

AGRICULTURAL RESOURCES CONSERVATION ACT
(Cap. 35:06)

AGRICULTURAL RESOURCES CONSERVATION
(UTILIZATION OF VELD PRODUCTS) REGULATIONS
(Published on 1st December, 2006)

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IN EXERCISE of the powers conferred on the Agricultural Resources Board by section 16 of the Agricultural Resources Conservation Act, the following Regulations are hereby made —

1. These Regulations may be cited as the Agricultural Resources Conservation (Utilization of Veld Products) Regulations, 2006. Citation

2. In these Regulations, unless the context otherwise requires — Interpretation

“Commercial register” means the complete record keeping by the registered dealers and exporters of all transactions including buying, selling, making of donation, receiving of donation,

“Dealer” means a person permitted under these Regulations to carry on a business of dealing in veld products;

“Harvesting” means gathering of veld products, including picking, cutting, burning, uprooting, transplanting, digging up and collecting;

“Veld products” means a non-domesticated, vegetative biological resources that may be used for construction, medical, food, cultural activities and firewood.

“Veld products categories” means categories as set out in the schedule.

3. (1) No person shall, without a permit from the Board or from any person authorised by the Board, harvest any veld product listed in the Schedule exceeding the amount specified in subregulation (2) in relation to such veld product, except in accordance with the conditions specified in the said subregulation (2). Harvesting of veld products

(2) The permissible amounts and conditions for harvesting in respect of the veld products set out in the Schedule are as follows —

- (a) veld products of category 'A' shall not be harvested without a harvesting permit, except for domestic use;
- (b) veld products of category 'B' require a harvesting permit if the amount to be harvested exceeds 2 kg per person per month;
- (c) veld products of category 'C' require a harvesting permit if the amount to be harvested exceeds 10 kg per person per month;
- (d) veld products of category 'D' may be harvested without a permit from the Board;
- (e) veld products of category 'E' require a harvesting permit if the amount to be harvested exceeds 10 bundles (maximum diameter 20 cm) per household per month;
- (f) veld products of category 'F' shall not be harvested from the 20th October each year to the 15th July of the coming year, if harvesting is carried out not within the stipulated period a harvesting permit shall be required if the harvest exceeds the quantity of 800 bundles (maximum diameter 20cm) per household; and
- (g) veld products of category 'G' require a harvesting permit if the amount to be harvested exceeds 1.0 tonnes per household per month. A permit for fencing or building using untreated poles (indigenous) must be obtained if the collection exceeds more than 500 poles per household per year;

Dealing and exporting of veld products

4. A person shall not deal in or export any veld product listed in the Schedule without a permit from the Board or any person authorized by the Board.

Application for permits

5. (1) A person who wishes to obtain a harvesting, dealer or export permit shall submit a written application to the Secretary of the Board.

(2) An application under sub-regulation (1) shall clearly specify —

- (a) the kind of veld product and the quantity which the applicant wishes to harvest, deal in or export;
- (b) the origin and the destination of the veld product; and
- (c) whether the applicant is a citizen, resident or non-resident of Botswana.

(3) The Board may require the applicant to give additional information reasonably required to enable a permit to be issued.

Conditions for issue of permit

6. (1) The Board shall issue a permit where it is satisfied that —

- (a) the area proposed to be harvested is permitted for harvesting activities; and
- (b) the proposed harvesting methods are effective and sustainable harvesting methods.

(2) The Board may, where it consider, it necessary, attach to a permit any reasonable conditions under which the permit may be used.

(3) A permit holder must, during the period of the validity of the permit, ensure that any conditions attached to a permit under sub-regulations (1) and (2) are complied with.

Commercial register

7. (1) Dealers and exporters are required to keep a commercial register of all transactions, and shall be registered with the Board.

(2) The Register shall always be available for inspection.

8. A harvesting, dealer or export permit issued to any person or entity shall be valid for a period stipulated in the permit and shall not be transferable.

9. (1) A person who contravenes these Regulations, or who makes a false statement in order to obtain a harvesting, dealer or export permits, commits an offence and is liable to a fine not exceeding P1,000 or to imprisonment for a term not exceeding 1 year, or to both.

10. In addition to any penalty that may be imposed, the court may order that any veld product in respect of which the offence was committed shall be forfeited to the State.

11. Without prejudice to any criminal liability of a permit holder, the Board may cancel or suspend a permit if it considers that the provision of these Regulations, or a condition in a permit, is not being complied with.

12. The Agricultural Resources (Grapple Plant) Regulations and the Agricultural Resources Conservation (Harvesting of Veld Products) Regulations, are hereby revoked.

Validity of permits

Offences and penalties

Confiscation of veld products

Cancellation, suspension of permit

Revocation of S.I. No. 69 of 1977 and S. I. No. 28 of 2004

SCHEDULE

(regulation 3 (1))

<i>CATEGORY</i>	<i>SCIENTIFIC NAME</i>	<i>PRODUCT VERNACULAR/ COMMON NAME</i>
A	Hoodia Species	Thokabotshwaro/Sekopane/Seboka/Hoodia
A	Harpagophytum species	Sengaparile/Grapple Plant/Devils Claw
B	Lippia scaberrima	Mosukudu/Fever Tea
B	Lippia javanica	Mosukujane/Mosukubyane/Fever Tea
B	Artemisia afra	Lengana/Wild wormwood
B	Terfezia pfeilii	Mahupa/Truffles
B	Myrothamnus flabellifolius	Gala la tshwene/Resurrection Plant
B	Strophanthus kombe	Kombi/Poison Rope
B	Indigofera tinctoria	Mhetola/Africa Indigo (basket dyes)
B	Cassia abbreviata	Monepenepe/Long tailed cassia
C	Imbrasia belina	Phane/Caterpillar
D	Sclerocarya birrea subsp caffra	Morula
D	Adansonia digitata	Mowana/Baobab
D	Orthanthera jasminiflora	Mosata>Nama ya sethare
D	Mimusops zeyheri	Mmupudu/Red Milkwood
D	Vangueria infausta	Mmilo/Wild medlar
D	Betchemia discolor	Motsintila/Brown Ivory
D	Grewia species	Mogwana/Moretwa
D	Azanza garckeana	Morojwa/Snot Apple
D	Strycnos cocculoides	Mogorogorwane/Corky monkey apple
D	Strycnos spinosa	Morutlwa/Green monkey apple
D	Phragmites australis	Letlhaka/Common reed
E	Hyphane pertesiana	Mokolwane/Mokola/Fan palm
F	Eragrostis pallens	Motshikiri/Thatching grass
F	Cymbopogon plurinoides	Mokamakama/Thatching grass
F	Cymbopogon excavatus	Mosagasolo/Thatching grass
F	Hyparrhenia hirta	Thatching grass

F	<i>Hyparrhenia filipendula</i>	Thatching grass
F	<i>Hyparrhenia dissoluta</i>	Thatching grass
F	<i>Stipagrostis uniplumis</i>	Tshikhithshane/Thatching grass
G		Dikgong/Firewood/Fuelwood
G		Untreated poles/plant materials for building purposes

MADE this 7th day of November, 2006.

E.B. MOABI,
Chairman,
Agricultural Resources Board.