

**VOLUME VI**  
**CHAPTER 38:03 - FOREST: SUBSIDIARY LEGISLATION**  
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**FOREST (DECLARATION OF FOREST RESERVES) ORDER**

*(section 4)*  
*(24th May, 1968)*

ARRANGEMENT OF PARAGRAPHS

PARAGRAPH

1. Citation
2. Declaration of forest reserves

Schedule - Kasane Forest Reserve

S.I. 42, 1968,  
S.I. 106, 1981,  
S.I. 11, 1987.

**1. Citation**

This Order may be cited as the Forest (Declaration of Forest Reserves) Order.

**2. Declaration of forest reserves**

Every area specified in the Schedule to this Order is hereby declared to be a forest reserve with the name specified therein under which the description of the area appears.

**SCHEDULE**

**KASANE FOREST RESERVE**

Commencing at beacon FR.1 which is situated on the eastern side of firebreak No. 0 where the Kazungula-Victoria Falls road meets the said firebreak and which beacon bears 220,5° true and 128,5 metres from Botswana-Zimbabwe boundary beacon No. 834, the boundary of the Forest Reserve runs along the western edge of firebreak No. 0 in a generally south-southwesterly direction for a distance of approximately 7,7 km to beacon FR.2 situated where firebreak No. 0 meets the northern edge of the 1967 Kasane-Ngwezumba Bridge road; thence across the said road to beacon FR.3 situated on the southern edge thereof; thence along the western edge of the said road in a generally southerly direction for a distance of approximately 4,1 km to beacon FR.4 situated where the said road is joined by the 1967 road to Lesomo; thence in a generally southerly direction along the western edge of the said road through beacon FR.5, 84,7 metres from beacon FR.4 and situated on the north side of the old road from Serondela to Lesomo (now firebreak No. 10), and on to beacon FR.6 on the south side of the said road; thence along the western edge of the Kasane-Ngwezumba Bridge road in a generally southwesterly direction for a distance of approximately 4,3 km to beacon FR.7 situated where the said road meets the northern edge of firebreak No. 17; thence to beacon FR.8 situated on the south side of firebreak No. 17; thence along the southern edge of firebreak of No. 17 in a generally westerly and northwesterly direction for a distance of approximately 6,5 km to beacon FR.9 situated on the southern side of firebreak No. 17; thence across firebreak No. 17 for a distance of 8,5 metres to beacon FR.10 situated at the point where firebreaks Nos. 17 and 8 meet; thence along the southern edge of firebreak No. 8 in a generally northwesterly and northerly direction for a distance of approximately 4,6 km to beacon No. FR.11 situated on the southern side of firebreak No. 8 at the point where it is met by firebreak No. 10; thence across firebreak No. 10 for a distance of 6,1 metres to beacon No. FR.12 situated on the northern side of firebreak No. 10; thence continuing along the southern edge of firebreak No. 8 in a generally northwesterly direction for a distance of approximately 2,5 km to beacon FR.13 situated where firebreaks Nos. 8 and 6 meet; thence across firebreak No. 6 for a distance of 8,2 metres to beacon FR.14; thence in

a northeasterly direction for a distance of 2,1 km along the northern edge of firebreak No. 6 to beacon FR.15 situated where firebreaks Nos. 6 and 7 meet; thence in a generally northwesterly direction for a distance of approximately 1,9 km along the southern edge of firebreak No. 7 to beacon FR.16 situated where firebreaks Nos. 7 and 2 meet; thence across firebreak No. 2 for a distance of 8,2 metres to beacon FR.18 situated on the northern side of firebreak No. 2; thence along the northern edge of firebreak No. 2 in a generally north northwesterly direction for a distance of approximately 4 km to the point where the northern edge of firebreak No. 2 meets the southern edge of firebreak No. 5; thence southwards along the southern edge of firebreak No. 5 to a beacon TS3, coordinates Y-16696.59, X-19 69864.10, situated at the junction of the said southern edge of firebreak No. 5 with the northern edge of the Kazungula-Ngoma Bridge road; thence in a generally northeasterly direction along the north edge of the said Kazungula-Ngoma Bridge road, to a beacon TS2, coordinates Y-18002.00, X-1968518.54, situated at the junction of the northern edge of the Kazungula-Ngoma Bridge road with the northern edge of firebreak No. 2; thence in an easterly direction along the northern edge of the said firebreak No. 2 to a beacon FR.23 coordinates Y-19349.34, X-1968 065.96; thence along the northern edge of firebreak No. 2 in a generally southeasterly and easterly direction for a distance of approximately 5,4 km to beacon FR.25; thence across firebreak No. 2 for 15,8 metres to beacon No. FR.26; thence along the western edge of firebreak No. 1 in a generally southerly direction for a distance of approximately 1,2 km to beacon FR.27; thence across firebreak No. 1a for a distance of 5,8 metres to beacon FR.28; thence along the northern edge of firebreak No. 1 in a generally easterly, southeasterly, northeasterly and easterly direction for a distance of approximately 2,7 km to beacon FR.29; thence across firebreak No. 1 for a distance of 6,4 metres to beacon FR.30; thence along the southern edge of the 1967 Kazungula-Victoria Falls road in a generally easterly direction for a distance of approximately 1,7 km to the point of commencement as shown on Plan No. RO-36b deposited with the Director of Surveys and Lands, Gaborone. Coordinates are in metres on Trigonometrical System Lo 25.

2. Area of State land declared forest reserves-

- (a) Kasane Forest Reserve Extension;
- (b) Kazuma Forest Reserve;
- (c) Maikaelelo Forest Reserve;
- (d) Sibuyu Forest Reserve.

The boundaries of these forest reserves are delineated on Plan BP-105 deposited with the Director of Surveys and Lands, Gaborone.

3. Chobe Forest Reserve-

An area of land within the area of the Chobe Land Board the boundaries of which are delineated on Plan BP-105 deposited with the Director of Surveys and Land, Gaborone.

**FOREST (DECLARATION OF PROTECTED TREES) ORDER**

*(under section 11)*

*(5th June, 1981)*

ARRANGEMENT OF PARAGRAPHS

PARAGRAPH

1. Citation
2. Declaration of protected trees

Schedule - Protected Trees

S.I. 53, 1981.

**1. Citation**

This Order may be cited as the Forest (Declaration of Protected Trees) Order.

**2. Declaration of protected trees**

All trees of the species specified in the Schedule are hereby declared to be protected trees in those parts of Botswana constituting State land.

**SCHEDULE  
PROTECTED TREES**

(para. 2)

TIMBER TREES

<i>Botanical name</i>	<i>Vernacular names</i>
<i>Azelia quanzensis</i> Welw	Pod mahogany, mwande, ikonkamukota
<i>Baikia plurijuga</i> Harms	Rhodesian teak, mukusi
<i>Brachystegia</i> spp	Mowombo
<i>Guibourtia coleosperma</i> (Benth) J. Leon	Rhodesian copal wood, tsaudi, isibi
<i>Pterocarpus angolensis</i> D.C.	Blood wood, muninga, mukwa, ilombe
<i>Entandrophragma caudatum</i> Sprague	Brown mahogany, mopomena
<i>Spirostachys africana</i>	Morukuru, tamboti
<i>Adansonia digitata</i> L.	Baobab, moana, ibozu, mubuyu
<i>Berchemia discolor</i> (Klotzsch) Mensley	Motsintsila, Mozinzila, inzi
<i>Diospyros mesopiliformis</i> Hochst ex A.D.C.	African ebony, Mochenje, isuma, mokochong

**FOREST (EXEMPTION OF CERTAIN VILLAGES FROM PROHIBITED ACTS IN FOREST RESERVES) ORDER**

(under section 17)

(24th May, 1968)

ARRANGEMENT OF PARAGRAPHS

PARAGRAPH

1. Citation
2. Application
3. Exemption from restrictions

Schedule

S.I. 43, 1968.

**1. Citation**

This Order may be cited as the Forest (Exemption of Certain Villages from Prohibited Acts in Forest Reserves) Order.

**2. Application**

The provisions of this Order shall apply to the towns, villages or habitations of Kasane, Kazungula and Lesoma.

**3. Exemption from restrictions**

The *bona fide* inhabitants of the towns, villages or habitations referred to in paragraph 1 may, within the Kasane Forest Reserve adjacent to such towns, villages, or habitations, collect for their own domestic use, but not for sale or barter-

- (a) firewood from dead trees provided that collection is made by donkey or head-load and not by motor vehicle;
- (b) poles of the species of trees specified in Part I of the Schedule hereto for the purposes of erecting huts and cattle kraals;
- (c) fruits of the species of trees specified in Part II of the Schedule;
- (d) leaves of the species trees referred to in Part III of the Schedule; and
- (e) the underground stem of the species referred to in Part IV of the Schedule.

**SCHEDULE**

**PART I**

<i>Botanical Name</i>	<i>Vernacular Name</i>
<i>Terminalia sericeae</i> Burch ex D.C.	Mogonono, Moguba
<i>Croton gratissimus</i> Burch	Mologa, Monoka
<i>Colophospermum mopane</i> (Kirk ex Benth) Kirk ex J. Leon	Mophane, Ihane

## PART II

*Botanical Name*  
*Adansonia digitata* L.  
*Dialium englerianum* Henriques  
*Guibourtia coleosperma* (Benth) J. Leon  
*Riconodendron rautanenii* Schinz  
*Berchemia discolor* (Klotzsch) Hemsley  
*Amblygonocarpus andogenisis* (Welw. ex Oliv.) Excell and Tarre  
*Bauhinia macrantha* Oliv.  
*Bauhinia urbaniana* Schinz  
*Parinari curatellifolia* Blanch ex Benth  
*Parinari capensis* Harv.  
*Popowia odorata* Engl. and Diels  
*Annona senegalensis* Pers.  
*Annona stenophylla* Engl. and Diels  
*Ximenia* spp.  
  
*Xylopia odoratissima* Welw. ex Oliv.  
*Grewia* spp.  
*Sclerocarya caffra* Sond.  
*Strychnos spinosa* Lam.  
*Strychnos innocua* Del.  
*Strychnos cucculoides* Baker  
*Vangueria* spp.  
*Abrus precatorius* L.

*Vernacular Name*  
Baobab, Moana, Ibozu, Mubuyu  
Mohamani, Usimba  
Motsaudi, Tsaudi, Isibi  
Mugongo  
Motsintsila, Mozinsilz, Izizi  
  
Mbaimbai  
Mopondopondo, Motoope  
Mupondopondo, Moshanja, Kuji  
Mobola  
Mmola, Mola hatshe, Mobola hatshe  
Mochinga, Mochingschinga  
Mokamanawe, Matakwabolim, Moosomoso  
Moboroo  
Morotologana, Morotologa, Moroto,  
Morotonoga  
Ure, Situnduwanga  
Birobiro, Mogwana, Notuu, Chiriza  
Morula  
Mogorogoro  
Muteni  
Mokorukoru  
Mmilo, Mopiti  
Mopiti, Musasasati, Gum caragi

## PART III

*Botanical Name*  
*Grewia* spp.

*Vernacular Name*  
Mogwana, Muhwana

## PART IV

*Botanical Name*  
*Bothriochloa glabra*

*Vernacular Name*  
Morama, Xcam, Xije

## FORESTRY (INTERNATIONAL TRADE IN WILD FLORA) REGULATIONS

(sections 19A(2) and 19B)

(18th December, 2009)

### ARRANGEMENT OF REGULATIONS

#### REGULATION

1. Citation
2. Interpretation
3. Management Authority
4. Scientific Authority
5. Trade in CITES listed specimen
6. Issue of permit, etc.
7. Permit or certificate valid for trade
8. Validity of permit, etc.
9. Suspension or revocation or of permit, etc.
10. Powers of entry and inspection
11. Offences and penalties

**1. Citation**

These Regulations may be cited as the Forestry (International Trade in Wild Flora) Regulations.

**2. Interpretation**

In these Regulations, unless the context otherwise requires-

**"artificial propagation"** means the growing under controlled conditions of plants from seeds, cuttings, callus tissues, spores or other propagules;

**"country of origin"** means the country in which a specimen has been taken from the wild or artificially propagated or introduced from the sea;

**"domestic trade"** means any commercial activity, including, but not limited to, purchase and manufacture, within Botswana, of any flora specimens listed under the appendices to the Convention;

**"export"** means the taking of any specimen of a plant species listed in the appendices to the Convention, out of Botswana;

**"import"** means the bringing into or introducing into Botswana, other than for purposes of transit, any specimen of a plant species listed in the appendices to the Convention;

**"international trade"** means any commercial activity, including, but not limited to export, re-export, import or transit of any flora specimens listed in the appendices to the Convention outside Botswana;

**"introduction from the sea"** means transportation into Botswana, of plant specimens taken from the marine environment not under the jurisdiction of any State, including the air space above the sea and the sea bed and subsoil beneath the sea;

**"Management Authority"** means the Department of Forestry and Range Resources as provided for under regulation 3; and

**"Scientific Authority"** means the Department of Biological Sciences of the University of Botswana as provided for under regulation 4.

**3. Management Authority**

(1) The Department of Forestry and Range Resources shall be the Management Authority in charge of wild flora as referred to in Article IV, paragraph (a) of the Convention.

(2) The Management Authority shall exercise all the functions conferred on it by the Convention in order to provide for import, export, re-export, possession or transportation of any species of flora specified in the Convention.

(3) Subject to subregulation (2), the Management Authority shall-

- (a) institute measures for the implementation of the Convention both solely and in cooperation with other public bodies, organs of Government or non-governmental organisations;
- (b) issue permits or certificates for the import, export, re-export, possession or transportation of species of flora in accordance with requirements of the Convention.
- (c) monitor the implementation of the provisions of the Convention and assess its effectiveness in improving the level of protection, conservation and sustainable management of species of flora as specified in the Convention;
- (d) advise the Minister on ways of giving effect to the purposes of the Convention; and
- (e) maintain records of international trade in flora specimens and prepare an annual report concerning such trade, and submit the report to the Convention Secretariat by the end of October of the year following the year in which the report was made.

**4. Scientific Authority**

(1) The Department of Biological Sciences of the University of Botswana shall be the

Scientific Authority for purposes of the Convention.

(2) The Scientific Authority shall perform all the functions specified under the Schedule to the Act.

#### **5. Trade in CITES listed specimen**

(1) No person shall export, import, re-export, introduce from the sea, possess or transport any specimen of a plant species listed in the appendices to the Convention without a permit or certificate issued by the Management Authority.

(2) Any person who wishes to import, export, re-export, introduce from the sea, possess or transport through Botswana any specimen of a plant species listed in the appendices to the Convention, shall apply for a permit or certificate from the Management Authority in Form A specified in the Schedule to these Regulations.

(3) The Management Authority may grant a permit or a certificate for import, export, re-export, possession, transport or for introduction from the sea of a specimen of a plant species listed in the appendices to the Convention subject to the following conditions-

- (a) an export permit for plant specimens listed under Appendix I and II shall not be issued if the Scientific Authority has advised that the export will be detrimental to the survival of the species concerned, unless the export quota is within the limit of an annual quota approved by the Scientific Authority;
- (b) an import permit for species listed under Appendix I shall be issued unless the Scientific Authority has advised that the import will be for purposes that are detrimental to the survival of the species;
- (c) the Management Authority is satisfied that the specimen concerned has not been obtained in contravention of any law, including foreign law;
- (d) the Management Authority is satisfied that any specimen to be re-exported was imported in accordance with the provisions of these Regulations and the Convention; and
- (e) the Management Authority is satisfied that an import or export permit for Appendix I listed plant specimen taken from the wild would not to be used primarily for commercial purposes.

(4) Specimens of plant species listed in Appendix I that have been artificially propagated for commercial purposes shall be deemed to be specimens of plant species listed in Appendix II.

#### **6. Issue of permit, etc.**

(1) The Management Authority may issue a permit or certificate subject to such conditions as may be contained in the permit or certificate.

(2) A permit or certificate issued under this regulation shall be in Form B set out in the Schedule to these Regulations.

#### **7. Permit or certificate valid for trade**

A permit or certificate issued under regulation 6 shall be valid for both domestic and international trade.

#### **8. Validity of permit, etc.**

(1) Notwithstanding the provisions of subsection (2), a permit or certificate issued under these Regulations shall be valid for such a period as may be stipulated therein and may be subject to renewal at the end of such period.

(2) An import permit for specimens listed in the appendices to the Convention shall be valid for a period not exceeding 12 months from the date of issue.

#### **9. Suspension or revocation of permit, etc.**

(1) The Management Authority may suspend a permit or certificate on any of the following grounds-

- (a) non-compliance with any condition to the permit or certificate ; or
- (b) contravention of any of the provisions of these Regulations.

(2) A suspension under subregulation (1) shall be for such period as the Management Authority may determine to enable the holder of the permit or certificate to take remedial action so as to comply with the conditions of the permit or certificate and the provisions of these Regulations.

(3) The Management Authority may revoke a permit or certificate where-

- (a) the permit or certificate has been issued as a result of false or misleading statements by the permit or certificate holder;
- (b) contravention of any of the provisions of these Regulations.

(4) The Management Authority shall not suspend or revoke a permit or certificate without first giving written reasons of its decision to the holder.

(5) The holder of a permit or certificate may appeal the Management Authority's decision to suspend or revoke a permit or certificate to the High Court, within 30 days of notification of the decision.

#### **10. Powers of entry and inspection**

(1) An officer of the Management Authority may-

- (a) enter into any premises or a vehicle which he reasonably suspects contains a specimen in contravention of these Regulations;
- (b) examine what he reasonably suspects to be a specimen transported, acquired or traded in contravention of these Regulations; or
- (c) examine any records held relating to specimens referred to in paragraphs (a) and (b); or
- (d) seize or take anything which he believes on reasonable grounds will afford evidence as to the commission of an offence under these Regulations.

(2) In all cases, specimens that are the subject of an offence shall be confiscated and disposed off as the Management Authority, in consultation with the Scientific Authority, may advise:

Provided that such disposal shall not in any way include returning any of the specimens to the offender or any party to the offence.

#### **11. Offences and penalties**

(1) Any person who imports, exports, re-exports, introduces from the sea, possess or transports through Botswana any plant specimen listed in the appendices to the Convention without a permit or certificate commits an offence and is liable to a fine not exceeding P2 000, or a term of imprisonment not exceeding two years, or to both.

(2) A person who trades, either domestically or internationally or attempts to trade any plant specimen listed in the appendices to the Convention without a valid permit or certificate issued under regulation 6 commits an offence and is liable to a fine not exceeding P2 000, or a term of imprisonment not exceeding two years, or to both.

(3) A person who trades with a forged permit or certificate, or trades with a permit or certificate that has been modified by any person other than the Management Authority, or with a permit or certificate that is invalid for any other reason commits an offence and is liable to a fine not exceeding P2 000, or a term of imprisonment not exceeding two years, or to both.

### **SCHEDULE FORM A**



REPUBLIC OF BOTSWANA

## **APPLICATION FORM FOR EXPORT, RE-EXPORT, IMPORT AND TRANSIT PERMIT/CERTIFICATE**

(reg 5(2))

In accordance with regulation 5 (2) of the Forestry (International Trade in Wild Flora) Regulations, an application is hereby made by:

Name: .....

Address: .....

.....

Passport/Omang No ..... Age .....

To export ..... re-export ..... import ..... transit .....  
(tick whichever is applicable)

To the following destination (address) .....

.....

The following live plant/plant derivatives which were (obtained from the wild), (propagated)

Species	Description of article	Number	Country of Origin	Weight	Distinctive Marks

I declare that the (plant/product) in respect of which the permit/certificate is sought were legally obtained under a (type) ..... permit/certificate,

date ..... issued at .....

Signature .....

Place signed .....

Date .....

**FORM B**



REPUBLIC OF BOTSWANA

**PERMIT/CERTIFICATE FOR IMPORT/EXPORT/RE-EXPORT, POSSESSION, TRANSIT OF SPECIES**

(reg 6(2))

PERMIT/CERTIFICATE NO. ....

CONVENTION ON INTERNATIONAL TRADE  
IN ENDANGERED SPECIES OF WILD FAUNA  
AND FLORA

EXPORT



RE-EXPORT

IMPORT

OTHER:

		2. Valid until	
3. Importer (name and address)		4. Exporter/Re-exporter (name and address, country)	
3a. Country of import			
5. Special conditions  For live animals, this permit or certificate is only valid if the transport conditions conform to the Guidelines for Transport of Live Animals or, in the case of air transport, to the IATA Live Animals Regulations.		6. Name, address, national seal/stamp and country of Management Authority	
5a. Purpose of the transaction (see reverse)		5b. Security stamp No.	
7/8. Scientific name and (genus and species) and common name of animal/plant	9. Description of specimens, including identifying marks or numbers	10. Appendix No. and source (see reverse)	11. Quantity (including unit)
		11a. Total exported Quota	

A	7/8.	9	10.	11.	11a.
	12. Permit Date Country of origin *	12a. Country of last re-export  Certificate No. Date	12b. No. of the operation ** or date of acquisition ***		
B	7/8.	9	10.	11.	11a.
	12. Permit Date Country of origin *	12a. Country of last re-export  Certificate No. Date	12b. No. of the operation ** or date of acquisition ***		
C	7/8.	9	10.	11.	11a.
	12. Permit Date	12a. Country of last			

Country of origin * No.	re-export  Certificate No. Date	12b. No. of the operation ** or date of acquisition ***	
D 7/8.	9	10.	11.
12. Permit Date Country of origin * No.	12a. Country of last re-export  Certificate No. Date	12b. No. of the operation ** or date of acquisition ***	
<p>* Country in which the specimens were taken from the wild, bred in captivity or artificially propagated (only in case of re-export)</p> <p>** Only for specimens of Appendix I species bred in captivity or artificially propagated for commercial purposes</p> <p>*** For pre-Convention specimens</p>			
3. THIS PERMIT IS ISSUED BY:			
Place	Date	Security stamp, signature and official seal	
14. EXPORT ENDORSEMENT:		15. Bills of lading/ Air Way-Bill Number:	
Block	Quantity		
A			
B			