

SOUTH AFRICA'S NEW BOWHUNTING REGULATIONS – WHAT THE FOREIGN HUNTER SHOULD KNOW

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The trouble started some ten years ago when a South African TV station showed a documentary film on lion hunting. The producers were clearly out to shock the public and to discredit hunting in general. Hunting and hunters were put in the worse possible light, and one scene showed a lioness being shot next to a fence. Cubs were also shown bundling together next to a fence.

A new phrase was borne, i.e. “*canned lion hunting*”, and this soon became the new dirty word in South Africa. Nobody knew the definition of “canned lion hunting” but for most people it meant that lions were bred and reared in captivity, and then released in small enclosures to be shot by international trophy hunters.

This film was responsible for significant damage to the image of the hunting industry in general. Immense pressure was brought onto government to take corrective action against “canned lion hunting”. It only follows that the anti-hunting fraternity saw an opportunity and jumped on the bandwagon in an effort to get all hunting outlawed.

Government was rightly concerned about the image of the country and the damage that could be done to the tourism industry. A long drawn-out process eventually led to the publication of draft legislation in 2005. The then proposed legislation was seriously flawed and impractical in many respects and was subjected to much criticism by the hunting and game ranching industries.

Then, in early 2007, regulations to the *BIODIVERSITY ACT, 2004 (ACT 10 OF 2004)* in respect of *THREATENED OR PROTECTED SPECIES* were published to provide a greater degree of control over the hunting and game ranching industries. For the first time ever certain restrictions on bowhunting became law. These regulations were due to become effective on 1 June 2007, but the effective date was then postponed to 1 February 2008 after strong objection from lion breeders (who are apparently taking government to court) and also from some of the provincial governments.

Bowhunters should note that, in terms of these regulations, the following animals will not be allowed to be hunted with a bow:

White rhino (*Ceratotherium simum*)
Black rhino (*Diceros bicornis*)
Nile crocodile (*Crocodylus niloticus*)
Elephant (*Loxodonta Africana*)
Cheetah (*Acinonyx jubatus*)
Spotted hyena (*Crocuta crocuta*)
Brown hyena (*Parahyaena brunnea*)
Wild dog (*Lycan pictus*)
Lion (*Panthera leo*)
Leopard (*Panthera pardus*)

When one considers that it is perfectly legal to hunt a hippo and a buffalo with a bow, but not a hyena or a lion or a leopard, then one must question the thinking behind these regulations. Clearly the bureaucrats have limited appreciation for kinetic energy and shot placement. It would also appear that

they were determined to put some restrictions on bowhunting, and these bowhunting restrictions may be no more than a few proverbial bones thrown to the anti-hunting fraternity.

It should however be noted that each of South Africa's nine provinces also have their own provincial regulations. For example, Limpopo has already for a while not allowed the hunting of rhinos with a bow.

There are a number of other provisions contained in the new regulations. The most important are probably the following:

- The hunting of rhinos and large predators are prohibited if they have not been on the ranch for more than 24 months. If such animal has been released less than 24 months prior to the hunt, it is considered a “put-and-take” animal which may not be hunted. It is interesting that “put-and-take” of other species seems to be in order as far as the authorities are concerned – the restrictions are only applicable to rhinos and large predators.
- Rhinos and large predators may also not be hunted in a “controlled environment” – meaning an enclosure designed to prevent the animal from escaping and that facilitates human intervention to provide food, water, artificial housing or health care. Self-sustaining wildlife populations managed in an extensive wildlife system on fenced property are however specifically excluded from these restrictions.
- The use of gin traps, snares, poison, “green hunting”, air guns, shotguns (except for wing shooting), and .22 rifles will be illegal, as will be the use of drugs or immobilizing agents.
- Dead bait may be used only for lion, leopard and hyena.
- Hunting with spotlights, vehicles (except in an area where hunting takes place over long distances) or aircraft is prohibited.

The rest of the regulations deal mainly with registrations and permits, and the abolishment of trade in and breeding of large predators for release to the hunting industry.

It is interesting that there are no legal requirements in terms of type of bow, arrows, broadheads, kinetic energy or draw weight. The outfitter will however be able to advise on what is appropriate for the intended hunt.

But there are often additional requirements in terms of provincial regulations. The country has nine provinces and each one has its own set of provincial regulations. In Limpopo, for example, permits for the hunting of small cats and primates need to be obtained in advance of the safari.

The hunting industry seems to be largely agreeable to these regulations. The only serious objections are coming from the lion breeders. Wildlife Ranching South Africa has also expressed some concern over the illogical listing of certain species as *threatened*.

Point is that there is a renewed emphasis on ethical hunting practices and this is welcomed by all in the industry. The only concern is that government may go overboard with further unnecessary and illogical regulations to the detriment of the industry. Governments, especially in Africa, are not known to consult wisely or appropriately prior the introduction of new legislation. Nor are there sufficient understanding of important hunting issues in government circles. Of particular concern is the apparent influence of non-invested stakeholders who base their reasoning on emotion rather than factual information.

Be that as it may, South Africa still offers magnificent bowhunting. The bowhunter should however make sure that he stays on the right side of the law and that his PH/Outfitter is adequately up to speed with latest regulations and legislation – at national as well as provincial level.

It is also advisable to book a hunt only with an outfitter that is a member of the Professional Hunters Association of South Africa. It is important for the outfitter and/or professional hunter to protect his reputation, to operate within the country's and the province's legal framework, and to ensure that the hunter does not encounter any legal obstacles and that his trophies are exported without any hassle. But the foreign hunter should also make an effort to get a basic understanding of the legal requirements.



Hippos, buffalos and giraffes may still be hunted with a bow, but no cats such as lion and leopard.

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