

Statutory Instrument No. 136 of 1988

NATIONAL PARKS ACT
(Cap. 38:03)

NATIONAL PARKS REGULATIONS, 1988
(Published on 30th December, 1988)

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IN EXERCISE of the powers conferred on the Minister of Commerce and Industry by section 15 of the National Parks Act, the following Regulations are hereby made —

PART I *Preliminary*

- Citation and commencement 1. These Regulations may be cited as the National Parks Regulations, 1988, and shall come into operation on 1st July, 1989.
- Interpretation
Cap. 24:01 2. (1) In these Regulations unless the context otherwise requires —
“arms and ammunition” have the meanings assigned to them under the Arms and Ammunition Act;
“authorized officer” means the Director, his Deputy or assistant, a game officer, game scout, game guard or any person authorized in writing by the Director or his Deputy to be an authorized officer for the purpose of these Regulations;
“boat” includes canoe or dugout;
“Director” means the Director of the Department of Wildlife and National Parks and Chief Game Warden;
Cap. 24:02 “explosives” has the meaning assigned to it in the Explosives Act;
Cap. 38:03 “National Park” means an area constituted as a national park by the President under the National Parks Act;
“night” in any year from 1st March to 30th September means the period between half past six in the evening and six o'clock in the morning, and from 1st October to the last day of February means the period between half past seven in the evening and half past five o'clock in the morning;
“other weapon” means bows, arrows, spears, traps, snares or any form of weapon or object which may be used to kill or maim or capture animals;
“permit” means any permit issued under the relevant regulations.
(2) For the purposes of these Regulations, a person shall be deemed to be a resident of Botswana if —
(a) he is an officer in the public service or a teacher employed by the Unified Teaching Service or the spouse or child of such an officer or teacher;
(b) he is a member of a class of persons designated for the purposes of these Regulations by the Minister by notice published in the Gazette; or
(c) he holds a residents permit which he has held for a continuous period of 12 months and has been present within Botswana for at least nine months of the immediately preceding period of 12 months.

PART II *Open season, entry into National Park Sites*

- Open season in National Parks 3. Every National Park shall be open throughout the year:
Provided that an authorized officer may close the whole or part of a National Park in the interests of public safety or natural resources management activities, or for administrative reasons.
- Entry into National Parks 4. (1) No person shall enter or be within a National Park unless he is in possession of a permit obtained from an authorized officer.
(2) No permit shall be issued until the fee set out in the Schedule has been paid to an authorized officer, except in the case of duly authorized visits of groups of students and others engaged in field trips, or an

official on Government duty, and where the issue of a free entry permit has been authorized by the Director.

(3) A permit shall be issued subject to such conditions as an authorized officer may see fit to attach thereto.

(4) For the purposes of this regulation, no person shall enter or leave a National Park except through a point of entry or exit declared by the Director by notice in the Gazette, and identified as such by an authorized officer by notice and sign.

(5) Any person who contravenes any provision of this regulation, or who fails to comply with any condition subject to which a permit was issued in terms of subregulation (3), shall be guilty of an offence and liable to a fine of P1 000 and to imprisonment for one year.

5. (1) The Director may designate areas of a National Park to be set aside as designated camping sites and shall identify such areas by notice and sign.

Designated
camping
sites

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

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

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

(5) Any person who occupies a camping site at night without a permit authorizing such occupation shall be guilty of an offence and liable to a fine of P400 and to imprisonment for four months.

PART III *Motor Vehicles*

6. (1) No person shall, without the permission of an authorized officer, enter a National Park except in a motor vehicle or aircraft approved by an authorized officer.

Only
approved
vehicles
may be used
in National
Parks

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

(3) Where an authorized officer revokes a permit in terms of subregulation (2) the person concerned shall comply with any reasonable directions to leave the National Park as may be given to him by an authorized officer.

(4) No person shall drive or permit to be driven in a National Park a motor vehicle —

(a) other than on a demarcated tourist route except with written authority from an authorized officer;

(b) which exceeds 3 500 kg in weight when unladen, or which has more than two normal rear track wheels, unless specific written authority for such use has been given by the Director and on such terms as may be specified;

(c) at night unless he is in possession of written permission to do so issued by an authorized officer;

(d) which is not capable of four-wheel drive operation:

Provided that an authorized officer may give written permission to the driver of a vehicle with two-wheel drive operation to enter a National Park if, in the opinion of the authorized officer, such vehicle is of a type and carries on it such equipment as will allow it to be driven without undue risk or consequences to any person on it, and without undue damage to any track, road or installation in a National Park.

(5) No person shall, without good cause, disembark from a motor vehicle in a National Park except at a designated site.

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

(7) An aircraft shall not, except at the time of landing or take-off, fly less than 500 metres in height above the surface area of a National Park, unless prior written permission to fly lower has been granted by the Director.

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

(9) Any person who contravenes any of the provisions of subregulations (1), (4), (5), (7) or (8), or who fails to comply with any direction given to him under the provisions of subregulation (3) shall be guilty of an offence and liable to a fine of P300 and to imprisonment for three months.

PART IV *Boating and fishing within National Park*

Boating on National Parks

7. (1) No person shall enter a National Park by boat or use a boat on National Park waters unless he is in possession of a permit obtained from an authorized officer.

(2) No permit shall be issued until the fee set out in the Schedule has been paid to an authorized officer except where a free entry permit has been authorized by the Director.

(3) No person shall, except with the written authority of an authorized officer bring into or use any outboard or engine in excess of twenty-five horse-power on any boat within the boundaries of a National Park or upon any waters bordering on a National Park.

(4) No person may use an inflatable boat or rubber dinghy within a National Park.

(5) No person using a boat on the waters of a National Park shall cause or allow such boat —

(a) to approach any animal drinking or bathing in such waters in such manner or so closely as to disturb such animal; or

(b) to be driven at a speed faster than five knots.

(6) An authorized officer may designate points in a National Park which shall serve as points of embarkation and disembarkation, and shall identify such points by sign and notice.

(7) No person shall go ashore or moor or leave any boat at any place in a National Park other than at a mooring place designated by an authorized officer in terms of subregulation (6).

(8) No person shall, without the written permission of an authorized officer, use a boat on the waters of a National Park at night.

(9) No person shall indulge in any water sport within the boundaries of a National Park.

(10) An authorized officer may determine which portion or portions of the waters of a National Park shall be open to boats, and shall identify such portion or portions by sign and notice.

(11) Any person who, without reasonable excuse, contravenes any provision of this regulation shall be guilty of an offence and liable to a fine of P300 and to imprisonment for three months.

8. (1) No person shall catch fish within a National Park except under and in accordance with a permit issued by an authorized officer and on payment of the fee prescribed in the Schedule.

(2) An authorized officer may designate points in a National Park to be set aside as designated fishing points, and shall identify such points by notice and sign.

(3) No person shall fish within a National Park except at a designated fishing point.

(4) No person shall fish by any means other than with rod and line.

(5) No person shall be permitted to catch and retain in excess of 10 fish per day.

(6) Any person who, without reasonable excuse, contravenes any provision of this regulation shall be guilty of an offence and liable to a fine of P400 and to imprisonment for four months.

Fishing
in National
Parks

PART V *General conduct within National Park*

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

(2) No person shall bury, burn or leave any refuse of any kind within a National Park.

(3) No person shall, without the written permission of an authorized officer, light a fire in a National Park except at a designated camping site, hotel, lodge or permanent camp.

(4) No person shall cause a bush-fire within a National Park or leave a fire unextinguished or leave any material capable of causing a fire.

(5) No person shall drive any vehicle or cause any vehicle to be driven anywhere in a National Park at a speed exceeding 40 km per hour.

(6) No person shall cause any damage to objects of geological, ethnological, historical, archaeological or of other scientific interest within a National Park or, without the written permission of an authorized officer, remove any object from a National Park.

(7) No person shall, without the written permission of an authorized officer, introduce any wild or domestic animal into a National Park or knowingly permit any domestic animal to stray into a National Park, or introduce any vegetation into a National Park, or remove from a National Park any fauna or flora.

(8) No person shall, except with the written permission of the Director cut, damage or destroy any tree or other vegetation in a National Park.

(9) No unauthorized person shall destroy or deface any object, whether animate or inanimate, in a National Park.

General
conduct
in National
Parks

(10) No person shall erect any building or structure within a National Park without the written permission of the Director.

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

(12) No person shall operate any radio or electronic equipment for the reproduction of sound, or use any mechanical device which creates noise (other than a motor vehicle), which is likely to disturb the peaceful enjoyment of other visitors or the bird and animal life within a National Park.

(13) Any person who contravenes any provision of this regulation, or fails to comply with any direction given under subregulation (11), shall be guilty of an offence and liable to a fine of P500 and to imprisonment for six months.

Persons
in National
Parks to
remain in
camping sites
at night

10. (1) No person shall, without the written permission of an authorized officer, remain in a National Park at night unless he is in a designated camping site or lodge and in possession of a valid camping permit.

(2) Any person who, without reasonable excuse, fails to comply with the provisions of subregulation (1) shall be guilty of an offence and liable to a fine of P400 and to imprisonment for four months.

Interference
with animals

11. (1) No unauthorized person shall interfere in any way within, or feed or provide food for, any animal in a National Park.

(2) Any person who contravenes any provision of this regulation shall be guilty of an offence and liable to a fine of P400 and to imprisonment for four months.

Prohibition
of arms and
ammunition
and other
weapons

12. (1) Subject to the provisions of subregulation (2), no person other than an authorized officer shall convey into, or be in possession of, within a National Park any arms, ammunition, explosive, trap or poison or any other weapon capable of use in the killing, maiming or capture of any animal.

(2) An Authorized officer may endorse on a permit authority to introduce into a National Park arms and ammunition:

Provided that before any arms are so introduced an authorized officer shall attach a seal to them or their container in such a manner that the arms cannot be loaded or the container opened without breaking the seal.

(3) Where arms are introduced into a National Park in terms of subregulation (2) and the seal attached thereto is broken, the person in possession of the arms shall, before or immediately after leaving a National Park, deliver the arms to an authorized officer and report to him the circumstances under which the seal was broken.

(4) Any person who contravenes any provision of subregulations (1) or (3) shall be guilty of an offence and liable to a fine of P500 and to imprisonment for six months.

PART VI *Miscellaneous*

13. (1) Any person who —

(a) contravenes or attempts to contravene any of the provisions of these Regulations or any other law; or

(b) behaves in such a manner as to create or cause a nuisance or acts in any way detrimental to the interest of a National Park, shall comply with any reasonable direction, including a direction to leave a Game Reserve, as may be given by an authorized officer.

(2) Any authorized officer may refuse to issue a permit to enter the National Park to any person or group of persons, whom he has reason to believe may not or has not complied with these Regulations, or for any other fit and proper reason for the effective running of a National Park.

(3). Any person who is ordered to leave a National Park under subregulation (1) shall not be entitled to any refund of fees paid in terms of these Regulations.

(4) Any person who fails to comply with any direction given to him under the provisions of subregulation (1) shall be guilty of an offence and liable to a fine of P500 and to imprisonment for six months.

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

14. The following enactments are hereby revoked —

(a) Chobe National Park Regulations, 1987;

(b) Nxai Pan National Park Regulations;

(c) Chobe National Park (Kachikau-Kasane) Road Regulations.

General
powers of
authorized
officers

Revocation
S.I. 37, 1987
S.I. 36, 1977
S.I. 94, 1971

SCHEDULE

(regs. 4(2), 5(3), 6(6), 7(2), 8(1))

FEES

1. Fees payable on entry:

(i) Privately organized tours —

	<i>Citizen P</i>	<i>Resident P</i>	<i>Non Resident P</i>
(a) Persons of 16 years of age or over	2,00 per day	10,00 per day	50,00 per day
(b) Children between the ages of 8 and 15 inclusive	1,00 per day	5,00 per day	25,00 per day
(c) Children of 7 years and below	Free	Free	Free

(ii) Tours through Botswana registered, based and licensed tour operators and established lodge and hotels —

(a) Persons of 16 years of age or over	2,00 per day	10,00 per day	30,00 per day
(b) Children between the ages of 8 and 15 years inclusive	1,00 per day	2,00 per day	5,00 per day
(c) Children of 7 years and below	Free	Free	Free

2. Camping Fees:

(i) Privately organized tours —

(a) Persons of 16 years of age or over	5,00 per night	10,00 per night	20,00 per night
(b) Children between the ages of 8 and 15 years inclusive	1,00 per night	2,00 per night	10,00 per night
(c) Children of 7 years and below	Free	Free	Free

(ii) Tours through Botswana registered, based and licenced operators, and established lodges and hotels —

(a) Persons of 16 years of age or over	1,00 per night	5,00 per night	10,00 per night
(b) Children between the ages of 8 and 15 years inclusive	50 per night	2,00 per night	5,00 per night
(c) Children of 7 years and below	Free	Free	Free

3. *Fishing Permit*

1,00 per day	5,00 per day	10,00 per day
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4. *Vehicle Entrance Fee:*

(a) Botswana registered	2,00 per day
(b) Foreign registered	10,00 per day
(c) Vehicle entrance fee paid by an operator based in National Park	P500 per annum in respect of that National Park only.
(d) Excess vehicle weight fee for every 450 kg or part thereof in excess of 3,500 kg unladen weight	P250 per day

5. *Boat entrance fee:*

(a) All boats other than canoes or dugouts	5,00 per day
(b) All boats, other than canoes or dugouts, used by an operator based in a National Park.	P150,00 per annum in respect of that National Park only
(c) Canoes or dugouts	Free

6. *Aircraft Entrance fee:*

Locally registered P2,00 per day
Foreign registered P10,00 per day

MADE this 14th day of December, 1988.

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