



**THE UNITED REPUBLIC OF TANZANIA  
MINISTRY OF NATURAL RESOURCES AND TOURISM**

**THE WILDLIFE CONSERVATION ACT**

**(PRINCIPAL LEGISLATION)**

**July, 2013**

**THE WILDLIFE CONSERVATION ACT  
(PRINCIPAL LEGISLATION)  
ARRANGEMENT OF SECTIONS**

**Title**

**PART I  
PRELIMINARY PROVISIONS**

**Sections**

1. Short title and commencement
2. Application
3. Interpretation
4. Ownership of animals
5. Conservation and management of Wildlife resources
6. Compliance with the wildlife policy

**PART II**

**OBJECTIVES**

7. Objectives
8. Promotion of the wildlife Policy

**PART III**

**THE WILDLIFE DIVISION**

9. The Wildlife Division
10. Appointment of the Director
11. Functions of the Director
12. Delegation of powers of the Director
13. Right to possess and use fire arms and ammunition
14. Issuance of honorary certificate

**PART IV**

## **TANZANIA WILDLIFE PROTECTION FUND**

15. The Tanzania Wildlife Fund
16. Board of Trustees of the Tanzania Wildlife Fund
17. Constitution of the board
18. Powers of the board
19. Functions of the Board
20. Tenure of office
21. Books of accounts

### **PART V**

#### **ESTABLISHMENT OF WILDLIFE MANAGEMENT AREAS**

22. Wildlife Management Areas
23. Declaration of Wildlife Management Area
24. Establishment of the District Natural Resource Advisory Board

### **PART VI NATIONAL GAME**

25. Declaration of national game
26. Restrictions relating to national game

### **PART VII GOVERNMENT TROPHIES**

27. Government trophies
28. Unlawful possession of Government trophy
29. Duty to report possession of Government trophy
30. Disposal of Government trophy

### **PART VIII HUMAN-WILDLIFE CONFLICT**

31. Management of problem animals

### **PART IX INTERNATIONAL OBLIGATIONS ON PROTECTED SPECIES**

32. International and Regional Agreements on Wildlife Conservation
33. Director to keep register of International agreements
34. Declaration of protected species
35. Coordination of CITES activities
36. International trade in wildlife species

### **PART X EDUCATION, TRAINING AND RESEARCH**

37. Education and awareness creation
38. Establishment of training institutions
39. Coordination of wildlife research
40. Financial contributions to wildlife training and research institutions

**PART XI**  
**MISCELLANEOUS PROVISIONS**

41. Monitoring
42. Restrictions of hunting in a National Park and Ngorongoro Conservation Area
43. General penalty

**PART XII**  
**REPEAL, SAVINGS AND TRANSITIONAL PROVISIONS**

44. Repeal of the Wildlife Conservation Act, 2009.

# **THE WILDLIFE CONSERVATION ACT**

An Act to make better provisions aimed at regulating sustainable utilisation and management of wildlife resources and to provide for other related matters

Enacted by the parliament of the United Republic of Tanzania

## **PART I PRELIMINARY PROVISIONS**

### **Title**

#### **1. Short title and commencement**

- (1) This Act may be cited as The Wildlife Act, 2013.
- (2) This Act shall come into operation on such date as the Minister may, by notice in the Gazette, declare.

#### **2. Application**

This Act shall apply to Mainland Tanzania.

#### **3. Interpretation**

In this Act, unless the context otherwise requires:-

"animal" means any kind of vertebrate and invertebrate animal and the young and egg thereof, other than domestic animals;

"authorised officer" means the Director of Wildlife, the Director General of National Parks, Tanzania Wildlife Management Authority, a wildlife officer, Wildlife warden, wildlife ranger or police officer, and includes the following-

- (a) an employee of the Tanzania Wildlife Management Authority of, or above the rank of wildlife ranger;
- (b) an employee of the Forest and Beekeeping Division of, or above the rank of forest ranger;
- (c) an employee of the Tanzania Forest Services of, or above the rank of forest ranger;
- (d) an employee of the national parks of, or above the rank of park ranger;
- (e) an employee of the Ngorongoro Conservation Area of, or above the rank of ranger;
- (f) an employee of the Fisheries Division of, or above the rank of fisheries assistant;
- (g) an employee in a Wildlife Management Area of a designation of a village game scout;
- (h) an employee of the Marine Parks and Reserve of, or above the rank of marine parks ranger;
- (i) an employee of the Antiquities Division of, or above the rank of conservator of antiquities;
- (j) an employee of the Tourism Division of, or above the rank of tourism officer; and
- (k) any other public officer or any person, who shall be appointed in writing by the Director General;

"conservation" in relation to the wildlife, means protection, management and sustainable utilization of wildlife resources, habitat, ecosystem and the non-living environment supporting such resources, habitat or ecosystem with actual or potential use or value;

"conservation area" means-

- (a) a game reserve established under section 13;
- (b) a game controlled area established under section 15;
- (c) a corridor area, migratory route, buffer zone and dispersal area designated under section 21;
- (d) a Wildlife Management Area established under section 31;
- (e) a national park established under the National Parks Act Cap 282;

- (f) the Ngorongoro Conservation Area established by the Ngorongoro Conservation Area Act;
- (g) a conservation area established under the Antiquities Act;
- (h) a marine park established under the Marine Parks and Reserves Act;
- (i) a marine reserve established under the Marine Parks and Reserves Act;
- (j) a forest reserve established under the Forest Act; and
- (k) any other conservation area.

"Consumptive use" means the taking of flora or the hunting or capturing of fauna in accordance with the provisions of this Act or any other protected law;

"core protected area" means a national park, game reserve, wetlands reserve, the Ngorongoro Conservation Area and any other protected area declared under this Act or any other written law;

"Dangerous animal" means any animal specified in the Fourth Schedule to the Tanzania Wildlife Management Authority Act

"Director" means the Director of Wildlife appointed under section 10 of the Act;

"Minister" means the Minister responsible for wildlife;

"owner" in relation to any land means the person holding or deemed by any written law to be holding a right of occupancy over the land and includes a lessee, a mortgagee in possession and any person authorized by the owner, lessee or mortgagee to act on his behalf or in his absence;

"protected species" means any species declared under section 21 of the Act;

"specimen" means-

- (a) any animal or plant, whether alive or dead;
- (b) in the case of an animal: for species included in Appendices I and II of CITES and any readily recognizable part or derivative thereof; and for species included in Appendix III of CITES, any readily recognizable part of derivative thereof specified in Appendix III of CITES;
- (c) in the case of a plant: for species included in Appendix I of CITES, any readily recognizable part of derivative thereof; and species included in Appendices I and II of CITES, any readily recognizable part of derivative thereof specified in Appendices II and III of CITES in relation to the species;

"traditional community" means an assemblage of people ordinarily resident on areas habitually occupied by wildlife and whose social, cultural and ordinary lifestyles are dependent upon wildlife.

"wildlife" means any wild and indigenous animals and plants, and their constituent habitats and ecosystems found on and, or in land or water, as well as exotic species that have been introduced in Tanzania and established in the wild, and includes animals on transit, temporarily maintained in captivity or have become established in the wild;

'Wildlife Management Area' means an area declared by the Minister under section 8 of the Act;

"wildlife officer" means a wildlife officer, wildlife warden and wildlife ranger engaged for the purposes of enforcing this Act;

#### **4. Ownership of animals**

- (1) All animals in Tanzania shall be public property and shall be vested in the President as a trustee for and on behalf of the people of Tanzania.
- (2) Where any animal species has been lawfully taken under a permit or a licence issued or wildlife user right granted or issued under this Act, the ownership of such animal shall, subject to the

provisions of this Act and to the terms and conditions of the licence, vest in the licensee or right holder.

- (3) Where before the commencement of this Act, any animal was lawfully vested in any person, such animal shall, subject to the provisions of this Act continue to be vested in that person.
- (4) Except in accordance with any licence or wildlife user right issued under this Act, nothing in this section shall be deemed to lawfully transfer to any person the ownership of any animal found dead or dying.

#### **5. Conservation and management of Wildlife resources**

- (1) Subject to the provisions of Section 4(1) of the Act, the management and conservation of Wildlife resources in Mainland Tanzania is hereby vested in the Tanzania Wildlife Management Authority, under the Tanzania Wildlife Management Authority Act, the Ngorongoro Conservation Area Authority under the Ngorongoro Conservation Area Authority Act and the Tanzania National Parks under the Tanzania National Parks Act.
- (2) For the purposes of carrying out their functions and duties, the Tanzania Wildlife Management Authority, Ngorongoro Conservation Area Authority and Tanzania National Parks shall have the status of a uniformed and disciplined paramilitary force and shall, subject to provisions of the Arms and Ammunition Act, have the right to possess and use firearms and ammunition for the purpose of conservation of the Wildlife resources within their respective jurisdiction.

#### **6. Compliance with the wildlife policy**

- (1) The Tanzania Wildlife Management Authority, Ngorongoro Conservation Area Authority, Tanzania National Parks and any other authority or person exercising powers under this Act or any other Act dealing with conservation and management of wildlife resources shall be under the general obligation of complying with the Wildlife Policy of Tanzania.
- (2) Where there is any inconsistency between the provisions of this Act and the provisions of any other Act providing for wildlife conservation and management, the provisions of this Act shall prevail and the inconsistent Act will be read down to the extent of the inconsistency.
- (3) No law, regulation, directive or practice may, in so far as it is inconsistent with this Act, be applicable to matters relating to wildlife management and in mainland Tanzania.

## **PART II**

### **OBJECTIVES OF THE ACT**

7. (1) The objectives of this Act and to which all persons exercising powers, applying or interpreting this Act are to –
  - (a) administer areas with great biological diversity, including wetlands which are representative of the major wildlife habitats by also giving special conservation status to endemic, rare or endangered wildlife species and to enable Tanzania to effectively contribute and benefit from international efforts and measures to protect and enhance

global bio-diversity;

- (c) promote and enhance the contribution of the wildlife sector to the sustainable development of Tanzania and the conservation and management of wildlife and natural resources for the benefit of present and future generations;
  - (d) promote and enhance the development of eco-systems as well as development of protected areas network for purposes of enhancing bio-diversity conservation;
  - (e) support, strengthen and enlarge the wildlife protected areas network as the core of conservation activities;
  - (f) enable Tanzania to participate in relevant international agreements and to promote policies within the framework of such agreements as are consistent with Tanzania's position on wildlife conservation, and co-operate with neighboring countries in the conservation of trans-boundary eco-systems.
- (3) For the purposes of giving effect the provisions of subsection (1), any person who has a right in any land within an area declared to be a game reserve shall be entitled to adequate compensation as per the provisions of the Land Acquisition Act and Land Act.

### **8. Promotion of the wildlife Policy**

Any person exercising power under this Act shall be under general obligation of promoting the wildlife policy of Tanzania.

## **PART III**

### **THE WILDLIFE DIVISION**

#### **9 The Wildlife Division**

- (1) There shall be a division within the Ministry responsible for management of Wildlife in the country to be known as the Wildlife Division.
- (2) The Wildlife Division shall be headed by the Director of Wildlife appointed in accordance with the Public Service Act.
- (3) The Director of wildlife division shall be the principal advisor to the Government in all matters relating to wildlife conservation and management.
- (4) The Director shall be the principal advisor to the Government in all matters relating to wildlife conservation and management in mainland Tanzania



## **10. Appointment of the Director.**

- (1) The Director shall be a civil servant with a minimum of fifteen years in conservation and management of wildlife with not less than seven years field experience.
- (2) The Director shall be a person of integrity with proven track record.
- (3) The Director shall possess a minimum of Masters degree in Wildlife Management, Conservation or Ecology.

## **11. Functions of the Director**

The functions of the Director shall be;

- i. To advise the Government on all matters relating to wildlife conservation and management in the county;
- ii. To guide the management of wildlife through government policy and legislation;
- iii. To monitor and evaluate management effectiveness and conservation of wildlife subsector in the country;
- iv. To formulate sound strategies and programs for implementation of wildlife policy;
- v. To provide an effective and efficient coordination of government's commitment to national and international obligations pertaining to wildlife conservation;
- vi. To coordinate training in wildlife conservation and management in the country;
- vii. To coordinate all matters relating to consolation for human injuries, loss of human life, livestock, crop and property;
- viii. To facilitate the establishment of Community Based Natural Resources Management Areas;
- ix. To monitor and evaluate wildlife research in the country.

## **12. Delegation of powers of the Director.**

- (1) The Director may, by notice in the Gazette or by writing, delegate part of his functions to any other officer for the purpose of facilitating implementation of this Act.
- (2) Where pursuant to subsection (1) the Director has delegated any function, it shall be prima facie evidence of such delegation as well as the fact that the person, whose signature appears thereon, held and exercised the power of the Director.

## **13. Right to possess and use fire arms**

- (1) For the purposes of carrying out their functions and duties, any authorized officer in the wildlife sector shall, subject to provisions of the Arms and Ammunition Act, have the right to possess and use suitable and appropriate firearms and ammunition for the purpose of this Act.
- (2) Every authorized officer shall have the powers and privileges as conferred upon other forces by the provisions of their respective laws relating to the use of firearms and ammunition.
- (3) Any authorized officer enforcing the provisions of this Act, may use a firearm against any person who, having committed an offence is-

- (a) escaping or attempting to escape arrest; or
- (b) resisting the arrest,

where that officer has reasonable grounds to believe that he cannot otherwise prevent the escape and has given a warning to such person that he is about to use such arm against him and such warning is unheeded.

- (4) Any authorized officer enforcing the provisions of this Act, may use a firearm against any person who -
  - (a) by force prevents or attempts to prevent the lawful arrest of any other person; or
  - (b) by force, rescues or attempts to rescue any other person from lawful custody.
- (5) Any authorized officer in the wildlife sector in enforcing the provisions of this Act, may use a firearm against any person where such authorized officer has reasonable grounds to believe that the officer or any other person is in danger.
- (6) The power conferred to an authorized officer under this section shall be in addition to and not in derogation of any other power conferred to such officer by any other law.
- (7) For the purpose of this section, "authorized officer" means a wildlife officer discharging duties in the Wildlife Division, the Tanzania Wildlife Management Authority, the Tanzania National Parks, the Ngorongoro Conservation Area, a District Game Officer and include any wildlife officer, warden and wildlife ranger discharging duties under the District Game Officer.

#### **14. Issuance of honorary certificate**

The minister may issue a honorable certificate to any person who:

- a) has provided service for a period of at least 20 years in wildlife conservation in recognition of exemplary or;
- b) has made or provide a significant contribution towards the conservation of wildlife

### **PART IV**

#### **TANZANIA WILDLIFE PROTECTION FUND**

#### **15. The Tanzania Wildlife Protection Fund**

- (1) There shall exist a Fund known as the Tanzania Wildlife Protection Fund, in its acronym known as "TWPF".
- (2) The objectives of the Tanzania Wildlife Protection Fund shall be to facilitate and support the implementation of the Wildlife Policy of Tanzania particularly in: –
  - (a) implementation of international obligations in the wildlife sector as provided by international and regional agreements relating to wildlife and its habitats to which the United Republic is a party
  - (b) conservation education and awareness creation in wildlife matters;
  - (c) facilitating the running of wildlife training and research institutions in Tanzania.

- (d) Consolation for loss of human life, crops, property or injury caused by dangerous animals;  
and
  - (e) Any other activity related to conservation and management of wildlife.
- (3) The Minister shall by order in the gazette make regulations prescribing the modality under which the Tanzania National Parks, Ngorongoro Conservation Area Authority, Tanzania Wildlife Authority and any other institution involved in conservation and management of wildlife shall make financial contribution to the Fund for implementation of international and regional agreements relating to wildlife and its habitats to which the United Republic of Tanzania is a party.
- (4) The sources of revenue for the fund shall be: –
- (a) such sums of money as may be appropriated by the Parliament;
  - (b) such per centum of the proceeds of the sale of every animal, trophy, weapon, vehicle, vessel, aircraft, tent or other article which is forfeited pursuant to the Provisions of the Wildlife Conservation Act, The Ngorongoro Conservation Area Act and the Tanzania National Parks Act, sold or disposed of in any manner for money, including proceeds accrued from non-consumptive use of wildlife in the areas as the Minister shall determine by regulations in the gazette, after a joint consultation with respective Authorities.
  - (c) Such per centum of proceeds accrued from hunting and tourism as shall, by regulations, be determined by the Minister, to be contributed to the fund by Tanzania Wildlife Authority, Tanzania National Parks, Ngorongoro Conservation Area Authority and other Wildlife institutions.
  - (d) any sum of money or property which may in any manner become payable into the Fund;  
and
  - (e) any sum of money payable or donation, bequest, gift or grant made or given to the Fund by other agencies, institutions, persons or other government or international organizations.
- (5) The Minister shall make regulations in the Gazette providing for the management, functions and use of the Fund, and shall, after consultation with the Minister responsible for finance, make regulations in the Gazette for the operations of the Fund.

## **16. Board of Trustees of the Tanzania Wildlife Fund**

There is established a Board to be known as the Board of Trustees of the Tanzania Wildlife Fund which shall have perpetual succession and a common seal.

## **17. Constitution of the Board**

- (1) The Board shall consist of–
- (a) The Chairman to be appointed by the President, shall be graduate from a recognized university and who is of a proven quality, integrity and experience in public service in either wildlife matters, economics, laws, management or related disciplines;
  - (b) The Manager who shall be appointed by the Board and will be the Secretary to the Board of Trustees.

- i. The manager shall be a graduate with a master's degree in the field of wildlife conservation from a recognized university and who is of a proven quality, integrity and experience of not less than ten years.
  - ii. The manager shall administer the fund subject to the control and direction of the Board of Trustees.
  - iii. The manager and other staff of the fund shall be employees of the Fund.
- (2) The Board members shall be appointed by the minister through a competitive procedure as follows;-

(c) board members;

- i. One senior economist with experience in natural resources management ;
- ii. a senior officer representing the Ministry of Finance;
- iii. two eminent wildlife scientists who are active public servants
- iv. two members who are not public servants with quality, integrity, knowledge and experience in wildlife conservation

## **18. Powers of the Board**

The Board shall—

- (a) enter into contracts and in its corporate name, be capable of suing and being sued;
- (b) be capable of holding, purchasing or otherwise acquiring and or alienating any movable property, and, with the consent of the Minister, any immovable property, for the purposes of any of the duties or functions conferred on the Trustees by this Act.

## **19. Functions of the Board**

The functions of the Board shall be-

- (a) to manage and administer the Fund in accordance with this Act; and
- (b) to approve annual budget of the Fund;
- (c) approve the annual physical and financial reports; and
- (d) Subject to this Act and to any directions given by the Minister, to do any act or thing for the promotion of the purposes and objects of the Fund.

## **20. Tenure of office meetings and procedural matters**

- (1) The tenure of office, meetings and procedural matters of the Board shall be as set out in the First Schedule to this Act.

- (2) The Minister shall, by order in the Gazette, provide for the regulations of the proceedings, the operations and affairs of, and other matters in relation to the Board.

## **21. Books of accounts**

- (1) The Fund shall keep books of accounts and maintain proper records of its operations in accordance with acceptable government accounting standards.
- (2) The Board shall, at any time, and at the end of each financial year, cause the accounts of the Fund to be audited by the Controller and Auditor General.
- (3) The Board shall submit to the minister the audited report under subsection (2) and annual report providing detailed information regarding the activities of the Fund during the previous year ending on the 30th June to the Minister.
- (4) The Minister shall cause to be tabled to the National Assembly the statement of audited accounts and report.

## **PART V**

### **ESTABLISHMENT OF WILDLIFE MANAGEMENT AREAS**

#### **22. Wildlife Management Areas**

- (1) The Minister may establish Wildlife Management Areas for purposes of effecting community based wildlife conservation in areas –
  - (a) Outside protected areas;
  - (b) within the village land; and
  - (c) outside the village land but which are used by local community
- (2) The Minister may, upon receipt of an application made by the Village Council and recommendations of the Director by order in the Gazette, declare an area to be a Wildlife Management Area for community-based wildlife conservation.
- (3) The Wildlife Management Areas shall be managed in accordance with regulations made by the Minister and published in the Gazette.
- (4) The Minister shall make regulations and issue conditions and guidelines for equitable distribution of costs and benefit sharing of wildlife resources for the purpose of promoting wildlife conservation, economic development and poverty reduction.
- (5) The Minister shall in consultation with the Minister responsible for local government authorities prepare model by-laws to be adopted with such necessary changes by the village authorities which shall apply in the respective Wildlife Management Area.
- (6) The Minister shall, in making regulations under this section, ensure that the local community is properly consulted and informed on how such community shall benefit from the Wildlife Management Areas.

- (7) The activities to be conducted in the Wildlife Management Areas shall be in conformity with the Tanzania Wildlife Authority Act, Forest Act, the Beekeeping Act, the Fisheries Act, the Environmental Management Act and other relevant laws.
- (8) Any authorised associations managing a Wildlife Management Area shall have the right to negotiate and sign agreements with potential investors, provided that representatives of the, the Director General of Tanzania Wildlife Authority and the respective District Council shall be involved in the process of negotiation and the signing of such agreements.
- (9) Criteria for allocation, categories, size, number and quality of hunting blocks within the Wildlife Management Area shall be as prescribed in the regulations.

**23. Declaration of Wildlife Management Area.**

The Minister may, upon receipt of an application made by the Village Council and recommendations of the Director by order in the Gazette, declare an area to be a Wildlife Management Area in the respective village land set aside for community-based wildlife conservation

**24. Establishment of the District Natural Resource Advisory Board**

- (1) Every District with a declared Wildlife Management Area shall establish a District Natural Resources Advisory Board for purposes of advising the authorised associations and the respective local government authorities on matters relating to co-ordination and administration of a Wildlife Management Area.
- (2) The advice provided under subsection (1) shall be consistent with the General Management Plan of the respective Wildlife Management Area.
- (3) The provisions of the **Second Schedule** to this Act shall have effect as to the tenure of office of members, the proceedings of the Board and other matters relating to its activities.

## **PART VI**

### **NATIONAL GAME**

**25. Declaration of a National Game**

- (1) The Minister may, by order in the Gazette, declare any animal or class of animals to be a national game.
- (2) The Minister shall make regulations prescribing the manner in which the national game and other animals may be used for commercial purposes.

**26. Restrictions relating to national game**

- (1) A person shall not, except by and in accordance with the written permission of the Director, previously sought and obtained, hunt, kill, capture, wound or molest any national game.
- (2) A person who contravenes any condition attached to any permission granted under subsection (1), commits an offence and shall be liable on conviction -
  - (a) in any case where the conviction relates to the hunting capture or killing of a national game, to a fine not less than twice the value of the animal hunted, killed or captured or to imprisonment for a term of not less than one year and not exceeding five years; and
  - (b) in any other case, to a fine of not less than three hundred thousand shillings but not

exceeding one million shillings or to imprisonment for a term of not less than twelve months but not exceeding three years.

## PART VII

### GOVERNMENT TROPHIES

#### 27. Government trophies

- (1) Subject to the provisions of subsection (2) and any regulation made under this Act, the following shall be Government trophies and shall remain to be the property of the government –
- a) any animal which has been killed or captured without a license, permit, written permission or written authority granted under this Act, and any part of any such animal;
  - b) any animal which is found dead, and any part of any such animal;
  - c) any animal which has been killed in defence of life or property and any part of any such animal;
  - d) any trophy which is in the possession of any person who is unable to satisfy the Director that he lawfully acquired the same;
  - e) any trophy in respect of which a breach of the provisions of this Act has been committed;
  - f) any trophy which the Minister may, by order in the Gazette, declare to be Government trophy;
  - g) specimens originating from Tanzania exported or re-exported in contravention of the provisions of this Act and CITES implementation regulations; and
  - h) specimens re-exported or imported in contravention of the provisions of CITES which cannot be returned to the country of origin.

- (2) A  
ny trophy found or obtained in a national park or the Ngorongoro Conservation Area or in respect of which an offence has been committed under the National Parks Act or the Ngorongoro Conservation Area Act shall be the property of the Government.

#### 28. Unlawful possession of Government trophy.

- (1) Subject to the provisions of this Act, a person shall not be in possession of, or buy, sell or otherwise deal in any government trophy.
- (2) A person who contravenes any of the provisions of this section commits an offence and shall be liable on conviction-

- a) where the trophy which is the subject matter of the charge or any part of such trophy is part of an animal specified in Part I of the First Schedule to the Tanzania Wildlife Management Authority Act, and the value of the trophy does not exceed one hundred thousand shillings, to imprisonment for a term of not less than five years but not exceeding fifteen years or to a fine of not less than twice the value of the trophy or to both; or
- b) where the trophy which is the subject matter of the charge or any part of such trophy is part of an animal specified in Part I of the First Schedule to the Tanzania Wildlife Management Authority Act, and the value of the trophy exceeds one hundred thousand shillings, to a fine of a sum not less than ten times the value of the trophy or imprisonment for a term of not less than twenty years but not exceeding thirty years or to both.
- c) in any other case -
  - i. where the value of the trophy which is the subject matter of the charge does not exceed one hundred thousand shillings, to a fine of not less than the amount equal to twice the value of the trophy or to imprisonment for a term of not less than three years;
  - ii. where the value of the trophy which is the subject matter of the charge exceeds one million shillings, to imprisonment for a term of not less than twenty years and the court may, in addition thereto, impose a fine not less than ten million shillings or ten times the value of the trophy, whichever is the larger amount

(3) For the purpose of subsection (2)-

- a) in assessing the punishment to be awarded the court shall, where the accused person is charged in relation to two or more trophies, take into account the aggregate value of all the trophies in respect of which he is convicted, and in any such case the provisions of paragraph (a) or (b) of subsection shall apply in relation to all such trophies if anyone of them is part of an animal specified in Part I of the First Schedule to the Tanzania Wildlife Management Authority Act;
- b) in assessing the punishment to be awarded under this section, the court shall calculate the value of any trophy or animal in accordance with the certificate of value of trophies as prescribed by Minister in the regulations; and
- c) in assessing the punishment to be awarded under this section, the court shall calculate the value of any livestock on the basis of the normal price of the livestock on a sale in the open market between a buyer and a seller independent of each other.

(4) In any proceedings for an offence under this section, a certificate signed by the Director or wildlife officers from the rank of wildlife officer, stating the value of any trophy involved in the proceedings shall be admissible in evidence and shall be prima facie



evidence of the matters stated therein including the fact that the signature thereon is that of the person holding the office specified therein.

**29. Duty to report possession of Government trophy**

(1) Any person who sees any government trophy in the possession of any person not authorised to possess a government trophy, shall immediately report such possession to the nearest wildlife officer, wildlife warden, wildlife ranger, park warden, park ranger or police officer and shall, where required, deliver the trophy to such officer, warden or ranger and give particulars of the person in possession.

(2) Any person who contravenes subsection (1) commits an offence and on conviction shall be liable to a fine of not less than one hundred thousand shillings or for imprisonment for a term of not less than twelve months or to both such fine and imprisonment.

**30. Disposal of Government trophy**

The Director shall be responsible for the disposal of all Government trophies subject to any instructions that may be given by the Minister in consultation with the Minister for the time being responsible for finance

## **PART VIII**

### **HUMAN-WILDLIFE CONFLICT**

**31. Management of problem animals**

(1) The Tanzania Wildlife Authority, Ngorongoro Conservation Area Authority, Tanzania National Parks and other institutions engaged in conservation and management of wildlife resources shall assist the communities in addressing human wildlife conflicts in their respective areas.

(2) The Director shall in consultation with Tanzania Wildlife Authority, Tanzania National Parks, Ngorongoro Conservation Area Authority and other institutions engaged in conservation and management of Wildlife resources, formulate procedures for assisting the communities in mitigating human-wildlife conflicts

## **PART IX**

### **INTERNATIONAL OBLIGATIONS ON PROTECTED SPECIES**

**32. International and Regional Agreements on Wildlife Conservation**

(1) Where the United Republic is a party to an international or a regional agreement relating to conservation and management of wildlife and its habitat, the Minister shall, in consultation with relevant authorities-

(a) initiate and prepare legislative proposals for purposes of implementing the agreements; and

- (b) Identify appropriate measures necessary for the implementation of the agreements.
- (2) Where the Government is involved in negotiation of an international agreement on matters relating to conservation and management of wildlife and its habitats, the Minister shall, prior to submission for ratification by the National Assembly, communicate to the Minister responsible for environment, the substance of the agreement with a view to assess the likely impact on the environment.
- (3) The Minister may make rules and regulations and give directions to respective wildlife authorities aimed at facilitating compliance with any international treaty, convention or agreement, whether bilateral or multilateral for which the Minister has been given implementing authority,

**33. Director to keep register of International agreements**

The Director shall keep a register of all international agreements relating to the conservation and management of wildlife and its habitats to which the United Republic is a party.

**34. Declaration of protected species.**

- (1) The Minister may, by order in the Gazette, declare any species of wildlife as protected species under this Act.
- (2) Any wildlife species found in, or which migrate into or through Tanzania which is protected under any International Convention, Agreement or Treaty to which the Government is a party shall be accorded a status of a protected species under this Act.
- (3) The Minister may by order published in the Gazette, provide for the protection of cross border habitats, vegetation and ecosystems.

**35. Coordination of CITES activities.**

- (1) The Director shall co-ordinate the undertaking by wildlife authorities to comply with the requirements of the Convention on International Trade in endangered Species of flora and fauna.
- (2) In consultation with relevant wildlife authorities, the Director shall designate efficient and effective coordination mechanism for carrying out his function under this section.

**36. International Trade in endangered species.**

Any international trade in endangered species of fauna and flora shall be conducted in accordance with the provisions of the Tanzania Wildlife Management Authority Act and the regulations made thereto.

## **PART X**

### **EDUCATION, TRAINING AND RESEARCH**

**37. Education and awareness creation**

The Director shall initiate, implement and support public awareness creation and education

programmes on wildlife issues.

**38. Establishment of training institutions**

- (1) The Minister may, by order published in the Gazette, establish training institutions or centres to offer courses for wildlife conservation and management other than those offered by the College of African Wildlife Management at Mweka, Pasiansi Institute of Wildlife Management at Mwanza or other institutions of higher learning.
- (2) The Minister may, by regulations in the Gazette, provide for the administration and management of training institutions and centres established under this section.
- (3) Subject to the directions given by the Minister, the administration and management of training institutions established under subsection (1) of this section shall be under the Director.

**39. Wildlife research**

- (1) Wildlife research in the country shall be a responsibility of Tanzania Wildlife Research Institute established under the Tanzania Wildlife Research Institute Act Cap.260.
- (2) The Director shall prepare a national wildlife research agenda

**40. Financial contributions to wildlife training and research institutions**

- (1) The Tanzania National Parks, Ngorongoro Conservation Area Authority, Tanzania Wildlife Authority and any other wildlife institution shall be under the obligation to make financial contribution to the wildlife training and research institutions in Tanzania.
- (2) The Minister shall, by regulation, prescribe modality and procedure for determining the amount of contribution to be made pursuant to subsection (1).

## **PART XI**

### **MISCELLANEOUS PROVISIONS**

**41. Wildlife Monitoring**

- (1) The Director shall, in consultation with the Tanzania Wildlife Authority, the Tanzania National Parks, Ngorongoro Conservation Area Authority, and any other wildlife institution, establish monitoring programmes and set indicators to determine the conservation status of wildlife resources in their respective wildlife areas.
- (2) The Director shall require all Authorities and other institutions public or private, engaged in conservation and management of wildlife to regularly report to him on the results of such monitoring programmes in their respective wildlife areas.

**42. Restrictions of hunting in a National Park and Ngorongoro Conservation Area**

Nothing in this Act shall be construed as empowering the Director to grant any permission for the hunting, killing or capturing of any animal in any national park in contravention of the provisions of the National Parks Act or in Ngorongoro Conservation Area in contravention of the provisions of the Ngorongoro Conservation Area Act.

**43. General penalty**

Any person who contravenes any of the provisions of this act or any regulation, made under the Act, commits an offence and shall on conviction, if no other penalty is specified herein or in the respective regulation, be liable to a fine of not less than one million but not exceeding five million shillings or to imprisonment for a minimum term of three years but not exceeding five years or to both such fine and imprisonment.

**PART XII**

**REPEAL, SAVINGS AND TRANSITIONAL PROVISIONS**

**44. Repeal of the Wildlife Conservation Act, 2009.**

- (1) The Wildlife Conservation Act, 2009 is hereby repealed.
- (2) Upon the commencement of this Act, a person who is convicted of an offence under the Wildlife Conservation Act, 2009 shall, notwithstanding the provisions of other written law, be deemed to have been convicted under the corresponding offence under this Act or the Wildlife Authority Act.
- (3) Any rule, order, regulation, direction, notice, notification or other administrative act made, given, issued or undertaken before the commencement of this Act or under any law repealed or amended in a material particular to this Act shall, if it could have been made, given, issued or undertaken under corresponding provision of this Act, continue in force and have the like effect as if it had been so made, given or issued, as the case may be, undertaken under this Act.