

**GOVERNMENT OF ZAMBIA**

STATUTORY INSTRUMENT NO.107 OF 2010

**The Zambia Wildlife Act, 1998**  
(Act No. 12 of 1998)**The Zambia Wildlife (Elephant Sport Hunting)**  
**Regulations, 2010**

## ARRANGEMENT OF REGULATIONS

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3. Authority to hunt elephant for sport
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5. Notification of allocated quota to Secretariat of Convention
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## SCHEDULE

IN EXERCISE of the powers contained in sections *thirtyfour and one hundred and fortyfour* of the Zambia Wildlife Act, 1998, and after consultation with the Authority, the following Regulations are hereby made:

- |   |                                      |
|---|--------------------------------------|
| 1. These Regulations may be cited as the Zambia Wildlife (Elephant Sport Hunting) Regulations, 2010.  | Title                                |
| 2. In these Regulations, unless the context otherwise requires  | Interpretation                       |
| <p>“Authority” means the Zambia Wildlife Authority established under section <i>four</i> of the Act;</p> <p>“concessionaire” means a holder of an exclusive hunting concession granted by the Authority and the local community;</p> <p>“Convention” means the Convention on International Trade in Endangered Species of Wild Fauna and Flora concluded in Washington, D.C on 3rd March, 1973 and as amended in Bonn on 22nd June, 1979;</p> <p>“game management area” means an area of land declared to be a game management area under section <i>twenty-six</i> of the Act;</p> <p>“patron” has the meaning assigned to it in the Act; and</p> <p>“trophy” has the meaning assigned to it in the Act.</p> |                                      |
| 3. (1) A holder of a hunting licence issued under the Act may hunt elephant for sport.  | Authority to hunt elephant for sport |
| (2) An elephant shall not be hunted for sport unless it is of the prescribed trophy size.   |                                      |
| (3) In this regulation, an elephant is of a prescribed trophy size if it has tusks and a minimum weight of fifteen kilograms per tusk:  |                                      |
| Provided that a holder of a hunting licence may, upon request, be authorised by the Director in writing, to hunt an elephant that does not possess any tusks.   |                                      |
| (4) The hunt of elephant for sport—   |                                      |
| (a) does not include the hunting of elephant for the purposes of controlling problem elephants; and   |                                      |
| (b) shall be undertaken during the period between 1 <sup>st</sup> May and 31 <sup>st</sup> December or during such period as the Authority may determine.   |                                      |

Designated  
areas for  
elephant  
sport  
hunting

4. The hunting of elephant for sport shall be conducted in the game management areas designated by the Authority.

Notification  
of allocated  
quota to  
Secretariat of  
Convention

5. (1) The Authority shall, where applicable, in accordance with the Convention, notify the Secretariat of the quota of elephants allocated in accordance with these Regulations.

(2) The quota of elephants allocated for sport shall not exceed the quota of elephants notified to the Secretariat of the Convention in any one year.

Subsidiary  
agreements  
for elephant  
sport  
hunting

6. (1) The Authority shall enter into subsidiary agreements with respect to the hunting of elephants for sport with the concessionaires operating in the designated game management areas.

(2) The subsidiary agreements referred to in sub-regulation (1) shall be concluded on the basis of the following guidelines:

(a) fifty percent of the quota of elephants allocated for sport shall be allocated equitably to the fully paid up concessionaires operating in the designated game management areas upon payment of the fees for elephants specified in the Zambia Wildlife (Licences and Fees) Regulations, 2007;

(b) fifty percent of the quota of elephants referred to in sub-regulation (2) of regulation 5 shall be sold by auction to fully paid up concessionaires operating outside the designated game management areas:

Provided that where there is no bidder, the fully paid up concessionaires operating in the hunting block for which the quota is available may purchase the remaining elephants at the reserved price;

(c) the reserve price for the auctioning of the elephant referred to in paragraph (b) shall be an amount equal to the fees specified for elephant in the Zambia Wildlife (Licence and Fees) Regulations, 2007;

(d) where the resident concessionaire has not paid the licence fees in full by the 31st March of any year, the quota shall be auctioned in accordance with paragraph (b); and

S.I. No. 60 of  
2007

S.I. No. 60 of  
2007

(e) the concessionaire shall ensure that a hunter is accompanied by a fully qualified and licensed professional hunter during the hunting of the elephant.

(3) The Authority shall—

(a) issue a non-resident elephant hunting permit to a concessionaire in respect of elephant hunting in a specified game management area; and

(b) ensure that a hunter is accompanied by at least one wildlife police officer.

(4) At least fifty percent of the meat of an elephant, which is killed during sport hunting, shall be given to the local community in the game management area in which the hunting takes place.

7. (1) A holder of a hunting licence issued under the Act shall, within ninety-six hours of hunting elephant for sport, complete and submit Form I set out in the Schedule and the trophy to the nearest area management unit for purposes of registration.

Ownership,  
export and  
disposal of  
remains of  
elephant

(2) The head of the area management unit referred to in sub-regulation (1) shall, within seven days of receiving the Form and the trophy submit them to the Authority for marking in accordance with the requirements of the Convention.

8. (1) Notwithstanding the provisions of the National Parks and Wildlife (Elephant and Rhinoceros) Regulations, 1993, a holder of a hunting licence issued under the Act may apply for a permit to export the ivory and trophy that is obtained from an elephant which is hunted in accordance with these Regulations.

Export of  
ivory and  
trophy

S.I.No. 81 of  
1993

(2) An application to export ivory shall be made in accordance with the Zambia Wildlife (International Trade in Endangered Species of Wild Fauna and Flora) Regulations, 2007.

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2007

(3) Where a holder of a licence referred to in sub-regulation (1) intends to export the ivory or trophy obtained from elephant sport hunting, the Authority shall, upon receipt of the ivory or trophy and the appropriate fees, issue a certificate of ownership to the holder of the licence and the holder of the certificate shall, at the time of the export, surrender the certificate to the Authority.

(4) The Authority shall permit a holder of a licence to export ivory and any other parts, in a raw form, other than meat.

(5) The Authority shall avail an applicant with sanitary requirements and issue an export permit in accordance with the provisions of the Zambia Wildlife (International Trade in Endangered Species of Wild Fauna and Flora) Regulations, 2007.

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2007

(6) Any ivory or trophy intended to be exported shall be reexamined at the time of export to ensure that the details submitted to the Authority in respect of the ivory or trophy match the trophy or ivory presented for export.

(7) For purposes of these Regulations, the designated airports for the export of ivory and any other elephant trophy shall be the Livingstone, Mfuwe, Ndola and Lusaka Airports.

(8) A concessionaire shall, where a taxidermist is required for the preservation of the trophy prior to export, provide details of the taxidermist to the Authority:

Provided that no worked ivory or elephant trophy shall be exported.

(9) A concessionaire shall deposit with the Authority any part of the elephant that remains after the holder of a licence has taken what the holder requires.

Register

9. The Authority shall maintain a register containing the details of—

- (a) the sport hunting of the elephant;
- (b) the area in which any hunting is conducted; and
- (c) the full names, address and such other particulars of the holder of a licence as the Authority may determine.

Disbursement  
of profit

10. (1) In this regulation, "profit" means the difference between the revenue realised from fees for elephants and the costs incurred by the Authority for conservation and management in each respective game management area.

(2) The Authority shall disburse the profits realised from elephant sport hunting as follows:

- (a) forty-five per centum to the local community in the game management area in which the hunting takes place;
- (b) fifty per centum to the Zambia Wildlife Authority; and
- (c) five per centum to the patron in the game management area in which the hunting takes place.

Offence and  
penalty

11. (1) A person who contravenes these Regulations is liable, upon conviction, to a fine not exceeding fifty thousand penalty units or imprisonment for a term not less than five years, or to both.

(2) In addition to the penalty prescribed in sub-regulation (1), the court may order the forfeiture of anything which was the subject of the contravention, or with which the offence was committed or which was used in, or for the purpose of, or in connection with, the commission of the offence.

SCHEDULE  
(Regulation 7)



REPUBLIC OF ZAMBIA

The Zambia Wildlife Act, 1998  
(Act No. 12 of 1998)

The Zambia Wildlife (Elephant) (Sport Hunting)  
Regulations, 2010

RECORD OF GAME AND/OR PROTECTED ANIMALS  
KILLED OR WOUNDED EXCEPT ELEPHANT

Name of Professional Hunter: .....

Residential Address.....

Safari Company on behalf of which the Professional Hunter is submitting this return

**DETAILS OF CLIENT**

Name of client: .....

NRC/Passport No. ....

Nationality: ..... Country of Residence .....

Physical Address: .....

Postal Address: .....

Type of Licence: ..... LicenceNo.: .....

Date of issue: ..... Place of issue: .....

**DETAILS OF HUNT**

Name of Hunting Block where hunting was conducted .....

Hunting period From ..... To .....

Detailed description of other trophy (e.g. tooth, bone, claw, hoof, hair, egg etc...)

.....  
.....  
.....  
.....

Date Killed or wounded	Species	Sex (M/F)	Number killed	Number Wounded	GPS Location	Trophy for export		Foreign currency value charged to client
						Yes	No	

**DETAILS OF TROPHY MEASUREMENTS (e.g. horn, tusk, skin, etc)**

Species	Top to Top (overhead)	Top to Top (Around)	Right Boss	Left Boss	Skull length	Skull width

Species (curved horned)	Horn length (Right)	Horn length (Left)	Boss circumferences (Right)	Boss circumferences (Left)

  

Species (Spiral horned)	Horn length (Right)	Horn length (Left)	Boss circumferences (Right)	Boss circumferences (Left)

**DETAILS OF PAYMENTS MADE**

Type of Payment	Currency	Amount
1) Amount of foreign currency paid by the client directly to the Safari company for the services rendered by the Company, including overheads and extras.		
2) Amount of foreign currency paid by the Safari company on behalf of the client to the Director-General for the animals, licences and permits. 3) Amount of foreign currency paid by the Safari company on behalf of the client to the Director-General in respect of hunting rights.		
Total amount paid the kwacha equivalent of US\$ .....		

Certification by -

**(a) Client**

I certify that the animals listed on this return were hunted or wounded by me during the period stated and that the total amount of foreign currency stated and paid by me to the safari company is the full amount I was charged.

.....  
*Date*                      *Name of Client*                      *Signature of Client*

**(b) Professional Hunter**

I certify that the animals listed in this return were actually hunted by the client in accordance with the terms and conditions of a Safari Hunting Licence and that the total foreign currency stated above is the full amount paid by the client for the hunt.

.....  
*Date*                      *Name of Professional Hunter*                      *Signature of Professional Hunter*

.....  
*Date*                      *Name of Wildlife Police officer*                      *Signature of Wildlife Police officer*

.....  
*Signature of Wildlife Police Officer*

**Notes**

1. In the event of insufficient space, the list is to be continued on a separate page.
2. Any currency deposited by the client for the cost of processing or shipping such clients' trophies to their destination must be indicated. Where there is a discrepancy between the total amount of foreign currency paid by the client to the safari hunting company and the actual amount deposited with the Zambian Registered Commercial Bank, the Safari company shall provide a written explanation for such discrepancy and shall attach the explanation to the original copy of the return and to the export permit.
3. The amount of foreign currency paid by the client directly to the safari company shall be supported by a Form.
4. This return must be completed by the Professional Hunter who was in direct control of the hunt in question
5. The register must be presented to any wildlife police officer or honorary wildlife police officer on demand
6. The Professional Hunter is required to ensure that the register is available for inspection within his hunting area during the hunt.
7. The original (white) copy of the return should be submitted to the Director-General within fourteen days after the completion of the hunt.



8. The duplicate (yellow) return, which should be stamped by the appropriate licensing office of ZAWA, is to be attached to the client's Export Permit and both are to be exhibited to the Bank of Zambia when applying for an export licence.
9. The foreign client and the Professional Hunter are required to sign this form immediately upon the completion of the hunt. Non-compliance will render the Professional Hunter liable to prosecution. For this reason, all Professional Hunters should ensure that they are in possession of a register whilst the hunt is being conducted.
10. Professional Hunters are required to take GPS coordinates for all areas where they have hunted or wounded game animals or protected animals.

## FOR OFFICIAL USE ONLY

Export Permit No..... Date.....

CITES Permit No..... Stamp.....

C. NAMUGALA,  
*Minister of Tourism, Environment  
and Natural Resources*

LUSAKA

9th December , 2010  
[MTENR/71/14/2]