

# GUIDE FOR HUNTERS

in the Western Cape



Hunting is a legal activity in South Africa. Every province has its own “do’s and don’ts” when it comes to hunters. This guide specifically highlights the most important information regarding legislation and regulations relevant to hunting in the Western Cape. In particular it focuses on people who hunt with firearms.

AS THE REGULATORY AUTHORITY in the Western Cape, CapeNature is obliged to put a legal framework in place that facilitates the sustainable utilisation of wildlife. The framework for hunting in the Western Cape Province is put in place on an annual basis and is published in the Provincial Gazette as the hunting proclamation or “annual hunting notice”.

**CapeNature** encourages a holistic approach to hunting and aims to regulate the hunting industry to ensure sustainable utilisation of wild animal species. The organisation furthermore considers that illicit and / or unregulated hunting of wild animal species will pose a significant threat to biodiversity and requires that the hunting of wild animal species complies with legal requirements and specifications.



#### REMEMBER –

It remains your responsibility as hunter to make sure you hunt legally.

If you keep up to date with all the provisions pertaining to the legal hunting of wild animals in the province, you will not only practise this pastime within the requirements of the law, but you will also contribute to the sustainable utilisation of the Western Cape’s natural heritage.

## Laws – Why and which ones?

The legislation that governs hunting has been drawn up according to the principle of conservation through sustainable utilisation in order to protect wild animals against possible over-utilisation and exploitation. It helps authorities and management bodies to regulate the hunting community and their activities, to the advantage of nature and the greater community.

As mentioned previously, the Western Cape, just like other provinces, issues an updated hunting proclamation annually that takes into account, amongst other factors, the changes in population dynamics of different wild animal species. Therefore, it is important to study it carefully prior to every hunting season in order to determine what wild animal species may be hunted when and where.



**THE HUNTING NOTICE** works like a quota system that determines which wild animal species may be hunted, how many of each species may be shot per day (the so-called “daily bag limit”), seasons and when and in which districts it is legal to hunt them.

In the Western Cape, the Nature Conservation Ordinance, 1974 (Ordinance 19 of 1974) as amended is enforced for the hunting of wild animals.



#### DEFINITION

**Hunting** - the act of employing various means in order to search for, kill, capture, attempt to kill or capture, or to pursue, follow, or drive any wild animal with the intent of killing or capturing it. Hunting also includes all attempts to shoot at, poison, lie in wait for or wilfully disturb wild animals.

All living mammals, reptiles, birds, fish or frogs (i.e. any vertebrate or invertebrate animal) that you see in nature or captivity, are grouped together as wild animals. This, however, does not include domestic animals such as dogs, cats, feral pigs, or horses, or ostriches used for farming purposes.

## Protected, unprotected and endangered

ACCORDING TO LEGISLATION, WILD ANIMALS HAVE BEEN DIVIDED INTO THREE GROUPS:

- 1 **Endangered** wild animals; These terms refer to the conservation status assigned by legislation to various groups of wild animals. This categorisation is done according to the extent which an animal species is endangered, and the extent to which its distribution is restricted.
- 2 **Protected** wild animals; and
- 3 **Unprotected** wild animals (all the animal species that do not belong in any of the other groups).

### ENDANGERED

**ENDANGERED WILD ANIMALS** include among others the Blue Crane, riverine rabbit, cheetah, Cape mountain zebra and the geometric tortoise. The numbers of these endangered animals are so low that focused attempts such as conservation projects and breeding programmes have to be run to make sure that they do not disappear from the globe entirely. Hunters must remember that these animal species are strictly controlled and that they may not be shot without a special permit from CapeNature.

### PROTECTED

**PROTECTED WILD ANIMALS** include guinea fowl, Spur-winged Geese, Egyptian Geese, kudu and duiker. Hunters who are in possession of a valid hunting licence may only hunt these protected wild animal species within specified hunting seasons, and in accordance with a daily bag limit. The seasons closed for hunting coincide with "sensitive" periods in the reproduction cycle of game animals, like mating time, lambing and lactation time, or when water birds are moulting. The bag limit determines the number of animals of a specific species that a hunter is allowed to shoot in one day during the allocated hunting seasons.

### UNPROTECTED

All animal species that do not fall within any of the above-mentioned groups, are regarded as **UNPROTECTED WILD SPECIES** because they have healthy populations. They receive general protection under nature conservation legislation. Generally these animals can be hunted throughout the year. To hunt wild animal species such as porcupine, feral pig or rock rabbit no hunting licence is required, but hunters do need written permission from the owner of the property on which they are hunted. Most introduced species, like the grey squirrel, are also seen as unprotected wild animals.

For a complete status list please refer to Schedules 1 & 2 of the Nature Conservation Ordinance 19 of 1974, which can be downloaded from [www.capenature.co.za/permits-information](http://www.capenature.co.za/permits-information).

In all instances involving the hunting of *endangered* wild animals, a *permit* is required. In the case of *unprotected* wild animals the *written permission of the landowner* is required. In order to hunt *protected* wild animals in the Western Cape, a *hunting licence* is required *during the hunting season* and a *permit* is required to hunt *outside the hunting season*. The *written permission of the landowner* is required in both instances.

## What hunting methods may you not use?

Certain hunting methods are prohibited, because they are not selective, are unethical and do not allow an animal a reasonable chance of survival.

*Your skill as a hunter is not tested when you chase after an animal in a vehicle and then shoot it when it stands transfixed by a blinding light.*

### Prohibited methods and weapons

- Poison or fire;
- Any trap;
- A fire-arm which discharges a rim-fire cartridge of a calibre less than 5,6 mm, like a .22 rifle;
- A fire-arm of a calibre less than 6,5 mm (.256 inch) may not be used for hunting red hartebeest, gemsbok, blue and black wildebeest, kudu, and buffalo;
- A fire-arm that fires more than two shots without it having to be manually reloaded;
- A set gun; and
- A device which injects an intoxicating or a narcotic agent or poison into an animal.

### Prohibited hunting means

- Dogs;
- Boats for chasing or killing birds in or on inland waters;
- Artificial lighting; and
- Motor vehicles or aeroplanes.

### Prohibited locations and times

- You may not hunt at night, from one hour after sundown until one hour before sunrise, because the light is so poor that you can only shoot unselectively. In such conditions you will not be able to see when you are aiming at a pregnant female, for example; and
- You may not hunt on or alongside a public road, or use a weapon in a public place within the boundaries of an urban area, as this constitutes a danger to other people.



### A few exceptions to these rules:

- Dogs may be used for hunting birds in the hunting season, and for following and searching for wounded animals;
- A fire-arm that fires a rim-fire cartridge of 5,6 mm (e.g. a .22 rifle), may be used for hunting any bird in its hunting season, or for hunting any unprotected wild animal; and
- Landowners may use a vehicle for hunting on their own land.

# What are your rights as a landowner?

## Are you a landowner in a rural area who wants to hunt wild animals on your property?

You may hunt unprotected wild animals without a permit or licence throughout the year, using any accepted hunting method.

If you are not in possession of a Certificate of Adequate Enclosure (CoAE), you may only hunt protected wild animals according to specified hunting seasons and daily bag limits, which are set out in the annual hunting notice. For this, you do not need a licence or permit.

You do, however, need a permit to hunt protected wild animals outside of the prescribed hunting seasons and in excess of the daily bag limit.

If you are in possession of a CoAE, you may hunt the protected wild animals specified on the CoAE, at any time of the year, even outside the prescribed hunting season, using any method (other than fire and poison) and in excess of the daily bag limit. You do not need a licence or permit. Hunters that are invited to come and hunt on your property do, however, need a hunting licence.

## What are the benefits of a CoAE?

It is to the advantage of farmers to qualify for a CoAE, as it declares them the legal owners of the specifically listed wild animals on their land, and gives them the right to manage and hunt these wild animals. Such a certificate states that the particular area of land is adequately fenced in such a way as to keep in wild animals, especially those that are known to jump fences. Therefore, the fencing curbs possible stock loss to the landowner.

The requirements, heights, and types of material for an efficient wild animal fence are determined by the wild animal species to be fenced in, the type of terrain, availability of materials, and financial considerations.

The CoAE grants certain exemptions to landowners. **Landowners in possession of a valid CoAE, their relatives and full-time employees have the right to hunt the protected wild animal species that are specified on the CoAE, without a hunting permit or licence – even outside the annual hunting season.** They may use any hunting method, except fire or poison. They may also sell the carcasses.

# Make sure that you are hunting legally on another's land

## Are you not the owner of the land on which you are hunting?

It is important to remember that different rules apply to hunting on land that is certified by a CoAE, than hunting on a farm that is not adequately enclosed to prevent specified wild animals from moving from one property to another.

### Hunting on land with a CoAE

- Make sure that the CoAE is indeed valid – it has to be renewed every three years.
- You may hunt specified protected wild animals outside of their hunting season.
- You may exceed the daily bag limit of species specified on the CoAE.
- You may use any accepted hunting method, except for fire and poison.
- You need a hunting licence.

### Hunting on land that does not have a CoAE

- You must be in possession of a valid hunting licence at all times.
- Stick to the hunting seasons for specified protected animal species that are proclaimed annually by the individual provinces in their hunting proclamations.
- Unprotected wild animals, which are not protected by a specified hunting season, may be hunted throughout the year.
- Make sure that you keep to the daily bag limit for each wild animal species.
- Make sure that the landowner grants you written permission (see example on page 7) to hunt on their land and also written permission to remove any part of an animal carcass, even if only the horns, from their farm.
- You may only use accepted hunting methods.

## What does written permission from the landowner entail?

In order to protect the rights of the landowner and to prevent him being exploited, his rights are defined in the Nature Conservation Ordinance No. 19 of 1974.

To hunt legally on another's land you must be in possession of a valid hunting licence, hunt in the hunting season (except if the property is certified by a CoAE) and use approved hunting methods. You also need written permission from the landowner that specifies when, where and what may be hunted.

*Being allowed to hunt wild animals, especially on land that does not belong to you, is a privilege.*

If any part of the hunted animal carcass is to be removed from the land, the landowner must also grant written permission for it. This is applicable even if the carcass is his gift to someone who did not hunt himself, or even if the hunter only takes the horns or the hide with him.



**PERMISSION TO HUNT / TRANSPORT VENISON**

In terms of Section 39, 40, and 43 of the Nature Conservation Ordinance, 1974 (Ordinance 19 of 1974) as amended, I confirm as follows:

I, the undersigned landowner: .....

Name of Property: .....

District: .....

Telephone: .....

Hereby grant permission to:

.....

Address: .....

.....

.....

Vehicle Registration: .....

To hunt on my property: .....

from ...../...../20.....

The following game species and numbers;

.....

.....

.....

.....

I declare that the above mentioned game species were sold / donated to the holder of this document and that he/she may remove the carcass (es) from my property.

Signed: ..... Date: .....  
(Landowner)

Certificate of Adequate Enclosure No. ....

Expiry date: ...../...../20.....

***This document must be kept in the possession of the holder for a period of at least two months from the date of issue or as long as the holder of the document is in possession of the carcass (es).***

# Hunting licences – *your contribution to conservation*

**A hunting licence makes you a legal hunter. By law, you must in most cases be in possession of such a licence before you go off on a hunt.**

This applies not only to those who are doing the actual shooting, but also to all members of a hunting party who take hunting rifles along in the veld. Like vehicle licences, hunting licences cannot be carried over from one person to another.



### Hunting licences help to:

- regulate hunting;
- reduce unnecessary wild animal poaching; and
- safeguard landowners against people who want to shoot their wild animals on sight and without permission.

### Why pay the state for a hunting licence if the wild animals belong to the landowner on whose farm you are hunting?

By paying your hunting licence you make a contribution to the conservation of wildlife in the Western Cape. It aids the funding of conservation and research projects, and helps pay the administrators and experts who are involved with setting up guidelines. This helps to place the wild animal industry in the Western Cape on a firm, conservation-friendly footing. In addition, it enables more conservation services staff to guide landowners on issues such as the management of human-wildlife conflict, the resettlement of wild animals, and the building of fences.

By building a database of hunters, it becomes easier to give accurate information about the state of the wild animal industry in the Western Cape states that hunters or holders of hunting licences must return the completed licences to CapeNature every year before renewal. This will become compulsory for the renewal of your licence.





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