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GENERAL NOTICE

NOTICE 685 OF 2011

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT, 2004 (ACT NO. 10 OF 2004)

PROPOSED AMENDMENTS TO THE NORMS AND STANDARDS FOR THE MARKING OF RHINOCEROS HORN AND HUNTING OF WHITE RHINOCEROS FOR TROPHY HUNTING PURPOSES

I, Bomo Edith Edna Molewa, Minister of Water and Environmental Affairs, hereby, in terms of section 100 of the Act, publish for public comment amendments to the norms and standards for the marking of rhinoceros horn and hunting of white rhinoceros for trophy hunting purposes, as set out in the Schedule hereto. For the convenience of the public the amendments are indicated in bold and underlined.

Any person who wishes to submit representations or comments in connection with the proposed amendments to the norms and standards is invited to do so within 30 days of the date of this notice. All representations and comments must be submitted in writing to the Director-General of the Department of Environmental Affairs:

By post to: The Director-General: Environmental Affairs
Attention: Ms Magdel Boshoff
Private Bag X447
Pretoria, 0001

By fax to: (012) 320 7026, and by e-mail to mboshoff@environment.gov.za

Comments received after the closing date may not be considered.



BOMO EDITH EDNA MOLEWA
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

GENERAL EXPLANATORY NOTE:

- [] Words in bold typed in square brackets indicate text deleted from existing enactments.
- Words underlined with a solid line indicate text inserted in existing enactments.

SCHEDULE**NORMS AND STANDARDS FOR THE MARKING OF RHINOCEROS HORN AND HUNTING OF WHITE RHINOCEROS FOR TROPHY HUNTING PURPOSES****1. Marking of rhino horn:**

- 1.1 All live rhinos sold and transported after the commencement of these norms and standards that have not been micro-chipped before, whether on privately owned or state land must be micro-chipped with one microchip in each of the horns. All individual detached rhino horns in private or state possession must be micro-chipped in accordance with **[Regulation 70 of]** the prescriptions of the Threatened or Protected Species (TOPS) Regulations, published in Notice No. R. 152 of 23 February 2007, as amended, **[(TOPS).]** or any subsequent regulations amending or replacing the said regulations.
- 1.2 When an application for the possession of rhino horn is submitted to the issuing authority, information on the circumference, inner length and outer length of each individual detached horn, as well as the weight thereof, must be provided by the applicant. In addition to this information the applicant must photograph each horn. Photographs must be of a good quality for easy identification of horns. The photographs must accompany the application. These requirements are applicable to all individual detached horns obtained after commencement of these norms and standards.
- 1.3 Before a possession permit is issued by the issuing authority, an official must conduct an inspection of the horn and verify the information supplied by the applicant.
- 1.4 Rhino horns originating from natural mortalities, or obtained as a result of dehorning of rhinos, or horns already in legal private possession**[s]**, and which are not micro-chipped, must be micro-chipped by the permit issuing authority and all relevant information as prescribed above, must be captured from the date of commencement of these norms and standards. Mortalities must be reported to the issuing authority as soon as possible after the death of the animal. **[Micro-chipping of individual detached rhino horns must be done by the relevant issuing authority.]** The owner of the rhino horn is responsible for the costs incurred by the issuing authority to purchase the microchips.
- 1.5 The provincial issuing authorities must keep the above information **[must be kept in a provincial]** on the TRAFFIC rhino horn stockpile database and any changes resulting from translocation, export out of a province, natural mortalities, hunting etc. must be reflected in such database. The

national Department of Environmental Affairs (DEA) [and Tourism (DEAT) will develop the database and] must **[keep] maintain [a] the** national database.

2. Management of the hunting of white rhino:

- 2.1 Trade in individual rhino horns and any derivatives or products of the horns are prohibited in terms of a national moratorium which has been **[approved by MinMec and]** published in Gazette No. 31899 (Notice No. 148). [Government Gazette No. 21301 (Notice No. 835).] Only horns that are exported as part of a hunting trophy may be exported with the necessary TOPS and Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) permits.
- 2.2 All rhino hunts must be strictly controlled by means of an individual TOPS hunting permit issued by the issuing authority **[and must not be included on TOPS standing permits or game farm hunting permits. This will]** to ensure that all rhino horns can be traced to the property where the hunt took place. The hunting of rhino may therefore not be authorized in terms of a standing permit for game farms or a game farm hunting permit.
- 2.3 All applications for the hunting of rhino received by the issuing authorities must be referred to the Directorate: Regulation and Monitoring Services at DEA[T] for recommendation within the time frame as **[provided for in terms of Regulation 8 of]** prescribed in the TOPS Regulations. This will enable DEA[T] to compile a database for hunters and ensure that a hunter does not hunt more than one animal in different provinces within a 12-month period [per year].
- 2.4 Rhino hunts must [should, where possible,] take place under the supervision of a conservation official, preferably an environmental management inspector from the province concerned, subject to a permit being issued in the name of the hunter. Such official or inspector, whose contact details must be provided by the issuing authority, must be informed by the permit holder of the date and place of the hunt at least 24 hours before it takes place.
- 2.5 A person may only hunt and export one rhino for trophy purposes within a 12-month period. [per year.]
- 2.6 A person **[will not be allowed to]** may not export the horns of a rhino hunted as a trophy in personal baggage, **[and horns may not be separated from the rest of the trophy immediately after the hunt. All parts of the trophy, including the horn must be transported to the taxidermist.]** The horns must be transported from the address where the hunt took place directly to the taxidermist or similar facility to be processed and prepared for exportation. The horns must be transported to the taxidermist or similar facility by the professional hunter who accompanied the hunter; or the hunting outfitter who organized the hunt; or the hunter. In the case where the hunter transports the horns, it must be transported under supervision of the relevant professional hunter or hunting outfitter.
- 2.7 **[T]**If not already micro-chipped, the horns must be micro-chipped on the property where the hunt took place immediately after the hunt, **[in the case where an official supervised the hunt if it is not already micro chipped. In the case where an official did not supervise the hunt, the rhino horn must be micro-chipped]** before it is transported from the property where the hunt

took place. Only an official from the issuing authority may micro-chip the horns of the hunting trophy.

- 2.8 The professional hunting register must be completed immediately after termination of the hunt.
- 2.9 The TOPS hunting permit must be signed by the hunter before commencement of the hunt. The owner or the manager of the game farm must sign off the permit after termination of the hunt, to confirm the success of the hunt. The official or environmental management inspector, who attended the hunt, must immediately after the hunt provide DEA with information relating to the hunt and the relevant micro-chip numbers.
- 2.10 The hunting permit and a copy of the professional hunting register must accompany the rhino products (including the horns) which forms part of the hunting trophy, when being transported between destinations.
- 2.11 The CITES export permit for the white rhino trophy, which must be accompanied by a copy of the TOPS hunting permit, must be endorsed by an environmental management inspector [conservation official at the port of exit] prior to the export of the trophy.

3. DNA samples of rhino horns:

- 3.1 DNA samples of the horns must be collected when live rhinos are darted for translocation, treatment or any other management purpose.
 - 3.2 When detached horns referred to in Paragraph 1.4 or Paragraph 2.7 are micro-chipped, DNA samples must be also be collected at the same time.
 - 3.3 DNA samples must be collected by the following persons:
 - 3.3.1 A registered veterinarian responsible for the darting of a live rhino;
 - 3.3.2 An official from the issuing authority responsible for the micro-chipping of horns referred to in Paragraph 1.4, and who has been adequately trained in the collection of DNA samples; or
 - 3.3.3 The conservation official or environmental management inspector who supervises the hunt, and who has been adequately trained in the collection of DNA samples.
 - 3.4 The DNA sample must be sent to the Veterinary Genetics Laboratory of the Faculty of Veterinary Science at Onderstepoort, as soon as possible after it has been taken.
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