



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 614

30 August
Augustus 2016

No. 40236

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-5843



9 771682 584003

40236



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

IMPORTANT NOTICE:

THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.

No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
GENERAL NOTICES • ALGEMENE KENNISGEWINGS			
Environmental Affairs, Department of/ Omgewingsake, Departement van			
512	National Environmental Management: Biodiversity Act, (10/2004): Norms and Standards for the Management of Damage-Causing Animals in South Africa	40236	4

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF ENVIRONMENTAL AFFAIRS**NOTICE 512 OF 2016****NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT, 2004
(ACT NO. 10 OF 2004)****NORMS AND STANDARDS FOR THE MANAGEMENT OF DAMAGE-CAUSING ANIMALS IN
SOUTH AFRICA**

I, Bomo Edith Edna Molewa, Minister of Environmental Affairs, hereby give notice of my intention to issue norms and standards for the management of damage-causing animals in South Africa, under section 9(1)(a) read with section 100 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004), set out in the Schedule hereto.

Members of the public are invited to submit within 30 (thirty) days after the publication of the notice in the *Gazette*, written representations on, or objections to the following addresses:

By post to: The Director-General:
 Department of Environmental Affairs
 Attention: Ms Makganthe Maleka
 Private Bag X447
 PRETORIA
 0001

By hand at: Environmental House, 473 Steve Biko Street, Arcadia, Pretoria, 0083.

By e-mail: mamaleka@environment.gov.za

Any enquiries in connection with the notice can be directed to Ms Makganthe Maleka at 012 399 8865.

Comments received after the closing date may not be considered.

BOMO EDITH EDNA MOLEWA
MINISTER OF ENVIRONMENTAL AFFAIRS

SCHEDULE**TABLE OF CONTENTS****CHAPTER 1****INTERPRETATION, PURPOSE AND APPLICATION**

1. Definitions
2. Purpose
3. Application of these norms and standards

CHAPTER 2**MANAGEMENT OF DAMAGE-CAUSING ANIMALS****Part 1****Provisions relating to damage-causing animals**

4. Duty of care
5. Minimum standards to assess the impact caused by damage-causing animals

Part 2**Methods to manage damage-causing animals**

6. Criteria for the translocation of damage-causing animals
7. Deterrent methods to manage damage-causing animals
8. Restricted methods to manage damage-causing animals

Part 3**Minimum requirements applicable to restricted methods**

9. Minimum requirements for the use of a cage trap
10. Minimum requirements for the use of a poison collar

11. Minimum requirements for the darting of a damage-causing animal
12. Minimum requirements to call and shoot a damage-causing animal
13. Minimum requirements for the use of a foothold trap
14. Minimum requirements for the use of hounds
15. Minimum requirements for the use of a poison firing apparatus
16. Minimum requirements for the use of denning

Part 4

General Provisions

17. Disposal of carcasses
18. Monitoring and reporting

CHAPTER 3

OPERATIONAL ARRANGEMENTS

19. Compensation strategy

CHAPTER 4

MISCELLANEOUS

20. Short title and commencement

CHAPTER 1 INTERPRETATION, PURPOSE AND APPLICATION

Definitions

1. (1) In this Schedule, unless the context indicates otherwise, a word or expression defined in the Biodiversity Act has the same meaning, and

“adequately trained person” means a person that has undergone the training as required by the relevant issuing authority;

“applicable legislation” means any legislation that regulates a matter that is dealt with in these norms and standards, including, but not limited to, biodiversity legislation;

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

“biodiversity legislation” means legislation in terms of which biodiversity matters are regulated, either at a provincial level in a province or at a national level;

“cage trap” means a cage with a trap door or doors, with or without a trigger that causes the door to shut, which is used to capture and restrain a live specimen of a listed threatened or protected animals species to prevent it from escaping;

“conservation authority” means any organ of state in the national, provincial or local sphere of government responsible for the conservation of biodiversity, and may include the management of damage causing animals;

“damage-causing animal” means an individual animal or group of animals, as the case may be, that, when in conflict with human activities, there is proof that it—

- (a) causes substantial loss to livestock or to wild animals;
- (b) causes substantial damage to cultivated trees, crops or other property; or

(c) presents an imminent threat to human life;

“darting” means the chemical immobilization of a live animal by any means, method or device, using a tranquillizing, narcotic, immobilizing, or similar agent, for the purpose of restraining or anaesthetizing such specimen;

“denning” means resolving predation by locating black-backed jackal dens and removing the pups and/ or the adults responsible for predation;

“equipment” means an implement, machine, instrument, apparatus, device or other object which can be used, or is capable of being used or adapted—

- (a) for or in connection with the administration of any grouped poisonous substance; or
 - (b) for the purpose of trapping, capturing or killing a damage-causing animal;
- in order to manage a damage-causing animal;

“foothold trap” means a device designed for the entrapment of a predator by trapping a foot of such predator through the mechanism of closing jaws, and triggered by such predator stepping in or on to the foothold trap;

“landowner” means—

- (a) the person registered in a deeds registry as the owner of the land;
- (b) the *bona fide* purchaser of land, prior to the registration of the deed of transfer in his or her name, but after the contract of sale has been concluded, to the exclusion of the person contemplated in paragraph (a);
- (c) the authorised representative of the person contemplated in paragraph (a) or (b);
- (d) the person designated in writing as the owner of such land by an association, where the legal title thereto is vested in an association, whether corporate or non-corporate;
- (e) the management authority of a protected area;
- (f) any organ of state responsible for land that is not a protected area;
- (g) the occupier or lessee of land, in terms of a written agreement with the person contemplated in paragraph (a), (b), (d) or (f);

- (h) the person in whom the administration of such land is vested as executor, trustee, assignee, curator, liquidator or judicial manager, as the case may be, where the owner as contemplated in paragraph (a) or (b) is dead or insolvent, or has assigned his/ her estate for the benefit of his/ her creditors or has been placed under curatorship by order of court or is a company being wound up or under judicial management;
- (i) the lawful heir of the person contemplated in paragraph (a) or of the purchaser contemplated in paragraph (b), as the case may be, at the death of such person or purchaser or, where the land is subject to a usufruct, the usufructuary; or
- (j) a person or authority in control of communal land;

“management intervention” means an action, activity or interference, whether lethal or non-lethal, taken by a person contemplated in paragraph 2(b) of these norms and standards, including the application of a technique or method or the use of equipment to avoid, prevent or reduce loss or damage caused by damage-causing animals for the purpose of resolving or mitigating a conflict situation between humans and damage-causing animals;

“padded” in relation to a foothold trap means rubber or similar material affixed to the jaws of the foothold trap in order to prevent or minimize injury to any animal that may be caught in such a device;

“person” means a natural or juristic person, and includes a trust;

“poison” means any toxin, preparation or chemical substance used to kill or physically harm a damage-causing animal;

“poison collar” means a collar with one or more sealed compartments containing a poison registered for the management of damage-causing animals as regulated by the Hazardous Substances Act, 1973 (Act No.15 of 1973) and associated regulations;

“stakeholder” means any person or a group of persons who possesses a particular knowledge of or experience in, or who is or are affected by, damage-causing animals and the management thereof;

“translocation” means the—

- (a) process of capturing a live damage-causing animal at a particular location, and the conveying or transporting, and release of such damage-causing animal in another location; or
- (b) movement a live damage-causing animal from one area and the release of such animal in another area;

“TOPS Regulations” means the regulations pertaining to threatened or protected species Regulations promulgated in terms of section 97 of the Biodiversity Act; and

“wild vertebrate animal” means a terrestrial vertebrate animal that does not belong to a livestock species, or to a recognised domestic species such as a cat, dog, horse, mule or any other similar species.

(2) In these norms and standards, a word or expression which is a derivative or other grammatical form of a word or expression defined in subparagraph (1) or in the Biodiversity Act, has a corresponding meaning unless the context indicates that another meaning is intended.

Purpose

2. The purpose of these norms and standards is to provide—
- (a) for a uniform approach to the application of management interventions relating to damage-causing animals, in order to prevent or minimize damage to live stock or wild animals; cultivated trees, crops or other property; or to prevent imminent threat to human life, with the minimum adverse effect to the damage-causing animal;
 - (b) appropriate and effective management interventions or equipment which should be implemented by an adequately trained person or group of persons, organization, registered business, practitioner, conservation authority or issuing authority; and

- (c) minimum standards—
 - (i) to assist the issuing authority in the development of legislation and/ or policies to regulate the management of damage-causing animals; and
 - (ii) for the lawful use of methods, techniques or equipment to manage damage-causing.

Application of these norms and standards

- 3. The provisions of these norms and standards—
 - (a) must be read in conjunction with—
 - (i) the Biodiversity Act;
 - (ii) the TOPS Regulations;
 - (iii) provincial biodiversity legislation; and
 - (iv) any other applicable legislation that also regulates a matter being dealt with in terms of these norms and standards;
 - (b) apply to the management of any wild vertebrate animal within the Republic of South Africa that causes damage, and which is regulated in terms of—
 - (i) the TOPS Regulations; or
 - (ii) provincial biodiversity legislation; and
 - (c) do not apply to domestic animals that have become wild or vagrant.

CHAPTER 2

MANAGEMENT OF DAMAGE-CAUSING ANIMALS

Part 1

Provisions relating to damage-causing animals

4. Duty of care

- (1) Every person has a general duty of care to take reasonable measures to prevent or minimise damage being caused by damage-causing animals.

(2) The reasonable measures contemplated in subparagraph (1) may include measures relating, but not limited to, the measures contained in paragraph 7 of these norms and standards.

Minimum standards to assess the impact caused by damage-causing animals

5. (1) An official of the issuing authority should consider the following criteria to determine the severity of damage caused by a damage-causing animal—

- (a) actual loss of life or serious physical injuries;
- (b) imminent threat of loss of life or serious physical injuries;
- (c) actual loss of livelihood, revenue or property; or
- (d) potential loss of livelihood, revenue or property.

(2) An inspection report must be compiled by the official contemplated in subparagraph (1), which should contain the following information—

- (a) any supporting documentation or report relevant to the damage, including a police report where applicable;
- (b) a detailed description of the location and circumstances surrounding the damage that has been caused;
- (c) a detailed description and analysis of the scale and duration of non-lethal management interventions to prevent damage;
- (d) cause of the damage, with justification whether the damage has been caused—
 - (i) by an animal other than a specimen of a wild vertebrate species;
 - (ii) as a result of human error or negligence, in which case it must be clearly detailed;
- (e) quantification of the damage;
- (f) an indication of the cost of the damage caused by a damage-causing animal relative to other losses due to drought, diseases or theft experienced by a person;
- (g) the likelihood of the damage recurring; and
- (h) the time span between the damage being caused and the management intervention; if a management intervention was implemented.

(3) Based on the information contained in the report contemplated in subparagraph (2), the issuing authority should, depending on the circumstances, propose the most appropriate management intervention, which should, if applicable, include the application of non-lethal management interventions aimed at preventing or mitigating the recurring damage.

(4) While considering all relevant factors, the proposed measures for the management of a damage-causing animal should—

- (a) be aimed at minimizing damage and be ecologically acceptable, and may include—
 - (i) live capture for the purpose of—
 - (aa) permanent removal by euthanasia subsequent to the capture;
 - (bb) translocation for introduction back to the wild; or
 - (cc) keeping in captivity in a registered captive breeding facility for breeding purposes where the breeding project contributes to the conservation of the species, or scientific research by a registered scientific institution, with the approval of the ethical committee of the institution involved; or
 - (ii) killing; and
- (b) should, within reason and depending on the circumstances, not include the killing of the damage-causing animal if the damage is solely due to human error or negligence of the landowner.

Part 2

Methods to manage damage-causing animals

Criteria for the translocation of damage-causing animals

6. (1) Damage-causing animals should only be translocated when there is no scope for mitigating the conflict in the area where the damage has been caused.

(2) Translocation of the damage-causing animal must be in accordance with any applicable legislation, policies, and guidelines.

(3) The issuing authority must consider whether the translocation of the damage-causing animal could have a potential negative impact on the damage-causing animal itself, or on the receiving environment.

- (4) Any person or group of persons contemplated in paragraph 2(b)—
- (a) may lawfully translocate a damage-causing animal only under the conditions as determined by the relevant issuing authority, and with the prior written consent of the—
- (i) landowner on whose land the damage-causing animal is captured;
 - (ii) the landowner on whose land the damage-causing animal is to be released;
 - (iii) landowner(s) adjacent to the land where the damage-causing is to be released;
- and
- (iv) the state veterinarian where applicable; and
- (b) must keep accurate record of the capture and translocation of the damage-causing animal, which must include the following—
- (i) contact details of the landowners contemplated in subparagraphs (4)(a)(i) and (ii);
 - (ii) species and number of individuals captured;
 - (iii) date of capture;
 - (iv) capture site;
 - (v) site of release;
 - (vi) copies of the written consent from land owners adjacent to the area where the damage-causing animal has been released; and
 - (vii) any other information that may be deemed necessary by the relevant issuing authority.

Deterrent methods to manage damage-causing animals

7. (1) Deterrent methods to manage damage-causing animals that can be used without a permit issued by the issuing authority in terms of biodiversity legislation, include, but are not limited to, the following —

- (a) fencing—
- (i) kraals;
 - (ii) night enclosures;

- (iii) camps;
 - (iv) barriers;
 - (v) jackal-proof fencing;
 - (vi) cable or electric fence; or
 - (vii) protective screens on doors and windows;
- (b) collars—
- (i) bell collars;
 - (ii) cell phone collars;
 - (iii) bell and smell collars;
 - (iv) protective sheep collars; or
 - (v) smart technology collars;
- (c) herding techniques—
- (i) shepherding; or
 - (ii) livestock guarding animals, including but not limited to herding dogs, alpacas, donkeys, ostriches or other wild animals;
- (d) repellants and scare tactics—
- (i) alarms;
 - (ii) bells;
 - (iii) smells;
 - (iv) lights; or
 - (v) noise;
- (e) management practices, including but not limited to seasonal lambing coordination, breed selection, breed mixtures or stock rotations; or
- (f) veldwagter motion sensing.

(2) The most effective management interventions involve the application of a combination of deterrent methods.

Restricted methods to manage damage-causing animals

8. (1) The application of following methods relating to the management of damage-causing animals may require a permit, issued by the issuing authority, in terms of any applicable legislation—

- (a) cage trap;
- (b) poison collar;
- (c) darting;
- (d) call and shoot;
- (e) foothold trap;
- (f) hounds, only for the purpose of pursuing or tracking a wounded damage-causing animal or flushing, pointing and retrieving a damage-causing animal;
- (g) poison firing apparatus; and
- (h) denning.

Part 3**Minimum requirements applicable to restricted methods****Minimum requirements for the use of a cage trap**

9. (1) A person or group of persons contemplated in paragraph 2(b) who lawfully uses a cage trap to capture a damage-causing animal must—

- (a) be adequately trained in the appropriate use of a cage trap;
- (b) comply with the conditions applicable to the use of a cage trap, as determined by the relevant issuing authority;
- (c) prior to placement, have the cage trap inspected and approved, by the relevant issuing authority, for the specific intended use;
- (d) place the cage trap—
 - (i) in the shade; and
 - (ii) as close as possible to the site where the damage occurred;
- (e) check the cage trap at least once every 24 hours to ascertain whether any animal has been captured in the cage trap;
- (f) safely release non-target species from the cage trap;

- (g) close the door of any cage trap when it is not in use;
- (h) cover the cage trap with a sheet or tarpaulin as soon as possible after discovery of the captured animal to reduce stress; and
- (i) translocate or euthanize, as determined by the issuing authority, the captured damage-causing animal immediately upon being discovered in the cage trap.

(2) The person or group of persons contemplated in paragraph 2(b) may not—

- (a) injure or cause injury to the captured animal or allow it to be injured;
- (b) place the cage trap in front of dens, shelters or sleeping sites of the species involved;
- (c) leave the captured animal in the cage trap for longer than 24 hours; or
- (d) leave the captured animal unprotected against any natural or environmental elements or other disturbances, or without providing sustenance.

(3) A cage trap must conform to the following minimum requirements—

- (a) the size of the cage trap must be species-specific and should therefore take the size of the target damage-causing animal into account;
- (b) the frame of the cage trap must be adequately covered with smooth mesh material to prevent the captured damage-causing animal from escaping the cage trap and to limit damage to the animal when making any attempt to escape;
- (c) the cage trap for baboon and dangerous predators must be equipped with a safety catch on the door to prevent the captured animal from escaping the cage trap;
- (d) precautions must be taken to prevent or minimize injuries to a captured damage-causing animal, especially where the door could fall onto the animal's tail when the door of the cage trap is activated;
- (e) the cage trap must be free of any sharp metal edges and wires on the inside;
- (f) the door frame of the cage trap must be equipped with a stopper at the bottom to prevent the trap door from falling through when it is picked up; and
- (g) the cage trap must be equipped with handles to allow the cage trap to be lifted and carried without injury to the captured animal or to the persons lifting and carrying the cage trap.

Minimum requirements for the use of a poison collar

10. (1) A person or group of persons contemplated in paragraph 2(b) who lawfully uses a poison collar must—

- (a) be adequately trained in the appropriate use of a poison collar;
- (b) comply with the conditions applicable to the use of the poison collar, as determined by the relevant issuing authority;
- (c) prior to the use of the poison collar, have the device inspected and approved by the relevant issuing authority, for the specific intended use;
- (d) prominently display clearly visible warning notices on the property boundaries, on the access gates or on the relevant camp boundaries or gates, of the intended use of the poison collar for the full duration of its use;
- (e) immediately remove and dispose of the carcass of any animal killed by the poison collar, or the carcass of an animal wearing a poison collar that did not survive an attack by a damage-causing animal, in accordance with paragraph 17;
- (f) immediately shave off and bury the wool or hair of the prey animal wearing the poison collar that survived an attack of a damage-causing animal; and
- (g) keep a poison collar not used in safe custody in order to prevent any unauthorized person from unlawfully obtaining such poison collar.

(2) The poison collar must be registered in terms of applicable legislation for the purpose of poisoning the damage-causing species involved.

(3) Only sodium monofluoroacetate (Compound 1080) may be used in a poison collar, as provided for in terms of the Hazardous Substances Act, 1973 (Act No. 15 of 1973).

Minimum requirements for the darting of a damage-causing animal

11. (1) A damage-causing animal may be darted only by—

- (a) a veterinarian who is—
 - (i) registered with the South African Veterinary Council and in accordance with the Veterinary and Para-Veterinary Professions Act, 1982 (Act No. 19 of 1982); and
 - (ii) competent to use wildlife drugs; or

- (b) a person other than a veterinarian, who is authorised—
 - (i) by a license issued in terms of the Medicines and Related Substances Control Act, 1965 (Act No. 101 of 1965); and
 - (ii) in writing by the South African Veterinary Council.

(2) A person contemplated in subparagraph (1)(b) must dart a damage-causing animal in accordance with the conditions—

- (a) of the permit contemplated in subparagraph (1)(b)(i);
- (b) as determined by the South African Veterinary Council; and
- (c) as determined by the relevant issuing authority.

Minimum requirements for the call and shoot of a damage-causing animal

12. (1) A person or group of persons contemplated in paragraph 2(b) who lawfully uses the method of call and shoot to lure a damage-causing animal—

- (a) must be adequately trained in the appropriate use of the method;
- (b) must comply with the conditions applicable to the use of the call and shoot method, as determined by the relevant issuing authority;
- (c) must submit records of all call and shoot events to the relevant issuing authority in a format as provided by the issuing authority;
- (d) must target only specific individual animals known to cause damage; and
- (e) may not be used to lure animals out of protected areas.

Minimum requirements for the use of a foothold trap

13. (1) A person or group of persons contemplated in paragraph 2(b) who lawfully uses a foothold trap to capture a damage-causing animal—

- (a) must be adequately trained in the appropriate use of a foothold trap;
- (b) must comply with the conditions applicable to the use of the foothold trap, as determined by the relevant issuing authority;
- (c) may only use a foothold trap with off-set jaws or padded jaws, which may not be spiked or serrated;

- (d) must, prior to use of the foothold trap, have such foothold trap inspected and approved by the relevant issuing authority, for the specific use intended;
- (e) must ensure that any foothold traps that are not in use are safely stored with the jaws closed;
- (f) must be adequately trained to handle a foothold trap; and
- (g) must check the foothold trap at least once every 24 hours to ascertain whether any animal has been trapped in it.

(2) The foothold trap must conform to the following minimum requirements—

- (a) the size and type of foothold trap must be target specific and selective towards trapping the individual damage-causing animal;
- (b) have a screw capable of adjusting the tension of the pan, which must be set for at least 1.75 kg to exclude most foxes and carnivores smaller than the black-backed jackal, in order to release the jaws of the foothold trap when the target animal sets off the foothold trap;
- (c) the galvanized chain which connects the foothold trap to an anchoring pin must have at least two swivels and a steel spring to absorb shock and minimize injury; and
- (d) the attachment of the chain should be at the bottom-center of the foothold trap to ensure that animals are pulling directly away from the foothold trap and not sideways, in order to reduce injuries.

(3) The foothold trap may be used in conjunction with a scent or lure to draw the individual damage-causing animal to such foothold trap.

(4) The foothold trap may not be set—

- (a) in any pathway, road or track;
- (b) within two (2) meters from a hole in a fence lines, and not directly in front of the hole;
- (c) within hundred (100) meters radius of any waterhole or watering point;
- (d) in front of dens or shelters; or
- (e) near natural prey killed by predators, excluding the prey it has killed;
- (f) in areas where critically endangered fauna species occur; or

- (g) on a pole to trap birds of prey.

Minimum requirements for the use of hounds

14. (1) A person or group of persons contemplated in paragraph 2(b) who lawfully uses hounds to pursue, track or flush, or point and retrieve, a damage-causing animal must—

- (a) be adequately trained in the appropriate use of hounds;
- (b) comply with the conditions applicable to the use of hounds, as determined by the relevant issuing authority;
- (c) register each pack of hounds, its owner, and the handler with the relevant issuing authority;
- (d) mark each registered hound by means of a tracking or identification device such as a microchip or Global Positioning System collar;
- (e) record on the registration certificate of each hound, the number of the microchip and a full-body picture of the hound;
- (f) have the hounds examined by a registered veterinarian on an annual basis, after which a certificate of good health must be issued and submitted to the issuing authority;
- (g) be in the presence of the pack of hounds at all times whilst out in the field;
- (h) take responsibility for the actions of the hounds in the veld; and
- (i) carry proof of the registration of the pack of hounds whilst out in the field.

(2) A maximum of six registered and trained hounds may, at any time, participate in the pursuing of a wounded damage-causing animal or flushing of a target damage-causing animal, and a maximum of six registered untrained hounds may be present to allow them for training.

Minimum requirements for the use of a poison firing apparatus

15. (1) A person or group of persons contemplated in paragraph 2(b) who lawfully uses a poison firing apparatus to kill a damage-causing animal—

- (a) must be adequately trained in the appropriate use of the apparatus;
- (b) must comply with the conditions applicable to the use of a poison firing apparatus, as determined by the relevant issuing authority;
- (c) may use only sodium cyanide in the apparatus;

- (d) may not place the poison firing apparatus in areas likely to cause adverse impacts on humans or non-target species;
- (e) may not place the poison firing apparatus on public land used as recreational areas by the public;
- (f) must use appropriate lure to limit the possibility of attracting specimens of non-target species;
- (g) must place warning signs in areas where the poison firing apparatus will be used;
- (h) must check the poison firing apparatus at least once every 24 hours; and
- (i) must remove the poison firing apparatus as soon as the predation problem has been minimised, and not later than 30 days after the placement thereof.

(2) The poison firing apparatus may fire the sodium cyanide from a sealed capsule only, and then only by means of a spring-driven plunger.

Minimum requirements for the use of denning

16. (1) The issuing authority may consider authorizing denning in relation to black-backed jackal as a preventative control strategy, if black-backed jackal predation has historically and consistently occurred in a particular area.

(2) A person or group of persons contemplated in paragraph 2(b) who lawfully uses denning to kill damage-causing black-backed jackals—

- (a) must be adequately trained to use this method;
- (b) must comply with the conditions applicable to the use of denning, as determined by the relevant issuing authority;
- (c) must consider denning operations during late winter or spring when the presence of black-backed jackal pups in dens have been identified; and
- (d) may use only carbon monoxide in the denning operation.

(3) The dens must as far as possible not be disturbed after a denning operation.

Part 4 General Provisions

Disposal of carcasses

17. (1) The issuing authority may dispose of the carcass of a damage-causing animal as it deems appropriate, which may include the selling of the carcass of the damage-causing animal or products thereof.

(2) Any person responsible for the lawful killing of a damage-causing animal by means of poison in accordance with paragraph 11 must, without delay, burn the carcass, or bury the carcass at least one meter deep and cover it with lime.

(3) The carcass contemplated in subparagraph (1) may not be buried in close proximity of water sources and courses in order to prevent contamination.

Monitoring and reporting

18. (1) The effectiveness of the methods contemplated in paragraph 8, and the possible impact thereof on non-target species, must be closely monitored.

(2) Record of each incident where damage caused by a damage-causing animal has been reported, must be kept by the complainant, and to the extent possible should include the following information—

- (a) date and location of the damage;
- (b) information of the species involved, including gender, length, weight, approximate age and general condition, as well as a picture of the damage-causing animal;
- (c) the non-lethal management measures employed to mitigate the damage, prior to the loss occurring;
- (d) particulars of a site inspection by the issuing authority;
- (e) type of management intervention recommended or instituted by the issuing authority; and
- (f) reference to titles and locations of all relevant documentation.

(3) The person who is authorised to use the methods contemplated in paragraph 8 must keep record of each management intervention, and must submit a report to the issuing authority at the end of each year, containing the following information—

- (a) the species involved;
- (b) in respect of each management intervention—
 - (i) information on the number of specimens, as well as the gender, length, weight, approximate age and general condition of each specimen, captured and/ or killed; and
 - (ii) a picture of the damage-causing animal;
- (c) date on which, and location where, the management intervention was implemented or executed;
- (d) whether any injury have been incurred by the specimen captured, and the nature of such injury;
- (e) whether the management intervention is a repeated intervention or a first-time intervention, and in the case of a repeated intervention, particulars of previous management intervention(s).

CHAPTER 3 OPERATIONAL ARRANGEMENTS

Compensation strategy

19. (1) A conservation authority may develop a compensation strategy for the payment of compensation to a person who has suffered loss or damages caused by a damage-causing animal.

(2) The compensation strategy should consider, but not be limited to, the following criteria to determine under which circumstances compensation may be paid—

- (a) financial cost to implement the compensation strategy;
- (b) monetary compensation, or non-monetary compensation such as meat or skins;
- (c) the type and value of compensation compared to the loss incurred;

- (d) possible reduction in the occurrence of damage as a result of the payment of compensation;
- (e) species and origin of the damage-causing animal;
- (f) negligence on the part of the person who has suffered loss or damage, or the State;
- (g) proposed management methods already implemented by the person who has suffered loss or damages ;
- (h) consultation with relevant affected parties;
- (i) the written agreement between the MEC of a province and the management authority of a national park, as required in terms of Regulation 3 of the TOPS Regulations; and
- (j) where possible insurance of the person who suffered loss or damage.

CHAPTER 4 MISCELLANEOUS

Short title and commencement

20. These Norms and Standards are called the Norms and Standards for the management of damage-causing animals in South Africa, and take effect on the date of publication thereof in the *Gazette*.

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065