or stuffed animals	10,000/=
17.	Keeping a commercial zoo, animal farm or similar establishment	5,000/=
18.	Any trophy dealing in other than those specified in class (1) to (17) above as may be specified on the licence	5,000/=

### Third Schedule (Regulation 3)

#### Game form 14 - Trophy Dealer's Licence

*[Editorial note: The form has not been reproduced.]*

### Fourth Schedule (Regulation 5(2)(c))

#### Notice to purchasers

#### *The Wildlife Conservation Act*

Purchasers are advised to ensure that a Trophy Certificate of Registration issued by the Director of Game and bearing the name and signature of an officer of the Game division and an Official Stamp of the issuing office is handed over to them with every article purchased.

It is an offence for a trophy dealer to produce any document which is false in any material particular or has not been given by the person by whom it purports to have been given or has been altered or tampered with in any way.

### **Fifth Schedule (Regulation 5(2)(d))**

#### **Game form 15 - Trophy dealer's register (Ivory and rhino horns)**

*[Editorial note: The form has not been reproduced.]*

### **Sixth Schedule (Regulation 5(2)(d))**

#### **Game form 16 - Trophy dealer's register for trophies (Other than ivory and rhino horns)**

*[Editorial note: The form has not been reproduced.]*

### **Seventh Schedule (Regulation 6(1))**

#### **Game form 17 - Trophy export certificate**

*[Editorial note: The form has not been reproduced.]*

### **Eighth Schedule (Regulation 6(5))**

#### **Animals protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora**

*(Signed at Washington D.C. On March 3, 1973)*

#### **List I**

#### **A – Mammals**

##### **1. Order – Primates**

1.1. - Family - *Cercopithecidae* (*Colobidae*).

1.1.1. - *Colobus badius rufomitratus* - Red Colobus - Mbega mwekundu (N. Tanganyika).

1.1.2. - *Colobus badius kirkii* - Zanzibar Red Colobus.

##### **2. Order – Pholidota**

2.1. - Family - *Hyaenidae*.

2.1.1. - *Manis temmincki* - Ground Pangolin - Kakakuona.



3. **Order — Carnivora**3.1. - Family - *Hyaenidae*.3.1.1. - *Hyaena brunnea* - Brown Hyaena - Fisi njano.3.2. - Family - *Felidae*.3.2.1. - *Panthera pardus* - Leopard - Chui.3.2.2. - *Axinonyx jubatus* - Cheetah - Duma.**B – Aves**1. **Order — Pelicaniformes (4)**1.1. - Family - *Sulidae* (2)1.1.1. - *Sula abbotti* - Abbott's booby (2) - Polisi**List II****A – Mammals**1. **Order — Insectivora**1.1. - Family - *Erinaceidae*.1.1.1. - *Erinaceus frontalis* - South African Hedgehog - Kalunguyeye.2. **Order — Primates**2.1. - Family - *Cercopithecidae* (*Colobidae*).2.1.1. - *Colobus badius gordonorum* - Red Colobus (S.W. Tanganyika)2.2. - Family - *Pongidae*.2.2.1. - *Pan troglodytes* - Chimpanzee - Sokwe Mtu.3. **Order — Carnivora**3.1. - Family - *Felidae*.3.1.1. - *Felis serval* - Serval cat - Mondo.3.1.2. - *Felis caracal* - Caracal - Simba mangu.4. **Order — Tubulidentata**4.1. - Family - *Orycteropidae*.4.1.1. - *Orycteropus afer* - Aardvark - Muhanga.5. **Order — Periossodactyla**5.1. - Family - *Rhinocerotidae*.5.1.1. - *Deceros bicornis* - Black Rhino - Faru.

6. **Order — Artiodactyla**

6.1. - Family - *Bovidae* (cf *Cephalophinae*).

6.1.1. - *Cephalophus monticola* - Blue Duiker - Ndimba.

**B – Aves**

1. **Order — Ciconiformes (5)**

1.1. - Family - *Ciconidae* (4)

1.1.1. - *Ciconia nigra* - Black Stork (56) - Korongo mweusi.

1.2. - Family - *Threskiornithidae*.

1.2.1. - *Platalea leucorodia* - Spoon bill - Demojiko.

2. **Order — Anseriformes (6)**

2.1. - Family - *Anatidae* (1)

2.1.1. - *Sarkidiornis melanotos* - Knob-billed Goose (98) - Bata-bukini.

3. **Order — Falconiformes (7)**

3.1. - Family - *Falconidae* - Birds of Prey - All Species (106-185) - Walanyama.

4. **Order — Grulformes (Ralliformes) (9)**

4.1. - Family - *Gruidae* (*Balearicidae*) (3)

4.1.1. - *Balearica regulorum* - South African Crowned Crane (245)

4.2. - Family - *Otididae* (4).

4.2.1. - *Chlamydotis undulata* - Houbara bustard (254) - Tandawala.

5. **Order — Charadriiformes (10)**

5.1. - Family - *Laridae* (6)

5.1.1. - *Larus brunneicephalus* - Brown-head Gull (346) - Membe.

6. **Order — Cuculiformes (11)**

6.1. - Family - *Musophagidae* (2)

6.1.1. - *Gallrex porphyreolophus* - Violet crested Turaco (434) - Dura.

7. **Order — Passeriformes (13)**

7.1. - Family *Paradisaeidae* - Tits - All Species.

**Ninth Schedule (Regulation 7)****Approved customs posts**

<b>Coastal - Shipping</b>	<ul style="list-style-type: none"> <li>• Tanga.</li> <li>• Dar-es-Salaam.</li> <li>• Lindi.</li> <li>• Mtwara.</li> </ul>
<b>Inland - Airports</b>	<ul style="list-style-type: none"> <li>• Kilimanjaro.</li> <li>• Arusha.</li> <li>• Moshi.</li> <li>• Tanga.</li> <li>• Dar-es-Salaam.</li> <li>• Mtwara.</li> <li>• Mbeya.</li> <li>• Tabora.</li> <li>• Kigoma.</li> <li>• Bukoba.</li> <li>• Mwanza.</li> </ul>
<b>Roads</b>	<ul style="list-style-type: none"> <li>• Taveta.</li> <li>• Namanga.</li> <li>• Tunduma.</li> </ul>
<b>Lakes</b>	<ul style="list-style-type: none"> <li>• Itungi.</li> <li>• Mbamba-bay.</li> <li>• Kigoma.</li> <li>• Bukoba.</li> <li>• Musoma.</li> <li>• Mwanza.</li> </ul>