

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 3011

3 February 2023

**NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT, 2004
(ACT NO. 10 OF 2004)****NORMS AND STANDARDS FOR THE TROPHY HUNTING OF LEOPARD IN SOUTH AFRICA**

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby under section 9(1)(a) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004), issue the Norms and Standards for the Trophy Hunting of Leopard in South Africa, as set out in the Schedule hereto.



BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

SCHEDULE

1. DEFINITIONS

In these Norms and Standards, a word or expression, or any derivative or other grammatical form of such word or expression, to which a meaning has been assigned in the Biodiversity Act, has the same meaning and, unless the context indicates otherwise—

“**applicable biodiversity legislation**” has the same meaning as defined in the TOPS Regulations;

“**approved**” means approved by the issuing authorities;

“**Biodiversity Act**” means the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004);

“**CITES**” means the Convention on International Trade in Endangered Species of Wild Fauna and Flora;

“**CITES Regulations**” means the regulations pertaining to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, as promulgated in terms of section 97 of the Biodiversity Act;

“**genetic profiling**” means the use of biotechnology to identify the unique characteristics of a leopard for forensic or diagnostic purposes;

“**hunting client**” has the same meaning as defined in the TOPS Regulations;

“**hunting outfitter**” has the same meaning as defined in the TOPS Regulations;

“**hunting season**” means the period 01 January to 31 December of any particular year;

“**hunting trophy**” has the same meaning as defined in the TOPS Regulations;

“**leopard hunting permit**” means an authorisation issued by the relevant issuing authority in terms of applicable biodiversity legislation, which authorises the lawful hunting of a leopard;

“**leopard hunting quota**” means the quantity, in particular the maximum number, of leopard that may be hunted, either with reference to a particular LHZ or within a particular hunting season;

“**LHZ**” refers to a leopard hunting zone and means a demarcated area within which the hunting of a leopard may be conducted;

“**local hunter**” means a hunter who is a citizen of, or a permanent resident within, the Republic;

“**professional hunter**” has the same meaning as defined in the TOPS Regulations;

“**Republic**” means the Republic of South Africa;

“**SANBI**” means the South African National Biodiversity Institute;

“**Scientific Authority**” means the authority established in terms of section 60 of the Biodiversity Act;

“**taxidermy**” means a facility where a skin, hair, tooth or any other derivative of a dead leopard is treated, prepared or mounted, or where such skin, hair, tooth or other derivative is transformed or processed into a curio;

“**TOPS Regulations**” mean the regulations pertaining to listed threatened or protected species, as promulgated in terms of section 97 of the Biodiversity Act; and

“**under-aged male leopard**” means a male leopard below the age of seven years.

2. PURPOSE AND APPLICATION OF THESE NORMS AND STANDARDS

- (1) The purpose of these Norms and Standards is to manage the hunting of leopard (*Panthera pardus pardus*) for trophy hunting purposes in order to reduce the impact thereof on the stability of the leopard population and to ensure that trophy hunting is carried out in an ecologically sustainable manner.
- (2) For the purpose of these Norms and Standards, a leopard hunting quota refers to an off-take quota and does not refer to the export quota applicable in terms of CITES for the export of a hunting client’s leopard hunting trophy.
- (3) The provisions of these Norms and Standards must be applied alongside the provisions of—
 - (a) The Biodiversity Act;
 - (b) the TOPS Regulations and the CITES Regulations;
 - (c) any other applicable Norms and Standards issued in terms of section 9 of the Biodiversity Act; and
 - (d) any other applicable legislation.
- (4) The provisions of these Norms and Standards apply to the hunting of African leopard for trophy hunting purposes, regardless of whether—
 - (a) the hunt takes place on privately-owned land or state land; or
 - (b) the hunter is a local hunter or a hunting client.

3. QUOTA AND PERMIT ALLOCATION FOR THE HUNTING OF LEOPARD

- (1) Applications for leopard hunting quotas must be submitted to the relevant issuing authorities each year, on or before a date to be determined by the Department responsible for nature conservation, to ensure timeous allocation thereof for the next hunting season.
- (2) The Scientific Authority must establish LHZs for the purpose of setting the annual leopard hunting quota.
- (3) The issuing authority of a province to which a leopard hunting quota has been awarded for a particular hunting season, may allocate a quota of only one leopard per qualifying LHZ.

- (4) If a local hunter or a hunting client intends to hunt a leopard, such local hunter or the professional hunter who will be accompanying such hunting client on the leopard hunt, must first undertake and pass a once-off approved leopard hunting examination in the presence of an official of an issuing authority in order to demonstrate his or her competence to assess the age of a male leopard, and to confirm that he or she is familiar with applicable biodiversity legislation.
- (5) The requirement of a once-off leopard hunting examination does not apply to a local hunter or professional hunter who provides proof to the relevant issuing authority that he or she has undergone approved training in respect of the determination of the age of a male leopard.
- (6) The hunting of a leopard must at all times be authorised by a permit issued by the relevant issuing authority in terms of applicable biodiversity legislation.
- (7) A local hunter who intends to hunt a leopard, must, subsequent to the allocation of leopard hunting quotas, submit the following documents to the relevant issuing authority:
 - (a) an application for a leopard hunting permit; and
 - (b) the written approval from the owner or manager of the land upon which the hunt will take place.
- (8) The hunting outfitter of a hunting client who intends to hunt a leopard, must on behalf of such hunting client, subsequent to the allocation of leopard hunting quotas, submit the following documents to the relevant issuing authority:
 - (a) an application for a leopard hunting permit;
 - (b) a certified copy of his or her hunting client's passport; and
 - (c) written approval from the owner or manager of the land upon which the hunt will take place.
- (9) Multiple adjoining land properties that are suitable for the hunting of leopard may be included in a single leopard hunting application, but no individual land property may be included in more than one leopard hunting application.
- (10) To ensure that a leopard hunting trophy can be traced to the land where the hunt took place, the hunting of a leopard must be strictly regulated by means of an individual hunting permit, issued by the relevant issuing authority in terms of applicable biodiversity legislation, and in the name of the local hunter or the hunting client. The owner or manager of the land upon which the leopard was hunted, must sign off the hunting permit immediately after completion of the hunt, regardless of whether or not the hunt was successful.
- (11) The minimum size of undivided land with suitable leopard habitat on which leopard may be hunted, may be specified, either by the provincial issuing authority or in terms of applicable provincial conservation legislation, as the case may be.
- (12) The local hunter or hunting client must sign the leopard hunting permit prior to the commencement of the hunt in order to acknowledge that he or she understands all of the terms and conditions applicable thereto.

- (13) In the case where a leopard has not been hunted successfully in a particular LHZ after the issuance of three leopard hunting permits within the same hunting season in respect of such LHZ, the issuing authority may decide to not issue any further leopard hunting permits for that particular LHZ, until the next hunting season.

4. MANAGEMENT OF LEOPARD HUNTS

- (1) When a person hunts a leopard in a particular LHZ in respect of which a leopard hunting quota has been allocated, he or she may hunt an adult male leopard only, in which case such male leopard must be seven years of age or older.
- (2) Any person who hunts a leopard has a duty of care to ensure that he or she hunts such leopard in a manner that would not lead to the disruption of the affected leopard population.
- (3) In the event that a female leopard or an under-aged male leopard has been hunted in a particular LHZ, the issuing authority may not allocate a leopard hunting quota in respect of the affected LHZ in the following hunting season.
- (4) A local hunter, or a professional hunter on behalf of his or her hunting client, should use a trail or scouting camera to assist him or her to assess whether the leopard to be hunted, is a male leopard of the age of seven years or older.
- (5) The local hunter, or professional hunter on behalf of his or her hunting client, as the case may be, must inform the environmental management inspector contemplated in subparagraph (6) of a leopard hunted, whether the hunted leopard involved a male seven years of age or older, a female leopard or an under-aged male leopard, within 12 hours of completion of the hunt.
- (6) An environmental management inspector of the Department or the relevant issuing authority, or an environmental management inspector of any other provincial conservation authority who has the mandate in terms of his or her appointment to conduct national inspections, must inspect the carcass of the hunted leopard prior to skinning within 24 hours of the hunt taking place. The relevant issuing authority must provide the contact details of such environmental management inspector to the local hunter, or to the relevant professional hunter before commencement of the hunt.
- (7) The environmental management inspector contemplated in subparagraph (6) must collect a small skin sample (2-3 mm) of the hunted leopard for genetic profiling purposes and, if satisfied that the leopard is a male over the age of seven years, issue a pre-approval tag in respect of the inspected hunting trophy, at which point the hunting trophy may be released to a taxidermy or similar facility.
- (8) The environmental management inspector contemplated in subparagraph (6) must use a DNA sampling kit approved by the Forensic Services Division of the South African Police Service, when he or she collects the skin sample.
- (9) The collected skin sample must be sent to a facility registered as a scientific institution in terms of the TOPS Regulations and approved by the Director-General, as soon as possible after it has been collected.
- (10) The facility contemplated in subparagraph (9) must record the genetic profiling information and make such information available to the Department.

- (11) The local hunter or the hunting client, as the case may be, is responsible for the cost incurred in respect of the genetic profiling contemplated in subparagraph (7).

5. MONITORING OF LEOPARD HUNTS

- (1) Upon completion of a leopard hunt, whether the hunted leopard involved a male seven years of age or older, a female leopard or an under-aged male leopard, the local hunter, or the professional hunter on behalf of his or her hunting client, as the case may be, must report the measurements of the hunting trophy and any other information deemed necessary by the Department, to the relevant issuing authority prior to the inspection contemplated in Paragraph 4(6), on the reporting form provided by the Department for this purpose.
- (2) The hunting report contemplated in subparagraph (1) must include—
- (a) the following measurements of the hunted leopard prior to the skinning thereof:
 - (i) body length (mm, tip of nose to tip of tail);
 - (ii) shoulder height (mm, tip of scapula to back of plantar pad);
 - (iii) neck circumference (mm, immediately behind the ear);
 - (iv) skull length (mm, greatest length of skull, measured as a straight line);
 - (v) skull width (mm, greatest width of skull, measured across zygomatic arches); and
 - (vi) weight (kg);
 - (b) high-resolution photographs of the hunted leopard prior to the skinning thereof, of the following:
 - (i) the side view showing the entire body with the hunter positioned directly behind the hunting trophy;
 - (ii) the side view of the head, neck and shoulders showing the dewlap development (the head must be lifted);
 - (iii) the frontal view of the face showing the condition and position of the ears, and facial scarring;
 - (iv) close up of the nose clearly showing the pigmentation;
 - (v) frontal view of the teeth showing colouration and wear on the canines and incisors;
 - (vi) hindquarters showing the scrotum; and
 - (vii) close-up of the underside of both front paws with claws extended; and
 - (c) high-resolution photographs of the skull after it has been cleaned:
 - (i) the lower jaw showing all the teeth and chipping of the enamel ridge on the back of the canines;

- (ii) the upper jaw showing all the teeth and chipping of the enamel ridge on the back of the canines;
 - (iii) a side view of the lower jaw showing the canine and wear on the tips of molars and premolars; and
 - (iv) a wide shot of all the teeth showing wear and broken teeth.
- (3) If a leopard hunt was unsuccessful, the local hunter, or the professional hunter on behalf of his or her hunting client, as the case may be, must report this information on the same form contemplated in subparagraph (1), and submit such report to the relevant issuing authority, within 14 days after completion of the hunt.
- (4) If a female leopard or an under-aged male leopard was hunted, the—
 - (a) local hunter, or the professional hunter on behalf of his or her hunting client, as the case may be, must provide a detailed report of the incident to the relevant issuing authority, together with a motivation on how he or she has assessed the age of the hunted leopard; and
 - (b) relevant issuing authority must conduct a thorough evaluation of the information contemplated in item (a), and decide on the most appropriate course of action.
- (5) The issuing authority must report the information received in terms of subparagraphs (1), (3) and (4) in respect of the previous hunting season, to the Department on or before a date to be determined by the Department, in order to receive the leopard hunting quotas from the Department for the following hunting season.
- (6) The Department must use the information contemplated in subparagraph (5), or any advice it receives from SANBI or the Scientific Authority, to manage leopard hunting quotas in an adaptive manner.
- (7) The Department may not allocate leopard hunting quotas to issuing authorities if—
 - (a) all the hunting reports contemplated in subparagraphs (1), (3) and (4) have not been received by the relevant issuing authorities and the collated information contemplated in subparagraph (5) submitted to the Department; or
 - (b) the Scientific Authority advises that such hunting quotas will impact negatively on leopard population viability.
- (8) The Department must establish and maintain a register containing, as a minimum, information on the number of leopard hunting permits issued and the number of leopard hunted successfully during a particular hunting season, as well as the measurements contemplated in subparagraph (2)(a).

6. SHORT TITLE AND COMMENCEMENT OF THESE NORMS AND STANDARDS

These Norms and Standards are called the Norms and Standards for the Trophy Hunting of Leopard in South Africa, 2023, and take effect on 01 April 2023.