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# THE WILDLIFE CONSERVATION (DEALINGS IN TROPHIES) REGULATIONS, 2010

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# THE WILDLIFE CONSERVATION ACT (Cap. 283)

# REGULATIONS

(Made under section 121)

THE WILDLIFE CONSERVATION (DEALING IN TROPHIES) REGULATIONS, 2010

# PART 1 PRELIMINARY PROVISIONS

 These Regulations may be cited as the Wildlife Conservation Citation (Dealings in Trophies) Regulations, 2010.

2. In these Regulations, unless the context otherwise requires;

"Act" means the Wildlife Conservation Act;

"Authorized Officer" shall have the same meaning ascribed under the Act:

"capture" includes any act directed at the taking of any animal, nest or

"CITES" means the Convention on International Trade in Endangered Species of Wild Fauna and Flora of 1973 and includes any Appendices thereto and any Resolutions of the Conferences of Parties;

"citizen" means a citizen of the United Republic of Tanzania;

"committee" means the Trophy Dealer's Licence Advisory Committee established under regulation 3 (1);

"Director" means the Director of Wildlife appointed under the Act;

"holding ground" means an area where animals are kept waiting to be exported or re-exported and includes an aviary, pen or similar area;

"licensing officer" means any wildlife officer appointed by the Director to be a licensing officer for the purposes of these Regulations;

"Minister" means the Minister responsible for Natural Resources and Tourism;

"quarantine station" means a place or centre of detaining animals or plants on arrival at a port for a period originally 40 days for health

inspection to prevent the spread of disease;

"quota" means a number of animals set basing on the scientific data for

the purpose of consumptive utilization in a given period;

"veterinary officer" means a person appointed by the Minister responsible for livestock to be a government veterinary officer or to exercise the powers of a veterinary officer.

## PART II

PROCEDURE FOR APPLICATION OF TROPHY DEALER'S LICENCE

Establishment of a Committee

- There shall be a trophy dealer licence advisory committee.
- (2) The Committee shall be composed of:
  - (a) a Chairman who shall be appointed by the Director and who shall be a person who posses proven knowledge and experience in wildlife conservation;
  - (b) a representative of the Board of External Trade;
  - (c) a representative of Tanzania Revenue Authority;
  - (d) a representative of the official handling agent of Julius Nyerere International Airport;
  - (e) one Senior Wildlife Officers to be appointed by the Director;
  - (f) a representative of the International Police (Interpol); and
  - (g) the head of the wildlife utilization section who shall be the Secretary.

Functions of the Committee

- 4. The functions of the Committee shall be to advise the Director on:
  - (a) matters relating to applications, conditions and issuance Trophy Dealer's Licence;
  - (b) the number of Trophy Dealer's License to be issued; and
  - (c) any other matter relating to dealing in trophies.

Application for Trophy Dealer's Licence 5.-(1) Any person who is a citizen of the United Republic of Tanzania intending to undertake any activity of dealing in trophy shall apply to the Director for a trophy dealer's licence in a form prescribed in the First

# Schedule to these Regulations.

- (2) Each application shall be submitted to the Director from 1st October to 15th November each year together with-
  - (a) a copy of Certificate of Registration, Memorandum and Articles of Association if the applicant is a Limited Company;
  - (b) a copy of Tax payer Identification Number;
  - (c) evidence of the employed trappers with experience of not less than three years and at least a basic training in wildlife management from a recognized institution if the applicant intends to deal in live animals;
  - (d) evidence of the availability of market for the animals or animal products;
  - (e) evidence that the business is licensed by the appropriate authority;
  - (f) business plan related to the proposed business together with proof of capital; and
  - (g) the application fee as prescribed in the Second Schedule to these Regulation.
- (2) Notwithstanding sub regulations (1), the Director may whenever necessary and for the purpose of authentication of documents, require an applicant to submit the original copies of the documents specified under sub-regulation (1).
- (3) The Director shall upon receiving the application and satisfying himself that the application is dully made, registered application and submit it to the Trophy Dealer Licence Advisory Committee who shall scrutinize the applications and advise the Director accordingly.
- (4) The Director shall consider the advise of the committee and issue Trophy Dealer's Licence accordingly.
- (5) The final decision shall be communicated to all applicants by 1" January each year.

Criteria for Determination of applications

- Notwithstanding the provisions of regulation 5 (1) the Committee shall in scrutinizing the application have due regard to the following criteria:
  - (a) that the applicant is a person of integrity and has no records of violation of the Act;
  - (b) that the applicant's utilization performance of the previous quota is not less than 10%;
  - (c) that issuance of quota for CITES listed species (birds and reptiles) to an applicant shall be determined by the applicant's performance of export in the previous year;
  - (d) proof of access to an approved holding grounds and or other appropriate facilities pertinent to his business as per CITES or guidelines issued by the Director.

Appeal

7. Any person who is aggrieved by the decision of the Director under regulation 5(4) shall appeal to the Minister within 30 days from the date of receipt of the Directors' decision.

#### PART III

ISSUANCE CONDITIONS AND CANCELLATION OF TROPHY DEALER'S LICENCE

Issuance of trophy dealer's licence

- 8.—(1) No person shall be issued with the trophy dealer's licence unless he has paid the relevant fees for a particular class of business as prescribed in the Second Schedule to these Regulations.
- (2) Any trophy dealer's licence that is not paid for as per sub-regulation (1) above within three months from the date of notification shall be cancelled and the applicant shall not be entitled to refund of the application fee.
- (3) The Director shall after the payment of the relevant trophy dealer's licence fee under sub-regulation (1) issue a trophy dealer's Licence in the form prescribed in the Third Schedule to these Regulations.
- (4) Any person who deals in trophy without a trophy dealer's licence commits an offence and upon conviction shall be liable to a punishment as prescribed in section 86 of the Act.

 The Trophy Dealer's licence shall be valid for a period of one year from the 1" January to 31" December each year. Duration of a trophy dealer's license

10.-(1) A licensed trophy dealer shall not:

Conditions of a

(a) carry on any dealing or enter into any transaction in relating to any trophy unless such dealing or transaction is authorised by his licence; trophy dealer's license

- (b) carry on his business except on the premised or area 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 within 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 of 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 Schedule to these Regulations and shall, as soon as may be practicable after the conclusion of any transaction incolving 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 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 two million shillings or to imprisonment for a term not exceeding two years or to both.

Cancellation of a trophy dealer's licence

- 11.-(1) The Director may at anytime before the expiration of the Trophy Dealer's License cancel that license, where is sufficient evidence that the Licensee-
  - (a) gave false or incorrect information on application for a Trophy Dealer's License;
  - (b) has been convicted of an offence under these Regulations or the Act;
  - (c) has failed to pay necessary fees or any other debt due to him in relation to the Trophy Dealer's License;
  - (d) has failed to comply with any directives or guidelines issued by the Director;
  - (e) has transferred the Trophy Dealer's Licence granted to him;
- (2) Where the Director is minded to cancel the Trophy Dealer's Licence, he shall:
  - (a) serve a notice to license holder informing him of intention to cancel the licence and the reasons for the proposed action, and requiring him to show cause within fourteen days, as to why the said licence should not be cancelled;
  - (b) the Director shall after considering the responses of the licensee within fourteen days of the receipt of the said responses determine whether to cancel the licence or not.
- (3) Where any Licence is concelled pursuant to regulation 11 (2) (b), the Director shall further order:

- (a) the confiscation of the trophies;
- (b) nullify any other documents in relation to the trophies; and
- (c) compensation for any losses directly or indirectly caused by the licensee actions.

# PART IN

#### IMPORT AND EXPORT OF TROPHIES

12.—(1) No person shall, without the trophy dealer's licence and upon obtaining CITES permit as prescribed in the CITES Regulations and a trophy export certificate, import or export any trophy.

Import and Export of trophies

- (2) No person shall import or export trophies unless it is through one of the customs posts specified in the Sixth Schedule to these Regulations.
- 13.—(1) A trophy export certificate under section 82 of the Act for non-CITES listed species shall be in the form prescribed in the Seventh Schedule to these Regulations and may be issued upon payment by applicant of a fee prescribed in the Second Schedule.

Trophy Export certificate

- (2) A licensing officer shall not issue a trophy export certificate in relation to a trophy if 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 two months 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.
- 14.—(1) A person shall not import any non-CITED listed species prior to obtaining a trophy import permit from the Director which shall be in the form prescribed in Eighth Schedule and upon payment of a fee prescribed in Second Schedule to these Regulations.

Trophy import permit

- (2) A licensing officer shall prior to issuing the Trophy Import certificate require the applicant to produce documents showing that he lawfully acquired the trophy.
- (3) A licensing officer may refuse to issue a trophy import permit in relation to a trophy if in his opinion the trophy was no lawfully acquired or that it is against the public interest for the trophy to be imported.

Certificate of health prior to export or import

- 15. Any animal shall not be imported or exported unless a veterinary officer:
  - (a) has examined and satisfied that it is in a fit state of health and received all the necessary vaccinations, inoculations or treatment; or
  - (b) has issued a certificate of health in respect of that animal.

Quarantaine station

- 16.-(1) Any person intending to import animals for any purpose shall establish a quarantine station where those animals shall be kept awaiting health inspection by a veterinary officer in accordance with regulation 15 and shall be required to pay the fees prescribed in Second Schedule;
- (2) Any animal infected or suspected of being infected with disease shall be kept in the holding ground until a veterinary officer has issued a certificate of health with respect to that animal.

Cap. 150

- (3) Any animal kept in a quarantine station that can not be treated or cured within a period of three months shall be disposed of in accordance with the Animal Diseases Act or as the Director may direct.
- (4) Any animal shall not be kept in a quarantine Station for a period exceeding three months without a written authority of the Director.
- (5) Any person who contravenes the above sub regulations commits an offence.

Production of Trophy to Licensing Officer

17. 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 quarantine station until such trophy is exported or is transferred to a holding ground.

# PART V OFFENCE AND PENALTIES

18. Any person who fails to comply with any of the provisions of these regulations or makes any false statement in any application or other documents or to any authorised officer performing any function under the Act or any subsidiary legislation commits an offince and on conviction is liable to a fine not exceeding five hundred thousand shillings or to imprisonment for a term not exceeding one year or to both.

Offences and Penalties

 The Wildlife Conservation (Dealings in Trophies) Regulations are hereby revoked. Revocation of G. N. Nos. 268 of 1974, 353 of 1987 and 190 of 1989

#### FIRST SCHEDULE

APPLIC	(Made under regulation 3 (1)).  ATION FOR A TROPHY DEALER'S LICENCE	Affix photo
Full Name of Applica     Sex	ent	***************************************
6: Business address	(i) P. O. Box	***************************************
(iii) Holding (v) Ranch	Ground (ii) Show-room	
(iv) Show-roo	or of (i) Stores	

(viii) Zoo(ix) Farm(x) Sanctuary
9. State whether factory, main shop or branch
10. If factory or main shop give datails of branches
11. Other line of business conducted at the factory/shop
12. Current licences
Type of Licence Number Place of Issue  Date of Issue Date of Expiry  Trading licence  Tourist Licence  Trophy Dealer's Licence
<ol> <li>State the nature of business (whether a safari operator, resident hunte, taxidermist, Zoo operator, trapper, etc).</li> </ol>
14. Capital investment to be put into the business
15. State briefly the items you will deal in and nature of dealing
16. Type of Market (Whether local or export)
17. Description of Source of Trophles
18. Class of business for which licence required
19. Have you ever been refused a Trophy Dealer's Licence in Tanzania, or any other Country? If so, give reasons
u
20. Has any licence issued to you under the current or repealed Wildlife Conservation Act of Tanzania, or any other country ever been cancelled or suspended? If so, give reasons

# Wildlife Conservation (Dealings in Trophies)

GN No. 230 (contd.)

21. Have you ever been convicted for an o	ffence against the current or repealed Wildlife
Conservation Act of Tanzania or any other	Wildlife Law of another country? If so, give
***************************************	
DECLARATION	
I hereby declare that the above particulars of the Wildlife Conservation Act, No. 5 of under that Act.	are correct and I understand the requirements f 2009 and of the subsidiary legislation made
	Date
Signature of Applicant	Date
500	
RECOMMENDATION BY DISTRICT (	
This application is hereby not/recommende	ed because
	***************************************
	Date
Signature of District Game Officer	Date
RECOMMENDATION BY THE COMM	MITTEE
	od because
	***************************************
	Date
Signature of the Chairperson	
APPROVAL BY DIRECTOR	
The second of th	cause
	Date
Signature of the Director of Wildlife	

Class	Description	Fees in TAS P/Y
1.	Dealing in Hippopotamus teeth or Warthog tushes in a whole condition or piece without being submitted to any process other than necessary for preservation	50,000.00
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.	30,000.00
3.	Dealing in Hyrax skins in any condition	30,000.00
4.	Polishing, carving, manufacturing or commercial processing of Hippopotamus teeth or Warthog tushes and sale of same and any article made therefrom	30,000.00
5,	Cutting, manufacturing or commercial processing of tanned skins of leopard, lion, serval or other cat skins and any dealing in articles made from those skins	30,000.00
6.	Cutting, manufacturing or commercial processing of tanned skins of game animals other than Hyrax and Colobus Monkey skins, and any dealing in articles made from these skins	30,000.00
7.	Dealing in manufactured trophies	30,000.00
8.	Dipping, curing and tanning of game trophies	30,000.00
9.	Commercial processing or dealing in game bones, horn or feet and articles made therefrom	30,000.00
10.	Commercial processing or dealing in animal tails other than elephant and thino and articles made therefrom	20,000.00
11.	Clearing and forwarding of trophies	30,000.00
12.	Commercial dealing in live or stuffed birds	30,000.00
13.	Commercial dealing in live primates	30,000.00
14.	Commercial dealing in live mammals other than primates	30,000.00
15.	Commercial dealing in live or stuffed reptiles	30,000.00
16.	Commercial dealing in other live or stuffed animals	30,000.00
17,	Keeping a zoo	100,000,00

# Wildlife Conservation (Dealings in Trophies)

GN No.230 (contd.)

Class	Description	Fees in TAS PO		
18. Game Farm		200,000.00		
19.	quarantine station	100,000,001		
20.	Game Ranch	300,000.00		
21.	Any trophy dealing other than those specified in class (1) to (20) above as may be specified on the licence	50,000.00		

Application Fee	5.000/	
Import Permit Fee	50,000/=	
Trophy Export Certificate Fee	10,000/=	
Trophy Certificate of Registration (Certificate of M	lanufactured Tranky)	5.000/m

# THIRD SCHEDULE

(Made under regulation 8 (3))

# TROPHY DEALER'S LICENCE

WF No.

#### NOT TRANSFERABLE

	Applicant No
	Date of Issue
No. of the last	Date of Expiry
Name of Dealer ,	
Business address: P. O. Box	The state of the s
Telephone No	S
E-mail Addes	Here
Diseas.	88
Plot No	
Streets/Area.	***************************************
Town/Place	***************************************
Classes and description of business	s,
	**************************************
**************************************	
Fee paid Shillings (in words)	
	(Shs)
Signature of Holder	Signature of Ixxuing Officer and Official Seal
Date:	Date:

# Wildlife Conservation (Dealings in Trophies)

GN No. 230 (contd.)

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
	Received	Received from/sold to (name,	Cert, of	Rate (Tshs)	Total Cost (Tshs)	ERV/Receipt (No. and Date	QUA		FOR OFFICIAL USE ONLY

#### FOURTH SCHEDULE

(Made under regulation 10(2)(c))

## NOTICE TO PURCHASERS

## THE WILDLIFE CONSERVATION ACT

Purchasers are advised to ensure that a Trophy Certificate of Registration (Certificate of Manufactured Trophy) issued by the Director of Wildlife and bearing the name and signature of an officer of the Wildlife 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

(Made under regulation 10 (2) (d)).

## TROPHY DEALER'S REGISTER

WF. No. .....

## THE WILDLIFE CONSERVATION ACT

Type of trophy or an	ticle
Brought forward pag	e

QUANTITY FOR OFFICIAL USE ONLY
Received/ Balance Signature and Name of Examiner

# SIXTH SCHEDULE

(Made under regulation 12 (2)).

# APPROVED CUSTOMS POSTS

## COASTAL - SHIPPING

- -Tanga.
- -Dar es Salaam.
- -Lindi.
- -Mtwara.

# INLAND - AIRPORTS

- -Kilimanjaro.
- -Arusha.
- -Moshi.
- -Tanga
- -Dar es Salaam.
- -Mtwara.
- -Mbeya.
- -Tabora.
- -Kigoma.
- -Bukoba,
- -Mwanza.

# ROADS

- -Hofill/Taveta
- -Namanga
- -Tunduma.
- -Mtukula
- -Rusumo,

S/N Namba	TYPE OF QUANTITY WEIGHT GRADE REGISTR. TROPHY Kiasi Uzani Daraja TION MA Alama ya Nyara KG Alama ya Usajili		TION MARK Alama ya						
				TYPE No. Aina Nambari	1	DA- TE Ter- che			

SIGNATURE OF CONSIGNOR Saini ya Mpelekaji DATED STAMP OF AUTHORISING OFFICE Muhuri Rasmi na Tarehe For DIRECTOR OF WILDLIFE (MANAGEMENT AUTHORITY) k. n. y Mkurugenzi, Idara ya Wanyama pori (Mamlaka ya Uongozi)

### Note:

- The validity of this certificate should not exceed 30 days from the date of issue.
- This certificate must accompany the above specified trophies at all times until they reach the consignor.
- Where the trophies to be exported are protected under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) trophy export certificate shall be issued by the Director himself. This provise does not apply to manufactured trophies of weight less than 3kg, or less than 10 articles of the same type when measured numerically.

#### ZINGATIA

- Uhalali wa hati hii usizidi siku 30 tangu tarehe ya kutolewa.
- Hati hii lazima iandamane na nyara zilizotajwa, wakati wote hadi zitakapomfikia.
- 6. Iwapo nyara zinazosafirishwa zinalindwa na Makubaliano ya Biashara Kimatsifa Kuhusu aina ya Wanyama na Mimea iliyo katika hatari ya kutoweka (CITES) hati za CITES za kutoa nyara nje zitatolewa na Mkurugenzi mwenyewe. Sharti hili halihusu nyara zilizotengenezwa za uzito chini ya kg 3 au vitu vya aina moja visivyozidi 10 kwa kuvihesabu.

## EIGHTH SCHEDULE

(Made under regulation 14(1))

WF. No. .....

TROPHY IMPORT PERMIT

ORIGINAL

THE UNITED REPUBLIC OF TANZANIA JAMHURI YA MUUNGANO WA TANZANIA

## TROPHY IMPORT PERMIT KIBALI CHA KUINGIZA NYARA NCHINI

A No. ..... NOT TRANSFERABLE FEE: Isihawilishwe Ada: 50,000/= DATE OF ISSUE ..... ISSUED TO: ... Tarehe ya Kutolewa DATE OF EXPIRY ... Imetolewa kwa ..... Tarche ya kumalizika FOR THE PURPOSE OF: THIS IS AN AUTHORITY TO IMPORT THE Kwa ajili ya: TROPHIES SPECIFIED HEREUNDER TO (NAME AND ADDRESS) Hii ni Idbini ya kuingiza nyara nchini zilizotajwa hapa-Kumpelekea (Jina na Anwani): TYPE OF **OUANTIT** WEIGHT GRADE REGISTRA-CERTIFICATE OR S/N Namba TROPHY TION MARK OTHER AUTHORITY Kinsi Uznni Damja Alama ya Hati au Ruhusa Aina ya KG Nyara Usajili Nyingineyo TYPE No. PLACE DA-Nambari Mabali TE Tarche

SIGNATURE OF IMPORTER Saini ya Muingizaji DATED STAMP OF AUTHORISING OFFICE Muhuri Rasmi na Tarehe

For: DIRECTOR OF WILDLIFE (MANAGEMENT AUTHORITY) k. n. y Mkurugenzi, Idara ya Wanyama pori (Mamlaka ya Uongozi)

#### Note

- The validity of this permit should not exceed 30 days from the date of issue.
- This permit must accompany the above specified trophies at all times until they reach the importer.
- Where the trophies to be imported are
  protected under the Convention on
  International Trade in Endangered Species
  of Wild Fauna and Flora (CITES) trophy
  import certificate shall be issued by the
  Director himself. This proviso does not
  apply to manufactured trophies of weight
  less than 3kg or less than 10 articles of the
  same type when measured numerically.

## ZINGATIA

- Uhalali wa kibali hiki usizidi siku 30 tangu tarehe ya kutolewa.
- Kibali hiki lazima kiandamane na nyara zilizotajwa, wakati wote hadi zitakapomfikia muingizaji.
- Iwapo nyara zinazosafirishwa zinalindwa na Makubaliano ya Biashara Kimataifa Kuhusu aina ya Wanyama na Mimea iliyo katika hatari ya kutoweka (CITES), hati za CITES za kutoa nyara nje zitatolewa na Mkurugenzi mwenyewe. Sharti hili halihusu nyara zilizotengenezwa za uzito chini ya kg 3 au vitu vya aina moja visivyozidi 10 kwa kuvihesabu.

Dar es Salaam, 15th June, 2010 Hon. Shamsa S. Mwangunga (MP), Minister for Natural Resources and Tourism