

Implementation report format

The format below follows the structure of the *CITES Strategic Vision: 2008-2020* and aims to collect information to enable the Strategic Vision indicators to be implemented.

CITES vision statement

Conserve biodiversity and contribute to its sustainable use by ensuring that no species of wild fauna or flora becomes or remains subject to unsustainable exploitation through international trade, thereby contributing to the significant reduction of the rate of biodiversity loss and making a significant contribution towards achieving the relevant Aichi Biodiversity Targets.

Article VIII, paragraph 7 (b), of the Convention requires each Party to submit to the CITES Secretariat a report on legislative, regulatory and administrative measures taken to enforce the provisions of the Convention.

The report format allows Parties to present information in a standard manner, so that it can be easily collated, with three main objectives:

- i) To enable monitoring of the implementation and effectiveness of the Convention;
- ii) To facilitate the identification of major achievements, significant developments, or trends, gaps or problems and possible solutions; and
- iii) Provide a basis for substantive and procedural decision-making by the Conference of the Parties and various subsidiary bodies.

Information on the nature and extent of CITES trade should be incorporated into the annual report [Article VIII paragraph 7 (a)], whereas the report provided under Article VIII paragraph 7 (b) should focus on measures taken to implement the Convention.

The report should cover the period indicated in [Resolution Conf. 11.17 \(Rev. CoP16\)](#) which urges that the report should be submitted to the Secretariat one year before each meeting of the Conference of the Parties (CoP). The reason for setting the report to be due a year in advance of the following CoP is to allow information to be collated so it can be considered by the Standing Committee in advance of CoP, and enable publication of the Strategic Vision indicators in advance of CoP.

Reports should be prepared in one of the three working languages of the Convention (English, French, Spanish).

Parties are *strongly* encouraged to prepare and submit their reports in electronic form. This will facilitate timely integration of information from Parties into publication of the Strategic Vision Indicators. If reports are only provided in hard copy, resources will be needed at the Secretariat to make an electronic copy, and this is not good use of Secretariat resources.

The completed report should be sent to:

CITES Secretariat
International Environment House
Chemin des Anémones 11-13
CH-1219 Châtelaine-Geneva
Switzerland

Email: info@cites.org
Tel: +41-(0)22-917-81-39/40
Fax: +41-(0)22-797-34-17

If a Party requires further guidance on completing their report, please contact the CITES Secretariat at the address above.

Party	Malawi
Period covered in this report	1 st January, 2019 to 30 th December, 2020
Department or agency preparing this report	Department of National Parks and Wildlife
Contributing departments, agencies and organizations	Department of Forestry

GOAL 1 ENSURE COMPLIANCE WITH AND IMPLEMENTATION AND ENFORCEMENT OF THE CONVENTION

Objective 1.1 Parties comply with their obligations under the Convention through appropriate policies, legislation and procedures.
[All Aichi Targets relevant to CITES, particularly Aichi Target 2, Target 6, Target 9, Target 12, Target 17 and Target 18.](#)

Indicator 1.1.1: The number of Parties that are in category 1 under the national legislation project.

1.1.1a	Have any CITES relevant policies or legislation been developed during the period covered in this report? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If 'Yes', have you shared information with the Secretariat? Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable <input type="checkbox"/> If 'No', please provide details to the Secretariat with this report:
1.1.1b	Does your legislation or legislative process allow easy amendment of your national law(s) to reflect changes in the CITES Appendices (e.g. to meet the 90 day implementation guidelines)? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If 'No', please provide details of the constraints faced:

Objective 1.2 Parties have in place administrative procedures that are transparent, practical, coherent and user-friendly, and reduce unnecessary administrative burdens.
[Aichi Target 3.](#)

Indicator 1.2.1: The number of Parties that have adopted standard transparent procedures for the timely issuance of permits in accordance with Article VI of the Convention.

		Yes	No	No information
1.2.1a	Do you have standard operating procedures for application for and issuance of permits?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Are the procedures publicly available?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.2.1b	Do you have:			
	Electronic data management and a paper-based permit issuance system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Electronic permit information exchange between Management Authorities of some countries If 'Yes', please list countries	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Electronic permit information exchange to Management Authorities of all countries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Electronic permit data exchange between Management Authorities and customs?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Electronic permit used to cross border with electronic validation by customs?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	If 'Yes' to any of the above, please provide information on challenges faced or issues overcome:			

If 'No', do you have any plans to move towards e-permitting ¹ ?	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If you are planning to move towards e-permitting, please explain what might help you to do so: Technical and financial support.			

Indicator 1.2.2: The number of Parties making use of the simplified procedures provided for in [Resolution Conf. 12.3 \(Rev. CoP16\)](#).

1.2.2a	Has your country developed simplified procedures for any of the following?	Tick all applicable		
		Yes	No	No information
	Where biological samples of the type and size specified in Annex 4 of Resolution Conf. 12.3 (Rev. CoP16) are urgently required.	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	For the issuance of pre-Convention certificates or equivalent documents in accordance with Article VII , paragraph 2.	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	For the issuance of certificates of captive breeding or artificial propagation in accordance with Article VII, paragraph 5.	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	For the issuance of export permits or re-export certificates in accordance with Article IV for specimens referred to in Article VII, paragraph 4.	<input type="checkbox"/>	<input type="checkbox"/>	X <input type="checkbox"/>
	Are there other cases judged by a Management Authority to merit the use of simplified procedures? If 'Yes', please provide details:	<input type="checkbox"/>	<input type="checkbox"/>	X <input type="checkbox"/>

Objective 1.3 Implementation of the Convention at the national level is consistent with decisions adopted by the Conference of the Parties.
[All Aichi targets relevant to CITES, particularly Target 9, Target 14 and Target 18.](#)

Indicator 1.3.1: The number of Parties that have implemented relevant reporting under Resolutions and Decisions of the Conference of the Parties and/or Standing Committee recommendations.

1.3.1a	<p>Has your country responded to all relevant special reporting requirements that are active during the period covered in this report, including those in the Resolutions and Decisions of the Conference of the Parties, Standing Committee recommendations, and Notifications issued by the Secretariat (see link to location on the CITES website where the reporting requirements are listed)?</p> <p>Responses provided to ALL relevant reporting requirements X <input type="checkbox"/></p> <p>Responses provided to SOME of the relevant reporting requirements <input type="checkbox"/></p> <p>Responses provided to NONE of the relevant reporting requirements <input type="checkbox"/></p> <p>No special reporting requirements applicable <input type="checkbox"/></p>
1.3.1b	<p>Were any difficulties encountered during the period covered in this report in implementing specific Resolutions or Decisions adopted by the Conference of the Parties? Yes <input type="checkbox"/> No X <input type="checkbox"/></p> <p>If 'Yes', please provide details of which Resolution(s) or Decision(s), and, for each, what difficulties were / are being encountered?</p>

¹ e-permitting refers to the electronic (paperless) management of the permit business process, including permit application, Management Authority – Scientific Authority consultations, permit issuance, notification to customs and reporting.

Objective 1.4 The Appendices correctly reflect the conservation needs of species.

Aichi Target 1, Target 12, Target 14 and Target 19.

1.4.1: The number and proportion of species that have been found to meet the criteria contained in Resolution Conf. 9.24 or its successors. This includes both the periodic review and amendment proposals.

1.4.1a	<p>Have you undertaken any reviews of whether species would benefit from listing on the CITES Appendices? Yes X <input type="checkbox"/> No <input type="checkbox"/></p> <p>If 'Yes', please provide a summary here, or a link to the report of the work (or a copy of that report to the Secretariat if the work is not available online):</p> <p>At the CoP 18, Malawi submitted listing proposals for <i>Widringtonia whytei</i> and Mukula to Appendix II, which were accepted by the Conference.</p>
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Objective 1.5 Best available scientific information is the basis for non-detriment findings.

Aichi Target 2, Target 4, Target 5, Target 6, Target 7, Target 9, Target 12 and Target 14.

Indicator 1.5.1: The number of surveys, studies or other analyses undertaken by exporting countries based on the sources of information cited in Resolution Conf. 16.7 on Non-detriment findings related to:

- the population status of Appendix-II species;
- the trends and impact of trade upon Appendix-II species; and
- the status of and trend in naturally-occurring Appendix I species and the impact of any recovery plans.

1.5.1a	Have any surveys, studies or other analyses been undertaken <u>in your country</u> in relation to:	Yes	No	Not Applicable	If Yes, How many?
	- the population status of Appendix II species?	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	- the trends and impact of trade on Appendix II species?	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	- the status of and trend in naturally-occurring Appendix I species?	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	- the impact of any recovery plans on Appendix I species?	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Have the surveys, studies or analyses integrated relevant knowledge and expertise of local and indigenous communities?	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	<p>If there are such studies that you are willing to share, please provide:</p> <p>Species name (scientific)</p> <p>A brief summary of the results of the survey, study or other analysis (e.g. population status, decline / stable / increase, off-take levels etc), or provide links to published reference material.</p>																					
1.5.1b	<p>How are the results of such surveys, studies or other analyses used in making non-detriment findings (NDFs)? Please tick all that apply</p> <p>Revised harvest or export quotas <input type="checkbox"/></p> <p>Banning export <input type="checkbox"/></p> <p>Stricter domestic measures <input type="checkbox"/></p> <p>Changed management of the species <input type="checkbox"/></p> <p>Discussion with Management Authorities <input checked="" type="checkbox"/></p> <p>Discussion with other stakeholders? <input checked="" type="checkbox"/></p> <p>Other (please provide a short summary):</p>																					
1.5.1c	<p>Do you have specific conservation measures or recovery plans for naturally occurring Appendix-I listed species?</p> <p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Not Applicable <input type="checkbox"/></p> <p>No information <input type="checkbox"/></p> <p>If 'Yes', please provide a brief summary, including, if possible, an evaluation of their impact: Malawi developed a National Elephant Action Plan to guide the conservation of the Elephants, and generally its implementation is yielding positive results.</p>																					
1.5.1d	<p>Have you published any non-detriment findings that can be shared? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If 'Yes', please provide links or examples to the Secretariat within this report:</p>																					
1.5.1e	<table border="0"> <thead> <tr> <th>Which of the following (A to F of paragraph a) x) of Resolution Conf. 16.7) do you use in making non-detriment findings?</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td>A. relevant scientific literature concerning species biology, life history, distribution and population trends.</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>B. details of any ecological risk assessments conducted.</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>C. scientific surveys conducted at harvest locations and at sites protected from harvest and other impacts.</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>D. relevant knowledge and expertise of local and indigenous communities.</td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>E. consultations with relevant local, regional and international experts.</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>F. national and international trade information such as that available via the CITES trade database maintained by UNEP World Conservation Monitoring Centre (UNEP-WCMC), publications on trade, local knowledge on trade and investigations of sales at markets or through the Internet for example.</td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table>	Which of the following (A to F of paragraph a) x) of Resolution Conf. 16.7) do you use in making non-detriment findings?	Yes	No	A. relevant scientific literature concerning species biology, life history, distribution and population trends.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	B. details of any ecological risk assessments conducted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	C. scientific surveys conducted at harvest locations and at sites protected from harvest and other impacts.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	D. relevant knowledge and expertise of local and indigenous communities.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E. consultations with relevant local, regional and international experts.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	F. national and international trade information such as that available via the CITES trade database maintained by UNEP World Conservation Monitoring Centre (UNEP-WCMC), publications on trade, local knowledge on trade and investigations of sales at markets or through the Internet for example.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Indicator 1.5.2: The number of Parties that have adopted standard procedures for making non-detriment findings.

1.5.2a	<p>Do you have standard procedures for making non-detriment findings in line with Resolution Conf. 16.7?</p> <p>If 'Yes', please briefly describe your procedures for making non-detriment findings, or attach as an annex to this report, or provide a link to where the information can be found on the internet:</p> <p>Basically the procedure involves using the CITES NDF Checklist in aspects of the biology of the species, status, management, protection, incentives, monitoring and control. Analysis is done using the NDF worksheet excel to determine the ratios in terms of science-based risk assessment</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input checked="" type="checkbox"/></p>
1.5.2b	<p>When establishing non-detriment findings, have any of the following guidance been used?</p> <p>Virtual College <input type="checkbox"/></p> <p>IUCN Checklist <input checked="" type="checkbox"/></p> <p>Resolution Conf. 16.7 <input type="checkbox"/></p> <p>2008 NDF workshop <input type="checkbox"/></p> <p>Species specific guidance <input type="checkbox"/></p> <p>Other <input type="checkbox"/></p> <p>If 'Other' or 'Species specific guidance', please specify details:</p>	<p>Please tick all that apply</p>
1.5.2c	<p>How often do you review and/or change your non-detriment findings?</p> <p>Case by case <input checked="" type="checkbox"/></p> <p>Annually <input type="checkbox"/></p> <p>Every two years <input type="checkbox"/></p> <p>Less frequently <input type="checkbox"/></p> <p>A mix of the above <input type="checkbox"/></p> <p>Please describe the circumstances under which non-detriment findings would be changed:</p>	

Indicator 1.5.3: The number and proportion of annual export quotas based on population surveys.

1.5.3a	<p>Do you set annual export quotas?</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>If 'Yes', do you set quotas based on population survey, or by other means? Please specify, for each species, how quotas are set:</p> <p>Species Name (scientific) Population Survey? Other, please specify</p> <p>Crocodilus niloticus <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	
1.5.3b	<p>Have annual export quotas been set at levels which will ensure sustainable production and consumption?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If 'Yes', please describe how this fits into your non-detriment finding process:</p>	

Objective 1.6 Parties cooperate in managing shared wildlife resources.
Aichi Target 4, Target 5, Target 6, Target 7, Target 10, Target 12 and Target 19.

Indicator 1.6.1: The number of bilateral and multilateral agreements that specifically provide for co-management of shared CITES listed species by range States.

1.6.1a	<p>Is your country a signatory to any bilateral and/or multilateral agreements for co-management of shared species? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>If 'Yes', please provide brief details, including the names of the agreements, and which other countries are involved: Malawi and Zambia share the management of elephants under the Transfrontier Conservation Areas Treaty (TFCA), signed in 2015, Convention on Migratory Species (CMS), and the African Eurasian Waterbird Agreement (AEWA) both acceded in 2019</p>
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Indicator 1.6.2: The number of cooperative management plans, including recovery plans, in place for shared populations of CITES-listed species.

1.6.2a	<p>Do you have any cooperative management plans, including recovery plans, in place for shared populations of CITES-listed species? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>If 'Yes', please list the species for which these plans are in place and provide a link or reference to a published plan for each species.</p> <table border="1"> <thead> <tr> <th style="width: 30%;">Species Name (scientific)</th> <th>Link or reference to a published plan</th> </tr> </thead> <tbody> <tr> <td>Loxondota africana</td> <td>An Integrated Management and Development Framework (IMDF) for the Nyika-North Luangwa component under the Malawi-Zambia Transfrontier Conservation Area. The IMDF is a strategic guiding document for the partner countries and TFCA structures providing a coordinated approach to the sustainable development and management of the TFCA.</td> </tr> </tbody> </table>	Species Name (scientific)	Link or reference to a published plan	Loxondota africana	An Integrated Management and Development Framework (IMDF) for the Nyika-North Luangwa component under the Malawi-Zambia Transfrontier Conservation Area. The IMDF is a strategic guiding document for the partner countries and TFCA structures providing a coordinated approach to the sustainable development and management of the TFCA.
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Indicator 1.6.3: The number of workshops and other capacity-building activities that bring range States together to address the conservation and management needs of shared, CITES listed, species.

1.6.3a	<p>Have the CITES authorities <i>received or benefited</i> from any of the following capacity-building activities provided by external sources?</p> <p>Please tick boxes to indicate which target group and which activity.</p> <table border="1"> <thead> <tr> <th style="width: 30%;">Target group</th> <th style="width: 10%;">Oral or written advice/guidance</th> <th style="width: 10%;">Technical assistance</th> <th style="width: 10%;">Financial assistance</th> <th style="width: 10%;">Training</th> <th style="width: 10%;">Other (specify)</th> <th style="width: 30%;">What were the external sources¹?</th> </tr> </thead> <tbody> <tr> <td>Staff of Management Authority</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td rowspan="3">African Elephant Fund</td> </tr> <tr> <td>Staff of Scientific Authority</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Staff of enforcement authorities</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Traders</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td rowspan="3"></td> </tr> <tr> <td>NGOs</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Public</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </tbody> </table>						Target group	Oral or written advice/guidance	Technical assistance	Financial assistance	Training	Other (specify)	What were the external sources ¹ ?	Staff of Management Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	African Elephant Fund	Staff of Scientific Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staff of enforcement authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Traders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		NGOs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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¹ Please provide the names of Parties, and any non-Parties, involved.

	Other (please specify): Judiciary and Police	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1.6.3b	Have the CITES authorities been the <i>providers</i> of any of the following capacity-building activities to other range States?						
	Please tick boxes to indicate which target group and which activity.						
	Target group	Oral or written advice/guidance	Technical assistance	Financial assistance	Training	Other (specify)	Details
	Staff of Management Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	Through the Malawi-Zambia Transfrontier Conservation Areas Platform
	Staff of Scientific Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	
	Staff of enforcement authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Traders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	NGOs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Other Parties/International meetings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X <input type="checkbox"/>	Sub-Regional meetings/ Workshops with Mozambique, Zambia and Tanzania
	Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1.6.3c	In what ways do you collaborate with other CITES Parties?						
		Never	Rarely	Sometimes	Very Often	Always	Further detail / examples
	Information exchange	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	Malawi Zambia TFCA Platform
	Monitoring / survey	<input type="checkbox"/>	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Aerial census in Nyika and Vwaza protected areas under the TFCA
	Habitat management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	
	Species management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	
	Law enforcement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X <input type="checkbox"/>	
	Capacity building	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	
	Other (please provide details)						

Objective 1.7 Parties are enforcing the Convention to reduce illegal wildlife trade.
[Aichi Target 4](#), [Target 5](#), [Target 6](#), [Target 7](#), [Target 9](#), [Target 10](#), [Target 12](#) and [Target 19](#).

Indicator 1.7.1: The number of Parties that have, are covered by, or engaged with:

- an international enforcement strategy and/or action plan;
- formal international cooperation, such as an international enforcement network;
- a national enforcement strategy and/or action plan; and

- formal national interagency cooperation, such as a national interagency enforcement committee.

1.7.1a	Do you have, are you engaged in, or covered by:	Yes	No	No Information
	– an international enforcement strategy and/or action plan?	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	– formal international cooperation, such as an international enforcement network?	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	– a national enforcement strategy and/or action plan?	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	– formal national interagency cooperation, such as a national interagency enforcement committee?	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	If 'Yes' to any of the above, please specify the level of engagement and provide additional details: Malawi is implementing the SADC LEAP Strategy and also has a functioning and vibrant Inter-Agency Committee on Combating Wildlife Crime (IACCWC).			

Indicator 1.7.2: The number of Parties with a process or mechanism for reviewing their enforcement strategies, and the activities taken to implement their strategies.

1.7.2a	Do you have a process or mechanism for reviewing your enforcement strategy(ies) and the activities taken to implement your strategy(ies)?	Yes <input type="checkbox"/> No, but review is under consideration x <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
	If 'Yes', what do you do? If 'Yes' or 'No, but review is under consideration', which tools do you find of value?	
1.7.2b	Have you used the International Consortium on Combating Wildlife Crime (ICWC) Wildlife and Forest Crime Analytic Toolkit, or equivalent tools?	Yes X <input type="checkbox"/> No, but toolkit use is under consideration <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
	If 'Yes', please provide feedback on the parts of the toolkit used and how useful the toolkit or equivalent tools have been. Please specify improvements that could be made:	
	If 'No', please provide feedback on why not or what is needed to make the toolkit or equivalent tools useful to you:	

Indicator 1.7.3: The number of Parties that have criminal (penal) law and procedures, capacity to use forensic technology, and capacity to use specialized investigation techniques, for investigating, prosecuting, and penalizing CITES offences..

1.7.3a	Do you have law and procedures in place for investigating, prosecuting, and penalizing CITES offences as a crime?	Yes X <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
	If 'Yes', please provide the title of the legislation and a summary of the penalties available The Amended National Parks and Wildlife Act. It provides for up to 30 years imprisonment for species listed under the CITES Convention, such as elephant and pangolin. Malawi Judiciary also developed Sentencing Guidelines for wildlife cases, for use by Judges and Magistrates.	
1.7.3b	Are criminal offences such as poaching and wildlife trafficking	Yes X <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>

	<p>recognized as serious crime¹ in your country?</p> <p>If 'Yes', please explain what criteria must be met for poaching or wildlife trafficking offences to be treated as serious crimes: Under the Amended Act, offences involving listed species attract maximum penalties, with no option of fines.</p>					
1.7.3c	<p>Do you have capacity to use forensic technology² to support the investigation of CITES offences?</p> <p>If 'Yes', please provide a brief summary of any samples from CITES-listed species that were collected and submitted to an appropriate forensic analysis facility (located in your country and/or another country) during the period covered in this report:</p> <p>If 'Yes', and your country has an appropriate forensic analysis facility for CITES-listed species, please indicate which species it applies to:</p>	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p>No information <input type="checkbox"/></p>				
1.7.3d	<p>Did your authorities participate in or initiate any multi-disciplinary³ law enforcement operation(s) targeting CITES-listed species during the period covered in this report?</p> <p>If 'Yes', please provide a brief summary, including any lessons learned which might be helpful for other Parties: DNPW, Police, MRA, FIA and Immigration have collaborated in operations and investigations into cases of ivory and rhino horn trafficking. They have managed to break a syndicate.</p>	<p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>No information <input type="checkbox"/></p>				
1.7.3e	<p>Do you have a standard operating procedure among relevant agencies for submitting information related to CITES offences to INTERPOL and/or the World Customs Organization?</p>	<p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>No information <input type="checkbox"/></p>				
1.7.3f	<p>Do you have legislative provisions for any of the following that can be applied to the investigation, prosecution and/or sentencing of CITES offences as appropriate?</p>	Yes	No	No information	If yes, how many times was this used during the period covered by this report?	
	General crime ⁴	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2 times	
	Predicate offences ⁵	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2 times	
	Asset forfeiture ⁶	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	None	
	Corruption ⁷	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2 times	
	International cooperation in criminal matters ⁸	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1 time	
	Organized crime ⁹	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1 time	

¹ The United Nations Convention against Transnational Organized Crime defines serious crime as conduct constituting an offence punishable by imprisonment for at least four years or a more serious penalty.

² Capacity to use forensic technology means the ability to collect, handle and submit samples from crime scenes involving CITES-listed species to an appropriate forensic analysis facility, located either in your country or in another country(ies).

³ A multi-disciplinary law enforcement operation is one that involves officers from all relevant enforcement disciplines as appropriate, for example officers from Police, Customs and the wildlife regulatory authority. It could be either sub-national, national or international in scope.

⁴ General crime laws relate to offences such as fraud, conspiracy, possession of weapons, and other matters as set out in the national criminal code.

⁵ Article 2, paragraph (h) of the United Nations Convention against Transnational Organized Crime defines a predicate offence is an offence whose proceeds may become the subject of any of the money-laundering offences established under the Convention.

⁶ Asset forfeiture is the seizure and confiscation of assets obtained from criminal activities to ensure that criminals do not benefit from the proceeds of their crimes.

⁷ Provisions against corruption include national laws to implement the United Nations Convention against Corruption covering offences such as bribery of officials, embezzlement or misappropriation of public funds, trading in influence and abuse of functions by public officials.

⁸ International cooperation in criminal matters includes legislation through which a formal request for mutual legal assistance and/or extradition of a person for criminal prosecution can be forwarded to another country.

⁹ Article 2, paragraph (a) of the United Nations Convention against Transnational Organized Crime defines an organized criminal group as a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with the Convention, in order to obtain, directly or indirectly, a financial or other material benefit.

	Specialized investigation techniques ¹	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3 times
	<p>If 'Yes' to any of the above, please explain how each is used for CITES offences? Please provide a brief summary, including any lessons learned which might be helpful for other Parties: General Crime: The Penal Code is used, in some cases, on wildlife crimes.</p> <p>Predicate Offences: The Penal Code, Evidence Code and Criminal Procedures are also used in wildlife cases.</p> <p>Asset Forfeiture: The Financial Investigations Authority Act is used to seize property from criminals arrested for wildlife Crimes.</p> <p>Corruption: Corrupt Practices Act is also used on wildlife cases using the platform of Inter-Agency Committee on Combating Wildlife Crime.</p> <p>International cooperation in criminal matters: Use of Mutual Legal Assistance and Interpol platforms.</p> <p>Specialized Investigation Techniques: The Department established the Wildlife Crimes Investigations Unit which deals with wildlife crimes investigations.</p>				
1.7.3g	Do you have institutional capacity to implement the legislative provisions listed in question 1.7.3f against CITES offences?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	No information <input type="checkbox"/>	
	<p>If 'No', please provide a brief summary of your major capacity-building needs: DNPW relies on the collaboration of relevant Law Enforcement agencies in this area, under the platform of the IACCWC.</p>				

Indicator 1.7.4: The number of Parties using risk assessment and intelligence to combat illegal trade in CITES-listed species.

1.7.4a	Do you use risk assessment to target CITES enforcement effort?	Always <input type="checkbox"/>	Very often <input type="checkbox"/>	Sometimes <input type="checkbox"/>	Rarely <input type="checkbox"/>	Never <input type="checkbox"/>	No information <input checked="" type="checkbox"/>
1.7.4b	Do you have capacity to analyse information gathered on illegal trade in CITES-listed species?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	No information <input type="checkbox"/>			
1.7.4c	Do you use criminal intelligence ² to inform investigations into illegal trade in CITES-listed species?	Always <input checked="" type="checkbox"/>	Very often <input type="checkbox"/>	Sometimes <input type="checkbox"/>	Rarely <input type="checkbox"/>	Never <input type="checkbox"/>	No information <input type="checkbox"/>
1.7.4d	Have you implemented any supply-side activities to address illegal trade in CITES-listed species during the period covered in this report?	Yes <input checked="" type="checkbox"/>	No, but activities are under development <input type="checkbox"/>	No <input type="checkbox"/>	No information <input type="checkbox"/>		

¹ Specialized investigation techniques are techniques that are deployed against serious and/or organized crime when conventional law enforcement techniques fail to adequately address the activities of crime groups. Examples include controlled deliveries and covert operations.

² Criminal intelligence is information that is compiled, analyzed and disseminated in an effort to anticipate, prevent and/or monitor criminal activity. Examples include information on potential suspects held in a secure database and inferences about the methods, capabilities and intentions of specific criminal networks or individuals that are used to support effective law enforcement action.

1.7.4e	Have you implemented any demand-side activities to address illegal trade in CITES-listed species during the period covered in this report?	Yes <input type="checkbox"/> No, but activities are under development X <input checked="" type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>	
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Indicator 1.7.5: The number of administrative measures, criminal prosecutions and other court actions for CITES-related offences.

During the period covered in this report:		Yes	No	No Information
1.7.5a	Have any administrative measures (e.g. fines, bans, suspensions) been imposed for CITES-related offences? If 'Yes', please indicate how many and for what types of offences. If available, please attach details:	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>
1.7.5b	Have there been any criminal prosecutions of CITES-related offences? If 'Yes', how many and for what types of offences? If available, please attach details: Offences included possession/ trafficking of ivory, pangolins, rhino horn and pangolin scales (details in the attached summary of illegal activities)	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.7.5c	Have there been any other court actions against CITES-related offences? If 'Yes', what were the offences involved and what were the results? Please attach details: Forfeiture of a motor vehicle that was used in the trafficking of live pangolins. A Deportation order was also issued to these, to be effected after serving sentence.	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.7.5d	How were any confiscated specimens disposed of? <div> <input type="checkbox"/> Return to country of export <input type="checkbox"/> Public zoos or botanical gardens <input type="checkbox"/> Designated rescue centres <input type="checkbox"/> Approved private facilities <input type="checkbox"/> Euthanasia <input checked="" type="checkbox"/> Other (please specify): Taken to DNPW Protected Areas </div> Have you encountered any challenges in disposing of confiscated specimens? No Do you have good practice that you would like to share with other Parties? Most seized live specimens are taken to the Rescue Centre for examination/ treatment before being released into the wild. For releases sanctioned by courts, release is witnessed by representatives from the Court, Police and DNPW. For non-live specimens, storage into the DNPW stockpile.	Tick all that apply		

Objective 1.8 Parties and the Secretariat have adequate capacity-building programmes in place.
[Aichi Target 1](#), [Target 12](#) and [Target 19](#).

Indicator 1.8.1: The number of Parties with national and regional training programmes and information resources in place to implement CITES including the making of non-detriment findings, issuance of permits and enforcement.

1.8.1a	Do you have information resources or training in place to support: YesNo The making of non-detriment findings? <input type="checkbox"/> X <input type="checkbox"/> Permit officers? X <input type="checkbox"/> <input type="checkbox"/> Enforcement officers? X <input type="checkbox"/> <input type="checkbox"/>						
1.8.1b	Is the CITES Virtual College used as part of your capacity building work? <table> <tr> <td>Yes</td> <td>X<input type="checkbox"/></td> </tr> <tr> <td>No</td> <td><input type="checkbox"/></td> </tr> <tr> <td>No information</td> <td><input type="checkbox"/></td> </tr> </table> What improvements could be made in using the Virtual College for capacity building? Improve on regular update of information	Yes	X <input type="checkbox"/>	No	<input type="checkbox"/>	No information	<input type="checkbox"/>
Yes	X <input type="checkbox"/>						
No	<input type="checkbox"/>						
No information	<input type="checkbox"/>						

1.8.1c	Is the ICCWC Wildlife and Forest Crime Toolkit used in the development of capacity-building programmes, or does it form part of the curriculum of such programmes? What improvements could be made in using the ICCWC Toolkit for capacity building?	Yes No No information	X <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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GOAL 2 SECURE THE NECESSARY FINANCIAL RESOURCES AND MEANS FOR THE OPERATION AND IMPLEMENTATION OF THE CONVENTION

Objective 2.1 Financial resources are sufficient to ensure operation of the Convention.

Information to be provided through records held by the Secretariat on financial management of the Convention.

Objective 2.2 Sufficient resources are secured at the national and international levels to ensure compliance with and implementation and enforcement of the Convention.

[Aichi Target 1](#), [Target 2](#), [Target 3](#), [Target 12](#), [Target 19](#) and [Target 20](#).

Indicator 2.2.1: The number of Parties with dedicated staff and funding for Management Authorities, Scientific Authorities and wildlife trade enforcement agencies.

2.2.1a	<p>Do you have an approved service standard(s)¹ for your Management Authority(ies)?</p> <p>If 'No', please go to Question 2.2.1d.</p> <p>If 'Yes', for which services are there standards, and what are those standards?</p> <p>If 'Yes', do you have performance targets for these standards²?</p> <p>If 'Yes', what are your performance targets?</p> <p>Do you publish your performance against service standard targets?</p> <p>If possible, please provide your performance against service standards during the period covered in this report:</p> <p>If you did not meet your performance targets then was this shortfall a result of:</p> <ul style="list-style-type: none"> – availability of funding? – number of staff? – a shortage of skills? <p>If 'Yes' to a shortage of skills, which skills do you need more of?</p>	<p>Yes <input type="checkbox"/></p> <p>No X<input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
2.2.1b	<p>Do you have an approved service standard(s)⁴⁷ for your Scientific Authority(ies)?</p> <p>If 'No', please go to Question 2.2.1d.</p> <p>If 'Yes', for which services are there standards, and what are those standards?</p> <p>If 'Yes', do you have performance targets for these standards⁴⁸?</p> <p>If 'Yes', what are your performance targets?</p> <p>If possible, please provide your performance against service standards during the period covered in this report:</p> <p>If you did not meet your performance targets then was this shortfall a result of:</p>	<p>Yes <input type="checkbox"/></p> <p>No X<input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>

¹ For example, a time frame in which you are required to provide a response on a decision to issue or not issue a permit, certificate, or re-export certificate.

² For example, 85% of all decisions will take place within the service standard.

	<ul style="list-style-type: none"> – availability of funding? <input type="checkbox"/> <input type="checkbox"/> – number of staff? <input type="checkbox"/> <input type="checkbox"/> – a shortage of skills? <input type="checkbox"/> <input type="checkbox"/> <p>If 'Yes' to a shortage of skills, which skills do you need more of?</p>																
2.2.1c	<p>Do you have an approved service standard(s)⁴⁷ for your enforcement authority(ies)?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If 'No', please go to Question 2.2.1d.</p> <p>If 'Yes', for which services are there standards, and what are those standards?</p> <p>If 'Yes', do you have performance targets for these standards⁴⁸? Yes <input type="checkbox"/> If 'Yes', what are your performance targets? No <input type="checkbox"/></p> <p>If possible, please provide your performance against service standards during the period covered in this report:</p> <p>If you did not meet your performance targets then was this shortfall a result of:</p> <table> <tr> <td></td><td>Yes</td><td>No</td></tr> <tr> <td>– availability of funding?</td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr> <td>– number of staff?</td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> <tr> <td>– a shortage of skills?</td><td><input type="checkbox"/></td><td><input type="checkbox"/></td></tr> </table> <p>If 'Yes' to a shortage of skills, which skills do you need more of?</p>		Yes	No	– availability of funding?	<input type="checkbox"/>	<input type="checkbox"/>	– number of staff?	<input type="checkbox"/>	<input type="checkbox"/>	– a shortage of skills?	<input type="checkbox"/>	<input type="checkbox"/>				
	Yes	No															
– availability of funding?	<input type="checkbox"/>	<input type="checkbox"/>															
– number of staff?	<input type="checkbox"/>	<input type="checkbox"/>															
– a shortage of skills?	<input type="checkbox"/>	<input type="checkbox"/>															
2.2.1d	<p>Please only complete this question if your answered 'No' to the first part of question 2.2.1a, 2.2.1b, or 2.2.1c, relating to the existence of approved service standards for your authorities:</p> <p>Do you have sufficient of the following for your authorities to function effectively?</p> <table border="1"> <thead> <tr> <th></th><th>Management Authority(ies)</th><th>Scientific Authority(ies)</th><th>Enforcement Authority(ies)</th></tr> </thead> <tbody> <tr> <td>Funding?</td><td>Yes <input type="checkbox"/> No X <input type="checkbox"/></td><td>Yes <input type="checkbox"/> No X <input type="checkbox"/></td><td>Yes <input type="checkbox"/> No X <input type="checkbox"/></td></tr> <tr> <td>Staff?</td><td>Yes X <input type="checkbox"/> No <input type="checkbox"/></td><td>Yes X <input type="checkbox"/> No <input type="checkbox"/></td><td>Yes <input type="checkbox"/> No X <input type="checkbox"/></td></tr> <tr> <td>Skills?</td><td>Yes X <input type="checkbox"/> No <input type="checkbox"/></td><td>Yes <input type="checkbox"/> No X <input type="checkbox"/></td><td>Yes <input type="checkbox"/> No X <input type="checkbox"/></td></tr> </tbody> </table>		Management Authority(ies)	Scientific Authority(ies)	Enforcement Authority(ies)	Funding?	Yes <input type="checkbox"/> No X <input type="checkbox"/>	Yes <input type="checkbox"/> No X <input type="checkbox"/>	Yes <input type="checkbox"/> No X <input type="checkbox"/>	Staff?	Yes X <input type="checkbox"/> No <input type="checkbox"/>	Yes X <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No X <input type="checkbox"/>	Skills?	Yes X <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No X <input type="checkbox"/>	Yes <input type="checkbox"/> No X <input type="checkbox"/>
	Management Authority(ies)	Scientific Authority(ies)	Enforcement Authority(ies)														
Funding?	Yes <input type="checkbox"/> No X <input type="checkbox"/>	Yes <input type="checkbox"/> No X <input type="checkbox"/>	Yes <input type="checkbox"/> No X <input type="checkbox"/>														
Staff?	Yes X <input type="checkbox"/> No <input type="checkbox"/>	Yes X <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No X <input type="checkbox"/>														
Skills?	Yes X <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No X <input type="checkbox"/>	Yes <input type="checkbox"/> No X <input type="checkbox"/>														

Indicator 2.2.2: The number of Parties that have undertaken one or more of the following activities:

- changed the budget for activities;
- hired more staff;
- developed implementation tools;
- purchased technical equipment for implementation, monitoring or enforcement.

2.2.2a	<p>Have any of the following activities been undertaken during the period covered in this report to enhance the effectiveness of CITES implementation at the national level?</p> <p style="text-align: right;">Tick if applicable</p> <table> <tr> <td>Hiring of more staff</td><td>X <input type="checkbox"/></td></tr> <tr> <td>Development of implementation tools</td><td>X <input type="checkbox"/></td></tr> <tr> <td>Purchase of technical equipment for implementation, monitoring or enforcement</td><td>X <input type="checkbox"/></td></tr> <tr> <td>Other (please specify):</td><td>Field equipment such as uniforms, tents, vehicles</td></tr> </table>	Hiring of more staff	X <input type="checkbox"/>	Development of implementation tools	X <input type="checkbox"/>	Purchase of technical equipment for implementation, monitoring or enforcement	X <input type="checkbox"/>	Other (please specify):	Field equipment such as uniforms, tents, vehicles
Hiring of more staff	X <input type="checkbox"/>								
Development of implementation tools	X <input type="checkbox"/>								
Purchase of technical equipment for implementation, monitoring or enforcement	X <input type="checkbox"/>								
Other (please specify):	Field equipment such as uniforms, tents, vehicles								

2.2.2b	During the period covered in this report, was the budget for your:	Increased	Stable	Decreased	
	Management Authority(ies)	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	
	Scientific Authority(ies)	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	
	Enforcement authorities	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	
2.2.2c	Have you been able to use international development funding assistance to increase the level of implementation of your	Yes	No	Not applicable	
	Management Authority(ies)?	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Scientific Authority(ies)?	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	
	Enforcement authorities?	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.2.2d	What is the respective level of priority for enhancing the effectiveness of CITES implementation at the national level through the following activities?				
	Activity	High	Medium	Low	Not a Priority
	Hiring of more staff	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Development of implementation tools	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Purchase of new technical equipment for implementation, monitoring or enforcement	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	e-permitting	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (please specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.2.2e	Do you have an operational system (e.g. electronic database) for managing	Yes	Under development	No	
	Species information	<input type="checkbox"/>	<input type="checkbox"/>	X <input type="checkbox"/>	
	Trade information	<input type="checkbox"/>	<input type="checkbox"/>	X <input type="checkbox"/>	
	Non-detriment findings	<input type="checkbox"/>	<input type="checkbox"/>	X <input type="checkbox"/>	

Indicator 2.2.3: The number of Parties raising funds for CITES implementation through user fees or other mechanisms.

2.2.3a	Does the Management Authority charge fees for:	Tick all that are applicable	
	– Administrative procedures	<input type="checkbox"/>	
	– Issuance of CITES documents (e.g. for import, exports, re-export, or introduction from the sea)	X <input type="checkbox"/>	
	– Shipment clearance (e.g. for the import, export, re-export, or introduction from the sea of CITES-listed species)	<input type="checkbox"/>	
	– Licensing or registration of operations that produce CITES species	X <input type="checkbox"/>	
	– Harvesting of CITES-listed species	X <input type="checkbox"/>	
	– Use of CITES-listed species	X <input type="checkbox"/>	
	– Assignment of quotas for CITES-listed species	<input type="checkbox"/>	
	– Other (please specify):	<input type="checkbox"/>	
2.2.3b	Is a fee schedule publicly available? If 'Yes', please provide an internet link, or a copy of the schedule to the Secretariat:	Yes <input type="checkbox"/>	No X <input type="checkbox"/>
2.2.3c	Have revenues from fees been used for the implementation of CITES or wildlife conservation?	Entirely	X <input type="checkbox"/>
		Partly	<input type="checkbox"/>
		Not at all	<input type="checkbox"/>
		Not relevant	<input type="checkbox"/>

2.2.3d		Yes	No
	Do you raise funds for CITES management through charging user fees?	<input type="checkbox"/>	<input type="checkbox"/>
	Do your fees recover the full economic cost of issuing permits?	<input type="checkbox"/>	X <input type="checkbox"/>
	Do you have case studies on charging or using fees?	<input type="checkbox"/>	X <input type="checkbox"/>
	If 'Yes' to any of the above, please provide brief details:		
	Do you use innovative financial mechanisms to raise funds for CITES implementation?	<input type="checkbox"/>	X <input type="checkbox"/>
	If 'Yes', please provide brief details:		

Indicator 2.2.4: The number of Parties using incentive measures as part of their implementation of the Convention.

2.2.4a	<p>Do you use incentive measures¹ such as those described in CoP14 Doc 14.32 to implement the Convention?</p> <p>YesNo</p> <p>Due diligence <input type="checkbox"/> X<input type="checkbox"/></p> <p>Compensatory mechanisms <input type="checkbox"/> X<input type="checkbox"/></p> <p>Certification <input type="checkbox"/> X<input type="checkbox"/></p> <p>Communal property rights <input type="checkbox"/> X<input type="checkbox"/></p> <p>Auctioning of quotas <input type="checkbox"/> X<input type="checkbox"/></p> <p>Cost recovery or environmental charges<input type="checkbox"/> X<input type="checkbox"/></p> <p>Enforcement incentives <input type="checkbox"/> X<input type="checkbox"/></p> <p>If 'Yes' to any of the above, or if you use other measures, please provide a summary or link to further information:</p>
2.2.4b	<p>Have incentives harmful to biodiversity been eliminated? Not at all<input type="checkbox"/></p> <p>Very little<input type="checkbox"/></p> <p>Somewhat<input type="checkbox"/></p> <p>Completely<input type="checkbox"/></p> <p>NOT APPLICABLE</p>

¹ Defined as 'Social and economic incentives that promote and regulate sustainable management of and responsible trade in, wild flora and fauna and promote effective enforcement of the Convention'. The intent of such measures is not to promote wildlife trade as such, but rather to ensure that any wildlife trade undertaken is conducted in a sustainable manner.

Objective 2.3 Sufficient resources are secured at the national and international levels to implement capacity-building programmes.
Aichi Target 12, Target 19 and Target 20.

Indicator 2.3.1: The number of capacity building activities mandated by Resolutions and Decisions that are fully funded.

2.3.1a	How many training and capacity building activities ¹ have you run during the period covered in this report?	Without assistance from the Secretariat	Conducted or assisted by the Secretariat			
	None	<input type="checkbox"/>	<input type="checkbox"/>			
	1	<input type="checkbox"/>	<input type="checkbox"/>			
	2-5	<input type="checkbox"/>	<input type="checkbox"/>			
	6-10	X <input type="checkbox"/>	<input type="checkbox"/>			
	11-20	<input type="checkbox"/>	<input type="checkbox"/>			
	More than 20	<input type="checkbox"/>	<input type="checkbox"/>			
	Please list the Resolutions or Decisions involved:					
2.3.1b	What sorts of capacity building activities have taken place? Specialized Law Enforcement Trainings covering topics on CITES implementation, anti-trafficking law enforcement etc					
2.3.1c	What capacity building needs do you have?					
	Please tick all boxes which apply to indicate which target group and which activity.	Oral or written advice/guidance	Technical assistance	Financial assistance	Training	Other (specify)
	Target group					Details
	Staff of Management Authority	X <input type="checkbox"/>	X <input type="checkbox"/>	X <input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>
	Staff of Scientific Authority	X <input type="checkbox"/>	X <input type="checkbox"/>	X <input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>
	Staff of enforcement authorities	X <input type="checkbox"/>	X <input type="checkbox"/>	X <input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>
	Traders / other user groups	X <input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	NGOs	X <input type="checkbox"/>	X <input type="checkbox"/>	X <input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>
	Public	X <input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>
	Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						Training on electronic database on species information, Trade information and Non-detriment Finding

¹ An activity might be a single day training e.g. for a group of staff from the Management Authority, or a longer course / project undertaken by an individual.

GOAL 3 CONTRIBUTE TO SIGNIFICANTLY REDUCING THE RATE OF BIODIVERSITY LOSS AND TO ACHIEVING RELEVANT GLOBALLY-AGREED GOALS AND TARGETS BY ENSURING THAT CITES AND OTHER MULTILATERAL INSTRUMENTS AND PROCESSES ARE COHERENT AND MUTUALLY SUPPORTIVE

Objective 3.1 Cooperation between CITES and international financial mechanisms and other related institutions is enhanced in order to support CITES-related conservation and sustainable development projects, without diminishing funding for currently prioritized activities.
[Aichi Target 2 and Target 20.](#)

Indicator 3.1.1: The number of Parties funded by international financial mechanisms and other related institutions to develop activities that include CITES-related conservation and sustainable development elements.

3.1.1a	Has funding from international financial mechanisms and other related institutions been used to develop activities that include CITES-related conservation and sustainable development elements?	Yes No Not applicable No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
If 'Yes', please provide brief details: DNPW obtained some funds from the African Elephant Fund to assist in the fight against illegal wildlife trafficking, GEF support under the Shire Valley Transformation Project to strengthen management of Majete, Lengwe ,Mwabvi and Matandwe protected areas			
3.1.1b	During the period covered in this report, has funding for your country from international funding mechanisms and other related institutions:	Increased Remained stable Decreased	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>

Indicator 3.1.2: The number of countries and institutions that have provided additional funding from CITES Authorities to another country or activity for conservation and sustainable development projects in order to further the objectives of the Convention.

3.1.2a	Have you provided technical or financial assistance to another country or countries in relation to CITES?						Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
If 'Yes', please tick boxes to indicate type of assistance provided								
Country(ies)		Species Management ¹	Habitat Management ²	Sustainable use	Law Enforcement	Livelihoods	Other (specify)	Details (provide more information in an Appendix if necessary)
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

¹ Use species conservation column for work directly related to species – e.g. population surveys, education programmes, conflict resolution, etc.

² Use habitat conservation column for work that will indirectly support species conservation – e.g. habitat management, development of policy frameworks for how land is managed, etc.

Objective 3.2 Awareness of the role and purpose of CITES is increased globally.
Aichi Target 1, Target 4, Target 12 and Target 18.

Indicator 3.2.1: The number of Parties that have been involved in CITES awareness raising activities to bring about better awareness by the wider public and relevant user groups of the Convention requirements.

3.2.1a	Have CITES authorities been involved in any of the following activities to bring about better awareness of the Convention's requirements by the wider public and relevant user groups?		Relevant User Groups
	– Press conferences	Wider public <input checked="" type="checkbox"/>	<input type="checkbox"/>
	– Press releases	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	– Newspaper articles, brochures, leaflets	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	– Television appearances	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	– Radio appearances	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	– Presentations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	– Public consultations / meetings	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	– Market surveys	<input type="checkbox"/>	<input type="checkbox"/>
	– Displays	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	– Information at border crossing points	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	– Telephone hotline	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	– Website(s) – if so please provide link(s)	<input type="checkbox"/>	<input type="checkbox"/>
	– Other (specify):	<input type="checkbox"/>	<input type="checkbox"/>
	Please attach copies of any items or describe examples:		

Indicator 3.2.2: The number of visits to the CITES website.

3.2.2a	How regularly do your Authorities consult the CITES website?					
	Please tick boxes to indicate the most frequent usage (decide on an average amongst staff if necessary).					
	Target group	Daily	Weekly	Monthly	Less frequently	Not known
	Staff of Management Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Staff of Scientific Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Staff of enforcement authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.2.2b	What has been your experience with using the CITES website?	Excellent	<input type="checkbox"/>			
	Good	<input checked="" type="checkbox"/>				
	Average	<input type="checkbox"/>				
	Poor	<input type="checkbox"/>				
	Very Poor	<input type="checkbox"/>				
	No information	<input type="checkbox"/>				
	Any further comments on the CITES Website? (e.g. useful aspects, any difficulties encountered, which authorities find which functions/tools most useful, what is missing, etc): CITES website is one of the easiest websites to navigate!					

Indicator 3.2.3: The number of Parties with web pages on CITES and its requirements.

A question relating to this indicator is within question 3.2.1a.

Objective 3.3 Cooperation with relevant international environmental, trade and development organizations is enhanced.

Indicator 3.3.1 The number of Parties which report that they have achieved synergies in their implementation of CITES, other biodiversity-related conventions and other relevant multilateral environmental, trade and development agreements.

3.3.1a	Have measures been taken to achieve coordination and reduce duplication of activities between the national CITES authorities and national focal points for other multilateral environmental agreements (e.g. the other biodiversity-related conventions: CBD, CMS, ITPGR, Ramsar, WHC) ¹ to which your country is party?	Yes	X <input type="checkbox"/>
		No	<input type="checkbox"/>
		No information	<input type="checkbox"/>
		If 'Yes', please give a brief description: DNPW is the focal point for CMS, Ramsar. There is close collaboration with others such as the Department of Environmental Affairs which is a Focal Office for CBD, and the Department of Culture which is the focal point for WHC. Both are active members of the Inter-Agency Committee on Combating Wildlife Crime. Therefore, there is better coordination with DNPW.	

Indicator 3.3.2: The number of biodiversity conservation or sustainable use projects, trade and development goals, or scientific and technical programmes that integrate CITES requirements.

3.3.2a	How many international projects which integrate CITES issues has your country contributed towards?	2	
3.3.2b	In addition to 3.2.2a, how many national level projects has your country implemented which integrate CITES issues?	3	
3.3.2c	Have there been any efforts at a national scale for your CITES Management or Scientific Authorities to collaborate with:	Yes	No
	Agencies for development?	X <input type="checkbox"/>	<input type="checkbox"/>
	Agencies for trade?	X <input type="checkbox"/>	<input type="checkbox"/>
	Provincial, state or territorial authorities?	X <input type="checkbox"/>	<input type="checkbox"/>
	Local authorities or communities?	X <input type="checkbox"/>	<input type="checkbox"/>
	Indigenous or local peoples?	X <input type="checkbox"/>	<input type="checkbox"/>
	Trade or other private sector associations?	X <input type="checkbox"/>	<input type="checkbox"/>
	NGOs?	<input type="checkbox"/>	<input type="checkbox"/>
	Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>
3.3.2d	Are CITES requirements integrated into?	Yes	No
	National and local development strategies?	X <input type="checkbox"/>	<input type="checkbox"/>
	National and local poverty reduction strategies?	X <input type="checkbox"/>	<input type="checkbox"/>
	Planning processes?	X <input type="checkbox"/>	<input type="checkbox"/>
	National accounting?	X <input type="checkbox"/>	<input type="checkbox"/>

¹ CBD = Convention on Biological Diversity; CMS = Convention on the Conservation of Migratory Species of Wild Animals, ITPGR = International Treaty on Plant Genetic Resources for Food and Agriculture, Ramsar = The Convention on Wetlands of International Importance, WHC = World Heritage Convention.

Indicator 3.3.3: The number of Parties cooperating / collaborating with intergovernmental and non-governmental organizations to participate in and/or fund CITES workshops and other training and capacity-building activities.

3.3.3a	Has funding been provided or received to facilitate CITES workshops, training or other capacity building activities to / from:	Tick if applicable	Which organizations?
	Inter-governmental organizations?	X <input type="checkbox"/>	Department of Forestry, Department of Fisheries, Department of Environmental Affairs
	Non-governmental organizations?	X <input type="checkbox"/>	Lilongwe Wildlife Trust, International Fund for Animal Welfare, Malawi Office, African Parks Network

Objective 3.4 The contribution of CITES to the relevant Millennium Development Goals, the sustainable development goals set at WSSD, the *Strategic Plan for Biodiversity 2011-2020* and the relevant *Aichi Biodiversity Targets*, and the relevant outcomes of the United Nations Conference on Sustainable Development is strengthened by ensuring that international trade in wild fauna and flora is conducted at sustainable levels.

This objective may also be assessed by a variety of means beyond the reporting format, including action taken to implement many of the CITES resolutions and decisions.

[Aichi Target 1](#), [Target 2](#), [Target 3](#), [Target 4](#), [Target 5](#), [Target 6](#), [Target 7](#), [Target 12](#), [Target 14](#), [Target 17](#), [Target 18](#) and [Target 19](#).

Indicator 3.4.1: The conservation status of species listed on the CITES Appendices has stabilized or improved.

3.4.1a	Do you have data which shows that the conservation status of naturally occurring species in your country listed on the CITES Appendices has stabilized or improved?			
		Yes	No	Not Applicable
	Appendix I	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Appendix II	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Appendix III	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	If there are such studies that you are willing to share, please provide:			
	Species name (scientific)	Link to the data, or a brief summary		
	Loxodonta africana	Surveys in Kasungu, Majete, Liwonde, Vwaza all indicate increase in populations		
	Cyncerus cafer	Surveys in Kasungu, Majete, Liwonde, Vwaza all indicate increase in populations		
3.4.1b	Do you have examples of specific examples of success stories or emerging problems with any CITES listed species?	Yes	X <input type="checkbox"/>	
		No	<input type="checkbox"/>	
		No information	<input type="checkbox"/>	
	If 'Yes', please provide details: Kasungu National Park had been suffering from severe poaching of elephants and other key game, for some years. However, with a number of interventions, the population has more than doubled since 2014, from just over 50 individuals to over 150 as established during an aerial survey			

	conducted in November 2020. Also to note, cases of pangolin trafficking increased significantly, during the reporting period.
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Indicator 3.4.2: The number of Parties incorporating CITES into their National Biodiversity Strategy and Action Plan (NBSAP).

3.4.2a	Has CITES been incorporated into your country's National Biodiversity Strategy and Action Plan (NBSAP)?	Yes	X <input type="checkbox"/>
		No	<input type="checkbox"/>
		No information	<input type="checkbox"/>
3.4.2b	Have you been able to obtain funds from the Global Environment Facility (GEF) or other sources to support CITES aspects of NBSAP implementation?	Yes	X <input type="checkbox"/>
		No	<input type="checkbox"/>
		No information	<input type="checkbox"/>

Objective 3.5 Parties and the Secretariat cooperate with other relevant international organizations and agreements dealing with natural resources, as appropriate, in order to achieve a coherent and collaborative approach to species which can be endangered by unsustainable trade, including those which are commercially exploited.
[Aichi Target 2](#), [Target 4](#), [Target 5](#), [Target 6](#), [Target 7](#), [Target 10](#), [Target 12](#), [Target 14](#) and [Target 19](#).

Indicator 3.5.1: The number of cooperative actions taken under established bilateral or multilateral agreements to prevent species from being unsustainably exploited through international trade.

3.5.1a	Has your country taken action under established bilateral or multilateral agreements other than CITES to prevent species from being unsustainably exploited through international trade? If 'Yes', please provide details: Malawi, Zambia, Tanzania and Mozambique conduct quarterly meetings on collaboration in combating wildlife crime. Directors of Wildlife Institutions from the four countries signed Standard Operating Procedures on collaboration in combating wildlife crime.	Yes No No information	X <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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Indicator 3.5.2: The number of times other relevant international organizations and agreements dealing with natural resources are consulted on issues relevant to species subject to unsustainable trade.

3.5.2a	Average number of times per year that international organizations or agreements have been consulted by CITES Authorities	Once	2-5 times	6-20 times	More than 20 times	No consultation	Optional comment about which organizations and issues consulted on
	Management Authority(ies)	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Scientific Authority(ies)	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Enforcement Authority(ies)	<input type="checkbox"/>	X <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

General feedback

Please provide any additional comments you would like to make, including comments on this format.

Item		
Copy of full text of CITES-relevant legislation if changed	Enclosed	<input type="checkbox"/>
Web link(s)	Not available	<input type="checkbox"/>
	Previously provided	<input type="checkbox"/>
Please list any materials annexed to the report, e.g. fee schedules, awareness raising materials, etc:		
Have any constraints to implementation of the Convention arisen in your country requiring attention or assistance?	Yes No No Information	<input type="checkbox"/> X <input type="checkbox"/> <input type="checkbox"/>
If 'Yes', please describe the constraint and the type of attention or assistance that is required.		
Are there examples of good practice you would like to share with other Parties?	Yes No No Information	X <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
If 'Yes' please provide details / links: A very functional Inter-Agency Committee on Combating Wildlife Crime (IACCWC) that has facilitated successes in a number of high profile wildlife cases.		
How could this report format be improved? The report is very long and could be compressed into something less elaborate.		

Thank you for completing the report. Please remember to include relevant attachments referred to in the report when it is submitted to the Secretariat.



WILDLIFE LEGISLATION OF MALAWI

The National Parks and Wildlife (Amendment) Act
and associated Regulations, Supplementary Guidelines
and Reference Materials



December 2020

Foreword

The international illegal wildlife trade is estimated to be worth between £15 to 20 billion annually.¹ In 2016, CITES² identified Malawi as 'a country of primary concern' for its role as a principle transit hub for ivory trafficking.³ Malawi has also been listed as a country linked to the 'greatest illegal ivory trade flows since 2012', with the largest ivory seizure ever reported having been originally exported from Malawi.⁴

Since these admissions, Malawi has introduced legislation and other enforcement measures to combat the wildlife crime. The National Parks and Wildlife (Amendment) Act 2017 came into force in January 2017, increasing penalties and creating longer sentences for wildlife crime offenders.

Between December 2017 and December 2018, some of the regulations attached to the National Parks and Wildlife Act were amended. In all, 15 regulations were introduced or amended. Notably, the protected, endangered and listed species regulations that were published in the National Gazette in December 2017, placed an additional 216 species considered threatened in Malawi under protection, including mammals, reptiles, amphibians, birds, fish, invertebrates, plants and fungi. Other regulations remain in force and lawful. In addition, the *Sentencing Guidelines for Wildlife Crimes in Malawi Courts* was published in May 2018; the aim was to provide prosecutors and the Judiciary with a tool to which to refer to when sentencing wildlife crime offenders.

This booklet brings together all the wildlife-related legislation, therefore both the Act and associated regulations that remain in force at time of printing and additional tools into one place. The intention is to improve the quality of courtroom outcomes of illegal wildlife crime by providing the Judiciary with these tools in an easy-to-access format.



Patrick C.R. Matanda

Principal Secretary, Ministry of Natural Resources, Energy and Mining

1. Elena Ares & Alison Pratt, *The Ivory Bill*, Briefing Paper No. 7875 (28 June 2018), House of Commons Library, UK Parliament.
2. Convention on International Trade in Endangered Species of Wild Fauna and Flora.
3. CITES CoP17 Doc. 57.6 (Rev 1), p 5 <<https://cites.org/sites/default/files/eng/cop/17/WorkingDocs/E-CoP17-57-06-R1.pdf>>.
4. Ibid.

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National Parks and Wildlife Act
February 2017

NATIONAL PARKS AND WILDLIFE ACT

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1. Short title
2. Interpretation
3. Purpose of this Act
4. Ownership of animals or plants

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5. Director and other officers
6. Duties of the Director
7. Appointments of an Honorary Parks and Wildlife Officer
8. Powers of officers
9. Seizure of specimens and articles
10. Return of seized specimens and articles
11. Barriers to be placed across roads
12. Arrest of persons for committing offences
13. Prosecution by officers
14. Production of documents for inspection
15. Obstruction of officers, etc.
16. Alteration, etc., of official records

PART III—WILDLIFE RESEARCH AND MANAGEMENT BOARD

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- 22C. Minister may make rules

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- 29. Acquisition of land for protected areas
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- 48A. Permits
49. Licence not transferable
50. Bird licence
51. Game licence
52. Visitor's licence
53. Special licence
54. Hunting licence
- 54A. Animal captivity licence
- 54B. Game farming licence
- 54C. Game ranching licence
- 54D. Professional hunter's licence
55. Grounds on which a licence may be refused
56. Appeal to the Minister against refusal of issuance of licence or permit
57. Cancellation of a licence
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- 69. Hunting by traditional methods
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- 71. Regulations for use of domestic animals in hunting
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PART IX—HUNTING DANGEROUS ANIMALS, KILLING IN ERROR,
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- 74. Killing of protected species, endangered species or listed species in self-defence
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- 76. Ownership of carcass not transferrable
- 77. Reports to be made to an officer where protected species, endangered species or listed species cause damage to property
- 78. Reports to be made to an officer where protected species, endangered species or listed species is killed through error or by accident
- 79. Wounded protected species, endangered species or listed species
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- 85. Purpose of this Part
- 86. Prohibition of possession, sale and buying of protected species, endangered species or listed species
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SECTION

- 118. Disposal of dead or live specimens, of protected species, endangered species or listed species
- 119. Money from sale of specimens to be paid to Fund (Repealed by Act No. 15 of 2004)
- 120. Specimens or articles to be held by the Director

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- 120A. Purpose of this part
- 120B. Cross-border management
- 120C. Regional fora
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- 121. Qualified exemptions, indemnities and exclusions
- 121A. Wildlife districts and permits
- 122. Application for judicial review
- 123. Regulations

PART XVI—REPEAL AND SAVINGS

- 124. Repeal and savings

11 of 1992
15 of 2004
11 of 2017
G.N. 57/1994

An Act to consolidate the law relation to national parks and wildlife management; to establish the Wildlife Advisory Board; and to provide for matters incidental to or connected therewith

1ST APRIL, 1994

PART I—PRELIMINARY

Short title

1. This Act may be cited as the National Parks and Wildlife Act.

Interpretation
15 of 2004
11 of 2017

2. In this Act, unless the context otherwise requires—

“aircraft” includes all flying machines, whether or not powered by engines of any sort, whether captive, navigable, or free and whether or not controlled by human agency, and all ground effect machines or hovercraft;

“animal” includes any member of the animal kingdom and includes man;

15 of 2004

“Board” means the Wildlife Advisory Board established under section 17;

“certificate of ownership” has the meaning ascribed to it under section 88;

“community conservation area” means a conservation area in respect of which authority and responsibility to manage and utilize certain wildlife resources therein is vested in the local community; 15 of 2004

“dangerous animal” includes hyena, lion, leopard, hippo, elephant, rhinoceros, buffalo, or crocodile;

“dependent young” means any juvenile animal patently depending on an adult of the same species for sustenance or protection;

“Director” means the Director of the National Parks and Wildlife; 15 of 2004

“domestic animal” means any animal which is sufficiently tame to serve some purpose for the use of man, whether or not such use is utilitarian, and includes individual animals which were once tamed or which are in the process of being so tamed;

“endangered species” means any plant or animal occurring within or outside a protected area declared as such pursuant to section 43A; 15 of 2004
11 of 2017

“environmental inspector” has the same meaning as in the Environment Management Act; 15 of 2004
Cap. 60:02

“firearm” has the same meaning as in the Firearms Act; 15 of 2004
Cap. 18:08

“fisheries officer” has the same meaning as in the Fisheries Conservation and Management Act; 15 of 2004
Cap. 66:05

“forest officer” has the same meaning as in the Forestry Act; 15 of 2004
Cap. 63:01

“Fund” means the National Parks and Wildlife Fund established under section 100;

“game species” means species of animals designated as a game species under section 44;

“Government trophy” has the meaning ascribed to it under section 90;

“hours of darkness” means the period between one-half hour after sunset and one-half hour before sunset;

“hunt” means to attempt to take;

“officer” means the Director and any of the officers mentioned in the section 6 (3); 15 of 2004

	<p>“listed species” means plant or animal species listed under any international, regional or bilateral agreement to which Malawi or the Government is a party, and under regulations made pursuant to section 43A or 99;</p>
15 of 2004	<p>“local community” includes corporate and incorporate persons and non-governmental organizations;</p> <p>“plant” means any member of the plant kingdom and includes the seeds of any plant species;</p> <p>“professional hunter’s licence” means a licence issued pursuant to section 92;</p>
15 of 2004	<p>“protected area” includes a national park, wildlife reserve and nature sanctuary;</p>
11 of 2017	<p>“protected species” means any plant or animal within a protected area and declared as such pursuant to section 43;</p> <p>“re-export” in relation to specimen, means to export a specimen previously imported into Malawi;</p> <p>“specimen” means any wild plant or animal, alive or dead, whether or not native to Malawi, and any readily recognized part or derivative of such plant or animal;</p> <p>“sustainable yield level” means the highest rate of harvesting a specified wildlife population which can be maintained indefinitely without reducing the capacity of the population to continue providing the said rate of harvesting;</p> <p>“take” in relation to an animal, means to wound, capture, or kill the animal, or remove or destroy its nest or egg or any part of it;</p> <p>“wild animal” means any animal which is <i>rerae naturae</i>, but does not include any domestic animal;</p> <p>“wildlife” means any wild plant or animal of a species native to Malawi and includes animals which migrate through Malawi, and biotic communities composed of those species;</p>
15 of 2004	<p>“wildlife district” means a district designated as such pursuant to section 121A;</p>
15 of 2004	<p>“wildlife management authority” means any local community organization or other private organization established for the purposes of promoting local community participation in the conservation and management of wildlife.</p>
Purposes of this Act	<p>3.—(1) The purposes of this Act are—</p>
15 of 2004	<p>(a) the conservation of selected examples of wildlife communities in Malawi;</p>

(b) the protection of rare, endangered and endemic species of wild plants and animals;

(c) the sustainable use of wildlife and minimization of conflict between human beings and animals;

(d) the control of dangerous vertebrate species;

(e) the control of import, export and re-export of wildlife species and specimens;

(f) the implementation of relevant international treaties, agreements or any other arrangement to which Malawi or the Government is a party;

(g) the promotion of local community participation and private sector involvement in conservation and management of wildlife; and

(h) the protection and management of protected areas.

(2) For the better achievement of the purposes of this Act, the Minister and every other person responsible for the administration of this Act, shall ensure that any measures taken or instituted under this Act are based on the results of scientific investigation including the monitoring of species status and habitat condition:

Provided that where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as reason for postponing cost-effective measure to prevent degradation of wildlife.

(3) The provisions of this Act which relate to management of species in wild habitats, shall refer only to species presently or formerly native to Malawi and shall not be construed as authorizing the introduction of exotic plants or animals into wild habitats within Malawi.

4.—(1) Where any plant or animal other than a protected species, endangered species or listed species is lawfully taken by any person, the ownership of such plant or animal shall, subject to the provisions of this Act, vest in that person.

Ownership of
wild animals
or plants
15 of 2004
11 of 2017

(2) If any protected species, endangered species or listed species is lawfully taken pursuant to a licence issued under this Act, the ownership of such animal or plant shall, subject to the provisions of this Act and to the terms and conditions of the licence, vest in the licence.

11 of 2017

(3) If prior to the commencement of this Act, any wild plant or animal is lawfully vested in any person such plant or animal shall, subject to the provisions of this Act, vest or continue to be vested in that person.

(4) Except with the authority under any licence, nothing in this section shall be deemed to transfer to any person the ownership of any protected species, endangered species or listed species found dead or dying, or a protected plant that has been cut down.

(5) If any person takes any protected species, endangered species or listed species in contravention of this Act, the ownership of the animal or plant shall not be transferred to that person.

PART II—ADMINISTRATION

Director
and
other
officers

5. For the purpose of implementing this Act, there shall be appointed in the public service an officer to be designated as the Director and other officers subordinate to him who shall be responsible for the administration of this Act subject to any general or special directions of the Minister.

Duties of the
Director
15 of 2004
11 of 2017

6.—(1) The Director shall, subject to the general or special directions of the Minister, be responsible for the management of national parks and wildlife throughout Malawi and, in particular, for implementing the provisions of this Act, and shall exercise control over protected areas in accordance with the provisions of this Act and any order declaring a protected area.

(2) Every officer shall exercise such functions and duties as may be conferred upon him by this Act or as may be delegated or assigned to him by the Director and wildlife management authority.

(3) For purposes of this Act, the following persons shall be officers—

(a) parks and wildlife officers;

(b) fisheries officers, forest officers, environmental inspectors, customs officers, members of the Malawi Police Service, members of the Malawi Defence Force and Honorary Parks and Wildlife Officers as the Minister may designate by notice published in the *Gazette*; and

(c) such other public officers as the Minister may designate by notice published in the *Gazette*.

(4) The Minister may, by regulations, set out circumstances in which any of the persons specified in paragraphs (a), (b) and (c) of subsection (3) may authorize or order any person to perform duties under this Act.

(5) Notwithstanding the definition of “worker” in the Workers’

Compensation Act, an officer, other than an Honorary Parks and Wildlife Officer, who—

(a) suffers injuries in the course of performing his duties under this Act; or

(b) dies as a result of injuries suffered in the course of performing his duties under this Act,

shall be paid compensation which shall be calculated in accordance with the provisions of the Workers' Compensation Act.

(6) The Director may, in the performance of his duties under this Act, delegate in writing any of his duties to wildlife Management authority or any other public officer.

(7) Every wildlife management authority and every officer shall, in the performance of his duties under this Act, be subject to the directions of the Director.

(8) The Minister may, on the recommendation of the Board, make regulations providing for conduct of officers, by class or generally, in the performance of their duties under this Act:

Provided that the services of a public servant shall not be terminated except in accordance with the procedure laid down in the Public Service Act.

7.—(1) The Minister may appoint any person to be an Honorary Parks and Wildlife Officer to assist in the implementation of this Act for such period not exceeding three years as the Minister shall specify in the instrument of appointment, and may, in like manner, renew or revoke any such appointment and shall cause notice of the appointment, renewal or revocation to be published in the *Gazette*.

(2) The appointment of any Honorary Parks and Wildlife Officer may be —

(a) general, in which case it shall authorize the officer to act in any part of Malawi; or

(b) limited, authorizing the officer to act only within a specified part or specified parts of Malawi.

(3) An Honorary Parks and Wildlife Officer may at any time be called by the Director to serve on such official duties under this Act and for such length of time as may be agreed between the officer and the Director.

(4) Subject to subsection (3), an Honorary Parks and Wildlife Officer shall perform his duties under this Act on voluntary basis

Cap. 55:03

Cap. 55:03

Cap. 1:03

Appointment
of an
Honorary
Parks and
Wildlife
Officer
15 of 2004

and the Government shall not be bound to pay an Honorary Parks and Wildlife Officer.

Powers of
officers
15 of 2004

8.—(1) Any officer may, without warrant, enter upon any land, building, tent, motor vehicle, trailer, container, aircraft or boat for the purpose of ensuring that the provisions in this Act are being complied with or for the purpose of preventing or detecting any offence under this Act.

(2) Subject to subsection (3), an officer may carry and use firearms.

(3) The Minister may, on the recommendation of the Board, make regulations—

(a) specifying, by name or rank, officers or class of officers who may carry and use firearms;

(b) governing the carrying and use of firearms by officers; and

(c) governing the discipline and conduct of officers authorized under this Act to carry and use firearms.

Cap. 14:08

(4) An officer shall, for purpose of the Firearms Act, be deemed to be a person in the service of the Government acting in accordance with his duties as such.

Seizure of
specimens
and articles
15 of 2004

9.—(1) Any officer may, without warrant, search any land, building, tent, motor vehicle, trailer, container, aircraft, boat or any baggage or package—

(a) if he has reasonable grounds for believing that any person has committed or is committing or is about to commit an offence under this Act; or

(b) to verify any document or matter purported to have been issued under this Act,

and if such officer finds any specimen or article which appears to have been obtained, possessed, used or about to be used in committing an offence under this Act, he shall seize such specimen or article.

(2) Any officer who seizes any specimen or article pursuant to subsection (1) shall give to the person from whom it was seized a receipt therefore in the prescribed form if any, signed by the officer.

Return of
seized
specimen and
article

10. Where the Director is notified in writing by the Director of Public Prosecutions that no prosecution should be instituted for an offence committed in connection with or in respect of any specimen or article seized under section 9, or where such prosecution has, if concluded, not resulted in the conviction of that person in respect thereof, any specimen or article seized shall

be returned to its owner within fourteen (14) days of the receipt by the Director of such written notice from the Director of Public Prosecutions:

Provided that any such specimen or article shall not be so returned if the court has ordered it to be forfeited or destroyed under the provisions of this Act or any other written law.

11. Any officer may place or cause to be placed a barrier across any road for the purpose of examining or searching any motor vehicle or trailer or questioning any person:

Barriers to be placed across roads

Provided that such barrier shall conform to specifications laid down by the Director who shall act in consultation with the other relevant authorities including, more particularly those responsible for roads and road traffic.

12.—(1) Where any person is found committing or is reasonably suspected of having committed or of being about to commit an offence under this Act, any officer may without warrant arrest such person.

Arrest of persons for committing offences

(2) Any person arrested pursuant to subsection (1) shall, as soon as possible, through police officers, be charged with the appropriate offence and be taken before a court, and shall not be detained longer than is necessary.

13.—(1) The Director of Public Prosecutions may, at the written request of the Director, in writing nominate, by name or rank, any officer or class of officer of the Department of National Parks and Wildlife to undertake and prosecute criminal proceedings in respect of any offence alleged to have been committed by any person in contravention of this Act and may at any time, without assigning any reason thereof, in writing, cancel any such nomination.

Prosecution of officers

(2) In undertaking or prosecuting any proceedings pursuant to subsection (1), such officer shall act in accordance with the general or special directions of the Director of Public Prosecutions and shall, for the purpose of any such proceedings, have the powers of a public prosecutor appointed under any written law for the time being in force.

14. Any document issued pursuant to this Act shall, upon request, be produced by the holder thereof for inspection by any officer.

Production of documents for inspection
15 of 2004

15. Any person who—

(a) obstructs any officer in the performance of his functions under this Act;

Obstruction of officers, etc.
11 of 2017

(b) refuses to furnish to any officer on request, particulars or information to which the officer is entitled by or under this Act;

(c) willfully or recklessly gives to any officer false or misleading information which the officer is entitled to obtain under this Act,

commits an offence.

Alteration, etc.,
of official
record
15 of 2004
11 of 2017

16. Any person who, without lawful authority—

(a) alters, defaces or removes any official record maintained in pursuance of this Act or any regulation or order made under this Act, or

(b) alters or defaces any prescribed document issued under this Act,

commits an offence.

PART III—WILDLIFE RESEARCH AND MANAGEMENT BOARD

Establishment
of the Board

17. There is hereby established a board to be known as the Wildlife Research and Management Board.

Composition of
the Board
15 of 2004

18.—(1) The Board shall consist of—

(a) the following *ex officio* members—

(i) the Director;

(ii) the head of Wildlife Research Unit, or his designated representative;

(iii) the Commissioner for Local Government, or his designated representative;

(iv) the Director of Forestry or his designated representative;

(v) the Director of Fisheries or his designated representative;

(vi) the Director of Environmental Affairs or his designated representative; and

(vii) the Director of Tourism, or his designated representative;

(b) one member with recognized qualifications, experience or specialization in matters relevant to conservation, preservation or protection of wildlife;

(c) two members representing the private sector appointed by the Minister;

(d) three members representing the general public; and

(e) two members representing non-governmental organizations appointed by the Minister.

(2) The Minister shall designate one of the members to be Chairman of the Board.

(3) A member of the Board appointed under subsection (1) (b), (c) and (d) shall hold office for a period of three years unless his appointment be sooner terminated and shall be eligible for reappointment.

(4) The membership of the Board as first and subsequently appointed and every change in the membership to the Board shall be published in the *Gazette*.

(5) The office of the Director shall provide secretariat of the Board.

(6) The office of a member appointed pursuant to subsection (1) (b), (c), (d) and (e) shall become vacant—

(a) upon his death;

(b) if he is absent from three consecutive meetings of the Board without the approval of the Chairman or without other valid cause;

(c) upon the expiry of one month's notice in writing of his intention to resign his office, given by the member to the Chairman;

(d) if he is convicted of an offence under this Act; or

(e) if the Minister so directs.

19. The function of the Board shall be to advise the Minister on all matters relating to protected areas and wildlife management in Malawi, including in particular but not limited to—

Functions of
the Board
15 of 2004
11 of 2017

(a) advising on the declaration of areas which, for the purpose of protecting wildlife species, biotic communities, sites of special interest or aesthetic values and promoting education on wildlife, the Board considers should be declared protected areas under this Act; and

(b) advising on the import, export and re-export of wildlife specimen into and out of Malawi.

20.—(1) The Board shall meet not less than twice a year at such places and times as the Chairman may determine.

Meetings of
the Board

(2) The Board shall further meet at any time at the request, in writing, of any three of its members.

(3) The Board may at the discretion of the Chairman invite any person or persons to attend any meeting of the Board and such person or persons may take part in the proceedings of that meeting but shall not be entitled to vote.

(4) In the absence of the Chairman from any meeting of the Board the members present, if constituting a quorum, shall elect one of their number to preside at the meeting.

(5) A majority of the members of the Board shall constitute a quorum.

(6) At all meetings of the Board, the decisions shall be reached by a simple majority, and the Chairman or other person presiding shall have a deliberative vote and, in the event of an equality of votes, shall have a casting vote.

(7) The Chairman of the Board shall report to the Board at each meeting thereof the action taken in respect of any matter on which the Board has advised the Minister.

(8) The Board shall determine its own procedure.

Members of the Board not deemed public officers **21.** A member of the Board who is not a public officer shall not by virtue only of his membership to the Board, be deemed to be an officer in the public service.

Allowances 15 of 2004 **22.** A member of the Board or a committee thereof shall be paid such allowances as the Minister may determine.

15 of 2004 **PART III—A LOCAL COMMUNITY PARTICIPATION AND PRIVATE SECTOR INVOLVEMENT**

Purpose of this Part 15 of 2004 **22A.** The purpose of this part is to provide for local community participation and private sector involvement in conservation and management of wildlife.

Wildlife management agreement 15 of 2004 **22B.—(1)** For proper management of wildlife, the Director may enter into a wildlife management agreement with a wildlife management authority providing for, inter alia—

(a) a management plan;

(b) assistance to be provided by the Department of National Parks and Wildlife; and

(c) rights and duties of the wildlife management authority.

(2) The Director may enter into concession agreements for purposes of managing, and investing in, such protected areas, in whole or part thereof, as may be determined by the Board.

(3) Subject to performance of unfulfilled obligations under a wildlife management agreement or a concession agreement or the rights of a third party, a wildlife management agreement or a concession agreement may be terminated by either party.

(4) In the event of any dispute which cannot be resolved by the parties arising under a wildlife management agreement or a concession agreement, the matter shall be referred to the Minister:

Provided that any party aggrieved with the decision of the Minister may, within thirty (30) days of the decision of the Minister apply to the High Court for review of the decision.

22C.—(1) The Minister may, on the recommendation of the Board, make rules for the better carrying into effect of the purposes of this Part. Minister may make rules 15 of 2004

(2) Without prejudice to the generality of subsection (1), the rules may—

- (a) provide for conservation and management of wildlife;
- (b) provide for private sector involvement in the management of, and investment in protected areas;
- (c) facilitate the establishment of wildlife management authorities;
- (d) encourage local government authorities, non-governmental organizations, the private sector and other relevant institutions to contribute towards provision of wildlife extension services in accordance with guidelines provided by the Director;
- (e) provide for the establishment and management of community conservation areas outside protected areas;
- (f) authorize payments of grants or bonus out of public funds for encouragement of the management of wildlife; and
- (g) prescribe a mechanism for sharing costs and benefits between the Department of National Parks and Wildlife and wildlife management authorities.

PART IV—ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT

23.—(1) Any person who has a good and sufficient reason to believe that any proposed or existing government process or activity of the Government or any other organization or person may have an adverse effect on any wildlife species or community such person may request, through the Board, to the Minister that an environmental and social impact assessment be conducted. Request to conduct environmental and social impact assessment 15 of 2004 11 of 2017

(2) Whenever the Minister receives such request under this section he may within thirty days of receipt thereof call upon the Board to conduct the assessment.

Submission of
the assessment
reports to the
Minister
15 of 2004
11 of 2017

24.—(1) Where the Board is called upon pursuant to section 23 to conduct an environmental and social impact assessment it shall arrange for the assessment to be conducted and shall submit a report of its findings to the Minister within ninety days of being called upon to conduct the assessment.

(2) In conducting the assessment, the Board may—

(a) use any powers available to it under this Act as it may consider necessary;

(b) utilize the services of the Director;

(c) invite written or oral comments from the public; and

(d) conduct public hearings at such place or places as the Board deems necessary for purposes of assessing public opinion.

Contents of
the assessment
reports

25. Any report submitted by the Board to the Minister pursuant to section 24 (1) shall include—

(a) a statement of existing or anticipated impacts upon wildlife, including an account of the species, communities, and habitats affected and the extent to which they are or may be threatened;

(b) a statement of whether rare, endangered or endemic species are or may be affected;

(c) a list of alternative sections, including inaction, which might be taken to remove or lessen adverse impacts; and

(d) its recommendations for subsequent government action.

PART V—DECLARATION AND MANAGEMENT OF PROTECTED AREAS

Declaration
of protected
area
15 of 2004
11 of 2017

26.—(1) For the purpose of this Act, there shall be declared protected areas of public land.

(2) The declaration and management of protected areas shall be subject to the provisions of sections 27 to 41.

Purposes of
protected
areas
15 of 2004
11 of 2017

27. The purposes of protected areas shall be—

(a) to preserve selected examples of biotic communities of Malawi and their physical environment;

(b) to protect areas of aesthetic beauty and of special interest;

(c) to preserve populations of rare, endemic and endangered species of wild plants and animals;

(d) to assist in water catchment conservation;

(e) to promote education on wildlife;

(f) to provide an enabling environment for nature based

tourism in and around them;

(g) without prejudice to the purposes listed in paragraphs (a) to (d), and within any limitations imposed by them, to provide facilities for studying the phenomena therein for the advancement of science and understanding; and

(h) without prejudice to the purposes listed in paragraphs (a) to (c), and within any limitations imposed by them, to provide facilities for public use and enjoyments for the resources therein.

28.—(1) The Minister may, by order publish in the *Gazette*, declare any area of land or water within Malawi to be a protected area and may, in like manner, alter the boundaries of, or disestablish, any protected area so declared, and the Minister shall first require the matter to be comprehensively studied by or under the auspices of the Board.

Procedure for
declaration of
protected
areas
15 of 2004
11 of 2017

(2) The Minister may amend such order, but any order the purpose of which is to alienate or excise land from a protected area shall be of no effect unless and until approved by a resolution of the National Assembly.

(3) Any study made pursuant to the provision of subsection (1) shall investigate the ecological consequences of the proposed boundary change or disestablishment, and the report of the study shall be submitted to the Minister together with the advice of the Board within ninety days of the study being made.

(4) The Minister shall not decide upon any proposal relating to boundary change or disestablishment of any protected area until he is in receipt of a report made pursuant to subsection (3).

29. Any area of land proposed for protected area status and which is not public land and shall first be acquired as public land in accordance with the provisions of the Land Act and Lands Acquisition Act.

Acquisition of
land for
protected
areas
15 of 2004
11 of 2017
Cap. 57:01
Cap. 58:04

30.—(1) When an area is proposed for declaration as a protected area and action to do so in accordance with this Act has been started, the Minister may, on the recommendations of the Board, make administrative arrangements for managing the area by imposing temporary management measures effective for a period of not exceeding six months pending declaration of the area as a protected area, and shall cause notice of the institution of such arrangements to be given in the *Gazette*.

Temporary
management
measures
15 of 2004

(2) Any area to which temporary management measures apply

shall be managed by the Director in accordance with the administrative arrangements made under subsection (1).

(3) Any person who fails to comply with any directive or instruction of the Director or of any officer duly acting on behalf of the Director in the management of an area under this section shall commit an offence; and for the avoidance of doubt, the offence hereby created is a strict liability offence.

Description of
the area to be
declared a
protected area
15 of 2004
11 of 2017

31. Any order made under section 28 declaring a protected area shall incorporate a description of the area which shall include—

(a) the proposed name of the protected area; and

(b) an exact delimitation of the boundary which shall include a description of the land which may have been acquired pursuant to section 29.

Prohibition of
entering or
residing in
protected areas
without
authority
15 of 2004
11 of 2017

32.—(1) Any person who, except in accordance with the provisions of this Act, enters into or resides in, or attempts to enter or reside in any protected area commits an offence.

(2) This section shall not apply to—

(a) the Minister, the Director, a member of the Board, an officer or an employee of the Department of National Parks and Wildlife in the course of performing his duties requiring his presence in a protected area; or

(b) any person in possession of a permit to enter or reside in the protected area issued under subsection (3).

(3) The Director may issue to any person a permit, in the prescribed form, to enter or reside in any protected area, subject to payment by that person of the prescribed fee, if any.

Prohibition
of possession
or use of
weapons,
traps,
explosives
or poison
15 of 2004
11 of 2017

33.—(1) Except as otherwise provided by section 39 or by section 40, or under a valid hunting licence issued pursuant to Part VII, any person who conveys into, or possession or uses within, any protected area any weapon, trap, explosive or poison commits an offence.

(2) This section shall not apply to any officer acting in the performance of his duties.

Prohibition of
deposition of
litter or waste
15 of 2004
11 of 2017

34. Any person who discards or deposits any litter or any waste material in a protected area otherwise than into a receptacle provided for the purpose commits an offence.

35. Except as otherwise provided by section 39 or by section 40, or under a valid hunting licence issued pursuant to Part VII, any person who, in a protected area—

(a) hunts, takes, kills, injures, or disturbs any wild plant or animal, or any domestic animal or cultivated plant occurring lawfully therein;

(b) takes, destroys, damages, or defaces any object of geomorphological, archaeological, historical, cultural, or scientific interest, or any structure lawfully placed or constructed herein;

(c) prepares land for cultivation or settlement, prospects for minerals or mines or attempts any of these operations;

(d) drives, conveys, or introduces any wild animal into a protected area;

(e) drives, conveys, or introduces any domestic animal into a protected area or who permits any domestic animal, of which he is for the time being in charge, to stray into a protected area, commits an offence.

36. Any officer who finds a domestic animal within a protected area and is satisfied that its presence there is unlawful, may destroy the animal forthwith, and the owner of such animal shall not be entitled to compensation.

37.—(1) Except as otherwise provided by section 39, any person who conveys or introduces any plant, whether of a wild or cultivated species, into a protected area commits an offence.

(2) The Director may order the destruction or removal of any plant, and any seedling or offshoot thereof, brought into a protected area in contravention of subsection (1).

38. Except as otherwise provided by section 39, or by section 41 (2) (b), any person who starts or maintains any fire in a protected area commits an offence.

39. Where it is intended to harvest resources within a protected area—

(a) the Director may, subject to the provision of this Act, issue authority to any person, in the prescribed form, absolving him from compliance with the provisions of sections 33 (1) and 35 (a) to the extent specified in the authority; and

Other
prohibited
acts in a
protected area
15 of 2004
11 of 2017

Destruction of
domestic
animals by
officer
15 of 2004

Prohibition of
introduction
of plants into
a protected
area
15 of 2004
11 of 2017

Prohibition
against fire in
protected
areas
15 of 2004
11 of 2017

Control of
harvest in
protected
areas
15 of 2004

(b) the Director shall be responsible for regulating and controlling harvesting in the protected area, and in exercising his responsibility under this paragraph the Director shall ensure that the annual harvest does not exceed sustainable yield level unless it is judged desirable by the Minister to exceed temporarily such level for the purposes of management.

Board to be
appraised of the
data
15 of 2004
11 of 2017

40.—(1) If the Director is satisfied that an otherwise unlawful act specified by sections 34 to 37 should be carried out in any protected area in the interests of better wildlife management, he shall appraise the Board of all data relevant on the subject and shall request the opinion of the Board.

(2) If the Board, having considered any matter submitted by the Director pursuant to subsection (1), is of the opinion that an otherwise unlawful act should be carried out in the interests of better wildlife management, it shall, with the approval of the Minister, issue written instructions to any officer authorizing him to undertake the act.

Regulations for
use of protected
area
15 of 2004
11 of 2017

41.—(1) The Minister shall, by notice published in the *Gazette*, make provision to the extent necessary for implementing management measures of protected areas.

(2) The Minister may, on the recommendation of the Board, make regulations which shall provide for—

(a) conditions under which any person, vehicle, boat or aircraft may enter, travel through, reside in, or be kept in a protected area;

(b) the prohibition or regulation of lighting camp or picnic fires in a protected area;

(c) fees for entry into protected areas or for services or amenities provided therein;

(d) prohibition or control of low flying aircraft over a protected area;

(e) rules for persons within a protected area;

(f) prohibition or control of commercial enterprises within a protected area; and

(g) the efficient management of a protected area.

(3) Any person who contravenes the provisions of any regulations made under subsection (2) commits an offence.

PART VI—PROTECTED SPECIES

Purpose of this
Part

42. The purpose of this Part is to provide the classification of

species of wild plants and animals as protected species, endangered species or listed species in order that those particular species of plants or animals are accorded appropriate management priority.

43.—(1) The Minister may, from time to time, by order published in the *Gazette*, declare any species of wild plant or wild animal specified in such order to be classified as a protected species under this Act.

Declaration of
protected
species
15 of 2004
11 of 2017

(2) Any order made under subsection (1) may apply to an individual species throughout Malawi, or to all or some species in a specified area, or to varieties of a species including sex and age groups.

43A.—(1) The Minister may, from time to time, cause to be published in the *Gazette* a list of all species to be classified as endangered species or listed species under this Act.

Endangered
species or
listed species
15 of 2004
11 of 2017

(2) An order made under subsection (1) may apply to—

- (a) an individual species throughout Malawi;
- (b) to all or some species in a specified area; or
- (c) to varieties of a species including sex and age groups.

44.—(1) Some protected species of animals other than endangered species or listed species shall be classified as game species for purposes of hunting.

Game species
15 of 2004
11 of 2017

(2) The Director shall, after consultation with the Board, cause to be published in the *Gazette* a list of all species that are to be classified as game species under this Act.

(3) The Director, after consultation with the Board may, at any time, by notice published in the *Gazette* vary the list, in effect at that time, of game species.

(4) Game species may be hunted under any licence issued in terms of Part VII.

45. Wild plants and wild animals other than game species, protected species, endangered species or listed species shall not be subject to the restrictions on hunting or taking under Part VII, but shall be subject to all other provisions of this Act and to the provisions of any other written law.

Animals or
plants which
are not
protected
species
11 of 2017

PART VII—LICENCES TO TAKE OR HUNT WILDLIFE

46. The Purpose of this Part is to regulate the hunting and taking of wildlife resources.

Purpose of
this Part

General
prohibition
against
hunting or
taking without
a licence
15 of 2004
11 of 2017

47.—(1) Except as otherwise provided by this Act, any person who hunts or take any protected species, endangered species or listed species except in accordance with the conditions of a licence and, where so required under this Act, a permit issued pursuant to this Part, commits an offence:

Provided that any officer shall not be required to possess a licence or a permit while acting in the performance of his duties or in exercising his powers under this Act.

(2) In any proceedings for an offence against subsection (1) the onus of proving that the hunting or the taking was in accordance with a valid licence and, where so required under this Act, a permit shall rest upon the accused.

Classes of
licences
15 of 2004

48.—(1) For the purposes of this Act, there shall be the following classes of licences—

- (a) a bird licence;
- (b) a game licence;
- (c) hunting licence;
- (d) a special licence;
- (e) a visitor's licence;
- (f) an animal captivity licence;
- (g) a game farming licence;
- (h) a game ranching licence; and
- (i) a professional hunter's licence.

(2) The Minister may, on the recommendations of the Board, by notice published in the *Gazette*, prescribe in respect of the forthcoming year—

- (a) the conditions attached to each class of licences;
- (b) the number of each class of licences which may be issued during the course of a year for specified areas;
- (c) the methods by which each class of licences may be issued or offered for sale;
- (d) the species, sorts or varieties, and the numbers or quantities of each class which may be hunted or taken under each class of licences;
- (e) the methods of hunting or taking which may or may not be used;
- (f) the areas and times of the year in or during which hunting or taking is lawful; and
- (g) the fees payable in respect of each class of licences.

(3) Licences under this Act shall be issued by the Director, other officers subordinate to him as he may authorize on that behalf and such other persons as the Minister may by notice published in the *Gazette* designate as persons also authorized to issue licences under this Act.

(4) Every licence under this Act shall be in the prescribed form and shall be issued upon application made in the prescribed form.

(5) No licence under this Act shall be issued to a person who has not attained the age of eighteen years.

48A.—(1) The Minister may, on recommendation of the Board, by notice published in the *Gazette*, specify classes of licences in respect of which the obtaining of a permit under this Act shall be a condition precedent to hunting under the authority of the licence. Permits
15 of 2004

(2) Permits under this Act shall be issued by such persons in a wildlife district as the Director may by notice in the *Gazette* designate.

(3) Every permit under this Act shall be in a prescribed form.

49. Except as otherwise provided by the Act, any licence and permit issued under this Part shall not be transferable to any other person. Licence not
transferable
15 of 2004

50.—(1) A bird licence shall authorize the licensee to hunt species of birds specified in the licence subject to and in accordance with the conditions prescribed generally for such class of licences or specially endorsed on his licence. Bird licence

(2) Subject to section 52, a bird licence shall only be issued to citizens or residents of Malawi.

51.—(1) Subject to the provisions of this Act and the conditions prescribed for such licence, a game licence shall authorize the licensee to hunt species specified in the licence subject to and in accordance with the conditions prescribed generally for such class of licences or specially endorsed on this licence. Game licence
Cap. 58:04

(2) Subject to section 52, a game licence shall only be issued to citizens or residents of Malawi.

52. Notwithstanding sections 50 and 51, a visitor's licence shall only be issued to a visitor to Malawi on such conditions as the Minister may prescribe, and shall authorize the licence to hunt birds or game. Visitor's
licence

53. A special licence shall be issued in respect of protected species, endangered species or listed species and shall authorize the licensee to hunt or take protected species, endangered species or listed species specified therein subject to and in accordance with the Special
licence
11 of 2017

conditions prescribed generally for such classes of licence especially endorsed on his licence and in every case shall be issued for the purpose of—

(a) scientific research or the furtherance of scientific research relative to the species;

(b) scientific or educational or other proper use of the species in zoological institutions, botanical gardens, educational institutions, museums, herbaria and like institutions.

Hunting licence
15 of 2004
11 of 2017 **54.**—(1) A hunting licence shall authorize the licensee to hunt wild animals which are protected species, endangered species or listed species.

(2) A hunting licence for hunting wild animals which are protected species, endangered species or listed species shall—

(a) outside a protected area, be issued only in connection with a professional hunter's licence and, subject to, and in accordance with the conditions prescribed on the professional hunter's licence; and

(b) inside a protected area, be issued subject to the granting of a special permit by the Director, issued only in connection with a professional hunter's licence, and subject to, in accordance with the conditions prescribed generally for such class of licence or specially endorsed on the professional hunter's licence.

Animal
captivity
licence
15 of 2004
11 of 2017 **54A.**—(1) Subject to the provisions of this Act and the conditions prescribed for such a licence, an animal captivity licence shall authorize the licensee to keep in captivity protected species, endangered species or listed species specified in the licence subject to and in accordance with the conditions prescribed generally for such class of licences or specially endorsed on his licence.

(2) An animal captivity licence shall only be issued to citizens or residents of Malawi.

(3) The Minister shall, from time to time, publish in the *Gazette* a set of standards for the keeping of wild animals in captivity.

Game farming
licence
15 of 2004 **54B.**—(1) Subject to the provision of this Act and the conditions prescribed for such a licence, a game farming licence shall authorize the licensee to rear both game species and domestic animals for the purpose of utilization.

(2) A game farming licence shall only be issued to citizens or residents of Malawi.

Game ranching
licence
15 of 2004 **54C.**—(1) Subject to the provisions of this Act and the conditions prescribed for such a licence, a game ranching licence shall authorize the licensee to rear game species for the purpose of utilization.

(2) A game ranching licence shall only be issued to citizens or residents of Malawi.

Professional
hunter's
licence
15 of 2004

54D. Subject to the provisions of this Act and the conditions prescribed for such a licence, a professional hunter's licence shall authorize the licensee to conduct and be responsible for the activities of licensed hunting.

Grounds on
which a
licence may
be refused
15 of 2004

55.—(1) The Director may refuse to issue a licence if ---

(a) the applicant fails to comply with any prescribed conditions;

(b) any licence formerly held by the applicant under this Act has been revoked by the Director within the previous twelve months;

(c) the applicant has been convicted of an offence under this Act during the previous twenty-four months;

(d) the Director is satisfied on reasonable grounds that the applicant is not a fit or proper person to hold such licence; or

(e) the Director is satisfied that the interests of wildlife management will be better served by a temporary freeze in issuing of licences of that class.

(2) The Director shall notify the applicant in writing of any refusal under this section, and shall state his reasons therein.

56.—(1) An applicant who has been refused a licence under section 55 may appeal to the Minister in writing within thirty days after the date of a notice given pursuant to section 57 (2) but the Minister may, on proper cause shown, allow an appeal out of the time prescribed.

Appeal to the
Minister
against refusal
of issuance of
licence
15 of 2004

(2) The Minister shall hear the views of the Director in determining an appeal under this section and may uphold, vary or quash the decision of the Director.

57.—(1) The Director may revoke any licence issued to any person under this Part if he is reasonably satisfied of the existence of any ground that would entitle him under section 55 to refuse to issue a licence to that person.

Cancellation
of a licence

(2) The Director shall notify the licensee in writing of any cancellation under this section and shall state his reasons in writing.

Appeal to the
Minister upon
cancellation of
a licence
15 of 2004

58.—(1) Any licensee whose licence is cancelled under section 57 may appeal to the Minister in writing thirty days after the date of a notice given pursuant to section 59 (2) but the Minister may on proper cause shown, allow an appeal out of the time prescribed.

(2) The Minister shall hear the views of the Director in determining an appeal under this section and may uphold, vary or quash the decision of the Director.

Cancellation or
suspension of a
licence

59.—(1) The Minister may, on the advice of the Board or the Director, suspend or cancel any licence issued under this Part, either in its entirety or in respect of specified areas, periods, species, or sorts or varieties of species, if the interests of wildlife management so require.

(2) Upon suspension or cancellation of any licence under subsection (1), the Director shall notify the licensee thereunder either—

(a) in the case of an individual licensee, by written notice to him; or

(b) in the case of a general suspension or cancellation, by publishing notices in the *Gazette* and in two consecutive issues of the daily local newspaper.

(3) A notice issued under subsection (2) in respect of cancellation may request surrender of licences to the Director.

(4) A licensee under any licence suspended or cancelled under subsection (1) may appeal to the Minister in writing within thirty days after the date of a notice given under subsection (2) (a), or thirty days after publication of a notice in the *Gazette* made under subsection (2) (b).

(5) In determining such appeal, the Minister shall be free to hear the views of the Board or the Director.

(6) The decision of the Minister on determination of an appeal shall be final.

Inspection of a
licence and the
keeping of
records
15 of 2004
11 of 2017

60.—(1) Every licensee under this Part shall—

(a) have the license in his possession whenever he is hunting or taking any animal or plant;

(b) produce the licence for inspection by an officer upon request; and

(c) keep a true record, in the prescribed form, of all game species hunted or taken by him during validity of the licence.

(2) Any person who contravenes this section commits an offence—

61. In the case of animals—

(a) in computing the numbers or quantities of protected species, endangered species or listed species hunted or taken under a licence issued pursuant to this Part, only animals that are killed, wounded, captured or taken shall be counted;

Method of
computing
numbers or
quantities of
animal hunted
or taken

(b) if any protected species, endangered species or listed species is killed or wounded through accident or error by any licensee under this Part whose licence entitles him to hunt such animal shall be counted as having been hunted under such licence; and

(c) keep a true record, in the prescribed form, of all game species hunted or taken by him during validity of the licence.

62.—(1) Any licensee under this Part may employ or use another person to assist him as a guide, tracker or porter in hunting protected species, endangered species or listed species.

Guides,
trackers and
porters
11 of 2017

(2) Any person employed under subsection (1), not being himself a licensee, who chases, drives or employs any weapon against any protected species, endangered species or listed species commits an offence.

(3) Nothing in this section shall be construed as preventing the holder of a professional hunter's licence issued under section 92 from assisting his employer.

PART VIII—METHODS OF HUNTING AND TAKING, AND RESPONSIBILITIES OF HUNTERS

63. The purpose of this Part is to regulate methods of hunting and taking of animals and with a view to ensuring that wildlife resources are better managed and the opportunity to hunt made available to as many eligible persons as possible.

Purpose of
this Part

64. Any person who, for the purpose of hunting, taking or assisting another to hunt or take any wild animal or plant, causes any fire, commits an offence.

Prohibition of
use of fire for
hunting
15 of 2005
11 of 2017

65. Except as may be authorized under a special licence issued pursuant to section 53, or as permitted under the provisions of Part IX, any person who hunts any dependent young or any female accompanied by dependent young of any protected species, endangered species or listed species commits an offence.

Prohibition of
hunting of
dependent
young
11 of 2017

Prohibited acts
against killing
protected
species, etc.
15 of 2004
11 of 2017

66.—(1) Except as may be authorized by the conditions contained in any licence issued under this Act, any person who—

(a) for the purpose of or in connection with hunting or taking of protected species, endangered species or listed species, possesses, prepares, makes, buys, sells or uses any poison, birdlime, trap, net, snare or similar substance or device capable of killing, capturing or wounding, any protected species, endangered species or listed species;

(b) makes, prepares or uses any excavation, fence, enclosure or any device fixed to the ground or upon plants, capable of killing, capturing or wounding, any protected species, endangered species or listed species, commits an offence.

(2) The onus of proving that an act under this section was done lawfully shall lie on the accused person.

Regulations for
weapons to be
used in hunting
15 of 2004
11 of 2017

67.—(1) The Minister may from time to time, on the recommendations of the Director, make regulations specifying the types, sizes, and calibres of weapons which may lawfully be used for hunting any protected species, endangered species or listed species.

(2) A person who contravenes the provision of any regulation made under this section commits an offence.

Prohibition of
hunting during
hours of
darkness
11 of 2004
11 of 2017

68. Excepts as may be authorized by the conditions contained in any licence issued under Part VII, any person who, during the hours of darkness, hunts or assists in the hunting of any protected species, endangered species or listed species, commits an offence.

69. {Repeated by Act No. 15 of 2004}

Use of motor
vehicle, aircraft
or radio
communication
prohibited
11 of 2017

70.—(1) Excepts as provided by subsection (2) or as may be authorized by the conditions contained in any licence under this Act, any person who—

(a) discharges any weapon at any protected species, endangered species or listed species from or within fifty metres of any motor vehicle, aircraft, or boat;

(b) uses any motor vehicle, aircraft or boat to drive or stampede any protected species, endangered species or listed species; or

(c) uses any aircraft or radio communication system to locate any protected species, endangered species or listed species for the purpose of hunting it,
commits an offence.

(2) Nothing in subsection (1) shall prohibit the use of a motor vehicle, aircraft or boat for the purpose of driving off any wild

animal from the land or water upon which an aircraft is about to land or take off.

71.—(1) The Minister may from time to time, make regulations—

Regulations
for use of
domestic
animals in
hunting
15 of 2004
11 of 2017

(a) prohibiting the use of any domestic animal as an aid to hunting any protected species, endangered species or listed species; or

(b) specifying the conditions under which any domestic animal may be used to hunt any protected species, endangered species or listed species.

(2) Any person who contravenes the provisions of any regulation made under this section commits an offence.

72.—(1) The Minister may from time to time, make regulations—

Regulations
for use of
substances or
devices in
hunting
15 of 2004
11 of 2017

(a) prohibiting or controlling the use of baits, decoys, calling devices, hides, blinds, stands, or any other substances or devices to bring protected species, endangered species or listed species into closer range of hunters;

(b) specifying the conditions under which any substance or device may be used to hunt any protected species, endangered species or listed species;

(c) prohibiting or controlling hunting in the vicinity of salt licks, water holes or isolated watering places used by wild animal; or

(d) specifying procedures which any hunter may be required to follow after killing any protected species, endangered species or listed species.

(2) Any person who contravenes the provisions of any regulation made under this section commits an offence.

PART IX—HUNTING DANGEROUS ANIMALS, KILLING IN ERROR, WOUNDING AND MOLESTING ANIMALS

73.—The purposes of this Part are—

Purposes of
this Part
11 of 2017

(a) to authorize the killing without licence of protected species, endangered species or listed species under circumstances where human life or property is threatened by the animals which circumstances are defined in sections 79 and 80;

(b) to make provisions with respect to the killing or wounding of protected species, endangered species or listed species through error or accident;

(c) to provide for subsequent action to the wounding of a dangerous animal; and

(d) to prohibit molesting or ill-treating wild animals.

Killing a protected species, endangered species or listed species in self-defence
11 of 2017

74. Any person may kill or attempt to kill any protected species, endangered species or listed species in defence of himself or of another person or any property, crop or domestic animal if immediately and absolutely necessary:

Provided that nothing in this section shall absolve from liability of an offence under this Act, any person who at the time of attempted killing was committing any offence under this Act.

Killing a game species in defence of property
11 of 2017

75. Any person may attempt to kill or kill any game species which is causing material damage to any land, crop, domestic animal, building, equipment or other property of which the person is either the owner or the servant of the owner acting on his behalf in safeguarding the property.

Ownership of carcass not transferrable
11 of 2017

76.—(1) Except as otherwise provided by this Act, or by the conditions of any licence issued under Part VI, the killing of any protected species, endangered species or listed species under section 74 or 75 shall not be deemed to transfer ownership of the carcass thereof to any person.

(2) Any person who kills a protected species, endangered species or listed species under section 74 or section 75 shall, as soon as practicable, assess the extent of the threat posed by the said animal and take any necessary action he considers fit in the circumstances.

(3) Any person who contravenes this section commits an offence.

Reports to be made to an officer where protected species, endangered species or listed species cause damage to property
11 of 2017

77.—(1) Subject to this Act, any person having reason to believe that any protected species, endangered species or listed species is causing or is about to cause material damage to any land crop, domestic animal, building, equipment or other property may report the facts to an officer.

(2) An officer who receives a report pursuant to subsection (1) shall, as soon as practicable, assess the extent of the threat posed by the said animal and take any necessary action he considers fit in the circumstances.

(3) In deciding what action should be taken to minimize damage to property caused by a protected species, endangered species or listed species, an officer shall carefully consider the status of the species and if he decides to kill or attempts to kill the animal, he shall do so only as a last resort and do if only he has reasonable ground for believing that this course of action will not endanger survival of the species.

78.—(1) If any person kills any protected species, endangered species or listed species through accident or error he shall, as soon thereafter as may be practicable, report the facts to an officer and shall handover the carcass or such parts thereof as the officer may direct.

Reports to be made to an officer where protected species, endangered species or listed species is killed through error or by accident
11 of 2017

(2) Nothing in subsection (1) shall apply to any person if such person is entitled under any licence issued under Part VII to hunt a game species, protected species, endangered species or listed species of that species and sort, in the circumstances under which he killed such animal and no offence under this Act shall have been committed in relation to the killing of such animal.

(3) Any person who contravenes this section commits an offence.

79.—(1) Any person who in any circumstances wounds any protected species, endangered species or listed species and fails without reasonable cause to use all reasonable endeavour to kill such animal at the earliest opportunity commits an offence.

Wounded protected species, endangered species or listed species
15 of 2004
11 of 2017

(2) Subsection (1) shall not be construed as authorizing any person to follow any wounded animal—

(a) into a protected area, unless the person holds a licence authorizing him to hunt the animal in the protected area; or

(b) onto private land upon which the person has no permission to enter.

(3) Any person who believes that he has wounded any protected species, endangered species or listed species which in such wounded condition has entered a protected area shall immediately report the facts to an officer who shall as he sees fit, decide whether or not the animal should be killed and shall issue instructions accordingly.

(4) Any person who believes that he has wounded any protected species, endangered species or listed species which in such wounded condition has entered private land upon which he has no permission to enter shall immediately report the facts to the owner of the land.

(5) An owner of the land who receives a report pursuant to subsection (1) shall decide whether or not the person is to be permitted to his land for the purpose of hunting the animal, and landowner's decision in this regard shall be final.

(6) Any person who contravenes this section commits an offence.

80.—(1) Any person who, in any circumstances whatsoever, wounds any dangerous animal and fails to kill or capture it within

Wounded dangerous animal

24 hours after its wounding, shall immediately report the facts to an officer.

(2) Any officer who receives a report pursuant to subsection (1) shall take immediate steps to locate the wounded animal, assess its condition and decide, as he sees fit, whether or not to kill it and shall either carry out the act himself or give instructions accordingly:

Provided that if the animal enters a protected area provisions of subsections (2) or (3) of section 79, as the case may be, shall apply.

(3) The provisions of section 79 (1) in respect to private land shall not apply to a person entering such land in pursuit of a dangerous animal wounded by him:

Provided that he reports the facts to the owner of the land as soon as practicable.

(4) Any person who contravenes this section commits an offence.

Dangerous
animal posing
threat to human
life or property
11 of 2017

81.—(1) If any dangerous animal is believed to be threatening or about to threaten human life or property, any person may request any officer for assistance in minimizing or preventing the threat.

(2) Where an officer receives a request pursuant to subsection (1) he shall, as soon as practicable, take steps to minimize or prevent the threat, and such steps may include the killing of the animal:

Provided that if the animal is a protected species, endangered species or listed species, the killing shall only be undertaken subject to section 74 or 75.

Molesting or
provoking
wild animals
prohibited
11 of 2017

82. Any person who willfully and without just excuse or cause—

(a) molests or provokes any wild animal in a manner which results or is likely to result in its destruction; or

(b) molests or provokes any wild animal in a manner which results or is likely to result in the provocation harassment or destruction of such wild animal,
commits an offence.

Protection of
wild animals

83. A person who causes unnecessary or undue suffering to any wild animal, whether the animal lives in the wild or is being kept in captivity, commits an offence.

Use of repellent
substances or
devices

84. Nothing in this Part shall be construed as prohibiting the use of repellent substances or devices which are not capable of killing or injuring any wild animal by a property owner or his servant for the purpose of repelling any wild animal from his property.

PART X—COMMERCE RELATED TO WILDLIFE

85. The purpose of this Part is to regulate commerce in wildlife and its specimens with the goal of better safeguarding the resources

Purpose of
this Part

86.—(1) Excepts as otherwise provided by subsection (2), any person who possesses, buys, sells, transfers or receive in transfer or who attempts to possess, buy, sell, transfers or receives in transfer, any specimen of a game species, protected species, endangered species or listed species commits an offence.

Prohibition of
possession,
sale and
buying, of
protected
species,
endangered
species or
listed species
11 of 2017

(2) The provisions of subsection (1) shall not apply to possession of any specimen lawfully acquired under a licence issued under Part VII, by a person who is in possession of a valid certification of ownership issued pursuant to section 88 (3).

87.—(1) The Minister may from time to time, on the recommendation of the Board, make regulations providing for—

Regulations
for controlling
trade or
dealing in
protected
species,
endangered
species or
listed species
11 of 2017

(a) the control of trade in live animals of such species as the Minister shall prescribe in the regulations and the control of trade in the carcasses, meat and skins and other specimens of such animals;

(b) the control of industry engaged in the manufacturing of articles derived from protected species, endangered species or listed species;

(c) the control of the taxidermy industry; and

(d) the issue of permits to persons engaged in the foregoing occupations, and for prescribing fees payable for such permits.

(2) Any person who contravenes any regulation made under this section commits an offence.

88.—(1) Any person who, under a licence issued under Part VII, takes possession of a specimen of a protected species, endangered species or listed species other than specimen for human consumption shall within fourteen days, present the specimen together with his licence to the Director and if he wishes to retain the specimen he may apply in writing or in the prescribed form, if any, to the Director for a certificate of ownership in respect thereof.

Certificate of
ownership
11 of 2017

(2) Any person who contravenes subsection (1) commits an offence.

(3) Where the Director is satisfied that an applicant under subsection (1) is in lawful possession of any specimen, he may issue a certificate of ownership which shall be in the prescribed form.

(4) Where the Director is satisfied that a certificate of ownership issued under subsection (3) has been issued through fraud, misrepresentation or error, he may revoke the certificate and the person to whom the certificate was issued shall forthwith upon demand by the Director surrender the certificate to him for cancellation and a person who without valid reason fails so to surrender the certificate, commits an offence.

(5) Any person aggrieved by the cancellation of a certificate of ownership pursuant to subsection (4) may, within thirty days of its cancellation, appeal in writing to the Minister.

(6) In determining an appeal under subsection (5), the Minister shall hear the views of the Director, and may uphold the decision of the Director or instruct him to reissue the certificate of ownership.

Transfer of
ownership of
specimen
11 of 2017

89.—(1) Any person who transfers or purports to transfer ownership of any specimen of a prescribed species, whether by gift, sale or otherwise, shall at the time of the transfer or the purported transfer be in possession of a certificate of ownership in respect of the specimen.

(2) Upon the transfer of any specimen, the transferor shall surrender the certificate to the Director who shall thereupon issue a new certificate to the new owner, but the Director shall retain the certificate surrendered to him.

(3) Any person who receives by transfer the ownership of any specimen of a prescribed species shall, at the time of the transfer, obtain from the transfer or in respect of the specimen a certificate of ownership endorsed pursuant to subsection (2).

(4) Any person who contravenes this section commits an offence.

(5) Nothing in this section shall apply in any transfer of ownership occasioned by operation of law.

Government
trophy
11 of 2017

90.—(1) Any specimen of any protected species, endangered species or listed species the absolute ownership of which has not passed to any person under the provisions of this Act, shall be a government trophy for the purposes of this Act.

(2) Any person who obtains any government trophy by any means shall, as soon thereafter as may be practicable, report the facts to an officer and, if required, shall deliver up the trophy to the officer.

(3) Any person who contravenes subsection (2) commits an offence.

(4) Any specimens so received or collected by an officer pursuant to subsection (2) shall be delivered by him to the Director and all specimens received by the Director shall be subject to the provisions of Part XIII.

91.—(1) Any person who unlawfully possesses or who purports to buy, sell, or otherwise transfer or deal in any government trophy, commits an offence.

Dealings in
government
trophy
11 of 2017

(2) Excepts as otherwise provided by section 90, possession by any person of a specimen of a protected species, endangered species or listed species without a certificate of ownership shall, for the purposes of this section be *prima facie* evidence of the specimen being a government trophy and of unlawful possession thereof by such person.

92.—(1) For the purposes of this Act, there shall be a professional hunter's licence which shall authorize the licensee to conduct business as a professional hunter and to solicit clientele.

Professional
hunter's
licence
11 of 2017

(2) Upon application in the prescribed form, the Director may, on the recommendations of the Board and with prior approval of the Minister, issue a professional hunter's licence subject to such conditions as may be prescribed and upon payment of the prescribed fee.

(3) A professional hunter's licence shall not absolve the licensee from compliance with any other written law that may relate to his business.

(4) A professional hunter's licence shall, unless sooner revoked or cancelled, be valid for the period endorsed on the licence which period shall in no case be longer than twelve months.

93. A person who is not a licensee under a valid professional hunter's licence who—

Certain
prohibited
acts by
non-
professional
hunters
11 of 2017

(a) conducts business as a professional hunter;

(b) advertises himself as a professional hunter;

(c) solicits any contract or commissions under which or for which he is to act in the capacity of a professional hunter; or

(d) for gain or reward, assists any other person to hunt any protected or game species except as a guide, tracker, porter or in some other like capacity,

commits an offence.

94.—(1) The Director may, on the recommendation of the Board and with the approval of the Minister, cancel professional hunter's licence if the licensee—

Suspension or
cancellation
of a
professional
hunter's
licence
15 of 2004

- (a) is convicted of an offence under this Act;
- (b) fails to comply with any condition of the licence; or
- (c) is not, in the opinion of the Director conducting the business of a professional hunter in a fit and proper manner and the Director shall forthwith suspend such professional hunter's licence pending consideration of its cancellation under this subsection.

(2) The Director shall notify the licensee in writing of any decision to suspend or cancel as the case may be, the professional hunter's licence and shall state the reasons for the decision.

(3) A licensee whose licence is cancelled under this section may appeal to the Minister in writing within thirty days after the date of notice of cancellation given under subsection (2).

(4) In determining any appeal under subsection (4), the Minister may hear the views of the Board and the Director and may uphold the cancellation or may instruct the Board and the Director of reinstate the validity of the licence.

Restrictions on
the professional
hunter's licence
11 of 2017

95. A professional hunter's licence shall not authorize the licensee to hunt any wild animal which is a protected species, endangered species, listed species or game species except as may be necessary in defence of human life or property as provided by sections 74 and 75, or to prevent the escape of an animal wounded by his client, that client being himself a licensee under a licence valid for the animal.

PART XI—IMPORT, EXPORT AND RE-EXPORT OF WILDLIFE SPECIMENS OF PROTECTED SPECIES AND LISTED SPECIES

Purpose of this
Part

96. The purpose of this Part is to control the import and export of wildlife specimens in order to—

- (a) assist in managing the wildlife resources of Malawi; and
- (b) assist conservation efforts that may be subject to international, regional or bilateral agreement to which Malawi or the Government is a party.

Import, export
or re-export
permits
11 of 2017

97. The Director may issue to any person a permit in the prescribed form, to import or to export, or to re-export any specimen of a game species, protected species, endangered species or listed species:

Provide that,

- (a) in the case of a protected species, the Director shall first

require the person to produce a valid certification of ownership in respect thereof;

(b) in the case of endangered species or listed species, the Director shall require the person, in addition to a valid certificate of ownership, to produce evidence of compliance with the requirements of any international, regional or bilateral agreement relevant to such species to which Malawi is party to, or the requirements of this Act, or any other Regulations made under this Act.

98. Any person who imports, exports or re-exports or attempts to import or export or re-export any specimen of a protected species, endangered species or a listed species—

(a) except through a customs post or port; or

(b) without producing to a customs officer a valid permit to import, to export or to re-export the specimen, commits an offence.

Importation,
exportation
and
re exportation
to meet
customs laws
11 of 2017

99.—(1) The Minister may, after consulting the Minister responsible for Trade and Industry, make regulations imposing additional restrictions on imports, exports or re-exports of specimens of game species, protected species, endangered species or listed species and for the purposes of such regulations the Minister may incorporate the requirements under any international, regional or bilateral agreements relevant to such species to which Malawi or the Government is a party.

Additional
restrictions on
imports,
exports or
re-exports of
specimen
11 of 2017

(2) Any person who contravenes regulations made under subsection (1) commits an offence.

PART XII—NATIONAL PARKS AND WILDLIFE FUND

100.—(1) There is hereby established a fund to be known as the National Parks and Wildlife Fund (in this Act referred to as the “Fund”).

Establishment
of the Fund
15 of 2004

(2) The Fund shall consist of—

(a) such sums as shall be appropriated by Parliament for the purposes of the Fund;

(b) advances made to the Fund under section 102;

(c) such sums as may be received for the purposes of the Fund by way of voluntary contributions;

(d) proceeds from disposal of any specimen or article under Part XIV;

(e) such sums or other assets as may be donated for the

purposes of the Fund by any foreign government, international agency or foreign institution or body;

(f) such sums as are payable under this Act by way of fees and fines; and

(g) such sums as may otherwise vest or accrue to the Department of National Parks and Wildlife.

The Fund to
vest in the
Minister
Cap. 37:01

101. The Fund shall be vested in the Minister and, subject to this Act, shall be administered in accordance with his directions subject to the provisions of the Finance and Audit Act.

Advances to the
Fund
Cap. 37:01

102. If in any financial year the income of the Fund together with any surplus income brought forward from a previous year, is insufficient to meet the actual or estimated liabilities of the Fund, the Minister responsible for finance may make the advances to the Fund in order to meet the deficiency or any part thereof and such advances shall be made on such terms and conditions, whether as to repayment or otherwise, as the Minister responsible for finance may determine.

Objects of the
Fund
15 of 2004

103. The objects for which the Fund is established shall be the development, promotion, management and administration of protected areas in Malawi.

Application of
the Fund
15 of 2004

104. Without derogation from the generality of section 103, the Fund may be applied to—

(a) research and training which is calculated to promote proper management of protected areas;

(b) the acquisition of land, equipment, materials and other assets and the construction of building in order to promote the objects of the Fund;

(c) the cost of any scheme which the Minister considers to be in the interest of the management of protected areas and wildlife;

(d) meeting any expenses arising from the establishment and maintenance of the Fund; and

(e) any purpose which the Minister considers to be in the interest of the objects of the Fund.

Books and
other records
of account,
audit and
reports of the
Fund
Cap. 37:01

105.—(1) The Minister shall cause to be kept proper books and other records of accounts in respect of receipts and expenditure of the Fund in accordance with the provisions of the Finance and Audit Act.

Cap. 37:01

(2) The accounts of the Fund shall be audited by the Auditor General, who shall have all the powers conferred upon him by the Finance and Audit Act.

(3) The Minister shall cause to be prepared, as soon as practicable, but not later than six months after the end of the financial year, an annual report on all the financial transactions of the Fund.

(4) The report under subsection (3) shall include a balance sheet, an income and expenditure account and the annual report of the Auditor General and shall be laid by the Minister before the National Assembly.

106.—(1) All sums received for the purposes of the Fund shall be paid into a banking account and no amount shall be withdrawn therefrom except by means of cheques signed by such persons as are authorized in that behalf by the Minister.

Holdings of
the Fund

(2) Any part of the Fund not immediately required for the purposes of the Fund may, on the recommendation of the Board, be invested in such manner as the Minister, after consulting with the Minister responsible for finance, may determine.

107. The Financial year of the Fund shall be the Financial Year as defined in the Public Finance Management Act:

Financial year
of the Fund
15 of 2004
11 of 2017
Cap. 37:02

Provided that the first financial year of the Fund may be a period shorter or longer than twelve months as the Minister shall determine, but in any case not longer than eighteen months.

PART XIII—PENALTIES AND FORFEITURES

108. Subject to the provision of this Act, a person who is convicted of an offence under this Act for which no other penalty is provided for shall be liable to a fine of K2,000,000 and to imprisonment for a term of four years.

General
penalty
11 of 2004
11 of 2017

109. Any person who is convicted of an offence involving—

Offences
relating to
game species
15 of 2004
11 of 2017

(a) taking, hunting, molesting or reducing into possession any game species; or

(b) possession of, selling, buying, transferring, or receiving in transfer or attempting to possess, sell, buy, transfer or receive in transfer any specimen of game species,

shall be liable to a fine of K2,000,000 and to imprisonment for a term of four years.

110. Any person who is convicted of an offence involving—

Offences
relating to
protected
species other
than game
species
15 of 2004
11 of 2017

(a) taking, hunting, molesting or reducing into possession any protected species other than game species; or

(b) possession of, selling, buying, transferring or receiving in transfer or attempting to possess, sell, buy, transfer or receive in

transfer any specimen of protected species other than game species;

shall be liable to a fine of K5,000,000 and to imprisonment for a term of ten years, and in any case the fine shall not be less than the value of the specimen involved in the commission of the offence.

Offences
relating to
endangered
species

110A. Any person who is convicted of an offence involving—

(a) taking, hunting, molesting or reducing into possession any endangered species;

(b) possession of, selling, buying, transferring or receiving in transfer or attempting to possess, sell, buy, transfer or receive in transfer any specimen of endangered species;

(c) the contravention of provision of this Act which provides for the conduct of a licensee under a professional hunter's licence; or

(d) the contravention of sections 33, 35 (c) and 38 of this Act, shall be liable to a fine of K15,000,000 and to imprisonment for a term of thirty years and in any case the fine shall not be less than the value of the specimen involved in the commission of the offence.

Offences
relating to
listed species

110B. Any person who is convicted of an offence involving—

(a) taking, hunting, molesting, or reducing into possession any listed species;

(b) possession of, selling, buying, transferring or receiving in transfer or attempting to possess, sell, buy, transfer or receive in transfer any specimen of listed species; or

(c) contravention of provision of this Act which provides for the conduct of a license under a professional hunter's licence, shall be liable to imprisonment for a term of thirty years.

Offences under
section 98
15 of 2004
11 of 2017

111. Any person who is convicted of an offence under section 98 or under regulations made pursuant to section 99 shall be liable to imprisonment for a term of thirty years.

Offences
relating to
devices

112. If any person is convicted of an offence under this Act in respect of any excavation, fence, enclosure or any other device fixed in or on the ground or upon vegetation, which the person has made, used or had in his possession for the purpose of hunting in contravention of this Act, the court shall, in addition to any other penalty imposed, order the device to be destroyed or obliterated in such manner as the court may specify, and any expenditure incurred, if any, shall be recoverable from the person as a civil debt owed to the Government.

113.—(1) Upon the conviction of any person of an offence under this Act where it considers forfeiture to be necessary, the court shall, notwithstanding any other written law and subject to the provisions of section 108 and in addition to any other penalty imposed, declare any specimen, domestic animal or any firearm or other weapon, trap, net, poison, material or any motor vehicle, aircraft, boat, or any other article taken by or used in connexion with the commission of the offence to be forfeited to the Government.

Forfeiture as
an additional
penalty

(2) Upon the conviction of any person of an offence referred to in section 99, the court may, in addition to any other penalty imposed, declare any specimen, domestic animal or article as specified under subsection (1) to be forfeited to the Government.

(3) The disposal of any specimen, domestic animal or article forfeited to the Government under this section shall be subject to the provisions of Part XIV.

114.—(1) When a court is required under subsections 115 (1) and (2) to make a declaration of forfeiture in respect of any article the ownership of which requires registration under any law the court shall make a conditional order of forfeiture in the prescribed form.

Conditional
order of
forfeiture

(2) Upon the making of a conditional order of forfeiture pursuant to subsection (1), the Director shall, within thirty days thereafter, cause to be published in the *Gazette* and in two consecutive issues of a local newspaper in general circulation, a notice of the order.

(3) If ownership of the article is registered in the name of any person other than the convicted party, the Director shall, within seven days after publication of the notice in the *Gazette* cause a copy thereof to be sent to the person concerned.

(4) Any person who wishes to claim right of ownership in the article may, within sixty days of the last publication of the conditional order, lodge with the court a written application for discharging of the order, setting out his claim of ownership in the article.

(5) Upon an application made under subsection (4), the court shall set a date for hearing of the application and serve notice of the hearing on the applicant and on the Government.

(6) In any hearing of any application made under subsection (4), the burden of proof shall be upon the applicant, and the conditional order shall not be discharged unless the applicant proves, that he was not privy to the offence and that the article was, at the time that the offence was committed, being used for that purpose without his knowledge or consent.

(7) If an application made under subsection (4) fails to win discharge of a conditional order, the court shall declare the article finally forfeited to the Government.

(8) Whereupon any application made under subsection (4), a court is satisfied that an article is owned jointly by, or is the subject of a rental agreement between, the applicant and the convicted person, and the applicant has discharged the burden of proof in accordance with subsection (6), the court shall declare forfeited all of the estate, interest or rights of the convicted person therein, and shall order them to be disposed of as it deems fit.

(9) Any right of any claimant under any rental agreement to repossess any article which is subject to a conditional order of forfeiture made under subsection (1) shall be suspended pending determination of any application made under subsection (4).

Seized goods
may be subject
of forfeiture
order

115.—(1) If any article the owner of which requires registration under any written law is seized as a result of an offence under this Act and the person responsible is unknown and cannot be found for the purpose of charging him with the offence or having been charged, fails to appear to answer the charge, the Director may apply to the court for a declaration of forfeiture.

(2) Upon receipt of an application from the Director under subsection (1), the court shall make a conditional order of forfeiture in the prescribed form and the provisions of subsections (2) to (9) of section 114 shall apply.

Surrender of
licence,
permit and
certificate in
event of
conviction

116. If any licensee under any licence or the holder of any permit or certificate issued under this Act is convicted of an offence under this Act which involves the licence, permit or certificate, the court shall, in addition to any penalty imposed, order the person to surrender it forthwith to the Director to be dealt with by him in accordance with provisions of this Act.

PART XIV—DISPOSAL OF GOVERNMENT TROPHIES, FORFEITED SPECIMENS, DOMESTIC ANIMALS AND OTHER ARTICLES

Disposal of
specimens by
the Director

117. Whenever the Director takes possession of any government trophy or any confiscated specimen, domestic animal, or article, he shall cause receipt thereof to be recorded in the prescribed register and shall safeguard it until such time as it may be disposed of in accordance with the provisions of section 118 and shall be recorded by the Director in the prescribed register.

118.—(1) Whenever the Director takes possession of a dead specimen of a protected species, endangered species or listed species he shall at his discretion either—

- (a) destroy the specimen;
- (b) donate the specimen, without requiring payment, to a recognized scientific or educational institution;
- (c) sell it in whole or in parts; or
- (d) retain the specimen in his official custody either permanently or pending disposal in accordance with paragraphs (a) or (b) or (c) of this subsection.

(2) Where the Director takes possession of a live specimen of any protected species, endangered species, or of any listed species and such specimen is, in his opinion, capable of normal survival in its natural habitat, he shall cause the said specimen to be returned to the said habitat:

Provided that if the specimen, in the opinion of Director requires to be withheld temporary from the wild for the purpose of better ensuring its eventual survival, the Director may direct that specimen be so withheld.

(3) Where the Director takes possession of any live specimen of any protected species, endangered or listed species other than game species and such specimen is, in his opinion, permanently incapable of normal survival in its natural habitat he may—

- (a) donate the specimen, without requiring payment, to a recognized zoological, botanical, scientific or educational institution; or
- (b) retain the specimen in his official custody either permanently or pending disposal in accordance with paragraph (a).

(4) Where the Director takes possession of—

- (a) any live game animal which is, in his opinion, incapable of normal survival in its natural habitat;
- (b) the meat of any game species; or
- (c) any live domestic animal, he shall dispose of the animal or meat as he considers fit:

Provided that if the disposal is by sale, any sums received shall be payable in accordance with the provisions of Part XII.

119. [Repealed by Act No. 15 of 2004]

Disposal of
dead or live
specimens, of
protected
species,
endangered
species or
listed species
11 of 2017

Specimens or
articles to be
held by the
Director

120. Any specimen, domestic animal or article held in the custody of the Director under this Act shall be held by him solely in his official capacity, and nothing in this Act shall be construed as giving the person holding the office of Director any private right of ownership over any specimen, domestic animal or article.

PART XIVA—INTERNATIONAL COOPERATION IN WILDLIFE

Purpose of this
Part
15 of 2004

120A. The purpose of this Part is to provide for the promotion of the management of cross-border wildlife and wildlife resources and the implementation of agreed national obligation arising from bilateral, regional and international environmental and other related conventions to which Malawi is a party.

Cross-border
management
15 of 2004

120B. For the proper management of cross-border wildlife resources, the Director may produce management plans, which lead to the realization of common wildlife goals in cross-border areas.

Regional fora
15 of 2004

120C. Implementation of common plans may be reviewed in bilateral or regional fora as Joint Permanent Commissions of Cooperation, and the Southern African Development Community.

Cross-border
trade in wildlife
15 of 2004

120D. To ensure sustainable utilization and marketing of Wildlife produce resources across borders, the Director shall institute mechanisms for the verification of the legality of the wildlife produce imported or exported.

Implementation
of agreement
15 of 2004

120E. The Minister may, by an order published in the *Gazette*, specify the measures for the proper implementation for relevant provisions of any convention on environment to which Malawi is a party.

PART XV—MISCELLANEOUS

Qualified
exemptions,
indemnities and
exclusions
15 of 2004
11 of 2017

121.—(1) Nothing in this Act shall make it unlawful for the Director or any officer acting with the authority of the Director—

(a) to hunt or authorize any person to hunt any animal in any area including a protected area where—

(i) such hunting is required in the interests of proper research, management and administration;

(ii) he considers it necessary for the safety of the public or the protection of livestock, crops or other property; or

(iii) he considers it necessary for the prevention of undue suffering by an animal; or

(b) to bring any weapon, ammunition, vehicle or other thing into a protected area for the enforcement of this Act.

(2) Neither the Government nor any officer thereof shall be responsible for any loss or damage which may occur to any person or to any property during a search or act of seizure under this Act or whilst such property is detained under this Act unless the same has been caused maliciously, fraudulently or through gross neglect.

(3) Nothing in this Act shall render an officer commit an offence under this Act in respect of anything done by him in good faith in the course of his duty as such officer.

(4) No civil or criminal action shall lie against an officer in respect of any act done or omitted to be done by him in good faith in the purported exercise of any powers under this Act if there shall have been reasonable cause for such act or omission.

(5) Persons who enter or who are permitted to reside in protected areas shall do so at their own risk and no liability shall attach to the Government, an officer or any public officer for any loss of life or injury sustained by any person or loss of or damage to any property of any person in any protected area by reason of presence, action of depredation of any animal; but so however that this subsection shall not apply to an officer and members of the family of an officer who have been permitted to enter or reside in a protected area.

121A.—(1) For purposes of the issue of permits, the levying of permit fees and the administration and expenditure of permit fees, the Director may, from time to time, by notice published in the *Gazette*, designate wildlife districts and may in like manner alter or rescind any wildlife districts.

Wildlife
districts and
permits
15 of 2004

(2) Permit fees prescribed pursuant to this Act shall be collected in a wildlife district by such persons as the Director may, by notice published in the *Gazette*, designate.

(3) Permit fees shall be used for the benefit of the people in the wildlife district in which it is collected.

(4) Permit fees shall be administered in such manner as shall be prescribed.

122. Any person who, having appealed under sections 56 (1), 58 (1), 59 (4), 88 (5) or 94 (3), is aggrieved by the decision of the Minister may, within thirty days of the decision of the Minister, apply to the High Court for judicial review of the decision of the Minister.

Application
for judicial
review
15 of 2004

123. The Minister may make regulations for carrying this Act

Regulations

into effect and, without prejudice to the generality of the foregoing power, such regulations may—

- (a) provide for returns to be furnished to the Minister or the Director by holder of licences, permits, certificates or records issued or maintained under this Act;
- (b) prescribe form to be used under this Act;
- (c) prescribe fees payable under this Act;
- (d) provide for the remission in special cases of any fees payable under this Act;
- (e) provide for the hearing and determination of appeal to the Minister;
- (f) provide for the furtherance of public knowledge concerning the management of wildlife by such means as may be considered appropriate; and
- (g) prescribe anything required to be prescribed under this Act.

PART XVI—REPEAL AND SAVINGS

Repeal and
savings
Cap. 66:03
Cap. 66:04
Cap. 66:06
Cap. 66:07

124.—(1) The following Acts are hereby repealed—

- (a) the Game Act;
- (b) Wild Birds Protection Act;
- (c) Crocodiles Act; and
- (d) National Parks Act.

(2) Any subsidiary legislation made under the Acts repealed by subsection (1) in force immediately before the commencement of this Act—

- (a) shall, unless in conflict with this Act continue in force and be deemed to be subsidiary legislation made under this Act;
- (b) may be replaced, amended or repealed by subsidiary legislation made under this Act.

(3) Any subsidiary agreement or similar arrangement made pursuant to the provisions of the Acts repealed by subsection (1) shall continue in force until terminated in accordance with the terms and conditions thereof.

**National Parks and Wildlife (Protected, Endangered
and Listed Species) (Declaration) Order**
December 2017

GOVERNMENT NOTICE NO.70

NATIONAL PARKS AND WILDLIFE ACT

(Cap 66: 07)

NATIONAL PARKS AND WILDLIFE (PROTECTED, ENDANGERED
AND LISTED SPECIES) (DECLARATION) ORDER, 2017

IN EXERCISE of the powers conferred by section 43, 43A and 43B of the National Parks and Wildlife Act, I, Aggrey C. Masi, Minister of Natural Resources, Energy and Mining, make the following Order—

1. This Order may be cited as the National Parks and Wildlife (Protected, Endangered and Listed Species) (Declaration) Order, 2017. Citation
2. The species of wild plants, fungi and wild animals specified in the Schedule hereto are hereby declared to be protected species, endangered species or listed species, for the purposes of the Act. Species declared as protected, endangered or listed
3. The National Parks and Wildlife (Protected Species) Declaration Order 1994 is revoked. Revocation
GN89/1994

SCHEDULE

PROTECTED, ENDANGERED AND LISTED SPECIES

PART I: PROTECTED SPECIES OF WILD PLANTS, FUNGI
AND ANIMALS*A. Plant and Fungi Species*

Any plant or fungi species whatsoever in a protected area that is not already defined as either an endangered species or a listed species within this Order.

B. Mammal Species

Any mammal species whatsoever in a protected area that is not already defined as either a game species, endangered species or a listed species within this Order.

C. Reptile Species

Any reptile species whatsoever in a protected area that is not already defined as either an endangered species or a listed species within this Order.

D. Amphibian Species

Any amphibian species whatsoever in a protected area that is not already defined as either endangered species or a listed species within this Order.

E. Fish Species

Any fish species whatsoever in a protected area that is not already defined as either an endangered species or a listed species within this Order.

F. Bird Species

Any bird species whatsoever in a protected area that is not already defined as either an endangered species or a listed species within this Order.

G. Invertebrate Species

Any invertebrate species whatsoever in a protected area that is not already defined as either an endangered species or a listed species within this Order.

PART II: ENDANGERED SPECIES OF WILD PLANTS, FUNGI AND ANIMALS

A. Plant and Fungi Species

(1) Any plant or fungi species categorised as endangered in the International Union for Conservation of Nature (IUCN) Red list of Threatened Species.

(2) Any plant or fungi species listed in Appendix II of the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES).

(3) Any of the plant or fungi species listed below—

BOTANICAL NAME	COMMON NAME
<i>Adina microcephala</i>	Mwenya, Chongo, Mgwenya, Mung'oma, Mwina, Mungwira.
<i>Afzelia quanzensis</i>	Mkongomwa, Msokosa, Mangaliondo, Msambamfumu, Mkongwa, Chifuuda, Ipapa, Mpapa, Mpapandende.
<i>Borassus aethiopum</i>	Mvumo, Mdikwa
<i>Bridelia micrantha</i>	Makoma, Mulala, Msopa, Chisopa, Mpasa, Mlewezi, Msongamino, Mwisya
<i>Burkea Africana</i>	Mkalakati, Kalinguti, Kawidzi, Kawidzu, Nakapanga
<i>Colophospermum mopane</i>	Tsanya, Sanya, Ntsano, Mopani, Mpani
<i>Cordyla Africana</i>	Mtondo
<i>Hyphaena reclinata</i>	Mgwalangwa, Mkomakoma, Makoma, Mulala
<i>Khaya anthotheca</i>	Mbawa, Muwawa, Bulamwiko, African White or Red, Mahogany
<i>Pterocarpus angolensis</i>	Mlombwa
<i>Tarminalia sericea</i>	Naphini, Mpini, Nalinsi, Mkondani Mpululu, Njoyi
<i>Pericopsis angolensis</i>	Muwanga, Mbanga
<i>Phyllanthus nyikae</i>	Jade Plant
<i>Indigofera hiliaris</i>	Red indigo bush, Gale of the wind, Seed-under-Leaf

<i>Ceropegia</i>	Chain of hearts, collar of hearts, String of hearts species
<i>Pimpinella nyasica</i>	Milkweed
<i>Glossostelma nyikense</i>	Nyika Orchid
<i>Brachythrix malawiensis</i>	Asterids
<i>Glossostelma nyikense</i>	Sonchus
<i>Brachythrix pawekiae</i>	Brachythrix of Malawi
<i>Brachythrix sonchiodes</i>	Brachythrix
<i>Helichrysum tithoniodes</i>	Sonchus
<i>Osteospermum nyikensis</i>	Sonchus
<i>Vernonia fractiflexa</i>	African Daisy
<i>Vernonia kawoziensis</i>	Bitterleaf
<i>Impatiens rubromaculata</i>	Bitterleaf
<i>Crassula nyikensis</i>	Impatiens, Touch-Me-Not;
<i>Dalbergia melanoxylon</i>	Mphingo
<i>Orchidaceae species</i>	Any orchid species
<i>Cactaceae species</i>	Any cacti species
<i>Cycadaceae species</i>	Any cycad species

B. Mammal Species

(1) Any mammal species categorized as endangered in the IUCN Red list of Threatened Species.

(2) Any mammal species listed in Appendix II of the CITES.

(3) Any of the mammal species listed below—

SCIENTIFIC NAME	COMMON NAME
<i>Canis adustus</i>	Side-striped Jackal
<i>Caracal caracal</i>	Caracal
<i>Felis silvestris</i>	Wild Cat
<i>Leptailurus serval</i>	Serval
<i>Crocuta crocuta</i>	Spotted Hyaena
<i>Aonyx capensis</i>	African Clawless Otter
<i>Lutra maculicollis</i>	Spotted-necked Otter
<i>Nandinia binotata</i>	African Palm Civet, Two-spotted Palm Civet
<i>Civettictis civetta</i>	African Civet
<i>Aepyceros melampus</i>	Impala
<i>Alcelaphus lichtensteinii</i>	Lichtenstein's Hartebeest
<i>Cephalophus harveyi</i>	Harvey's Duiker, Harvey's Red Duiker

<i>Cephalophus natalensis</i>	Red Forest Duiker
<i>Hippotragus equinus</i>	Roan Antelope
<i>Hippotragus niger</i>	Sable Antelope
<i>Kobus ellipsiprymnus</i>	Waterbuck
<i>Kobus vardonii</i>	Puku
<i>Neotragus moschatus</i>	Suni
<i>Oreotragus oreotragus</i>	Klipspringer
<i>Ourebia ourebi</i>	Oribi
<i>Philantomba monticola</i>	Blue Duiker
<i>Raphicerus sharpie</i>	Sharpe's Grysbok
<i>Redunca arundinum</i>	Reedbuck
<i>Syncerus caffer</i>	African Buffalo
<i>Tragelaphus angasii</i>	Nyala
<i>Tragelaphus oryx</i>	Eland
<i>Tragelaphus strepsiceros</i>	Greater Kudu
<i>Hippoposideros gigas</i>	Commerson's Leaf-nosed Bat
<i>Otomops martiennesseni</i>	Large-eared Free-tailed Bat
<i>Eidolon helvum</i>	African Straw-coloured Fruit Bat
<i>Hipposideros gigas</i>	Giant Leaf-nosed Bat
<i>Rhinolophus deckenii</i>	Decken's Horse-shoe Bat
<i>Rhinolophus sakejensis</i>	Sakeji Horseshoe Bat
<i>Rousettus lanosus</i>	Long-haired Rousette Bat
<i>Tadarida aegyptiaca</i>	Egyptian Free-tailed Bat
<i>Tadarida ventralis</i>	African Giant Free-tailed Bat
<i>Myosorex gnoskei</i>	Nyika Burrowing Shrew
<i>Elephantulus fuscus</i>	Dusky Sengi
<i>Rhynchocyon cirnei</i>	Checkered Giant Sengi
<i>Equus burchelli</i>	Burchell's Zebra
<i>Cercopithecus mitis</i>	Blue Monkey
<i>Galagoides species</i>	All Bushbaby species
<i>Otolemur crassicaudatus</i>	Thick-tailed Bushbaby
<i>Anomalurus derbianus</i>	Lord Derby's Flying Squirrel or Anomalure
<i>Graphiurus johnstoni</i>	Johnston's Dornouse
<i>Hystrix africaeaustralis</i>	Cape Crested Porcupine
<i>Otomys lacustris</i>	Lake Vlei Rat, Tanzania Vlei Rat
<i>Paraxerus lucifer</i>	Black and Red Bush Squirrel

<i>Orycteropus afer</i>	Aardvark, Antbear
<i>Mellivora capensis</i>	Honey Badger

C. Reptile Species

(1) Any reptile species categorized as endangered in the IUCN Red list of Threatened Species.

(2) Any reptile species listed in Appendix II of the CITES.

(3) Any of the reptile species listed below—

SCIENTIFIC NAME	COMMON NAME
<i>Crocodylus niloticus</i>	Nile Crocodile
<i>Geochelone pardalis</i>	Leopard Tortoise
<i>Kinixys belliana</i>	Bell's Hinged Tortoise
<i>Cycloderma frenatum</i>	Zambezi Soft-shelled Terrapin
<i>Pelusios sinuatus</i>	Serrated hinged Terrapin
<i>Python (sebae) natalensis</i>	Southern African Python
<i>Dispholidus typhus</i>	Boomslang
<i>Dendroaspis angusticeps</i>	Green Mamba
<i>Dendroaspis polylepis</i>	Black Mamba
<i>Elapsoidea semiannulata</i>	Half-banded Garter Snake
<i>Prosymna ambigua</i>	East African Shovel Snout
<i>Naja haje</i>	Egyptian (Banded) Cobra
<i>Naja melanoleuca</i>	Forest Cobra
<i>Naja mossambica</i>	Mozambique Spitting Cobra
<i>Bitis arietans</i>	Puff Adder
<i>Bitis gabonica</i>	Gaboon Viper
<i>Causus rhombeatus</i>	Rhombic Night Adder
<i>Causus defilippii</i>	Snouted Night Adder
<i>Proatheris superciliaris</i>	Peter's Domino-bellied Swamp Viper, Lowland, Swamp Viper
<i>Eumecia johnstonii</i>	Johnston's Skink
<i>Platysaurus mitchelli</i>	Mitchells Flat Lizard
<i>Varanus exanthematicus</i>	Rock or White-throated Monitor
<i>Varanus niloticus</i>	Nile or Water Monitor
<i>Agama mossambica</i>	Mozambique Agama
<i>Chamaeleonidae species</i>	All species of Chamaeleon (including all Chamaeleo, Rhampholeon, Rieppeleon, Trioceros species)

Nadzikambia mlanjensis

Mulanje Forest Chamaeleon

Lygodactylus rex

King Dwarf Gecko

D. Amphibian Species

(1) Any amphibian species categorized as endangered in the IUCN Red list of Threatened Species.

(2) Any amphibian species listed in Appendix II of the CITES.

(3) Any of the amphibian species listed below—

SCIENTIFIC NAME -

COMMON NAME

Arthroleptis francei

France's squeakers

Arthroleptis reichei

Reiche's squeaker

Bufo kisolensis

Kisolo Toad

Bufo lindneri

Lindner's Toad

Bufo nyikae

Nyika Dwarf Toad

Afrixalus brachycnemis

Lesser Banana Frog

Hyperolius pictus

Variable Reed Frog

Hyperolius puncticulatus

Spotted reed frog

Hyperolius spinigularis

Spiny-throated Reed Frog

Afrana johnstoni

Johnston's river Frog

Phrynobatrachus rungweensis

Rungwe puddle Frog

Phrynobatrachus stewartae

Stewart's puddle Frog

Ptychadena broadleyi

Broadley's ridged Frog

Strongylopus cuelleborni

Fulleborn's stream Frog

Changamwe caecilian

Boulengerula changamwensis

E. Fish Species

(1) Any fish species categorized as endangered in the IUCN Red list of Threatened Species.

(2) Any fish species listed in Appendix II of the CITES.

(3) Any of the fish species listed below—

SCIENTIFIC NAME

COMMON NAME

Abactochromis, Cyathochromis, Cynotilapia,

Mbuna, Cichlids

Genyochromis, Gephyrochromis, Idotropheus,

Labeotropheus, Labidochromis, Maylandia,

Melanochromis, Petrotilapia, Pseudotropheus,

Tropheops species

F. BIRD SPECIES

(1) Any bird species categorized as endangered in the IUCN Red list of Threatened Species.

(2) Any bird species listed in Appendix II of the CITES.

(3) Any of the bird species listed below—

SCIENTIFIC NAME	COMMON NAME
<i>Ardeola idea</i>	Madagascar Squacco Heron
<i>Egretta vinaceigula</i>	Slaty Egret
<i>Ciconia episcopus</i>	White Stock
<i>Ciconia episcopus</i>	Woolly necked Stork
<i>Phoeniconaias minor</i>	Lesser Flamingo
<i>Ana sparsa</i>	African Black Duck
<i>Oxyura maccoa</i>	Maccoa Duck
<i>Accipiter rufiventris</i>	Red-breasted sparrowhawk
<i>Aquila nipalensis</i>	Steppe Eagle
<i>Aquila nipalensis</i>	Lesser Spotted Eagle
<i>Aquila nipalensis</i>	Tawny Eagle
<i>Aquila nipalensis</i>	Black (Verraux's) Eagle
<i>Aquila nipalensis</i>	Wahlberg's Eagle
<i>Buteo oreophilus</i>	Forest Buzzard
<i>Circaetus cinerascens</i>	Westen-banded snake Eagle
<i>Circaetus cinereus</i>	Brown Snake Eagle
<i>Circaetus gallicus</i>	Short-toed (Black-breasted) Snake Eagle
<i>Circus macrouris</i>	Pillid Harrier
<i>Haliaeetus vocifer</i>	African Fish Eagle
<i>Hieraaetus ayresii</i>	Ayre's Hawk Eagle
<i>Hieraaetus fasciatus</i>	African Hawk Eagle
<i>Hieraaetus pennatus</i>	Booted Eagle
<i>Lophaetus occipitalis</i>	Long-crested Eagle
<i>Polemaetus bellicosus</i>	Martial Eagle
<i>Sagittarius serpentarius</i>	Secretary Bird
<i>Stephanoaetus coronatus</i>	Crowned Eagle
<i>Terathopius ecaudatus</i>	Bataleur Eagle
<i>Gypohierax angolensis</i>	Palm-nut Vulture
<i>Torgos tracheliotus</i>	Lappet-faced Vulture
<i>Pandion haliaetus</i>	Osprey
<i>Falco concolor</i>	Sooty Falcon

<i>Falco fasciinucha</i>	Taita Falcon
<i>Falco naumanni</i>	Lesser Kestrel
<i>Falco vespertinus</i>	(Western) Red-footed Falcon
<i>Balearica regulorum</i>	Southern Crowned Crane
<i>Grus carunculatus</i>	Wattled Crane
<i>Neotis denhami</i>	Stanley's (Denjam's) Bustard
<i>Francolinus levaillanti</i>	Red-winged Francolin
<i>Numida meleagris</i>	Helmeted Guineafowl
<i>Gallinago media</i>	Great Snipe
<i>Numenius arquata</i>	Curlew
<i>Rynchops flavirostris</i>	African Skimmer
<i>Agapornis lilianae</i>	Lilian's (Nyasa) Lovebird
<i>Poicephalus cryptoxanthus</i>	Brown-headed Parrot
<i>Poicephalus meyeri</i>	Meyer's Parrot
<i>Poicephalus robustus</i>	Brown-necked (Cape) Parrot
<i>Tauraco livingstonii</i>	Livingstones's Turaco
<i>Tauraco porphyreolophus</i>	Purple-crested Turaco
<i>Tauraco schalowi</i>	Schalow's Turaco
<i>Tyto alba</i>	Barn Owl
<i>Tyto capensis</i>	Grass Owl
<i>Bubo lacteus</i>	Giant Eagle Owl
<i>Bubo africanus</i>	Spotted Eagle Owl
<i>Bubo capensis</i>	Cape Eagle Owl
<i>Glaucidium capense</i>	Barred Owlet
<i>Glaucidium perlatum</i>	Pearl-spotted Owlet
<i>Otus leucotis</i>	White-faced Owl
<i>Otus senegalensis</i>	African Scops Owl
<i>Scotopelia peli</i>	Pel's Fishing Owl
<i>Strix woodfordii</i>	Wood Owl
<i>Asio capensis</i>	Marsh Owl
<i>Apaloderma narina</i>	Narina Trogon
<i>Apaloderma vittatum</i>	Bar-tailed Trogon
<i>Coracias caudate</i>	Lilac-breasted Roller
<i>Coracias garrulous</i>	European Roller
<i>Coracias naevia</i>	Purple Roller
<i>Coracias spatulate</i>	Racket-tailed Roller
<i>Eurystomus glaucurus</i>	Broad-billed (Cinnamon) Roller

<i>Bucorvus leadbeateri</i>	Southern Ground Hornbill
<i>Dendropicos stierlingi</i>	Stierling's Woodpecker
<i>Mesopicus griseocephalus</i>	Olive Woodpecker
<i>Hirundo atrocaerulea</i>	Blue Swallow
<i>Alethe choloensis</i>	Cholo Alethe
<i>Cossypha anomala</i>	Olive-flanked Robin
<i>Zoothera guttate</i>	Spotted Ground Thrush
<i>Acrocephalus griseldis</i>	Basra Reed-Warbler
<i>Apalis chariessa</i>	White-winged Apalis
<i>Apalis thoracica flavigularis</i>	Yellow-throated (Bar-throated) Apalis
<i>Sheppardia gunning</i>	Gunning's Akalat, East Coast Akalat
<i>Nectarinia afra whytei</i>	Greater Double-collared Sunbird
<i>Ploceus olivaceiceps</i>	Olive-headed Weaver
<i>Agapornis</i>	Love Bird
<i>Accipiter rufiventris</i>	Red-breasted Sparrowhawk
<i>Apaloderma narina</i>	Narina Trogon
<i>Apaloderma vittatum</i>	Bar Tailed Trogon
<i>Alethe fuelleborni</i>	White-chested Alethe
<i>Andropadus masukuensis</i>	Shelley's Greenbul
<i>Andropadus nigriceps</i>	Eastern Mountain Greenbul
<i>Apalis cinerea</i>	Grey Apalis
<i>Anthus caffer</i>	Bushveld Pipit
<i>Apalis ruddi</i>	Rudd's Apalis
<i>Ardeola goliath</i>	Goliath Heron
<i>Ardeola rufiventris</i>	Rufous-bellied Heron
<i>Batis fratrum</i>	Woodward's Batis
<i>Batis mixta</i>	Forest Batis
<i>Bias musicus</i>	Black-and white Flycatcher
<i>Bradypterus cinnamomeus</i>	Cinnamon Bracken Warbler
<i>Bycanistes brevis</i>	Silvery-cheeked Hornbill
<i>Centropus cupreicaudus</i>	Coppery-tailed Coucal
<i>Cercococcyx montanus</i>	Barred Long-tailed Cuckoo
<i>Chloropeta similis</i>	Mountain Yellow Warbler
<i>Ciconia abdimii</i>	Abdim's Stork
<i>Ciconia nigra</i>	Black Stork
<i>Cisticola nigriloris</i>	Black-lored Cisticola
<i>Cisticola njombe</i>	Churring Cisticola

<i>Columba delegorgei</i>	Bronze-naped Pigeon
<i>Coracina caesia</i>	Grey Cuckoo-shrike
<i>Corythaixoides concolor</i>	Grey Lourie
<i>Crex crex</i>	Corn Crake
<i>Egretta vinaceigula</i>	Saddlebill (Saddle-billed Stork)
<i>Euplectes psammochromius</i>	Mountain Marsh Whydah
<i>Glareola nuchalis</i>	Rock Pratincole
<i>Corythaixoides personatus</i>	Bare-faced Go-away Bird
<i>Gorsachius leuconotus</i>	White-backed Night Heron
<i>Guttera pucherani</i>	Crested Guinea-fowl
<i>Illadopsis pyrrhoptera</i>	Mountain Illadopsis
<i>Leptoptilos crumeniferus</i>	Marabou Stork
<i>Malaconotus viridis</i>	Gorgeous Bush Shrike
<i>Indicator meliphilus</i>	Eastern Least Honeyguide
<i>Mirafra africana</i>	Rufous-Naped Lark
<i>Modulatrix stictigula</i>	Spot Throat
<i>Mycteria ibis</i>	Yellow-billed Stork
<i>Nectarinia johnstoni</i>	Scarlet-tufted Malachite Sunbird
<i>Nectarinia outstaleti</i>	Oustalet's White-bellied Sunbird
<i>Nectarinia veroxii</i>	Grey Sunbird
<i>Nettapus auratus</i>	Pygmy Goose
<i>Onychognathus tenuirostris</i>	Slender-billed (Chestnut-winged) Starling
<i>Onychognathus walleri</i>	Waller's (Red - winged) Starling
<i>Oriolus chlorocephalus</i>	Green-headed Oriole
<i>Otus senegalensis</i>	African Scops Owl
<i>Pelecanus onocratulus</i>	White Pelican
<i>Pelecanus rufescens</i>	Pink-backed Pelican
<i>Phoenicopterus roseus</i>	Greater Flamingo
<i>Phyllastrephus flavirostris alfredi</i>	Yellow-streaked Bulbul
<i>Pinarornis plumosus</i>	Boulder Chat
<i>Pitta angolensis</i>	African Pitta
<i>Platalea alba</i>	African Spoonbill
<i>Plegadis falcinellus</i>	Glossy Ibis
<i>Plocepasser rufoscapulatus</i>	Chestnut-mantled Sparrow-weaver
<i>Ploceus baglafecht</i>	Baglafecht Weaver
<i>Podica senegalensis</i>	African Finfoot
<i>Pogoniulus simplex</i>	Eastern Green Tinkerbird

<i>Pseudoalcippe abyssinica</i>	African Hill Babbler
<i>Pterocles bicinctus</i>	Double-banded Sandgrouse
<i>Quelea cardinalis</i>	Cardinal Quelea
<i>Serinus citrinpectus</i>	Lemon-breasted Canary
<i>Sheppardia sharpeisharpie</i>	Sharpe's Akalat
<i>Stactolaema olivacea</i>	Green Barbet
<i>Sylvia lugens</i>	Brown Parisoma
<i>Tockus leucomelas</i>	Southern Yellow-billed Hornbill
<i>Threskiornis aethiopicus</i>	Sacred Ibis
<i>Turdus olivaceus</i>	Olive Thrush

G. Invertebrate Species

(1) Any invertebrate species categorized as endangered in the IUCN Red list of Threatened Species.

(2) Any invertebrate species listed in Appendix II of the CITES.

PART III: LISTED SPECIES OF WILD PLANTS, FUNGI AND ANIMALS

A. Plant and Fungi Species

(1) Any plant or fungi species categorized as critically endangered in the IUCN Red list of Threatened Species.

(2) Any plant or fungi species listed in Appendix I of the CITES.

(3) Any plant or fungi species listed below—

BOTANICAL NAME	COMMON NAME
<i>Widdringtonia whytei</i>	Mulanje Cedar, Mulanje Cedarwood, Mulanje Cypress
<i>Encephalartos gratus</i>	Mulanje Cycad

B. Mammal Species

(1) Any mammal species categorized as critically endangered in the IUCN Red list of Threatened Species.

(2) Any mammal species listed in Appendix I of the CITES.

(3) Any of the mammal species listed below—

SCIENTIFIC NAME	COMMON NAME
<i>Lycaon pictus</i>	African Wild Dog, Cape Hunting Dog
<i>Acinonyx jubatus</i>	Cheetah
<i>Panthera leo</i>	African Lion
<i>Panther pardus</i>	Leopard
<i>Diceros bicornis</i>	Black Rhinoceros

<i>Ceratotherium simum</i>	white Rhinoceros
<i>Smutsia (manis) temminckii</i>	Ground Pangolin, Cape Pangolin, Scaly Anteater
<i>Loxodonta africana</i>	African Elephant
<i>Giraffa</i>	Giraffa
<i>Connochaetes taurinus</i>	Nyasa Wildebeet

C. Reptile Species

(1) Any reptile species categorized as critically endangered in the IUCN Red list of Threatened Species.

(2) Any reptile species listed in Appendix I of the CITES.

D. Amphibian Species

(1) Any amphibian species categorized as critically endangered in the IUCN Red list of Threatened Species.

(2) Any amphibian species listed in Appendix I of the CITES.

E. Fish Species

(1) Any fish species categorized as critically endangered in the IUCN Red list of Threatened Species.

(2) Any fish species listed in Appendix I of the CITES.

F. Bird Species

(1) Any bird species categorized as critically endangered in the IUCN Red list of Threatened Species.

(2) Any bird species listed in Appendix I of the CITES.

(3) Any of the bird species listed below—

SCIENTIFIC NAME

COMMON NAME

Gyps Africans

African White-backed Vulture

Necrosyrtes monachus

Hooded Vulture

Trigonoceps occipitalis

White-headed Vulture

Psittacus erithacus

African Grey Parrot

G. Invertebrate Species

(1) Any invertebrate species categorized as critically endangered in the IUCN Red list of Threatened Species.

(2) Any invertebrate species listed in Appendix I of the CITES.

Made this 14thday of December 2017

A.C. Masi
Minister of Natural Resource,
Energy and Mining

National Parks and Wildlife (Use of Substances or Devices in Hunting) Regulations

December 2018

December 1994

GOVERNMENT NOTICE NO. 102

NATIONAL PARKS AND WILDLIFE ACT

(CAP.66:07)

NATIONAL PARKS AND WILDLIFE (USE OF SUBSTANCES OR DEVICES IN
HUNTING) (AMENDMENT) REGULATIONS, 2018

IN EXERCISE of the powers conferred by section 72 of the National Parks and Wildlife Act, I, AGGREY MASI, Minister of Natural Resources, Energy and Mining, make the following Regulations—

1. These Regulations may be cited as the National Parks and Wildlife (Use of Substances or Devices in Hunting) (Amendment) Regulations, 2018. Citation

2. The National Parks and Wildlife (Use of Substances or Devices in Hunting) Regulations are amended, in regulation 4, by deleting the words “Chief Parks and Wildlife Officer” and substituting therefor, the word “Director”. Amendment of regulation 4 to Cap. 66:07, sub. leg. p.40f

Made this 14th day of December, 2018.

A. C. MASI
*Minister of Natural Resources,
Energy and Mining*

(FILE NO. 14/2/109/5)

GOVERNMENT NOTICE No. 80

NATIONAL PARKS AND WILDLIFE ACT

(No. 11 of 1992)

NATIONAL PARKS AND WILDLIFE (USE OF SUBSTANCES OR DEVICES
IN HUNTING) REGULATIONS, 1994

IN EXERCISE of the powers conferred by section 72 of the National Parks and Wildlife Act, I, MFUNJO MWANJASI MWAKIKUNGA, Minister of Forestry and Natural Resources, acting on the recommendation of the Wildlife Research and Management Board, make the following Regulations—

- | | |
|---|---|
| Citation | 1. These Regulations may be cited as the National Parks and Wildlife (Use of Substances or Devices in Hunting) Regulations, 1994. |
| Use of gin traps | 2.—(1) No person shall be in possession of or use a gin trap in hunting any animal.

(2) This regulation shall not apply to an officer while acting in the performance of his duties under the Act. |
| Unlawful methods | 3.—(1) Subject to subregulation (2), no person shall without the written permission of an officer—

(a) use or have in his possession for the purpose of hunting any animal, any net, trap, pitfall, snare, or similar appliance;

Provided that where any snare, pitfall or trap is used on or immediately adjacent to cultivated land, no such written permission shall be required;

(b) use, together with any firearm, any light, lamp or flare for the purpose of hunting any animal;

Provided that this paragraph shall not apply to any person lawfully hunting crocodiles;

(c) use any bait, decoy, or calling device or any other substance or device to bring protected species into closer range for hunting;

(d) use hides, blinds or stands in hunting;

(e) hunt any animal in the vicinity of salt licks, water holes or isolated watering places used by wild animals;

(f) discharge any weapon at any protected species from or within fifty metres of any motor vehicle, aircraft or boat;

Provided that a person lawfully hunting crocodiles may discharge a weapon from a boat.

(2) This regulation shall not apply to an officer while acting in the performance of his duties under the Act. |
| Seizure of gin traps and other articles | 4. An officer may seize any article, appliance, device, or substance mentioned in regulation 2 or regulation 3 found in the possession of any person without the written permission of the Chief Parks and Wildlife Officer in such circumstances as to lead to a reasonable suspicion that |

it has been used or that there is an intention to use it for the purpose of hunting, and shall take any thing so seized before a Magistrate to be dealt with according to law.

Made this 30th day of March, 1994.

M. M. MWAKIKUNGA

(FILE NO. 48/3/1/VOL. 2)

Minister of Forestry and Natural Resources

**National Parks and Wildlife (Value of Plants and
Fungi) Regulations**
December 2018

NATIONAL PARKS AND WILDLIFE ACT
(CAP.66:07)

31st December, 2018

1007

NATIONAL PARKS AND WILDLIFE (VALUE OF PLANTS AND FUNGI)
REGULATIONS, 2018

IN EXERCISE of the powers conferred by section 123 of the National Parks and Wildlife Act, I, AGGREY MASI, Minister of Natural Resources, Energy and Mining, make the following Regulations—

1. These Regulations may be cited as the National Parks and Wildlife (Value of Plants and Fungi) Regulations, 2018. Citation

2. The values specified in the Schedule hereto shall be the values of plants and fungi and shall be used for any purpose required under the Act. Value of plants and fungi

SCHEDULE

(reg. 2)

VALUE OF PLANTS AND FUNGI

<i>Botanical Name</i>	<i>Common Name</i>	<i>Value</i>
<i>Adina Microcephala</i>	Mwenya, Chonga, Mgwenya, Mung'oma, Mwina, Mungwira	K3,500,000.00
<i>Afzelia quanzensis</i>	Mkongomwa, Msokosa, Mangaliondo, Msambamfumu, Mkongwa, Chifuuda, Ipapa. Mpapa, Mpapandende	K2,800,000.00
<i>Borassus Aethiopum</i>	Mvumo, Mdikwa	K17,500,000.00
<i>Brideria</i>	Makoma, Mulala, Msopa, Chisopa, Mpasa, Mlewezi, Msongamino, Mwisya	K 7,000,000.00
<i>Burkkea Africana</i>	Ash, Mkalakati, Kalinguti, Kawidzi, Kawidzu, Nakapanga	K3,500,000.00
<i>Colophospermum mopane</i>	Tsanya, Sanya, Ntsano, Mopani, Mpani	K8,750,000.00

<i>Burkea Africana</i>	Mkalati, Kalinguti, Kawidzi, Kawidzu, Nakapanga	K3,500,000.00
<i>Hyphaene crinita</i>	Mgwalangwa, Mkomakoma, Makoma, Mulala	K3,500,000.00
<i>Khaya Nyasica</i>	Mbawa, Muwawa, Bulamwiko	K17,500,000.00
<i>Pterocarpus angolesis</i>	Mlombwa, Mtumati, Mbira, Nawazi	K17,500,000.00
<i>Terminalia sericea</i>	Naphini, Mpini, Nalinsi, Mkondani Mpululu, Njoyi	K3,500,000.00
<i>Percopsis angolensis angolensis</i>	Muwanga, Mbanga	K3,500,000.00
<i>Diospyros Crassiflora</i>	Mphingo	K17,500,000.00
Orchidaceae	Orchids	K1,750,000.00
Cactaceae/ Caryophyllales	Cacti	K1,750,000.00
Cyatheales	Ferns	K1,750,000.00
Cycadophyta	Cycads	K1,750,000.00

All tree species not on the list shall be valued at K1,750,000.00

1008

31st December, 2018

All plant species not on the list shall be valued at K175,000.00

Made this 14th day of December, 2018.

(FILE NO. 14/2/109/5)

A. C. MASI
Minister of Natural Resources,
Energy and Mining

National Parks and Wildlife (Value of Animals)
Regulations
December 2018

NATIONAL PARKS AND WILDLIFE ACT
(CAP.66:07)

NATIONAL PARKS AND WILDLIFE (VALUE OF ANIMALS) REGULATIONS,
2018

IN EXERCISE of the powers conferred by section 123 of the National Parks and Wildlife Act, I, AGGREY MASI, Minister of Natural Resources, Energy and Mining, make the following Regulations—

1. These Regulations may be cited as the National Parks and Wildlife (Value of Animals) Regulations, 2018. Citation
2. The values specified in the Schedule hereto shall be the values of live animals and shall be used for any purpose required under the Act. Value of live animals
3. The National Parks and Wildlife (Values of Animals) Regulations, 2011, are hereby revoked. Revocation

SCHEDULE

(reg. 2)

VALUE OF LIVE ANIMALS

A.—MAMMALS

<i>Animal</i>	<i>Value</i>					
1. Elephant	K70,000,000.00
2. Rhino	K84,000,000.00
3. Hippo	K11,200,000.00
4. Buffalo	K14,000,000.00
5. Roan antelope	K29,400,000.00
6. Sable antelope	K21,000,000.00
7. Kudu	K 7,000,000.00
8. Water buck	K 7,000,000.00
9. Eland	K14,000,000.00
10. Leopard	K11,200,000.00
11. Cheetah	K14,000,000.00
12. Crocodile	K11,200,000.00

<i>Animal</i>							<i>Value</i>
13. Wild dog	..	..	..	..	..	..	K21,000,000.00
14. Nyala	..	..	..	..	..	..	K14,000,000.00
15. Zebra	..	..	..	..	..	..	K11,200,000.00
16. Lion	..	..	..	..	..	..	K14,000,000.00
17. Duikers	..	..	..	..	..	..	K 1,400,000.00
18. Grysbok	..	..	..	..	..	..	K 1,400,000.00
19. Jackal	..	..	..	..	..	..	K 1,400,000.00
20. Oribi	..	..	..	..	..	..	K 1,400,000.00
21. Honey baddger.	..	..	..	..	..	..	K 1,400,000.00
22. Hyena	..	..	..	..	..	..	K 5,600,000.00
23. Klipspringer	..	..	..	..	..	..	K 1,400,000.00
24. Livingstone Suni	..	..	..	..	..	..	K 7,000,000.00
25. Warthog	..	..	..	..	..	..	K 1,400,000.00
26. Hartebest	..	..	..	..	..	..	K14,000,000.00
27. Bush pig	..	..	..	..	..	..	K 1,400,000.00
28. Reedbuck	..	..	..	..	..	..	K 1,400,000.00
29. Impala	..	..	..	..	..	..	K 1,400,000.00
30. Bushbuck	..	..	..	..	..	..	K 1,400,000.00
31. Puku	..	..	..	..	..	..	K 7,000,000.00
32. Pangolin	..	..	..	..	..	..	K 7,000,000.00
33. Aardvark	..	..	..	..	..	..	K 3,500,000.00
34. Caracal	..	..	..	..	..	..	K14,000,000.00
35. Wild Cat	..	..	..	..	..	..	K 1,400,000.00
36. Serval Cat	..	..	..	..	..	..	K 3,500,000.00
37. Civet	..	..	..	..	..	..	K 1,400,000.00
38. Porcupine	..	..	..	..	..	..	K 1,400,000.00
39. Blue Monkey	..	..	..	..	..	..	K 3,500,000.00
40. Bush baby	..	..	..	..	..	..	K 1,400,000.00

All mammals not on this list shall be valued at K700,000.00

B.—BIRDS

<i>Animal</i>							<i>Value</i>
1. Vultures	..	..	..	..	..	..	K7,000,000.00
2. Parrots and Lovebirds	..	..	..	..	..	..	K1,400,000.00
3. Cranes	..	..	..	..	..	..	K1,400,000.00

<i>Animal</i>							<i>Value</i>
4. Eagles .. .. .	..	..	..	..	..	..	K1,400,000.00
5. Hornbills .. .. .	..	..	..	..	..	..	K1,400,000.00
6. Owls .. .. .	..	..	..	..	..	..	K1,400,000.00
7. Falcons .. .. .	..	..	..	..	..	..	K1,400,000.00
8. Stork .. .. .	..	..	..	..	..	..	K1,400,000.00
9. Bustards .. .. .	..	..	..	..	..	..	K1,400,000.00
10. Duck and Geese .. .. .	..	..	..	..	..	..	K 700,000.00
11. Secretary bird. . . . .	..	..	..	..	..	..	K 700,000.00
All birds not on this list shall be valued at .. .. .	..	..	..	..	..	..	K 140,000.00

C.—REPTILES AND AMPHIBIANS

<i>Animal</i>							<i>Value</i>
1. Turtles .. .. .	..	..	..	..	..	..	K2,800,000.00
2. Tortoises .. .. .	..	..	..	..	..	..	K1,400,000.00
3. Terrapin .. .. .	..	..	..	..	..	..	K1,400,000.00
4. Python .. .. .	..	..	..	..	..	..	K1,400,000.00
All Reptiles and Amphibians not on this list shall be valued at							K140,000.00

Made this 14th day of December, 2018.

(FILE NO. 14/2/109/5)

A. C. MASI
Minister of Natural Resources,
Energy and Mining

**National Parks and Wildlife (Control of Trophies and
Trade in Trophies) Regulations
December 2018**

NATIONAL PARKS AND WILDLIFE ACT

(CAP.66:07)

NATIONAL PARKS AND WILDLIFE (CONTROL OF TROPHIES AND
TRADE IN TROPHIES) REGULATIONS, 2018

IN EXERCISE of the powers conferred by section 87 (1) of the National Parks and Wildlife Act, I, AGGREY MASI, Minister of Natural Resources, Energy and Mining, on the recommendation of the Board, make the following Regulations—

Citation 1. These Regulations may be cited as the National Parks and Wildlife (Control of Trophies and Trade in Trophies) Regulations, 2018.

Trading in trophies 2. A person shall not carry on a trade in trophies or manufacture articles from trophies for sale, unless he is in possession of a trophy dealers' permit in the form set out in the First Schedule hereto, and such permit shall be issued subject to payment of appropriate fee set out in the Second Schedule hereto.

31st December, 2018

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3. Where a person has brought to an officer a specimen, which in accordance with section 90 of the Act is a government trophy, that officer shall cause it to be weighed and indelibly marked with a particular mark allocated to the district as shown on the Third Schedule hereto, the year of registration, and a serial number and shall enter such particulars in a register which shall be in the form set out in the Fourth Schedule hereto.

Registration
of trophies

4. The National Parks and Wildlife (Control of Trophies and Trade in Trophies) Regulations, 2011, are hereby revoked.

Revocation

FIRST SCHEDULE

(reg. 2)

NATIONAL PARKS AND WILDLIFE ACT

(CAP.66:07)

NATIONAL PARKS AND WILDLIFE (CONTROL OF TROPHIES AND TRADE
IN TROPHIES) REGULATIONS

A TROPHY DEALER'S PERMIT

Name of Dealer.....

National Identity Number and /or passport number.....

Physical Address.....

Postal Address.....

is hereby permitted to carry on a trade or to manufacture articles from trophies for sale at

.....

Telephone No.:

Subject to the Act and Regulations made thereunder and conditions endorsed on this permit—

1. The manufacture of articles from or trade in
(state the exact species of the trophy) trophies shall be carried on only at the address stated above unless a change of address is notified in writing to an officer entitled to grant a permit.
2. The premises and workshops where this trade and manufacture are carried on shall be open to inspection by an officer during normal working hours.
3. Any certificate of ownership in respect of stock in trade or raw material on the premises shall be available for inspection by an officer during normal business hours.
4. The holder of this permit shall maintain a register showing all purchases of trophies and their disposal and he shall enter in such register the numbers of the certificates of ownership relating to such trophies.

Date of issue.....

Date of expiry.....

Fee paid.....

1012

31st December, 2018

GR No..... Reference Number of the Permit

Issuing Officer..... Title.....

Right Thumb print of Dealer or representative:

Left Thumb Print of Dealer or representative:

Official Stamp

.....
(Signature of Officer Granting Permit)

SECOND SCHEDULE

(reg. 2)

FEEs

Matter

Fee Per Annum

K t

Trophy Dealer's Permit

80,000.00

THIRD SCHEDULE

(reg. 3)

MALAWI GOVERNMENT
NATIONAL PARKS AND WILDLIFE ACT
(CAP.66:07)

DISTRICT MARKS FOR GOVERNMENT TROPHIES

Balaka	..	..	BLK	Mwanza	..	..	MN
Blantyre	..	..	BT	Mzimba	..	..	MZ
Chikhwawa	..	..	CK	Neno	..	..	NN
Chiradzulu	..	..	CZ	Nkhata Bay	..	..	NB
Chitipa	..	..	CP	Nkhotakota	..	..	KK
Dedza	..	..	DZ	Nsanje	..	..	NE
Dowa	..	..	DA	Ntcheu	..	..	NU
Karonga	..	..	KA	Ntchisi	..	..	NS
Kasungu	..	..	KU	Phalombe	..	..	PE
Likoma	..	..	LA	Rumphi	..	..	RU
Lilongwe	..	..	LL	Salima	..	..	SA
Machinga	MHG	Thyolo	TO
Mangochi	MH	Zomba	ZA
Mchinji	MC	Mulanje	MJ

31st December, 2018

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FOURTH SCHEDULE

(reg. 3)

REGISTER OF GOVERNMENT TROPHIES

<i>State Nature of Trophy</i>	<i>Weight</i>	<i>Registration Number</i>	<i>Remarks</i>

Made this 14th day of December, 2018.

(FILE NO. 14/2/109/5)

A. C. MASI
Minister of Natural Resources,
Energy and Mining

National Parks and Wildlife (Control of Trade in Live Animals) Regulations

September 2018

December 1994

NATIONAL PARKS AND WILDLIFE ACT

(CAP.66:07)

NATIONAL PARKS AND WILDLIFE (CONTROL OF TRADE IN LIVE ANIMALS) (AMENDMENT) REGULATIONS, 2018

IN EXERCISE of the powers conferred by section 87 of the National Parks and Wildlife Act, I, AGGREY MASI, Minister of Natural Resources, Energy and Mining, on the recommendation of the Board, make the following Regulations—

1. These Regulations may be cited as the National Parks and Wildlife (Control of Trade in Live Animals) (Amendment) Regulations, 2018. Citation

2. The National Parks and Wildlife (Control of Trade in Live Animals) Regulations (hereinafter referred to as the “principal Regulations” are amended, by revoking the First Schedule and replacing it with a new First Schedule, as follows— Amendment of First Schedule to Cap.66:07, sub. leg. p.41

“FIRST SCHEDULE

NATIONAL PARKS AND WILDLIFE ACT

(CAP 66:07)

NATIONAL PARKS AND WILDLIFE (CONTROL OF TRADE IN LIVE ANIMALS) REGULATIONS

A LIVE ANIMAL DEALER'S PERMIT

Name of Dealer.....

National Identity Number and /or passport number.....

Physical Address.....

Postal Address.....

is hereby permitted to domesticate the following wild animals

(a)

(b)

(c)

at on the following conditions (conditions to include how the animal was obtained).....

Date of issue; Date of expiry:.....

Fee paid..... GR Number:.....

Signature of Dealer:.....

Right Thumb print of Dealer/Representative:

Passport Photo of Dealer:

(Official Stamp)

.....
Director

Amendment of Second Schedule to the principal Regulations

6. The Second Schedule to the Principal Regulations is amended, by deleting the figure “5,000” and replacing it with the figure “100, 000”.

Made this 23rd day of July, 2018.

(FILE NO. BL/100)

A. C. MASI
*Minister of Natural Resources,
Energy and Mining*

GOVERNMENT NOTICE No. 81

NATIONAL PARKS AND WILDLIFE ACT

(No. 11 of 1992)

NATIONAL PARKS AND WILDLIFE (CONTROL OF TRADE IN LIVE
ANIMALS) REGULATIONS, 1994

IN EXERCISE of the powers conferred by section 87 (1) of the National Parks and Wildlife Act, I, MEUNJO MWANIASI MWAKIKUNGA, Minister of Forestry and Natural Resources, acting on the recommendation of the Wildlife Research and Management Board, make the following Regulations—

1. These Regulations may be cited as the National Parks and Wildlife (Control of Trade in Live Animals) Regulations, 1994. Citation

2. No person shall carry on trade in live wild animals unless he is in possession of a live wild animal dealer's permit which shall be in the form set out in the First Schedule and such permit shall be issued subject to payment of appropriate fee set out in the Second Schedule. Trading in live wild animals

FIRST SCHEDULE

reg. 2

NATIONAL PARKS AND WILDLIFE ACT

(No. 11 of 1992)

NATIONAL PARKS AND WILDLIFE (CONTROL OF TRADE IN LIVE
ANIMALS) REGULATIONS, 1992

A LIVE WILD ANIMAL DEALER'S PERMIT

Mr./Miss/Mrs./Messrs
of (address)

is hereby permitted to domesticate the following wild animals

(a)

(b)

(c)

at on the following conditions (conditions

to include how animals are to be obtained)

.....

.....

Date of Issue:

Date of Expiry:.....

Fee Paid: K

CHIEF PARKS AND WILDLIFE OFFICER

SECOND SCHEDULE

reg. 2

FEES

<i>Matter</i>	<i>Fee per Annum</i>
	K t
A live Wild Animal Dealer's permit	5,000 00

Made this 30th day of March, 1994.

(FILE NO. 48/3/1/VOL. 2)

M. M. MWAKIKUNGA
*Minister of Forestry and
Natural Resources*

National Parks and Wildlife (Control of Trade in
Protected, Endangered and Listed Species)
Regulations
September 2018

NATIONAL PARKS AND WILDLIFE ACT
(CAP.66:07)

NATIONAL PARKS AND WILDLIFE (CONTROL OF TRADE IN PROTECTED,
ENDANGERED AND LISTED SPECIES) REGULATIONS, 2018

IN EXERCISE of the powers conferred by section 87 of the National Parks and Wildlife Act, I, AGGREY MASI, Minister of Natural Resources, Energy and Mining, on the recommendation of the Board, make the following Regulations—

- | | |
|---------------------------------------|--|
| Citation | 1. These Regulations may be cited as the National Parks and Wildlife (Control of Trade in Protected, Endangered and Listed Species) Regulations, 2018. |
| Interpretation | 2. In these Regulations, unless the context otherwise requires—
“CITES” means the Convention on International Trade in Endangered Species of Wild Fauna and Flora;
“management authority” means the authority designated under regulation 3; and
“scientific authority” means the scientific authority designated under regulation 5. |
| Management authority | 3. The Director is hereby designated as the management authority in Malawi, for the purposes of the CITES. |
| Functions of the management authority | 4. Without derogating from the generality of regulation 3, the management authority shall—
(a) communicate with the secretariat of the CITES; |

(b) coordinate with other similar government departments on matters relating to the CITES;

(c) ensure that the CITES is enforced;

(d) sensitize members of the public, non-governmental organisations and traders on the requirements of the CITES to enhance compliance;

(e) issue permits to import, export or re-export endangered species;

(f) regulate trade in endangered species in Malawi; and

(g) perform such task as is required by such an authority under the CITES.

5. The Deputy Director of National Parks and Wildlife responsible for research is hereby designated as the scientific authority in Malawi, for the purposes of the CITES.

Scientific
authority

6. Without derogating from the generality of regulation 5, the scientific authority shall—

Functions of
the scientific
authority

(a) provide scientific advice on issuance of permits for international trade;

(b) monitor trade levels of the species listed by the CITES;

(c) provide scientific advice on captive breeding or artificial propagation as the case may be;

(d) list native and foreign species under CITES; and

(e) perform such task as is required by such an authority under the CITES.

Made this 23rd day of July, 2018.

(FILE NO. BL/100)

A. C. MASI
*Minister of Natural Resources,
Energy and Mining*

**National Parks and Wildlife (Import, Export and Re-
Export) Regulations**
September 2018

NATIONAL PARKS AND WILDLIFE ACT
(CAP.66:07)

NATIONAL PARKS AND WILDLIFE (IMPORT, EXPORT AND RE-EXPORT)
REGULATIONS, 2018

IN EXERCISE of the powers conferred by section 99 of the National Parks and Wildlife Act, I, AGGREY MASI, Minister of Natural Resources, Energy and Mining, after consulting the Minister of Industry and Trade, make the following Regulations—

PART I—PRELIMINARY

1. These Regulations may be cited as the National Parks and Wildlife Citation
(Import, Export and Re-Export) Regulations, 2018.

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14th September 2018

Interpretation	2. In these Regulations, unless the context requires otherwise— “export” has the meaning ascribed to it under the Customs and Excise Act; “import” has the meaning ascribed to it under the Customs and Excise Act; and “permit” means a licence to import, export or re-export any specimen of game species, protected species, endangered species or listed species issued under regulation.
Cap. 42:01	
Cap. 42:01	
Acts prohibited without a permit	3.—(1) A person shall not import, export or re-export any specimen of game species, protected species, endangered species or listed species, unless he is in possession of an import, export or re-export permit in the form set out in the Schedule hereto. (2) An export permit shall only be issued upon— (a) production of a— (i) written clearance from a Scientific Authority that such export is not detrimental to the survival of the species; (ii) written clearance from a Management Authority that the specimen was not obtained in contravention of the laws of Malawi; (iii) in case of live specimens, clearance from a management authority that the live specimens shall be so prepared and shipped so as not to contravene the laws of Malawi or international standards; and

(iv) in the case of specimens of species listed in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, an import permit from the importing country; and

(b) payment of a fee prescribed in the Second Schedule hereto.

(3) A re-export permit shall only be issued upon—

(a) production of a—

(i) written clearance from a Management Authority that the specimen was imported in accordance with the laws of Malawi and the Convention on International Trade in Endangered Species of Wild Fauna and Flora;

(ii) written clearance from a Management Authority that the live specimens shall be so prepared and shipped in contravention of the laws of Malawi or international standards; and

(iii) in the case of specimens of species listed in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, an import permit from the importing country; and

(b) payment of a fee prescribed in the Second Schedule hereto.

(4) An import permit shall only be issued upon—

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(a) production of—

(i) written clearance from a Scientific Authority that such export is not detrimental to the survival of the species;

(ii) in case of any living specimen, a written clearance from a Scientific Authority that the applicant is suitably equipped to house and care for the specimen;

(iii) in the case of species included in Appendix III of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, a prior presentation of a certificate of origin or an export permit or a certificate of re-export; and

(iv) in the case of specimens of species listed in Appendix I of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, a clearance from a management authority that the specimen will not be used for primarily commercial purposes; and

(b) payment of a fee prescribed in the Second Schedule hereto.

5. The importer shall, during the importation of any specimens of protected species, endangered species or listed species, retain custody of all the necessary documentation as proof of legal ownership of those specimens.

Importer to retain documentation

6. Unless otherwise provided, a permit issued under regulation 3 shall be valid for a single importation, exportation or re-exportation.

Validity of permit

SCHEDULE

(para. 3(1))

IMPORT, EXPORT AND RE-EXPORT PERMIT

1. EXPORT ☐ RE-EXPORT ☐ IMPORT ☐ OTHER ☐:
2. Valid until.....
 - (a) signature and printed name of the applicant
.....
.....
3. Importer (Full Name)
 - (a) country of import
 - (b) importer national identity number and /or passport number.....
 - (c) physical address.....
 - (d) postal address.....
4. Exporter/re-exporter (Full Name)—
 - (a) country of import
 - (b) importer national identity number and /or passport number.....
 - (c) physical address.....

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-
- (d) postal address.....
 5. Special conditions
For live animals, this permit or certificate is only valid if the transport conditions conform to the CITES Guidelines for transport or, in the case of air transport, to the IATA Live Animals Regulations.
.....
.....
.....
 - (a) purpose of the transaction
.....
.....
.....
 - (b) official DNPW security stamp no.
.....
.....
.....
 6. Name, address, national seal/stamp and country of management authority
.....
.....
.....

Instructions for following Sections

- 7./8. Scientific name (genus and species) and common name of animal or plant (See Appendix 1 for the translations)
9. Description of specimens, including identifying marks or numbers (age/sex if live)
10. Appendix no. and source (see reverse)
11. Quantity (including unit)
- (a) total exported/quota

Species A

- 7./8.
-
-
-
9.
-
-
-
10.
11.
- (a)
12. Country of origin * Permit no.
-
-

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- Date (a)
- Country of last re-export Certificate no.:
- Date.....
- (b) No. of the operation**or date of acquisition***

Species B

- 7./8.
-
-
9.
-
-
10.
11.
- (a)
12. Country of origin * Permit no.
-
- Date (a)
- Country of last re-export Certificate no.:
- Date
- (b) No. of the operation**or date of acquisition***

Species C

- 7./8
9.
10.
11.
- (a)
12. Country of origin* Permit no.
-
- Date (a)
- Country of last re-export Certificate no.:
- Date.....
- (b) No. of the operation**
- or date of acquisition***

Species D

- 7./8
- 9

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10.
11.
- (a)
12. Country of origin * Permit no.
-
- Date (a)
- Country of last re-export Certificate no.:
- Date.....
- (b) No. of the operation **
- or date of acquisition***

Notes

*Country in which the specimens were taken from the wild, bred in captivity or artificially propagated (only in case of re-export)

** Only for specimens of Appendix-I Species bred in captivity or artificially propagated for commercial purposes

*** For pre-Convention specimens

13. This permit/certificate is issued by:
-

Place Date.....
Security stamp:

Signature and official seal.....

14. Export endorsement:

15. Bill of Lading/Air waybill number:
Port of export
Date..... Signature.....
Official stamp:

and title:.....

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Right Thumb print of Importer/ Exporter/Re-Exporter:

Passport Photo of Importer/Exporter/Re-Exporter:

(REVERSE SIDE OF THE IMPORT/EXPORT/RE-EXPORT PERMIT)

INSTRUCTIONS AND EXPLANATIONS

(These correspond to the numbers on the form)

1. Tick the square which corresponds to the type of document issued (export permit, re-export certificate, import permit or other). If the box “other” has been ticked, the type of document must be indicated. The original number is a unique number allocated to each document by the management authority.

2. For export permits and re-export certificates, the date of expiry of the document may not be more than six months after the date of issuance (one year for import permits).
(a) include full name and signature
3. Complete name and address of the importer.
(a) the name of the country must be written in full.
4. Complete name and address of the exporter/re-exporter.
5. The name of the country must be stated. The absence of the signature of the applicant renders the permit or certificate invalid.

Special conditions may refer to national legislation or special conditions placed on the shipment by the issuing management authority. This box can also be used to justify the omission of certain information.

(a) the following codes should be used—

- T for commercial;
- Z for zoos;
- G for botanical gardens;
- Q for circuses and travelling exhibitions;
- S for scientific purposes;
- H for hunting trophies;
- P for personal;
- M for medical;
- E for education;
- N for reintroduction or introduction into the wild;
- B for breeding in captivity or artificial propagation; and
- L for law enforcement / judicial / forensic.

(b) indicate the number of the security stamp affixed in box 13.

6. The name, address and country of the issuing management authority should already be printed on the form.
- 7-8. Indicate the scientific name (genus and species, where appropriate subspecies) of the animal or plant as it appears in the Convention Appendices or the reference lists approved by the Conference of the Parties, and the common name of the animal or plant as known in the country issuing the permit.
9. Describe, as precisely as possible, the specimens entering trade (live animals, skins, flanks, wallets, shoes, etc.). If a specimen is marked (tags, identifying marks, rings, etc.), whether or not this is required by a Resolution of the Conference of the Parties (specimens originating in a ranching operation, specimens subject to quotas approved by the Conference of the Parties, specimens of Appendix-I species bred in captivity for commercial purposes, etc.), indicate the number and type of mark. The sex and age of the live animals should be recorded, if possible.

10. Enter the number of the Appendix of the Convention (I, II or III) in which the species is listed. Use the following codes to indicate the source: W Specimens taken from the wild R Specimens originating from a ranching operation D Appendix-I animals bred in captivity for commercial purposes and Appendix-I plants artificially propagated for commercial purposes, as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 4, of the Convention A Plants that are artificially propagated in accordance with Resolution Conf. 11.11 (Rev. CoP14), paragraph a), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5 (specimens of species included in Appendix I that have been propagated artificially for non-commercial purposes and specimens of species included in Appendices II and III) C Animals bred in captivity in accordance with Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5 (specimens of species included in Appendix I that have been bred in captivity for noncommercial purposes and specimens of species included in Appendices II and III) F Animals born in captivity (F1 or subsequent generations) that do not fulfil the definition of 'bred in captivity' in Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof U Source unknown (must be justified) I confiscated or seized specimens O Pre-Convention (may be used with other source codes).
11. The quantity and units indicated should conform to the most recent version of the Guidelines for the preparation and submission of CITES annual reports.
 - (a) Indicate the total number of specimens exported in the current calendar year (1 January to 31 December) (including those covered by the present permit) and the current annual quota for the species concerned (for example 500/1000). This should be done for the national quotas as well as for those determined by the Conference of the Parties.
12. The country of origin is the country in which the specimens were taken from the wild, bred in captivity or artificially propagated, except in the case of plant specimens that cease to qualify for an exemption from the provisions of CITES. In such instances, the country of origin is deemed to be the country in which the specimens ceased to qualify for the exemption. Indicate the number of the permit or certificate of the exporting country and the date of issuance. If all or part of the information is not

known, this should be justified in box 5. This box must only be completed in case of re-exports.

- (a) the country of last re-export is the country from which the specimens were re-exported before entering the country in which the present document is issued. Enter the number of the re-export certificate of the country of last re-export and its date of issuance. If all or part of the information is not known, this should be justified in box 5. This box must only be completed in case of re-export of specimens previously re-exported.
- (b) the "No. of the operation" is the number of the registered captive-breeding or artificial propagation operation. The "date of acquisition" is defined in Resolution Conf. 13.6 and is required only for pre-Convention specimens.

13. To be completed by the official who issues the permit. The name of the official must be written in full. The security stamp must be affixed in this box and must be cancelled by the signature of the issuing official and a stamp or seal. The seal, signature and security-stamp number should be clearly legible.
14. To be completed by the official who inspects the shipment at the time of export or re-export. Enter the quantities of specimens actually exported or re-exported. Strike out the unused boxes.
15. Enter the number of the bill of lading or air way-bill if the method of transport used requires the use of such a document. The document must be written in one of the three working languages of the Convention (English, Spanish or French) or must include a full translation into one of these three languages. Exported and re-exported specimens should not appear on the same document unless it is clearly indicated which specimens are being exported and which re-exported.

AFTER USE THIS DOCUMENT MUST BE RETURNED TO A MANAGEMENT AUTHORITY OF THE IMPORTING COUNTRY.

SECOND SCHEDULE

NATIONAL PARKS AND WILDLIFE

(CAP. 66:07)

NATIONAL PARKS AND WILDLIFE (IMPORT, EXPORT AND RE-EXPORT) REGULATIONS

IMPORT, EXPORT AND RE-EXPORT PERMIT FEES

<i>Matter</i>							<i>Fees</i>	
							<i>K</i>	<i>t</i>
1. Import	..	..	..	..	..	..	30,000	00
2. Export	..	..	..	..	..	..	30,000	00
3. Re-export	..	..	..	..	..	..	30,000	00

Made this 23rd day of July, 2018.

A. C. MASI
*Minister of Natural Resources,
Energy and Mining*

(FILE NO. BL/100)

National Parks and Wildlife (Fees) Regulations

September 2018

GOVERNMENT NOTICE NO. 73

NATIONAL PARKS AND WILDLIFE ACT

(CAP.66:07)

NATIONAL PARKS AND WILDLIFE (FEES) REGULATIONS, 2018

IN EXERCISE of the powers conferred by section 123 of the National Parks and Wildlife Act, I, AGGREY MASI, Minister of Natural Resources, Energy and Mining, make the following Regulations—

- Citation 1. These Regulations may be cited as the National Parks and Wildlife (Fees) Regulations, 2018.
- Fees 2. The fees prescribed in the Schedule hereto shall be payable in respect of the matters specified therein.
- Revocation 3. The National Parks and Wildlife (Fees) Regulations are revoked.

SCHEDULE

(reg. 2)

PART I

LICENCE FEES

<i>Matter</i>	<i>Fees per Annum</i>	
	<i>Fee per Malawian K t</i>	<i>Fee per non-Malawian (US\$)</i>
1. Professional hunting licence ..	1,000,000.00	10,000
2. Bird licence	20,000.00	200
3. Game licence	20,000.00	300
4. Visitors licence	—	100
5. Hunting licence	Nil	700
6. Crocodile farming licence ..	200,000.00	150
7. Game ranching or farming licence	100,000.00	100
8. Animal captivity licence. ..	20,000.00	50
9. Crocodile hunting licence ..	100,000.00	1,000

PART II

PERMIT FEES

<i>Matter</i>	<i>Fee per Malawian K t</i>	<i>Fee per non-Malawian (US\$)</i>
1. Trophy dealers permit. .	100,000.00 per annum	Not applicable
2. Research permit ..	10,000.00 each	200
3. CITES Import, Export and Re-export permit ..	30,000.00	40

PART III

PARK ENTRY FEES

FEES FOR ENTRY OF EACH PERSON PER DAY FOR PERSONS ABOVE 12 YEARS OF AGE.

<i>Visitor Category</i>	<i>Fee per visitor per day</i>
1. Malawian Citizen	MK1,000
2. Resident foreigner	US\$7
3. Non-resident foreigner	US\$10
4. All persons below age of 12 years ..	Nil

PART IV

VEHICLE ENTRY FEES

<i>Vehicle Category</i>	<i>Fees for each weight category</i>
1. MALAWIAN REGISTERED VEHICLE	
(a) less than 2,000kg (2 metric tons)	MK2,100.00
(b) between 2,000 & 5,000 kg	MK3,500.00
(c) over 5,000kg (>5metric tons)	MK7,000.00
2. NON-MALAWIAN REGISTERED	
(a) less than 2,000kg (2 metric tons)	US\$3
(b) between 2,000 & 5,000 kg	US\$7
(c) over 5,000kg (>5metric tons)	US\$15
3. AIRCRAFT LANDING FEES	
(a) Malawi registered	
(i) aircraft weight not exceeding 20,000 kg rounded to the nearest 1,000	MK1,400.00 per 1,000 kg
(ii) aircraft exceeding 20,000 kg	MK3,500.00 per 1,000 kg
(b) Non-Malawian registered:	
(i) aircraft weight not exceeding 20,000 kg rounded to the nearest 1,000	US\$5 per 1,000 kg
(ii) aircraft exceeding 20000 kg	US\$ 8 per 1,000 kg
4. Photographic fees	US \$700

PART V

HIRE OF GUIDES FEES

	<i>Fee per visitor per trip per day US\$</i>	<i>Fee per visitor in a group per day US\$</i>
1 Regular trip	10	3
2 Wilderness trail	10	5
3 Night safari guide	10	5

PART VI

SPORT FISHING LICENCE FEES

<i>Matter</i>	<i>Fees US(\$)</i>
1 Daily fishing	.. 10
2 Weekly fishing	.. 30
3 Monthly fishing	.. 100
4 Annual fishing	.. 500

Made this 23rd day of July, 2018.

(FILE NO. BL/100)

A. C. MASI
Minister of Natural Resources,
Energy and Mining

National Parks and Wildlife (Miscellaneous Forms)

Regulations

September 2018

December 2011

December 1994

NATIONAL PARKS AND WILDLIFE ACT
(CAP.66:07)

NATIONAL PARKS AND WILDLIFE (MISCELLANEOUS FORMS)
(AMENDMENT) REGULATIONS, 2018

IN EXERCISE of the powers conferred by section 123 of the National Parks and Wildlife Act, I, AGGREY MASI, Minister of Natural Resources, Energy and Mining, make the following Regulations—

1. These Regulations may be cited as the National Parks and Wildlife Citation
(Miscellaneous Forms) (Amendment) Regulations, 2018.

2. The National Parks and Wildlife (Miscellaneous Forms) Regulations Amendment
are amended, in the Schedule, by revoking Form 9 and replacing it with the of Schedule
following new Form 9— to Cap.66:07,
sub. leg. p.66

14th September 2018

819

“FORM 9

NATIONAL PARKS AND WILDLIFE ACT
(CAP 66:07)

CERTIFICATE OF OWNERSHIP OF SPECIMEN
Under s. 88(3)

Permit Number:..... Name:.....

National Identity Number and /or passport number:.....

Physical Address:.....

Postal Address:.....

is entitled to possess the following specimens—

1.....

2.

3.....

4.....

Of(specimen)

District Mark(s) Registration No(s):

Weight: Station of Issue:

Fee Paid K..... G.R. No.
Issuing Officer: Title:
Signature Date:
Signature of Owner:.....
Right Thumb print of Owner:

Passport Photo of Owner :

(official Stamp)”

Made this 23rd day of July, 2018.

(FILE NO. BL/100)

A. C. MASI
*Minister of Natural Resources,
Energy and Mining*

GOVERNMENT NOTICE No. 56

NATIONAL PARKS AND WILDLIFE ACT

(CAP. 66:07)

NATIONAL PARKS AND WILDLIFE (MISCELLANEOUS FORMS)
(AMENDMENT) REGULATIONS, 2011

IN EXERCISE of the powers conferred by section 123 of the National Parks and Wildlife Act, I, DANIEL SYMPHORIANO LIWIMBI, Minister of Tourism, Wildlife and Culture, make the following Regulations—

Citation

1. These Regulations may be cited as the National Parks and Wildlife (Miscellaneous Forms) (Amendment) Regulations, 2011.

Replacement of
the Schedule to
Cap. 66:07
sub. reg. p. 57

2. The Schedule to the National Parks and Wildlife (Miscellaneous Forms) Regulations in deleted and replaced with the following new Schedule—

"SCHEDULE

MALAWI GOVERNMENT

FORM 1

PERMIT TO ENTER A NATIONAL PARK, WILDLIFE RESERVE AND NATURE SANCTUARY

(under section 32 (3))

OFFICIAL ENTRY INTO:
NATIONAL PARK/WILDLIFE RESERVE/NATURE SANCTUARY

Permission is hereby granted to:, and a party of travelling in vehicle number to enter free of charge for a period of days, starting from

Details of the purpose of the visit are as follows—

(Official Stamp)

Director

MALAWI GOVERNMENT

FORM 11

APPLICATION FOR PROFESSIONAL HUNTING LICENCE

(under section 92 (2))

1. Full Names:
2. Full Address:
.....
3. Nationality (and if non-Malawian):
Passport Number:
4. Previous experience as a Professional Hunter:
.....
.....
.....
.....
.....
5. Have you passed the Malawi Professional Hunters' Examination?
Yes/No If yes, state when:
6. Have you ever been convicted of an offence under this Act?
Yes/No (If yes, explain):
.....
.....
.....
7. Have you ever been convicted of a criminal offence? Yes/No (If yes, explain):
.....
.....
.....
.....
8. How much money do you plan to invest into this business? K.....
.....
.....
.....

(support your statement with relevant documents and attach to this application)

9. I declare that the information given is true to the best of my knowledge and belief.

Signature: Date:

10. Recommendations of the Board:

.....

11. The application is approved/not approved.

.....
 Director

MALAWI GOVERNMENT

FORM 12

PERMIT TO IMPORT, EXPORT OR RE-EXPORT SPECIMEN OF A PROTECTED SPECIES OR LISTED SPECIES

(under section 97)

This is to certify that:
 of: is permitted
 to import from: or export/re-export
 from Malawi the following specimen(s):

.....

Fee Paid K..... G.R. No.:

Issuing Officer..... Title:

Signature: Date:

If Ivory—Registration Number(s):

Year of Registration: Date:

.....
 Director

I declare that the above is a true record of all animals killed by me in Malawi under the
 Licence No.: granted to me on the, 20.....
 at:
 Signature of Holder: Date:
 Passed Date:

Examining Officer's Signature

MALAWI GOVERNMENT

FORM 6

HUNTING LICENCE

(under section 48)

1. Subject to the provisions of the National Parks and Wildlife Act and any subsidiary legislation made under the Act, permission is hereby granted to:

.....
 of to hunt by
 any lawful means in Wildlife Reserve/Game Ranch/farm the following species—

	Species	Number to be Hunted	Place of Hunting
1			
2			
3			
4			
5			

2. This licence is issued in connection with Professional Hunting Licence No.:
 Issued to:
 of
 The licensee may only hunt as a client to the Professional Hunter and not otherwise.
3. This licence shall expire on:
4. This licence may not be issued unless the applicant presents an application form for issue of a hunting licence approved by the Director or an officer duly authorized in that behalf.
5. Fee paid K..... G.R. No.:
 Issuing Officer: Title:
 Signature: Date:

THIS LICENCE IS NOT TRANSFERABLE

(Reverse side of Game Licence)
MALAWI GOVERNMENT

FORM 7

REGISTER OF GAME SPECIES HUNTED OR TAKEN
(under section 60 (1) (c))

Species	Number	Sex	Locality	Date	Remarks

I declare that the above is a true record of all game species hunted or taken by me in Malawi
under Licence No.: granted to me on the:, 20.....

At:

Signature of Holder: Date:

Passed Date:

Signature of Examining Officer

MALAWI GOVERNMENT

FORM 8

VISITOR'S LICENCE

(under section 48)

- Subject to the provisions of the National Parks and Wildlife Act and any subsidiary legislation made under the Act, permission is hereby granted to:
..... of
..... who is ordinarily resident in:
..... (name of country) whose nationality is:
to hunt by any lawful means the following:
- This licence shall be valid in:

(indicate area for which licence is valid)

3. The licence is not valid for hunting game species in any Wildlife Reserve, National Park, Nature Sanctuary, Forest Reserve or any other area in which hunting of game species is prohibited by law.
4. This licence shall expire on:
5. This licence may not be issued unless the applicant presents an application form for issue of a Visitor's Licence approved by Director or an officer duly authorized in that behalf.
6. Fee paid K..... G.R. No.:
- Issuing Officer:
- Signature: Date:

THE LICENCE IS NOT TRANSFERABLE

(Reverse side of the Visitor's Licence)

MALAWI GOVERNMENT
REGISTER OF GAME SPECIES HUNTED OR TAKEN
(under section 60 (1) (c))

<i>Species</i>	<i>Number</i>	<i>Sex</i>	<i>Locality</i>	<i>Date</i>	<i>Remarks</i>

I declare that the above is a true record of all game species hunted or taken by me in Malawi under Licence No.: granted to me on the, 20..... at

Date:
(Signature of Holder)

Date Passed:
(Signature of Examining Officer)

MALAWI GOVERNMENT
 CERTIFICATE OF OWNERSHIP OF SPECIMEN
 (under section 88 (3))

FORM 9

Permit No. Name:
 of (address), is entitled to
 possess the following specimens—

1.
2.
3.
4.

If Ivory—

District Mark(s): Registration No(s.):
 Weight: Station of Issue:
 Fee paid K..... G.R. No.
 Issuing Officer: Title:
 Signature: Date:

MALAWI GOVERNMENT
 PROFESSIONAL HUNTING LICENCE
 (under section 92)

FORM 10

1. Subject to the provisions of the National Parks and Wildlife Act and any subsidiary legislation made under the Act permission is hereby granted to:
 of to conduct
 business as a professional hunter and to solicit clientele.
2. This licence is issued under the following conditions—
 (a)
 (b)
 (c)
 (d)
3. This licence may not be issued unless the applicant presents an application for issue of a Professional Hunting Licence approved by the Director.
4. This licence shall expire on
5. Fee paid K..... G.R. No.
 Issuing Officer: Title:
 Signature: Date:

MALAWI GOVERNMENT

FORM 13

REGISTER OF GOVERNMENT TROPHIES OR CONFISCATED SPECIMENS,
DOMESTIC ANIMALS OR ARTICLES

(under section 117)

<i>Item</i>	<i>Date</i>	<i>Received</i>	<i>Source</i>	<i>Remarks</i>

Signature of Receiving Officer:

- In the case of items forfeited to the Government under section 113, Case Number:
- Remarks to include date and mode of disposal of the item(s).".

Made this 21st day of November, 2011.

(FILE NO. 48/3/1/VOL. 2)

D. S. LIWIMBI
Minister of Tourism, Wildlife and Culture

GOVERNMENT NOTICE No. 88

NATIONAL PARKS AND WILDLIFE ACT

(No. 11 of 1992)

**NATIONAL PARKS AND WILDLIFE (MISCELLANEOUS FORMS)
REGULATIONS, 1994**

IN EXERCISE of the powers conferred by section 123 of the National Parks and Wildlife Act, I, MFUNJO MWANJASI MWAKIKUNGA, Minister of Forestry and Natural Resources, make the following Regulations—

Citation 1. These Regulations may be cited as the National Parks and Wildlife (Miscellaneous Forms) Regulations, 1994.

Form 2. The forms set out in the Schedule shall be used for the purposes of the provisions of the Act to which they relate and the particulars contained in those forms and not particularly prescribed by the Act are hereby prescribed as particulars required for the purposes of the Act.

SCHEDULE

reg. 2

MALAWI GOVERNMENT

Form 1

PERMIT TO ENTER A NATIONAL PARK OR WILDLIFE RESERVE

(under section 32 (3))

OFFICIAL ENTRY INTO NATIONAL PARK/WILDLIFE RESERVE

Permission is hereby granted to, a party travelling in vehicle number to enter free of charge for a period of days, starting from

Details of the purpose of the visit are as follows:

.....

.....
Chief Parks and Wildlife Officer

MALAWI GOVERNMENT

Form 2

AUTHORITY TO HARVEST IN NATIONAL PARKS OR WILDLIFE RESERVES

(under section 39 (a))

Mr./Mrs./Miss/Dr./Rev.
of
is authorized to harvest
from National Park/Wildlife Reserve on the following conditions:
.....

.....

Date permit Issued:

Date of Expiry:

.....
Chief Parks and Wildlife Officer

MALAWI GOVERNMENT

Form 3

APPLICATION FOR ISSUE OF LICENCE(S)

(under section 48)

1. TYPE OF LICENCE FOR WHICH YOU ARE APPLYING (DELETE WHICHEVER DOES NOT APPLY)

- (a) Bird Licence
- (b) Game Licence
- (c) Hunting Licence
- (d) Special Licence
- (e) Visitors Licence

2. Full Name:

3. Address:

4. State type of firearms in your possession

5. State numbers of valid Firearms Licences for the firearms listed in (4) above

.....

6. For what area do you wish to have the licence?

.....

7. What species do you wish to hunt or take (applicants for hunting licence or special licence only)

.....

8. A licence cannot be issued unless the applicant has firearms appropriate for the species to be hunted and has valid firearms licences for the said firearms. Provided that where the application is for a special licence the purpose of which is to take or hunt species for which a firearm is not necessary e.g. plants, insects, small birds and small mammals, this condition shall not apply.

9. Application is approved/not approved.

Signature:

Date:

Title:

MALAWI GOVERNMENT

BIRD LICENCE

Form 4

(under section 48)

1. Subject to the provisions of the National Parks and Wildlife Act and any subsidiary legislation made under the Act, permission is hereby granted to of to hunt by any lawful means the bird species specified in the Schedule to this licence. Bird species deleted from the Schedule or not listed in the Schedule may not be hunted.
2. This licence shall be valid in
.....
(*indicate area for which licence is valid*)
3. This licence is not valid for hunting bird species in any wildlife reserve, national park, forest reserve, or any other area in which the hunting of bird species is prohibited by law.
4. This licence will expire on

5. SCHEDULE

<i>Bird Species</i>	<i>Number permitted</i>
Helmeted Guinea Fowl	per gun/day
Red necked Francolin	per gun/day
Common Quail	per gun/day
Wild Geese	per gun/day
Wild Ducks (except Black Ducks)	per gun/day
Pigeons and Doves	per gun/day
Egyptian and Spurwing Geese	per gun/day
Snipe	per gun/day

6. This licence may not be issued unless the applicant presents an application form for issue of the Bird Licence approved by the Chief Parks and Wildlife Officer or an officer duly authorized in that behalf.
7. Fee paid K..... G.R. No.
Issuing Officer: Title:
Date:
8. Attention is drawn to the closed seasons for the various species which is printed on the reverse of this licence.
9. The duplicate of this licence should be attached to the application form for issue of a Bird Licence and both must be forwarded to the Regional Parks and Wildlife Officer of the region in which the licence is issued.

(Reserve side of Bird Licence)

REGISTER OF BIRDS TAKEN OR KILLED

(under section 60 (1) (c))

Date	Type	Number	Locality

I declare that the above is a true record of all birds killed by me in Malawi under the Licence No. 19.... at Date

.....
Signature of holder

Passed

Date

.....
Signature of examining officer

Closed seasons for different species are as follows—

Ducks and Gees 1st January to 31st July
 Francolins and Quails 1st February to 30th September
 Guinea Fowls 1st December to 31st May,
 Pigeons and Doves 1st May to 30th November
 Snipes 1st February to 31st July

MALAWI GOVERNMENT

Form 5

GAME LICENCE

(Under section 48)

1. Subject to the provisions of the National Parks and Wildlife act and any subsidiary legislation made under the Act, permission is hereby granted to

 of
 to hunt by any lawful means the game species specified in the Schedule.
2. This licence shall be valid in

 (indicate area for which licence is valid)
3. This licence is not valid for hunting game species in a wildlife reserve, national park, forest reserve, or any other area in which the hunting of game species is prohibited by law.
4. This licence shall expire on

SCHEDULE

<i>Game Species</i>	<i>Local Names</i>	<i>Number Permitted</i>
Common Duiker	Gwape, Insa	5
Wathog	Njiri, Liphango	2

(Reverse side of Game Licence)

MALAWI GOVERNMENT

REGISTER OF GAME SPECIES HUNTED OR TAKEN

(Under section 60 (1) (c))

Species	Number	Sex	Locality	Date	Remarks

I declare that the above is a true record of all animals killed by me in Malawi under the Licence No. granted to me on the

19 at

Date

(Signature of holder)

Passed Date

(Signature of examining officer)

MALAWI GOVERNMENT

Form 6

HUNTING LICENCE

(under section 48)

1. Subject to the provisions of the National Parks and Wildlife Act and any subsidiary legislation made under the Act, permission is hereby granted to

..... of

to hunt by any lawful means the following species—

..... in National Park/Wildlife Reserve.

2. This licence is issued in connexion with Professional Hunter Licence

No. issued to

The licensee may only hunt as a client to the Professional Hunter and not otherwise.

3. This licence shall expire on

4. This licence may not be issued unless the applicant presents an application form for issue of a hunting licence approved by the Chief Parks and Wildlife Officer or an officer duly authorized in that behalf.
5. Fee paid K..... G.R. No.
 Issuing Officer Title
 Date:

THIS LICENCE IS NOT TRANSFERABLE
 (REVERSE SIDE OF HUNTING LICENCE)

MALAWI GOVERNMENT

REGISTER OF GAME SPECIES HUNTED OR TAKEN
 (under section 60 (1) (c))

Species	Number	Sex	Locality	Date	Remarks

I declare that the above is a true record of all game species hunted or taken by me in Malaŵi under Licence No. granted to me on the 19..... at

Date
 (Signature of holder)

Passed Date
 (Signature of Examining Officer)

MALAWI GOVERNMENT

Form 7

SPECIAL LICENCE

(under section 48)

Subject to the provisions of the National Parks and Wildlife Act and any subsidiary legislation made under the Act, permission is hereby granted to

..... of
 to hunt or take the specimens named hereunder in Column 1 up to the number shown opposite in Column 2 for each of the species in the area shown in Column 3 for the purpose of

(include institution to benefit)

This licence is granted for the following specimens—

Column 1	Column 2	Column 3	Fee per unit
Specimen (General and specimen where possible)	Number	Area in which specimens may be collected	and definition of Unit

3. This licence expires on
4. Fee paid K..... G.R. No.
5. This licence is issued subject to the following special conditions—
 - (a) a list of specimen hunted or taken giving details of date, place, description (and names if possible) will be submitted to the Chief Parks and Wildlife Officer and the Head of Research in the Department of National Parks and Wildlife when the hunting or taking is ended;
 - (b) a copy of any report, list, description, photographs, etc., compiled by the licensee relating to the specimens hunted or taken must be given to the Chief Parks or Wildlife Officer in writing;
 - (d) this licence shall be carried at all times when hunting or taking and shall be shown on demand to an officer.
 - (e) this licence may not be issued unless the applicant presents an application form for issue of a special licence approved by the Chief Parks and Wildlife Officer or an officer duly authorized in that behalf.

Signature of Licensee Date

Issuing Officer Title

Date:

MALAWI GOVERNMENT

Form 8

VISITORS LICENCE

(under section 48)

1. Subject to the provisions of the National Parks and Wildlife Act and any subsidiary legislation made under the Act, permission is hereby granted to
 of
 who is ordinarily resident in
 (name of country) whose nationality is to hunt by any lawful means the following
2. This licence shall be valid in
 (indicate area for which licence is valid)
3. The licence is not valid for hunting game species in any wildlife reserve, national park, forest reserve, or any other area in which this hunting of game species is prohibited by law.
4. This licence shall expire on

5. This licence may not be issued unless the applicant presents an application form for issue of a visitors's licence approved by the Chief Parks and Wildlife Officer or an officer duly authorized in that behalf.
6. Fee paid K..... G.R. No.

Issuing Officer Title
 Date:

THIS LICENCE IS NOT TRANSFERABLE
 (RESERVE SIDE OF VISITORS' LICENCE)

MALAWI GOVERNMENT

REGISTER OF GAME SPECIES HUNTED OR TAKEN

(under section 60 (1) (c))

Species	Number	Sex	Locality	Date	Remarks

I declare that the above is a true record of all game species hunted or taken by me in Malawi under Licence No. granted to me on the
 19 at

Date

(Signature of Holder)

Passed Date

(Signature of Examining Officer)

MALAWI GOVERNMENT

Form 9

CERTIFICATE OF OWNERSHIP OF SPECIMEN

(under section 88 (3))

Station No. Date:

Name of (address) is
 entitled to possess the following specimens—

1 2.

3. 4.

If Ivory—

District Mark(s)

Registration No.(s)

Weight

.....
 Chief Parks and Wildlife Officer

MALAWI GOVERNMENT

FORM 10

PROFESSIONAL HUNTER'S LICENCE

(under section 92)

1. Subject to the provisions of the National Parks and Wildlife Act and any subsidiary legislation made under the Act permission is hereby granted to

- of.....
to conduct business as a professional hunter and to solicit clientele.
2. This licence is issued under the following conditions—
- (a)
- (b)
- (c)
- (d)
3. This licence may not be issued unless the applicant presents an application for issue of a Professional Hunter's Licence approved by the Chief Parks and Wildlife Officer.
4. This licence shall expire on
5. Fee paid:
- G.R. No.
- Issuing Officer:
- Title:
- Date:

MALAWI GOVERNMENT

Form 11

APPLICATION FOR PROFESSIONAL HUNTERS LICENCE
(under section 92 (2))

1. Full Names
2. Full Address
3. Nationality (and passport number if non-Malawian)
.....
4. Previous experience as a Professional Hunter
.....
5. Have you passed the Malawi Professional Hunters Examination?
Yes/No. If yes, state when
6. Have you ever been convicted of an offence under this Act?
Yes/No. (If yes, explain)

-
7. Have you ever been convicted of a criminal offence? Yes/No. (If yes, explain)

8. How much money do you plan to invest into this business?

 (support your statement with relevant documents)
9. I declare that the information given is true to the best of my knowledge and belief.
 Signature:
 Date:
10. Recommendations of the Board

11. The application is approved/not approved.

.....
 (Chief Parks and Wildlife Officer)

MALAWI GOVERNMENT

Form 12

PERMIT TO IMPORT, EXPORT OR RE-EXPORT SPECIMEN OF A PROTECTED SPECIES OR LISTED SPECIES (under section 97)

This is to certify that
 of is
 permitted to import from
 or export/re-export from Malawi the following specimen(s)

If Ivory—

Registration number(s)
 Year of registration
 Date:

.....
 Chief Parks and Wildlife Officer

MALAWI GOVERNMENT

Form 13

REGISTER OF GOVERNMENT TROPHIES OR CONFISCATED SPECIMENS, DOMESTIC
ANIMALS OR ARTICLES

(under section 117)

Item	Date	Received	Source	Remarks
------	------	----------	--------	---------

Signature
of Officer
Receiving

*In the case of items forfeited to the Government under section 113, Case Number.

*Remarks to include date and mode of disposal of the item(s).

Made this 30th day of March, 1994.

(FILE NO. 48/3/1/VOL. 2)

M. M. MWAKIKUNGA
*Minister of Forestry and
Natural Resources*

**National Parks and Wildlife (Wild Animal Captivity
Licensing) Regulations**
September 2018

GOVERNMENT NOTICE NO. 75

NATIONAL PARKS AND WILDLIFE ACT

(CAP.66:07)

NATIONAL PARKS AND WILDLIFE (WILD ANIMAL CAPTIVITY LICENSING)
REGULATIONS, 2018

IN EXERCISE of the powers conferred by section 123 of the National Parks and Wildlife Act, I, AGGREY MASI, Minister of Natural Resources, Energy and Mining, make the following Regulations—

PART I-PRELIMINARY

- | | |
|--------------------------------|---|
| Citation | 1. These Regulations may be cited as the National Parks and Wildlife (Wild Animal Captivity Licensing) Regulations, 2018. |
| Interpretation | <p>2. In these Regulations, unless the context otherwise requires—</p> <p>“captive care conditions” means the conditions for the keeping of wild animals in captivity referred to under section 54A of the Act;</p> <p>“captivity” means any setting whereby an animal is kept in a confined area, where it is depending on regular human care and support to fill its basic physical and psychological needs;</p> <p>“licence” means a licence to keep animals in captivity issued under regulation 3; and</p> <p>“permit” means a licence to import, export or re-export any specimen of game species, protected species, endangered species or listed species issued under regulation.</p> |
| Animal
captivity
licence | <p>3.—(1) A person shall not keep wild animals in captivity, unless he possesses an animal captivity licence in the form set out in the First Schedule hereto.</p> <p>(2) A person who intends to keep animals in captivity shall apply to the Director for a licence and that application shall be accompanied by a fee prescribed in the Second Schedule hereto.</p> <p>(3) The Director shall issue a licence to an applicant upon being satisfied that—</p> <ul style="list-style-type: none"> (a) the applicant has no record of previous convictions under the Act; (b) the applicant has a license for no less than 24 months to occupy the premises which he proposes to keep in the animal in captivity; (c) the area being proposed for keeping of the animal is secured; (d) the applicant shall comply with the captive care conditions to such extent as they apply to the animals in captivity; (e) the applicant has the requisite human resources and material resources to comply with the captive care conditions in respect of the specific animals intended to be kept in captivity; |

(f) the applicant has produced a management plan for the proposed animal as provided by the captive care conditions; and

(g) the Director has approved that plan.

(4) The Director shall—

(a) inspect the proposed premises prior to occupation; and

(b) assess whether the condition of the premises complies with the requirements prescribed in the Third Schedule hereto.

(5) The cost of any inspection done by the Director in accordance with sub-regulation (4) shall be borne by the applicant.

(6) The Director shall, upon being satisfied with the suitability of a premises inspected under sub-regulation (4), issue to the applicant a certificate set out in the Fourth Schedule hereto.

4.—(1) A premise where animals are kept in captivity shall be subject to inspection by the Director or any officer during normal working hours whose cost shall be borne by the person keeping the animals in captivity. Routine inspections

(2) There shall be no duty on officers to give prior notice of such inspection visits.

5. The Director shall revoke a licence where he is satisfied that a licensee fails to keep animals in captivity contrary to the Act or the captive care conditions. Revocation of licence

6. A person shall not release or remove an animal from a premise without the written authorization of the Director, unless- Release of animal in captivity

(a) the animal is temporarily removed from the premises on the recommendation of a registered veterinarian; or

(b) there are reasonable grounds for doing so, provided that the Director is informed of that removal within a period of 24 hours.

7. A person shall not kill an animal in captivity without prior authorization from the Director. Killing animal in captivity

FIRST SCHEDULE

(para. 3(1))

NATIONAL PARKS AND WILDLIFE ACT

(CAP 66:07)

NATIONAL PARKS AND WILDLIFE (WILD ANIMAL CAPTIVITY LICENSING) REGULATIONS, 2018

WILD ANIMAL CAPTIVITY LICENCE

Name of Licensee:.....

The nature of licensee:.....

(Private Household/ Public Facility/ Educational Facility/ Animal Rescue Centre/ Other-specify)

National Identity Number and /or passport number.....

Physical Address.....

Postal Address.....

.....

is hereby permitted to keep the following wild animals in captivity:

Species	Latin name	Max no. per species

with the following origin:

Species	Wild/ Captivity	Location details

at (premises) on
the following conditions :

- (a) The licensee to report to the Director annually on the following:
 - (i) overview of species and numbers being kept;
 - (ii) any changes in management as indicated in the original management plan
 - (iii)
- (b)
- (c)

The following State Registered Veterinarian(s) shall provide the required veterinary care for the animals being kept:

- (a) physical Address.....
- postal Address.....
-
- (b)
- Physical Address.....
- Postal Address.....
- Date of issue: Date of expiry:.....
- Fee paid..... GR Number:
- Signature of Dealer:.....
- Right Thumb print of Dealer/Representative:

Passport Photo of Keeper :

(Official Stamp)

.....
Director

SECOND SCHEDULE (para. 3(2))
NATIONAL PARKS AND WILDLIFE ACT
(CAP 66:07)

NATIONAL PARKS AND WILDLIFE (WILD ANIMAL CAPTIVITY
LICENSING) REGULATIONS, 2018

WILD ANIMAL CAPTIVITY LICENCE FEES

<i>Matter</i>	<i>Fee per Annum</i> K t
Wild Animal Captivity Permit	100, 000. 00

THIRD SCHEDULE (para. 3 (4)(b))
NATIONAL PARKS AND WILDLIFE ACT
(CAP 66:07)

NATIONAL PARKS AND WILDLIFE (WILD ANIMAL CAPTIVITY LICENSING)
REGULATIONS, 2018

WILD ANIMAL CAPTIVE CARE FACILITY ASSESSMENT FORM

Below are the minimum requirements which captive care facilities need to meet in order to acquire a wild animal captivity licence. More specific information on each criteria is found in the Captive Care Standards. The requirements are either met (designated as “Yes”) or not (designated as “No”). Where requirements are not met the improvements required are indicated to obtain or hold a Captivity Licence.

<i>REQUIREMENT</i>	<i>Yes/ No</i>	<i>Improvement(s) required</i>
1. <i>Management requirements</i>		
(a) The facility has at all times (a) caretaker(s) with adequate and verifiable species-specific training, experience and/ or knowledge to provide the animals with	Y/N	

<i>REQUIREMENT</i>	<i>Yes/ No</i>	<i>Improvement(s) required</i>
highest levels of welfare and minimizes all associated health and safety risks.		
(b) The facility is in the possession of a management plan. A management plan shall at least contain the information as indicated in the Captive Care Standards.	Y/N	
(c) The facility has a system in place to keep animal records of all the animal individuals kept and as indicated in the Captive Care Standards.	Y/N	
<i>2. Housing requirements</i>		
(a) The enclosure provides, in relation to the number of animals being kept, the minimum required space (length, width, height) to allow sufficient and appropriate exercise for the particular species.	Y/N	
(b) The enclosure provides the required structures for the animals to move in their own species-specific way.	Y/N	
(c) The enclosure furniture is constructed and maintained in such a way that it does not present any potential danger or health risks to the animals.	Y/N	
(d) The enclosure has the required infrastructure to provide the opportunity to temporarily separate animals for management purposes (e.g. cleaning, medical treatment, population management).	Y/N	
(e) The enclosure provides appropriate barriers to contain the animals in a safe and secure way.	Y/N	
(f) The ground surface of the main enclosure is of such structure that it supports the species-specific way of moving and does not lead to any significant discomfort or health risk to the animal?	Y/N	
(g) The main enclosure, separation pens and indoor enclosures provide sufficient shelter for all animals to protect them from inclement weather conditions (e.g. heavy rains, wind, sun).	Y/N	
(h) The enclosure provides sufficient physical barriers for animals to hide for conspecifics or the viewing public.	Y/N	

REQUIREMENT	Yes/ No	Improvement(s) required
(i) The climate conditions (e.g. temperature, light, humidity, ventilation) of the indoor rooms are in such a way that it does not negatively affect the welfare or health of the animals.	Y/N	
(j) The direct surrounding of the enclosure does not provide any negative stimuli which could lead to long term stress and/or undue suffering of the animals.	Y/N	
(k) The enclosure barriers are constructed in such a way to prevent potential predators in the direct surrounding to enter the enclosure.	Y/N	
3. Husbandry requirements		
(a) All social species are kept in groups whereby group composition ideally resembles as much as possible the species specific social organization, but whereby the group composition at the least does not negatively affect the well-being of the animals.	Y/N	
(b) For those animals housed socially and able to breed, species appropriate contraception is applied to prevent breeding.	Y/N	
(c) In case more than one species is kept in an enclosure, the species are able to live in harmony with each other and the welfare of one or more species are not compromised by another.	Y/N	
(d) The enclosure provides sufficient species specific behavioural stimuli to ensure the psychological well-being of the animals.	Y/N	
(e) In those circumstances whereby, the enclosure does not provide sufficient species-specific stimuli (e.g. quarantine, temporary separation, etc.) behavioural enrichment is provided to ensure the well-being of the animal and prevent undue or unnecessary suffering.	Y/N	
(f) The facility has set animal catching and handling procedures in place appropriate for the species being kept and whereby stress and discomfort for animal is as much as possible restricted.	Y/N	

<i>REQUIREMENT</i>	<i>Yes/ No</i>	<i>Improvement(s) required</i>
(g) To ensure enclosure hygiene and minimize disease hazards, uneaten perishable food is removed on a regular basis and prior to moulding or contamination.	Y/N	
(h) Animal waste is removed from the enclosure as often as necessary to prevent disease transmission.	Y/N	
(i) Water reservoirs and food containers/ platforms are cleaned on a daily basis.	Y/N	
4. Nutritional requirements		
(a) The facility provides a well-balanced diet which meets the nutritive value and quantity required for the particular species. Hereby the facility takes into account the animals' individual requirements with regard to e.g. age, physical condition and medical condition.	Y/N	
(b) Records on food intake and body condition are collected and recorded on a regular basis to evaluate diet and food amounts provided.	Y/N	
(c) The way of presenting food to the animals supports the natural species-specific way of foraging.	Y/N	
(d) All provides the required conditions to prepare the animal food under hygienic circumstances to prevent contamination.	Y/N	
5. Veterinary care requirements		
(a) The facility has a written agreement with a state registered veterinarian in which he/ she declares to provide the required health care for the animals kept under the Captivity licence.	Y/N	
(b) Being public facilities, educational facilities, wildlife rescue centres or any other facility keeping C or D class species, the facility has a wildlife experienced veterinarian within their staff members. When a specialized wildlife veterinarian is not available, an affiliated wildlife experienced veterinarian must be available on consultancy basis.	Y/N	
(c) Being public facilities, educational facilities, wildlife rescue centres, private		

REQUIREMENT	Yes/ No	Improvement(s) required
<p>facilities with 10 or more animals or any facility keeping C or D class species, the facility has veterinary policies and standard operation procedures which cover preventative health care, treatment procedures for ill or injured animal, and transmission of diseases between animals and or staff members and animals.</p> <p>(d) The facility has appropriate facilities and procedures in place to adequately quarantine animals on arrival.</p> <p>(e) To ensure the physical and psychological well-being, all animals are checked on a daily basis by a qualified and/ or experienced caretaker, whereby special attention is being paid to their physical condition and general demeanour.</p>	<p>Y/N</p> <p>Y/N</p> <p>Y/N</p>	
<p>6. Health and safety requirements</p> <p>(a) There where the facility keeps any species which represent a potential risk for the health and safety of people and/ or the natural environment (e.g. exotic species), a thorough emergency plan is in place which describes in detail the procedures of how to handle in case of an escape.</p> <p>(b) There where the facility keeps any (potential) dangerous animals, the enclosure is constructed in such a way that the daily management of the animals does not lead to any potential risk or danger to the caretaker.</p> <p>(c) There where the facility keeps any (potential) dangerous animals, appropriate operation procedures are in place to minimize any potential risk or danger to the caretaker.</p> <p>(d) The facility has for the species appropriate equipment and personal protective clothing available to safely capture and restrain an animal whenever required.</p> <p>(e) The facility provides adequate personal protective equipment (e.g. boots, overall, gloves) to the animal caretakers for all animal related tasks (e.g. cleaning, animal handling).</p>	<p>Y/N</p> <p>Y/N</p> <p>Y/N</p> <p>Y/N</p> <p>Y/N</p>	

<i>REQUIREMENT</i>	<i>Yes/ No</i>	<i>Improvement(s) required</i>
(f) In case a facility holds animals, which are known to be susceptible for zoonotic diseases, caretakers are provided, whenever reasonably possible, with the appropriate vaccinations and receive periodic health checks.	Y/N	
<i>7. Visitor policies</i> In case of a public facility:		
(a) Any direct contact between visitors and animals is prohibited.	Y/N	
(b) Appropriate secondary barriers are in place around the enclosure which prevent any direct contact between visitors and animals.	Y/N	
(c) Appropriate signage is in place indicating rules how to behave in the presence of the animals with the aim to prevent any negative implications on the welfare of the animals and ensure the safety of the visitors.	Y/N	
(d) The animals are not manipulated in any negative or unnatural way to entertain the public.	Y/N	
(e) Uncontrolled feeding by visitors is not permitted. Where feeding by visitors is permitted this should be on a selective basis and only with suitable food, with approval from management, and under supervision from trained caretakers.	Y/N	

NATIONAL PARKS AND WILDLIFE ACT

(CAP 66:07)

NATIONAL PARKS AND WILDLIFE (WILD ANIMAL CAPTIVITY LICENSING) REGULATIONS, 2018

PREMISES INSPECTION CERTIFICATE

THIS IS TO CERTIFY that the Director conducted a premises inspection of located at and has deemed the premises appropriate for keeping animals in captivity.

This Certificate is not a licence to keep animals in captivity. It shall become invalid upon withdrawal of the animal captivity licence or deterioration of premises and facilities therein.

Issued this.....day of....., 20....

.....
Director

Made this 23rd day of July, 2018.

(FILE NO. BL/100)

A. C. MASI
*Minister of Natural Resources,
Energy and Mining*

National Parks and Wildlife (Wildlife Ranching)
Regulations
September 2018
December 1994

NATIONAL PARKS AND WILDLIFE ACT

(CAP.66:07)

NATIONAL PARKS AND WILDLIFE (WILDLIFE RANCHING) (AMENDMENT)
REGULATIONS, 2018

IN EXERCISE of the powers conferred by section 87 of the National Parks and Wildlife Act, I, AGGREY MASI, Minister of Natural Resources, Energy and Mining, on the recommendation of the Board, make the following Regulations—

- | | |
|--|---|
| 1. These Regulations may be cited as the National Parks and Wildlife (Wildlife Ranching) (Amendment) Regulations, 2018. | Citation |
| 2. The National Parks and Wildlife (Wildlife Ranching) (Amendment) Regulations (hereinafter referred to as the “principal Regulations” are amended, in Regulation 3(2)(f), by deleting the words “Chief Parks and Wildlife Officer” and substituting therefor the word “Director”. | Amendment of Reg 3 to Cap.66:07, sub. leg. p.42 |
| 3. Regulation 5 of the principal Regulations is amended, by deleting the words “Chief Parks and Wildlife Officer” and substituting it with the word “Director”. | Amendment of reg. 5 of the principal Regulations |
| 4. Regulation 8(b) of the Principal Regulation is amended, by deleting the words “Chief Parks and Wildlife Officer” and substituting therefor the word “Director”. | Amendment of reg. 8(b) (2) of the principal Regulations |
| 5. The First Schedule to the principal Regulations is revoked and replaced with the following new First Schedule— | Amendment of Schedule to the princi- |

“FIRST SCHEDULE

NATIONAL PARKS AND WILDLIFE ACT

(CAP 66:07)

NATIONAL PARKS AND WILDLIFE (WILDLIFE RANCHING) REGULATIONS

WILDLIFE RANCHING PERMIT

MR./MISS/MRS/MESR.....
National Identity Number and /or passport number.....
Physical Address.....
Postal Address.....

is hereby permitted to operate a Wildlife Ranch at
subject to the regulations and conditions laid in the Wildlife Ranching Regulations.

Date of issue; Date of expiry:.....

Fee paid..... GR Number:

Signature of Dealer:.....

Right Thumb print of Rancher:

Passport Photo of Rancher :

(Official Stamp)

.....
Director"

6. The Second Schedule to the principal Regulations is amended, by deleting the figure "5,000" and replacing it with the figure "100, 000".

Made this 23rd day of July, 2018.

(FILE NO. BL/100)

A. C. MASI
*Minister of Natural Resources,
Energy and Mining*

GOVERNMENT NOTICE No. 82

NATIONAL PARKS AND WILDLIFE ACT

(No. 11 OF 1992)

NATIONAL PARKS AND WILDLIFE (WILDLIFE RANCHING)
REGULATIONS, 1994

IN EXERCISE of the powers conferred by section 87 of the National Parks and Wildlife Act, I, MFUNIO MWANJASI MWAKIKUNGA, Minister of Forestry and Natural Resources, acting on the recommendation of the Wildlife Research and Management Board, make the following Regulations—

- | | |
|----------------|--|
| Citation | 1. These Regulations may be cited as the National Parks and Wildlife (Wildlife Ranching) Regulations, 1994. |
| Interpretation | 2. In these Regulations, unless the context otherwise requires—
“permit” means a permit to operate a wildlife ranch issued under regulation 3;
“ranch animal” means an animal lawfully raised or introduced on a wildlife ranch;
“wildlife ranch” means a managed area of land harbouring wildlife roaming freely in such area, but does not include a zoo. |

3.—(1) No person shall operate a wildlife ranch unless he has a wildlife ranching permit in the form set out in the First Schedule and such permit shall be subject to payment of appropriate fee.

Permit to
operate a
wildlife
ranch

(2) A permit shall not be issued to any applicant unless—

(a) the applicant has no record of previous conviction under the Act;

(b) the applicant has title documents for land ownership or use;

(c) the area for the proposed wildlife ranch is wholly fenced;

(d) the applicant has carried out an appropriate study on the numbers, species of animals, and suitability of the habitat;

(e) the applicant has produced a management plan for the proposed wildlife ranch; and

(f) the Chief Parks and Wildlife Officer has approved the study carried out pursuant to paragraph (d) and the management plan produced pursuant to paragraph (e).

4. Every wildlife ranch shall be subject to inspection by officers during normal working hours.

Inspection

5. Harvesting on wildlife ranches shall be done with the approval of the Chief Parks and Wildlife Officer.

Harvesting

6. A person operating a wildlife ranch on which crocodiles are raised shall make available to the Department of National Parks and Wildlife for release into the wild at least 10 per cent of the hatchlings of each egg collection effort after rearing to a length of at least one metre.

Release into
the wild

7. Any person operating a wildlife ranch may destroy or cause to be destroyed any animal escaping from that wildlife ranch.

Destruction
of escaping
animals

8. Any person operating a wildlife ranch shall—

Records

(a) keep and maintain records of stock levels;

(b) submit to the Chief Parks and Wildlife Officer a return of the stock levels and of the sales of specimens;

(c) submit data on sales on an annual basis; and

(d) provide officers access to the wildlife ranch for collection of biological data.

9. No person shall kill an animal on a wildlife ranch in any manner other than by shooting it with a firearm.

Killing of
animals on a
wildlife
ranch

FIRST SCHEDULE

reg. 3(1)

NATIONAL PARKS AND WILDLIFE ACT

(No. 11 OF 1992)

NATIONAL PARKS AND WILDLIFE (WILDLIFE RANCHING)
REGULATIONS

WILDLIFE RANCHING PERMIT

Mr./Miss/Mrs./Messrs
 Address

 is/are hereby permitted to operate a Wildlife Ranch at

 subject to the regulations and conditions laid down in the Wildlife Ranching Regulations.
 Date of issue:
 Date of expiry:
 Fees paid: K

.....
for Chief Parks and Wildlife Officer

(Official stamp)

SECOND SCHEDULE

reg. 3(1)

FEES

<i>Matter</i>	<i>per annum</i> K t
Wildlife ranch permit	5,000 00

(FILE NO. 48/3/1/VOL. 2)

M. M. MWAKIKUNGA
*Minister of Forestry and
 Natural Resources*

National Parks and Wildlife (Protected Areas)

Regulations

September 2018

December 2011

December 1994

NATIONAL PARKS AND WILDLIFE ACT

(CAP.66:07)

NATIONAL PARKS AND WILDLIFE (PROTECTED AREAS) (AMENDMENT)
REGULATIONS, 2018

IN EXERCISE of the powers conferred by section 41(2) of the National Parks and Wildlife Act, I, AGGREY MASI, Minister of Natural Resources, Energy and Mining, on the recommendation of the Board, make the following Regulations—

- | | |
|---|--|
| Citation | 1. These Regulations may be cited as the National Parks and Wildlife (Protected Areas) (Amendment) Regulations, 2018. |
| Amendment
of reg. 2 to
Cap.66:07,
sub. leg. p.49 | 2. The National Parks and Wildlife (Protected Areas) Regulations are amended, in Regulation 2, by deleting the words “means a park or wildlife reserve declared to be a national park or wildlife reserve under section 28 and |

14th September 2018

831

includes any river bordering, or in, a park or wildlife reserve” and substituting therefor the words “includes a national park, wildlife reserve and nature sanctuary”.

Made this 23rd day of July, 2018.

(FILE NO. BL/100)

A. C. MASI
*Minister of Natural Resources,
Energy and Mining*

GOVERNMENT NOTICE NO. 54

NATIONAL PARKS AND WILDLIFE ACT

(CAP. 66:07)

NATIONAL PARKS AND WILDLIFE (PROTECTED AREAS)
(AMENDMENT) REGULATIONS, 2011

IN EXERCISE of the powers conferred by section 41 of the National Parks and Wildlife Act, I, DANIEL SYMPHORIANO LIWIMBI, Minister of Tourism, Wildlife and Culture, make the following Regulations—

1. These Regulations may be cited as the National Parks and Wildlife (Protected Areas) (Amendment) Regulations, 2011. Citation
2. The National Parks and Wildlife (Protected Areas) Regulations (hereinafter referred to as the "principal Regulations") are amended in regulation 2, in the definition of "Wildlife Officer" by inserting the words "Parks and" immediately before the word "Wildlife"). Amendment of reg. 2 of Cap. 66:07 of sub. leg. p. 48
3. Regulation 3 of the principal Regulations is amended by deleting the words "Chief Parks and Wildlife Officer" and substituting therefor the word "Director". Amendment of reg. 3 of the principal Regulations
4. Regulation 4 of the principal regulations is amended by deleting the words "Chief Parks and Wildlife Officer" and substituting therefor the word "Director". Amendment of reg. 4 of the principal Regulations
5. Regulation 5 of the principal Regulations is amended by deleting the words "Chief Parks and Wildlife Officer" wherever they appear and substituting therefor the word "Director". Amendment of reg. 5 of the principal Regulations
6. Regulation 6 of the principal Regulations is amended by deleting the words "Chief Parks and Wildlife Officer" wherever they appear and substituting therefor the word "Director". Amendment of reg. 6 of the principal Regulations
7. Regulation 7 of the principal Regulations is amended by deleting the words "Chief Parks and Wildlife Officer" wherever they appear and substituting them therefor word "Director". Amendment of reg. 7 of the principal Regulations
8. Regulation 8 of the principal Regulations is amended by deleting the words "Chief Parks and Wildlife Officer" wherever they appear and substituting them therefor word "Director". Amendment of reg. 8 of the principal Regulations
9. Regulation 9 of the principal Regulations is amended by deleting the words "Chief Parks and Wildlife Officer" wherever they appear and substituting them therefor word "Director". Amendment of reg. 9 of the principal Regulations
10. Regulation 10 of the principal Regulations is amended by deleting the words "Chief Parks and Wildlife Officer" wherever they appear and substituting them therefor word "Director". Amendment of reg. 10 of the principal Regulations
11. Regulation 11 of the principal Regulations is amended by deleting the words "Chief Parks and Wildlife Officer" wherever they appear and substituting them therefor word "Director". Amendment of reg. 11 of the principal Regulations

Amendment
of reg. 12 of
the principal
Regulations

12. Regulation 12 of the principal Regulations is amended by deleting the words "Chief Parks and Wildlife Officer" wherever they appear and substituting therefor the word "Director".

Amendment
of reg. 13 of
the principal
Regulations

13. Regulation 13 of the principal Regulations is amended by deleting the words "Chief Parks and Wildlife Officer" wherever they appear and substituting therefor the word "Director".

Amendment
of reg. 14 of
the principal
Regulations

14. Regulation 14 of the principal Regulations is amended by deleting the words "Chief Parks and Wildlife Officer" wherever they appear and substituting therefor the word "Director".

Amendment
of reg. 15 of
the principal
Regulations

15. Regulation 15 of the principal Regulations is amended by deleting the words "Chief Parks and Wildlife Officer" wherever they appear and substituting therefor the word "Director".

Amendment
of reg. 16 of
the principal
Regulations

16. Regulation 16 of the principal Regulations is amended by deleting the words "Chief Parks and Wildlife Officer" wherever they appear and substituting therefor the word "Director".

Replacement
of the First
Schedule to
the principal
Regulations

17. The First Schedule to the principal Regulations is deleted and replaced with the following new schedule as the First Schedule—

"FIRST SCHEDULE (regs. 3 and 12)

FORMS

NATIONAL PARKS AND WILDLIFE ACT

(CAP. 66:07)

NATIONAL PARKS AND WILDLIFE (PROTECTED AREAS) REGULATIONS

FORM 1

MOTOR VEHICLE PERMIT

Mr./Miss/Mrs./Messrs:

..... is/are hereby permitted to enter

with or in a motor vehicle registration number:
subject to the Act and Regulations made thereunder and conditions endorsed on the permit.

Date of Issue: Date of Expiry:

Fees paid:

(Official Stamp)

Signature:

for Director

NATIONAL PARKS AND WILDLIFE ACT
(CAP 66:07)

NATIONAL PARKS AND WILDLIFE (PROTECTED AREAS) REGULATIONS

FORM 2

PUBLIC SERVICE MOTOR VEHICLE PERMIT

Mr./Miss/Mrs./Messrs:
is/are hereby permitted to drive a public service motor vehicle registration number:
within subject to
the Act and Regulations made thereunder and conditions endorsed on the permit.

Date of Issue: Date of Expiry:

Fees Paid: File No.:

(Official Stamp)

.....
Director.”.

Made this 21st day of November, 2011.

(FILE NO. 48/3/1/VOL. 2)

D. S. LIWIMBI
Minister of Tourism, Wildlife and Culture

GOVERNMENT NOTICE No. 87

NATIONAL PARKS AND WILDLIFE ACT

(No. 11 OF 1992)

NATIONAL PARKS AND WILDLIFE (PROTECTED AREAS) REGULATIONS, 1994

IN EXERCISE of the powers conferred by section 41 of the National Parks and Wildlife Act, I, MFUNJO MWANIASI MWAKIKUNGA, Minister of Forestry and Natural Resources, acting on the recommendation of the Wildlife Research and Management Board, make the following Regulations—

Citation 1. These Regulations may be cited as the National Parks and Wildlife (Protected Areas) Regulations, 1994.

Interpre- 2. In these Regulations, unless the context otherwise requires—
tation “camping site” means any site within a protected area which has been declared as such by the Chief Parks and Wildlife Officer;

“lodge” means a place of accommodation of the public declared by the Chief Parks and Wildlife Officer to be a lodge;

“permit” means a permit issued under these Regulations;

“prescribed fee” means the appropriate fee specified in the relevant Schedule to these Regulations;

“protected area” means a park or wildlife reserve declared to be a national park or wildlife reserve under section 28 and includes any river bordering, or in, a park or wildlife reserve;

“road” means any road, track or route demarcated for motor vehicles within the boundaries of a protected area and includes any bridge, culvert, crossing or drift, but does not include a public road;

“observation place”, in relation to a protected area, means a place which has been declared by the Chief Parks and Wildlife Officer as the place for public observation of wildlife in that protected area;

Cap. 69:02 “public road” has the meaning ascribed thereto in the Public Roads Act;

“Wildlife Officer”, in relation to any protected area means an officer of or above the rank of Technical Officer (T.O.) performing duties in relation to that protected area.

Permit to 3.—(1) No person shall enter a protected area with or in a motor
enter a vehicle unless there is a valid permit in respect of that motor vehicle.
protected
area (2) A permit shall be in the form prescribed in Form 1 of the First Schedule.

(3) No permit to enter a protected area shall be issued in respect of any motor vehicle carrying goods or designed primarily for the carriage of goods, unless—

(a) in the case of any motor vehicle carrying goods, whether or not it is constructed primarily for that purpose, the goods are—

(i) the personal effects of the occupants of the motor vehicle or for use by any person within the protected area;

(ii) camping equipment, utensils and stores for use by the occupants of the motor vehicle or for use by any person within the protected area; or

(iii) trade or other goods destined for any hotel, shop, lodge or camping place within the protected area or for use by any person within the protected area; or

(b) in the case of any other vehicle, entry of such vehicle into the protected area is solely for the purpose of transportation within, or removal from, the protected area of any goods specified in paragraph (a) or goods not intended for use in the protected area.

(4) A permit shall not be required for a motor vehicle which is in the protected area for transit purpose only.

(5) A permit to enter a protected area shall not be issued to a person who has been prohibited to enter a protected area under regulation 16.

4. Except with the written permission of the Chief Parks and Wildlife Officer, no person shall camp or remain on a camping site during the hours of darkness unless he has paid the prescribed fee.

5.—(1) The Chief Parks and Wildlife Officer or a Wildlife Officer may prohibit persons or vehicles from travelling on or in any part of a protected area of a road.

(2) Where, on the authority of the Chief Parks and Wildlife Officer, any part of a protected area or of a road has been closed to the public or to any kind of traffic or to any class of vehicles, no person shall travel in or on such part or cause the prohibited kind of traffic or the prohibited class of vehicle to travel in or on such part.

(3) For the purpose of this regulation, a part of the protected area or of a road, shall be deemed closed if, on the authority of Chief Parks and Wildlife Officer or a Wildlife Officer, there has been placed with respect thereto a notice, sign, mark, fence, gate, barricade or line of stones, indicating that it has been closed to the public or to any kind of traffic or class of vehicles.

6. Except with the written permission of the Chief Parks and Wildlife Officer or the Wildlife Officer, no person shall—

(a) enter or leave a protected area other than at a place designated by the Chief Parks and Wildlife Officer as an entrance or exit;

(b) enter a protected area (other than Liwonde National Park and Lake Malaŵi National Park) otherwise than in a motor vehicle having four or more wheels; or

(c) enter or remain within water areas of the Liwonde National Park and Lake Malaŵi National Park;

(d) enter a protected area by means of an aircraft unless the aircraft is authorized so to enter and to land at an authorized landing ground;

(e) be within a protected area unless he is within 25 metres of a motor vehicle or boat or is in an observation place;

(f) knowingly alight from a vehicle in a protected area within 200 metres of any live animal (other than an insect or bird) unless he is in an observation place;

(g) exceed a speed of 40 kilometres per hour in a motor vehicle within a protected area;

(h) sound a motor horn within a protected area;

(i) cut or remove any vegetation in a protected area, or damage or remove any object or geological, prehistoric, archeological, historical or scientific interest in a protected area;

(j) remove from a protected area any animal or vegetation whether alive or dead other than animal or vegetation lawfully introduced into a protected area by the person removing it;

(k) in case of the Nyika National Park, drive any vehicle on those parts of section of M9 (Mphora–Kaperekezi) and S103 roads (Chilinda turn-off to Kasaramba) which are inside the boundary of the said national park, between the hours of 6.00 p.m. and 6.00 a.m.

(l) in the case of Nkhotakota Wildlife Reserve, drive any vehicle on the section of the M10 road (Mbobo–Wozi) which is within the boundary of the said wildlife reserve, between the 6.00 p.m. and 6.00 a.m.; or

(m) be allowed to enter Nyika National Park or Nkhotakota Wildlife Reserve after 4.00 p.m. and before 6.00 a.m.

7.—(1) Except with the permission of the Chief Parks and Wildlife Officer, no person, while within a protected area, shall molest, provoke, feed or disturb any animal.

(2) For the purposes of this regulation, any person who approaches or follows any animal, or makes any sudden movement or noise, or flashes a light or intentionally does something to cause an animal to move away from where it is, to change its direction of travel, to increase its pace or speed, to become frightened or to stampede shall be deemed to have disturbed the animal.

8. Except with the written permission of the Chief Parks and Wildlife Officer, no person shall intentionally discharge any weapon or release any appliance so that a projectile therefrom passes over any portion of, or falls within, a protected area.

9. Except with the written permission of the Chief Parks and Wildlife Officer or the Wildlife Officer, no person, while within a protected area, shall—

(a) light a fire, or cause a fire to be lighted;

(b) leave any fire which has been lighted, or which he has caused to be lighted, unextinguished; or

(c) discard any burning object.

10. Except with the written permission of the Chief Parks and Wildlife Officer or the Wildlife Officer, no person shall—

(a) display any notice or advertisement within a protected area or at any entrance to or on the boundary of a protected area; or

(b) collect any money from members of the public, sell any goods, or offer any goods for sale or carry on any trade within a protected area.

11. Except with the written permission of the Chief Parks and Wildlife Officer or a Wildlife Officer, no person shall—

(a) place, erect, damage, move, loosen, alter, break, cut, destroy or in any way interfere with fencing, fence post, gate, beacon or boundary of a protected area;

(b) place, erect, mark, spoil, damage, disfigure, alter, bend, cover, move or remove any signboard, notice board or any notice within a protected area or on any boundary of a protected area.

12.—(1) No person, unless he is a bona fide tourist driving himself or being driven in a motor vehicle hired for visiting a protected area, shall drive a public service motor vehicle within a protected area, except under and in accordance with a permit in Form II set out in the First Schedule issued by the Chief Parks and Wildlife Officer or a Wildlife Officer.

(2) The Chief Parks and Wildlife Officer or a Wildlife Officer may refuse to issue a permit required under subregulation (1) or may endorse, suspend or cancel any such permit already issued.

(3) Where a permit issued under subregulation (1) has been suspended or cancelled, the holder thereof, when applying again for the issue of such permit, shall disclose the fact of such suspension or cancellation.

13. Except with the permission of the Chief Parks and Wildlife Officer, no person shall—

(a) unless in an emergency, land any aircraft in a protected area except at an airfield at which landing of aircraft has been generally authorized by an order of the Chief Parks and Wildlife Officer;

(b) except for the purpose of landing or taking off or in an emergency, fly in a protected area an aircraft at an altitude of less than five hundred metres above the ground.

14.—(1) No person, other than an officer, shall make use of or wear any badge, uniform or emblem authorized to be worn by an officer of a protected area.

(2) No person shall—

(a) make use of or wear any badge, uniform or emblem so

nearly resembling a badge, uniform, or emblem authorized to be worn by an officer of a protected area;

(b) unlawfully hold himself out as being an officer.

15.—(1) The Chief Parks and Wildlife Officer, a Wildlife Officer or any other officer authorized in writing in that behalf, may issue orders, notices, and directions, either orally or in writing, for the purposes of—

(a) directing traffic in a protected area;

(b) prohibiting the use of any part of a protected area or any road therein;

(c) prohibiting visitors to a protected area from using any radio set or musical instrument or restricting the use thereof;

(d) preventing any damage or injury to any animal or plant, or any behaviour on the part of any person in a protected area which is likely to disturb or provoke any animal.

(2) It shall be a condition of any person's entry into a park that he shall comply with any lawful order or direction, whether oral or written, given or issued by the Chief Parks and Wildlife Officer or any other officer.

(3) If any person contravenes any direction or order lawfully given to him under the provisions of the preceding paragraph, the Wildlife Officer may either orally or in writing forthwith cancel such a person's entry permit, without refund or any fees paid.

16. If in the opinion of the Chief Parks and Wildlife Officer or a Wildlife Officer the presence of any person within a protected area is or would be detrimental to the proper management and control of the protected area, the Chief Parks and Wildlife Officer or Wildlife Officer may order such person to leave and the Chief Parks and Wildlife Officer may, in addition, prohibit him from entering the protected area or other protected area for a period not exceeding three years.

17.—(1) For the issue of a permit or granting of a permission under these Regulations, the appropriate fee specified in Part I of Second Schedule shall be charged and payable.

(2) The fees specified in Part II of the Second Schedule shall be payable for the taking of photographs within a protected area, where the Chief Wildlife Officer or a Wildlife Officer has reasonable grounds to believe that such photographs are intended for sale or public exhibition or for any other purpose from which monetary rewards, gain, commission or profit will or is intended to result:

Provided that no fee shall be payable in respect of any photographs taken by an employee of the Government in the course of his employment.

(3) In this regulation, the expression "photographs" means pictures, images, or likenesses, whether cinematographic or still, obtained by means of camera.

18. Any person who contravenes the provisions of these Regulations commits an offence and shall be liable—

(a) in the case of a first offence, to a fine of not less than K200 but not more than K500 and to imprisonment for a term of three months;

(b) in the case of a second or subsequent offence, to a fine of not less than K500 but not more than K1,000 and to imprisonment for a term of six months.

FIRST SCHEDULE

regs 3 and 12

FORMS

Form 1

NATIONAL PARKS AND WILDLIFE ACT

(No. 11 OF 1992)

NATIONAL PARKS AND WILDLIFE (PROTECTED AREAS) REGULATIONS

MOTOR VEHICLE PERMIT

Mr./Miss/Mrs./Messrs

.....

.....

is hereby permitted to enter

.....

with or in a motor vehicle registration number

Subject to the Act and Regulations made thereunder and conditions endorsed on the permit

Date of issue

Date of expiry

Fees paid

for Chief Parks and Wildlife Officer

(Official stamp)

Form 2

NATIONAL PARKS AND WILDLIFE ACT

(No. 11 of 1992)

NATIONAL PARKS AND WILDLIFE (PROTECTED AREAS) REGULATIONS

PUBLIC SERVICE MOTOR VEHICLE PERMIT

Mr./Miss/Mrs./Messrs

.....

is hereby permitted to drive a public service motor vehicle registration number

within
 subject to the Act and Regulations made thereunder and conditions endorsed on the permit.
 Date of issue
 Date of expiry
 Fees paid

*for: Chief Parks and Wildlife
 (Official stamp)*

SECOND SCHEDULE

reg. 17

PART I—PERMIT FEES

Fees for the first period commencing at 6 a.m. on one day and ending at 6 a.m. on the next following day, or part of such period and for each following period of twenty-four hours or part thereof, spent in the park—

					<i>Fees</i> K t
A.	Permit for the entry of each person—				
	(a) Malawians—				
	(i)	above the age of 12 years	..	..	5 00
	(ii)	below the age of 12 years	..	..	free
	(b) Non-Malawians—				
	(i)	above the age of 12 years	..	..	20 00
	(ii)	below the age of 12 years	..	..	free
	(c) Non-Residents—				
	(i)	above the age of 12 years	..	..	US\$ 10 00
	(ii)	below the age of 12 years	..	..	free
B.	Permit for each motor vehicle—				
	(a) Malawians—				
	(i)	tare weight less than 2,000 kilos	..	..	5 00
	(ii)	tare weight 2,000 kilos to 5,000 kilos	..	..	10 00
	(iii)	tare weight over 5,000 kilos	..	..	50 00
	(b) Non-Malawians—				
	(i)	tare weight less than 2,000 kilos	..	..	10 00
	(ii)	tare weight 2,000 kilos to 5,000 kilos	..	..	20 00
	(iii)	tare weight over 5,000 kilos	..	..	50 00
	(c) Non-Residents—				
	(i)	tare weight less than 2,000 kilos	..	..	US\$ 5 00
	(ii)	tare weight 2,000 kilos to 5,000 kilos	..	..	US\$ 10 10
	(iii)	tare weight over 5,000 kilos	..	..	US\$ 25 00
C.	Permit for camping—				
	(a) where tents are provided—				
	(i)	for persons above the age of 12 years	..	..	25 00
	(ii)	for persons below the age of 12 years			free

D. Permit for the landing of an aircraft weighing—

(a) not more than 20,000 kg calculated to the nearest 1,000 kg	5 00 per 1,000 kg
(b) more than 20,000 kg	7 00 per 1,000 kg

E. Permit for accommodation in protected areas—

(a) Kasungu National Park

(i) Single	75 00
(ii) Double	95 00
(iii) Triple	130 00
(iv) Extra bed	40 00

(b) Nyika National Park

(i) Chalets—

Single	80 00
Double	120 00
Triple	150 00
Quadruple	180 00
Extra bed	30 00

Rooms—

Single	40 00
Double	60 00
Extra bed	30 00
Juniper	20 00

Lake Malawi National Park

(i) Rondarels—

Single	25 00
Double	40 00
Triple	55 00
Extra bed	30 00

(ii) Chalets—

Single	20 00
Double	30 00

Camp Site	15 00
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(d) Lengwe National Park

Rooms—

Single	60 00
Double	90 00
Triple	105 00
Full	115 00

(e) Liwonde National Park (Chinguni)

Rooms—

Single	40 00
------------------	-------

Double	..	..	..	..	..	60 00
Triple	..	..	..	..	..	70 00
Extra bed	..	..	..	..	..	30 00
(f) Vwaza Marsh Wildlife Reserve, per person	..	..	..	..	..	25 00
(g) Majete Wildlife Reserve						
Chalet, per person	..	..	..	..	..	25 00
(h) Nkhotakota Wildlife Reserve Bua and Chipata, per person	..	..	..	..	..	25 00

F. Permit for other services—

(a) Hire of guides

(i) regular, per trip	..	..	..	..	10 00
(ii) Wilderness Trail, per day	..	..	..	..	50 00
(iii) Porter on Trail, per day	..	..	..	..	75 00

(b) Sport Fishing (Nyika, Kasungu, Vwaza and Liwonde)

(i) Hire of rod	..	..	..	..	10 00
(ii) Fishing daily (up to 6 fish per day)	..	..	..	..	20 00
(iii) Weekly (up to 6 fish per day)	..	..	..	..	140 00
(iv) Monthly (up to 6 fish per day)	..	..	..	..	500 00
(v) Annually (up to 6 fish per day)	..	..	..	..	800 00

(c) Angling (Nkhotakota and Majete), per rod

Fees

K t

(a) Cinematography—

Filming in a protected area	3,000 00
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(b) Still Photography—

One person or more than one person travelling or working together and forming one photographic unit—

(i) Filming in a protected area, per person	..	500 00
(ii) Filming in a protected area, per one photographic unit	..	500 00

Made this 30th day of March, 1994.

M. M. MWAKIKUNGA
Minister of Forestry and
Natural Resources

(FILE NO. 48/3/1/VOL. 2)

**National Parks and Wildlife (Handling and Use of
Firearms) Regulations**
December 2011

NATIONAL PARKS AND WILDLIFE ACT

(CAP. 66:07)

NATIONAL PARKS AND WILDLIFE (HANDLING AND USE OF FIREARMS)
REGULATIONS, 2011

IN EXERCISE of the powers conferred by section 6 of the National Parks and Wildlife Act, I, DANIEL SYMPHORIANO LIWIMBI, Minister of Tourism, Wildlife and Culture, on the recommendations of the Wildlife Advisory Board, make the following Regulations—

1. These Regulations may be cited as the National Parks and Wildlife (Handling and Use of Firearms) Regulations, 2011. Citation

2.—(1) The following officers shall be authorized to carry and use firearms in the performance of their duties— Officers authorized to use firearms

- (a) the Director of Parks and Wildlife;
- (b) the Deputy Director;
- (c) Assistant Directors;
- (d) Principal Parks and Wildlife Officers;
- (e) Senior Parks and Wildlife Officers;
- (f) Parks and Wildlife Officers;
- (g) Senior Assistant Parks and Wildlife Officers;
- (h) Assistant Parks and Wildlife Officers;
- (i) Senior Parks and Wildlife Assistant;
- (j) Parks and Wildlife Assistant; and
- (k) Parks and Wildlife Scouts.

(2) The following officers may be authorized to carry and use firearms in the performance of their duties—

- (a) honorary Parks and Wildlife Officers;
- (b) DNPW Watchmen;
- (c) fence attendant; and
- (d) all public officers designated as officers under section 6 of the

Act.

3.—(1) An officer may use a firearm in the following circumstances— Circumstances when firearms may be used

- (a) when the life of an officer is in immediate danger;
- (b) when another officer's life is in immediate danger;
- (c) to control wildlife; and
- (d) in defence of human life or property.

(2) The onus that the firearm was used rightfully shall be upon the person using it.

4. An officer shall follow the code of conduct and Administration orders issued by the Department of National Parks and Wildlife from time to time. Code of Conduct and Administrative Orders

Handling of
firearms

5. In handling or using firearms, an officer shall—
- (a) exercise all firearms safety precautions;
 - (b) fire the weapon when it is absolutely necessary and in the circumstances stipulated in regulation 3;
 - (c) not carry or use firearms under the influence of intoxicating substances; and
 - (d) not leave any firearms unsecured.

Made this 21st day of November, 2011.

(FILE NO. 48/3/1/VOL. 2)

D. S. LIWIMBI
Minister of Tourism, Wildlife and Culture

**National Parks and Wildlife (Conduct of Officers)
Regulations
December 2011**

GOVERNMENT NOTICE NO. 52

NATIONAL PARKS AND WILDLIFE ACT

(CAP. 66:07)

NATIONAL PARKS AND WILDLIFE (CONDUCT OF OFFICERS)
REGULATIONS, 2011

IN EXERCISE of the powers conferred by section 6 of the National Parks and Wildlife Act, I, DANIEL SYMPHORIANO LIWIMBI, Minister of Tourism, Wildlife and Culture, on the recommendations of the Wildlife Advisory Board, make the following Regulations—

- | | |
|--|--|
| Citation | 1. These Regulations may be cited as the National Parks and Wildlife (Conduct of Officers) Regulations, 2011. |
| Officers to comply with Act, Regulations, etc. | 2. Officers shall perform their duties and functions in accordance with the Act and these Regulations and subject to any general or special directions the Director may issue from time to time. |
| Functions of officers | 3. Without derogating from the generality of regulation 2, an officer shall perform the following functions— <ul style="list-style-type: none">(a) investigate and detect any violation of the Act and Regulations made thereunder;(b) carry out arrests of persons who are suspected of committing an offence under the Act;(c) carry out prosecution of any offence under the Act, upon being granted authority to do so by the Director of Public Prosecutions;(d) investigate any reports of problem animals and take such action as may be deemed necessary in accordance with the Act;(e) prepare reports and maintain records as the Director may require from time to time; and(f) carry out such duties and functions as may be delegated or directed by the Director. |

Made this 21st day of November, 2011.

(FILE NO. 48/3/1/VOL. 2)

D. S. LIWIMBI
Minister of Tourism, Wildlife and Culture

**National Parks and Wildlife (Hunting Weapons)
Regulations
December 1994**

GOVERNMENT NOTICE No. 83

NATIONAL PARKS AND WILDLIFE ACT

(No. 11 of 1992)

NATIONAL PARKS AND WILDLIFE (HUNTING WEAPONS)
REGULATIONS, 1994

IN EXERCISE of the powers conferred by section 67 (1) of the National Parks and Wildlife Act, I, MFUNJO MWANIASI MWAKIKUNGA, Minister of Forestry and Natural Resources, acting on the recommendation of the Wildlife Research and Management Board, make the following Regulations—

- | | |
|----------------|--|
| Citation | 1. These Regulations may be cited as the National Parks and Wildlife (Hunting Weapons) Regulations, 1994. |
| Interpretation | 2. In these Regulations, unless the context otherwise requires—
“crocodile” does not include a crocodile on a wildlife ranch; |

"game species" does not include birds;

"protected species" means buffalo, crocodile, elephant or hippopotamus.

3. The weapon to be used in hunting species and protected species shall be a rifle. Hunting
weapons

4. No person shall hunt any game species unless he is using a rifle in a barrel of which has a calibre of ~~not more~~ than 0.22. Hunting
game
species

5. No person shall hunt any protected species unless he is using a rifle of at least 0.375 calibre and of at least 4,000 foot pounds muzzle energy. Hunting
protected
species

Made this 30th day of March, 1994.

(FILE NO. 48/31/VOL. 2)

M. M. MWAKIKUNGA
*Minister of Forestry and
Natural Resources*

**Sentencing Guidelines for Wildlife Crimes in Malawi
Courts
October 2017**

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PART A

I. FOREWORD

Malawi's National Parks and Wildlife (Amendment) Act 2017 came into force in January 2017. This amended Act significantly increases the penalties for wildlife crime. The option of a fine is removed for the most serious offences against endangered species and the maximum custodial penalty is extended to 30 years, comparable with the highest wildlife crime tariffs in Africa.

This is a landmark moment for combating wildlife crime in Malawi. The new penalty provisions provide for significantly longer sentences, which enables the Judiciary to impose sentences commensurate with the seriousness of wildlife crime offences.

Wildlife crime is now widely recognised as a serious crime, often involving criminal syndicates. Due to the high value of some wildlife products such as ivory, rhino horn and animal skins, wildlife crime is often associated with significant financial crime such as money laundering, as well as offences such as corruption, conspiracy and possession of illegal firearms.

The United Nations recognises the seriousness of wildlife crime and has called upon Member States to take appropriate action to improve the criminal justice pathway for wildlife crime. On 25th July 2013, Resolution 2013/40 'Crime Prevention and Criminal Justice Responses to Illicit Trafficking in Protected Species of Wild Fauna and Flora'¹ was adopted by the Economic and Social Council of the United Nations and encouraged member States:

"... to make illicit trafficking in protected species of wild fauna and flora involving organized criminal groups a serious crime, as defined in... the United Nations Convention Against Transnational Organized Crime...and strongly encourages Member States to strengthen, where necessary, their national legal and criminal regimes and law enforcement and judicial capacity, consistent with international legal obligations, to ensure that relevant criminal laws, including appropriate penalties and sanctions, are available to address illicit trafficking in protected species of wild fauna and flora".

In September 2017, the UN reaffirmed its commitment to combatting wildlife crime by adopting a Resolution on 'Tackling Illicit Trafficking in Wildlife':²

The General Assembly: Urges Member States to take decisive steps at the national level to prevent, combat and eradicate the illegal trade in wildlife, on both the supply and demand sides, including by strengthening their legislation and regulations necessary for the prevention, investigation, prosecution and appropriate punishment of such illegal trade, as well as by strengthening enforcement and criminal justice responses, and to increase the exchange of information and knowledge among national authorities as well as among Member States and international crime authorities, and Calls upon Member States to make illicit

¹ https://www.unodc.org/documents/commissions/CCPCJ/Crime_Resolutions/2010-2019/2013/ECOSOC/Resolution_2013-40.pdf

² United Nations, Treaty Series, vol. 2225, No. 39574

trafficking in protected species of wild fauna and flora a serious crime, in accordance with their national legislation and as defined in article 2, paragraph (b) and article 3.1, paragraph (b), of the United Nations Convention against Transnational Organized Crime,

and Encourages Member States to make use, to the greatest extent possible, of legal instruments available at the national level to tackle illicit trafficking in wildlife, including through legislation related to money-laundering, corruption, fraud, racketeering and financial crime;

Malawi is both a source and a transit country for illegal wildlife products. Malawi's geographical position, previously weak legislation and weak enforcement capacity has resulted in traders in neighbouring countries exploiting Malawi to illegally export ivory, rhino horn, pangolin scales, turtle shells and timber by mail and plane, or by road, to the ports on Africa's southern and eastern coasts and on to Asia.

The *Sentencing Guidelines for Wildlife Crimes in Malawi Courts* have been developed to support the Judiciary in determining appropriate sentences for wildlife crime. The Guidelines outline the purpose of sentencing and provide a detailed guide to the penalty provisions in the Act. The Appendices provide a step-wise sentencing template and a list of potential aggravating and mitigating factors for wildlife offences.

The Guidelines were developed through a participative process at '*The National Parks and Wildlife (Amendment) Act 2017 and the Role of the Judiciary in Combating Wildlife Crime in Malawi*' *Judiciary Symposium*, which was held at Makokola Retreat, Mangochi Malawi, 19th – 21st April 2017. Participants included Supreme and High Court judges, magistrates and wildlife experts from the Department of National Parks and Wildlife. The Guidelines Committee used the approved outputs from the Symposium as a basis for these Guidelines.

I commend the development of these *Sentencing Guidelines for Wildlife Crimes in Malawi Courts*, which should be followed by all courts handling such matters. It is my hope that this tool will support our courts to deliver consistent sentences, commensurate with the seriousness of wildlife crimes, to ensure the conservation of our natural heritage.

A handwritten signature in dark ink, appearing to read 'A. Nyirenda', enclosed within a large, loopy circular flourish.

The Honourable Justice AKC Nyirenda, SC
The Chief Justice of The Republic of Malawi
October 2017

II. INTRODUCTION

In 2017 Malawi amended its wildlife laws³. This is in line with the international recognition of the vulnerability of wildlife and in an attempt to conserve the different wildlife species as the illicit wildlife trade has increasingly become a lucrative business. Due to its lenient laws and penalties for wildlife crimes, Malawi has hitherto been used as a transit point for international wildlife crimes. Further, some of Malawi's wildlife has suffered the threat of extinction due to lack of laws that could provide for meaningful penalties for offenders who commit such crimes. In the 2017 amendment, penalties for wildlife offences have been revisited. The corresponding expectation is that the courts shall apply the new law in a manner that shall create a more robust and effective law enforcement regime capable of reversing the perception that Malawi is soft on wildlife crimes.⁴

Prosecutions for most wildlife crimes are done in the magistrate courts. It is therefore critical for such courts to be fully conversant with issues of sentencing so as to impose meaningful sentences for wildlife crimes. The challenge, however is that the courts of magistracy lack tools that can aid them in coming up with meaningful sentences. Besides, these courts cannot easily access binding precedents from the superior courts. As a result there are inconsistencies in penalties for similar offences. The process for arriving at a particular sentence is also unclear. These Sentencing Guidelines are intended to cure these challenges. According to High Court decisions of **Rep-v-Fly** Confirmation Case No. 199 of 2013 and **Rep-v-Keke** Confirmation Case No. 404 of 2010 these guidelines are relevant to all sentencing courts; where a court disregards them it should provide clear justification in its sentencing decision. Indeed, the law has empowered our Chief Justice to come up with appropriate guidelines to inform the exercise of certain judicial discretions. In such a scenario all affected courts should pay careful attention to the guidelines; see also **Rep-v-Gomani** [1997] 2 MLR 77 where the High Court criticised a subordinate court for failing to follow similar guidelines from the Chief Justice.

³ National Parks and Wildlife Act (Cap 66:07) of the Laws of Malawi. LRO 11 of 2017.

⁴ Illegal Wildlife Trade Review, Malawi by *Waterland, Vaughan, Jurisic* (May 2015)

A. THE PURPOSE OF SENTENCING

The purposes of sentencing include the following:

- Retribution
- Deterrence
- Incapacitation
- Rehabilitation of offender
- Restitution/Restoration
- Conservation of the Wildlife and Ecosystem

In sentencing a particular offender, courts apply any one or a combination of these purposes. Consideration includes the circumstances of the offence; the offender; and the public interest. Ultimately, the sentence should be aimed at promoting respect for the law, and to promote a just, peaceful and safe society.

1. RETRIBUTION

The primary aim of criminal law is to punish the offender for a wrong done. This is important particularly for offences of the nature under discussion.

The Wildlife Act was enacted to protect endangered species and the ecosystem for the benefit of the people around the parks and the country at large; it also aims to preserve our unique heritage and ecosystem for future generations.⁵ Accordingly, it was observed in the case of **Rep-v-Maria Akimu** Revision Case No. 9 of 2003 that the threat posed to the unique species and ecosystem from the selfish conduct of wildlife offenders must be punished appropriately.

2. DETERRENCE

Deterrence in sentencing describes the imposition of harsher or longer sentences on an offender for purposes of preventing reoffending in the particular offender or other potential offenders contemplating similar or any other offences. In deterrence, the aim of punishment is to instill fear for the consequences of breaking the law in the mind of the offender or those contemplating crime.

Justice Twea (as he then was) captured the principle well in **Rep-v-Chilemba Elias** Conf. Case No.354 of 1999 when he stated that:

*“Courts should, when passing sentences be guided by public interest. **The object is not only to punish the offender but also to be to hope to prevent the crime.** Punishment should not be so negligible as to encourage would be offenders who may wish to gain from criminal activities.”*

⁵ Section 27 of the Act states the aims of the statute as (among others) “... to preserve selected examples of biotic communities of Malawi and their physical environment; to protect areas of aesthetic beauty and of special interest; to preserve the population of rare, endemic, and endangered species of wild plants and animals; ...”

In this regard it is hoped that stiff imprisonment sentences and heavy fines would serve deterrent purposes especially considering the ecological value of the endangered species and the fact that some of them are irreplaceable. Putting it in context, Mwaungulu J (as he then was) in **Rep-v-Maria Akimu** emphasised that:

“...The National Parks and Wildlife Act manifests the legislature’s intention to protect endangered species and the ecosystem for the benefit of the people directly around the national park and the country. The legislation preserves our unique heritage and ecosystem. It is sound sentencing policy to ensure that the threat to these species and the ecosystem from the conduct of the defendant and all who, locally and internationally, are a menace, are punished appropriately. It is contrary to the public interest that the conduct displayed in this matter should be punished by a fine alone without imprisonment. If fines are the only punishment, all our efforts may fail...”

At the time the case of *Maria Akimu* was decided, both punishments of a fine as well as imprisonment were so negligible that it was felt that Malawi was condoning wildlife crimes. Since then cases such as **Hope Kapalamula and others-v-Rep**, Crim. Appeal No. 187 of 2016 and **Rep-v-John Sakala and others**, Conf. Case No. 2451 of 2016 have reaffirmed the sentencing approach that prefers a meaningful immediate custodial term for these offences.

3. INCAPACITATION (PROTECTION OF THE SOCIETY)

Incapacitation is basically aimed at preventing reoffending by a repeat offender. It is aimed at protecting the public from such reoffenders. In theory, an established pattern of offending raises the likelihood of reoffending. Incapacitation is therefore generally influenced by previous conduct of the offender. The imprisonment of the offender is intended to render him unable to commit further crime against the society for the period of his incarceration.

Section 11 of the Criminal Procedure and Evidence provides for powers of certain courts to pass sentences of imprisonment for the protection of the public from reoffenders in the following manner:

Where a person, who is not less than twenty-one years of age—

(a) is convicted by the High Court or by a Resident Magistrate’s court or by a court of a magistrate of the first grade of an offence punishable with imprisonment for a term of five years or more; and

(b) has been convicted on at least three previous occasions, since he attained the age of eighteen years, of offences punishable with imprisonment for a term of five years or more; and

(c) has been sentenced on at least two previous occasions to imprisonment, other than a suspended sentence which has not taken effect, the court may, if satisfied that it is expedient for the protection of the public that he should be detained in custody for a substantial time, pass, in lieu of any other sentence, a sentence of imprisonment for a term of not less than five nor more than fourteen years, as the court may determine.

Such an approach was adopted in the case of **Rep-v-Brown and others** [1995] 1 MLR 212. Thus, the High Court enhanced a sentence of 4 years imprisonment to 10 years, stating that *'although the accused were of very young ages, the offence of armed robbery deserved meaningful sentences to protect the public. If the offenders cannot be deterred, they must be kept away from society as long as possible'*.

4. REHABILITATION OR REFORMATION OF THE OFFENDER

The other aim of punishment is rehabilitation of the offender. This aim identifies causes of offending and remedial measures to curtail possibilities of future reoffending. Such measures include provision of economic skills to enable an offender to resist crime. The case of **Rep-v-Manyamba** [1997] 2 MLR 39 underscores the point that even suspended sentences are designed to give the offender an opportunity to reflect upon his conduct away from the prison with a view to reformation. Even community service orders under section 339 (2) of the CP&EC has been instituted to facilitate the reformatory element in sentencing approaches.⁶

5. RESTITUTION OR RESTORATION

Reparation, restoration or restitution aims at making right the wrong done to the victim and the society. The aim is often given effect through a reparation or compensation order which may be imposed as part of sentencing, for instance, monetary payments to the victim. Reparation also includes service to the community. For wildlife crimes, restitution would be paid to the State on behalf of the wildlife or environment. Restoration would be in the form of:

- Time and the cost of clean-up, and for medical treatment and rehabilitation of the wildlife,
- Cost of housing confiscated wild animals and plants,
- Cost of repatriation of live animals to their original location,
- Order of compensation for the harm done to the community and the nation at large (UNDOC: 2012:138).
- Compensation may also be ordered where there is environmental damage to public or private lands.

Consideration must however be given to the severity of the damage, likely pace of natural regeneration and feasibility of rehabilitation of wild animals, artificial restoration of the environment, among others. In the decision of **Hope Kapalamula and others-v-Rep** (above) the High Court confirmed on appeal the sentiments of the trial magistrate who considered the principle of inter-generational equity in analysing the impact of poaching elephants on future generations i.e. unless curbed the practice would deprive future generations any access to such rare species.

⁶ An Investigation in the Imposition and Operation of Community Service Orders on Women Offenders in Zomba, *JA Kishindo* (2012)

6. CONSERVATION OF WILDLIFE AND ECOSYSTEMS

The National Parks and Wildlife Act provides for the purpose of protected areas as being preservation of selected examples of biotic communities, protection of aesthetic beauty and preservation of populations of rare, endemic and endangered species of wild plants and animals (section 27(a), (b) and (c)). The Act also aims at regulating the hunting, the method of hunting and taking of wildlife resources so as to ensure better management of wildlife resources (sections 46 and 63). The Act also regulates commerce in wildlife with the goal of better safeguarding the resources (section 85).

This reflects similar sentencing approaches reflected in the celebrated case of **Republic v. Maria Akimu** (above) where the court considering the intention of the legislature, which is to protect endangered species, felt that a sentence of a fine without imprisonment would defeat judicial efforts to achieve the legislature's intention. The court issued the following opinion in that respect:

The National Parks and Wildlife Act manifests the legislature's intention to protect endangered species and the ecosystem for the benefit of the people directly around the national park and the country. The legislation preserves our unique heritage and ecosystem. It is sound sentencing policy to ensure that the threat to these species and the ecosystem from the conduct of the defendant and all who, locally and internationally, are a menace, are punished appropriately. It is contrary to the public interest that the conduct displayed in this matter should be punished by a fine alone without imprisonment. If fines are the only punishment, all our efforts may fail. Those involved in hunting, possessing and trafficking in these trophies are more likely well-resourced and financed to contain much earlier all our efforts in surveillance, investigation, prosecution of the crime and confiscation of trophies or their proceeds. Most cases of the magnitude of the present case must attract immediate imprisonment. (Emphasis supplied)

This sentencing approach reflects the statutory interpretation principle espoused under section 54 (2) of the General Interpretation Act and section 14 of the CP&EC which permits courts to read penalty provisions in a manner that achieves the specific aims of the law under consideration. Where appropriate, a combination of penalties may be imposed (as above) to give effect to the legislative intent to address a given mischief or other agenda. This view has been restated with new force in the case of **Hope Kapalamula and others-v-Rep**, Crim. Appeal No. 187 of 2016. According to this decision the usual reading of separating the fine from the term of imprisonment in a statute that provides for 'a fine and imprisonment' has been departed from in penalty sections of the National Parks and Wildlife Act.

B. THE PENALTY PROVISIONS IN THE WILDLIFE ACT

The penalties for offences committed under the Wildlife Act culminate in Sections 108 to 113.

The background to these provisions is in Part XI of the Act. The purpose of this part is provided in section 96. It is to control the import and export of wildlife species in order to assist in managing the wildlife resources of Malawi. It is also intended to assist in the conservation efforts that may be subject to international, regional or bilateral agreement to which Malawi is a party. The court in **Hope Kapalamula and others-v-Rep** (above) has emphasised the need for courts to impose sentences that do not undermine or negate the express intentions of the lawmakers who enacted this law.

The offence is created in Section 98 which states that any person who imports, exports or re-exports any specimen of a protected species or listed species is guilty of an offence.

1. THE GENERAL PROVISION FOR MOST WILDLIFE RELATED OFFENCES

Section 108 provides the general penalty for a person who is convicted of an offence. This section provides different sentences for first offenders and repeat offenders. It reads as follows:

“Subject to the provisions of the Act, a person who is convicted of an offence under this Act for which no other penalty is provided shall be liable to a fine of K2,000,000 and to imprisonment for a term of four years.”

Punishing an offender under Section 108 of the Wildlife Act

A sentencer has several options when sentencing an offender under this section. The options include that:

- i. The sentencer may order a person to pay a fine of less than K2, 000, 000
- ii. The sentencer may order a person to pay the maximum fine of K2, 000, 000
- iii. The sentencer may order the person to serve a prison term of 2 years
- iv. The sentencer may order the person to pay a fine of any amount as long as the fine does not exceed K2, 000, 000 plus a custodial sentence as long as the term of imprisonment does not exceed four years

The High Court decision of **Hope Kapalamula and others-v-Rep** (above) explains that the sentencing of a fine in addition to serving a custodial sentence is permissible under the provision of the General Interpretation Act. It does not contravene any statutory rules of construction or interpretation. This is permissible because the clear intention of the provisions in the National Parks and Wildlife Act is to prevent the imposition of fines that are derisory and defeat the purpose of rendering illicit trade in wildlife specimens unprofitable to the perpetrators.

In ordering the person to serve a prison term the court may exercise its discretion to serve a custodial sentence that the court deems fit. As the court exercises this discretion, the court must remind itself of the purpose of the Act in general, the purpose of the Part in issue, as well as the purpose of the section in particular. The court must never order a penalty that will defeat the purpose of the Act, the Part and the provision. **(For a detailed process of arriving at the right sentence see attached Appendices).**

NB: Please note that similar sentencing considerations and principles apply with respect to orders under sections 109, 110, 110A, 110B and 111 as discussed above with respect to section 108.

2. FORFEITURE: THE ADDITIONAL PENALTY TO SECTION 108 OF THE WILDLIFE ACT

Section 113 of the Wildlife Act provides:

“Upon the conviction of any person of an offence under this Act where it considers forfeiture to be necessary, the court shall, notwithstanding any other written law and subject to the provisions of section 108 and in addition to any other penalty imposed, declare any specimen, domestic animal or any firearm or other weapon, trap, net, poison, material or any motor vehicle, aircraft, boat, or any other article taken by or used in connection with the commission of the offence to be forfeited to the Government.”

This means that the court can make an order that a weapon that was used to kill an animal can be forfeited. Where the person that has committed the offences had a weapon in his possession, the court can order forfeiture of the weapon. The court can also order vehicles that were used by the offenders while committing the offence of killing the protected animal and/or transporting wildlife products, can be forfeited. Thus in **Jose Manuel and 34 others-v-Rep**, Criminal Appeal No. 17 of 2017 (unreported) the High Court has confirmed extensive confiscation orders with respect to tractors, vehicles and other equipment used for large scale illegal logging of indigenous trees at Lengwe National Park in Chikwawa.

3. EMERGING SENTENCING TRENDS IN WILDLIFE OFFENCES

There are positive trends emerging from the courts in so far as sentences for wildlife crimes are concerned. Between 2012 and 2015 the average penalty for illegal possession of ivory hovered around a mere \$40 fine (i.e. about K20, 000), with hardly any imprisonment terms imposed. However in a recent decision from the CRM court in Zomba, Given Hiwa was sentenced to eight years for possession of rhino trophy; the High Court confirmed the decision. As recently as August 2017 Rumphi magistrate court sentenced Leviland Khoza Kanyimbo to 4 years imprisonment for possession of 2.5 kgs of ivory tusk and a bracelet.

In **Hope Kapalamula and others-v-Rep**, Crim. Appeal No. 187 of 2016 a 3 years imprisonment term for dealing with 8.5 kgs (charged under the old act) was confirmed on appeal. Just as in **Jose Manuel and 34 others-v-Rep**, Criminal Appeal No. 17 of 2017 immediate custodial terms were enhanced and forfeiture orders upheld on appeal for illegal logging crimes in a protected area. Even in **Rep-v-John Sakala and another**, Conf. Case No. 2451 of 2016 two offenders who were found in possession of ivory specimens worth about K22 million had a 40 months’ custodial term upheld; the court emphasising the need to remove the monetary rewards from illicit wildlife trade as a legitimate sentencing criterion.

In **Rep v. Esau Billy, Aaron Billy Masaka & Lloyd Shaibu** in 2017, the accused were charged with dealing in a government trophy (rhino horn) as contrary to Section 91(1) and Section 110(b) of the NPWA; possession of a listed species as contrary to Section 86(1) and Section 110(b); entering into a protected area without a permit as contrary to Section 32(1) and 108 of the NPWA; killing of a listed species (a rhino) as contrary to Section 35(a) and 108 of the NPWA; possession of a prohibited weapon as contrary to Section 16(2) of the Firearm Act; conveying a weapon contrary to section 33(1) of NPWA and failure to report.

They were found guilty and the court noted that the accused are first-time offenders and had pled guilty and sentenced as follows:

On the 1st count of dealing as contrary to Section 91(1) and 110 (B) of NPWA: imposes 18 years for Esau Aaron Billy, 10 years for Aaron Billy Masaka and 8 years for Lloyd Shaibu.

On the count of possession of listed species as contrary to Section 86(1) and Section 110(b) of NPWA: 18 years for Esau Aaron Billy, 10 years for Aaron Billy Masaka and 8 years for Lloyd shaibu.

On the 3rd count of killing of a listed species (rhino) as contrary to Section 35(a) Esau Billy was given an 18 months custodial sentence, 4th count of possession of prohibited weapon as contrary to Section 16(2) of the Firearm Act Esau Billy was given an 18 months custodial sentence.

On the 5th count of conveying a weapon contrary to Section 33(1) of the NPWA, Esau Billy was given 18 months custodial sentence.

On the failure to report, Aaron Billy Masaka was given a 30 months custodial sentence and Lloyd Shaibu 18 months custody. The sentences are to run concurrently with effect on the date of sentence.

Ancillary order: The court ordered that the forfeited rhino horn be returned to the Malawi Government for disposal, and the firearm and ammunition be forfeited to the Malawi Police Service for disposal and the fridge to be given to Liwonde National Park for usage.

PART B

III. APPLICATION OF GUIDELINES TO SPECIFIC OFFENCES

STAGE ONE: Determine which of the **6 Punishment Provisions** is applicable to the Offence under consideration. **Ensure the correct offence has been listed according to the species type** i.e. 'listed' species are the most highly protected (this includes elephants, rhinos, lions, leopards, pangolins and several other species as referred to in the Species Schedule with the Act).

STAGE TWO: Consider the **Minimum and Maximum Penalties** to appreciate the seriousness of the crime in the eyes of the law.

STAGE THREE: Recognise the proposed sentencing **Starting Point** for that category of offence

STAGE FOUR: Factor into the Starting Point any **Mitigating or Aggravating Features** of the offence/offender/society/victim.

STAGE FIVE: Determine (tentative) Sentence; Compare result with proposed Starting Point. If necessary revisit Stage Four again.

STAGE SIX: Prepare a **Reasoned Sentencing Order** (especially) explaining any deviation (up or down) from the Starting Point.

APPENDIX 1: WILDLIFE CRIMES SENTENCING TEMPLATE

STAGE ONE		Determine which of the 6 Punishment Provisions (Sec 108 to Sec 111) below is applicable to the Offence under consideration:									
Sec. 108 Offences		Sec. 109 Offences		Sec. 110 Offences		Sec. 110A Offences		Sec. 110B Offences		Sec. 111 Offences	
All Other Offences (about 54 in Total) (See Appendix 3)	Sec. 109 (a)	Sec. 110 (a) Sec. 110 (b)		Sec. 110A (a)		Sec. 110B (a)		Sec. 98 (a) Sec. 98 (b) Sec. 99			
	Sec. 110A (b)			Sec. 110B (b)							
	Sec. 33 (1)			Sec. 110B (c)							
Sec. 109 (b)				Sec. 35 (c)		Sec. 38					
STAGE TWO		Consider the Minimum and Maximum Penalties to appreciate the seriousness of the crime in the eyes of the law									
Minimum	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.
Fine ≤K2m	4yrs IHL + K2m fine	Fine ≤K2m	4yrs IHL + K2m fine	Fine ≤K5m	10 yrs. IHL + K5m fine	Fine ≤K15m	30 yrs IHL and K15m fine	No option of a fine	30 yrs IHL	No option of a fine	30 yrs IHL
STAGE THREE		Recognize the proposed sentencing Starting Point for that category of offence									
K50, 000	K50,000 fine	K500, 000		K2m fine and 3 yrs IHL		6 years IHL		6 years IHL			
1 year IHL	1 year IHL	15 months IHL		<i>Note that the fine should not be less than the value of the seized item</i>							
STAGE FOUR		Factor into the Starting Point any Mitigating or Aggravating Features of the offence/offender/society/victim									
Mitigation	Aggravation	Mitigation	Aggravation	Mitigation	Aggravation	Mitigation	Aggravation	Mitigation	Aggravation	Mitigation	Aggravation
Appendix 2 (a)	Appendix 2 (a)	Appendix 2 (b)	Appendix 2 (b)	Appendix 2 (c)	Appendix 2 (c)	Appendix 2 (d)	Appendix 2 (d)	Appendix 2 (e)	Appendix 2 (e)	Appendix 2 (f)	Appendix 4
STAGE FIVE		Determine (tentative) Sentence; Compare result with proposed Starting Point. If necessary revisit Stage Four again.									
STAGE SIX		Prepare a Reasoned Sentencing Order (especially) explaining any deviation (up or down) from the Starting Point.									

APPENDIX 2: JURISDICTION OF DIFFERENT CLASSES OF MAGISTRATE COURTS IN WILDLIFE CRIMES

Class of Court	Jurisdiction Limits (s. 14, CP&EC)		Application of Sec. 108		Application of Sec. 109		Application of Sec. 110		Application of Sec. 110A		Application of Sec. 110B	Application of Sec. 111
	Fine	Jail	Fine	Jail	Fine	Jail	Fine	Jail	Fine	Jail	Jail Term	Jail Term
RM	Unlimited	21y	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes (up to 21 y)	Yes (up to 21y)
FGM	Unlimited	14y	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No
SGM	K200,000	10y	K200,000	Yes	K200,000	Yes	No	No	No	No	No	No
TGM	K150,000	3y	No	No	No	No	No	No	No	No	No	No
4th GM	K100,000	1 y	No	No	No	No	No	No	No	No	No	No

APPENDIX 3: LIST OF OFFENCES PUNISHED UNDER SECTION 108

PROVISION	DESCRIPTION OF OFFENCE	PROVISION	DESCRIPTION OF OFFENCE
Section 15 (a)	Obstruction of Officer	Section 66 (1) (a)	Possessing/preparing prohibited substance for/in connection with hunting/taking any protected/endangered/listed species
Section 15 (b)	Withholding information	Section 66 (1) (b)	Making/preparing/using any excavation/enclosure/fence or device for killing/wounding protected/endangered/listed species
Section 15 (c)	Willful giving of false information	Section 68	Prohibition of hunting during hours of darkness
Section 16 (a)	Altering official records	Section 70 (1) (a)	Discharging any weapon at any protected/endangered/listed species within 50 meters of any m/vehicle/boat/aircraft
Section 16 (b)	Altering official documents	Section 70 (1) (b)	Use of vehicle to stampede protected/endangered/listed species
Section 30 (3)	Failure to comply with temporary management permit	Section 70(1) (c)	Prohibition of use of aircraft or radio communication to locate any protected/endangered/listed species for hunting
Section 32 (1)	Entering/residing.....in a protected area	Section 71 (1) (a)	Contravening regulations prohibiting use of domestic animals to hunt protected/endangered/listed species
Section 34	Wrongful disposal of litter in a protected area	Section 71 (1) (b)	Contravening regulations controlling use of domestic animals to hunt protected/endangered/listed species
Section 35 (a)	Hunting/taking wild plant/animal or domestic/cultivated plant into a protected area	Section 72 (1) (a)	Contravening regulations controlling use of baits/decoys/calling devices etc. to bring protected/endangered/listed species near hunters
Section 35 (b)	Taking/destroying object of interest	Section 72 (1) (b)	Contravening regulations controlling how substances/devices may be lawfully used in hunting
Section 35 (d)	Conveying wild animal into a protected area	Section 72 (1) (c)	Contravening regulations banning/controlling hunting near salt licks/waterholes etc.
Section 35 (e)	Conveying domestic animal into a protected area	Section 72 (1) (d)	Contravening regulations specifying procedures to follow upon killing animal with licence
Section 37 (1)	Wrongful introduction of any plant species into a protected area	Section 76 (1)	Transferring ownership of carcass of protected/endangered/listed species killed to another person without authority
Section 41(2) (a)	Contravening Regulations for travelling/keeping of any vessel/vehicle in a protected area	Section 76 (2)	Failure to take appropriate steps to report killing of protected/endangered/listed species [under sections 74 and 75] due to threat posed by animal
Section 41 (2) (b)	Contravention of regulations for prohibition/regulation of lighting camp/picnic fires in a protected area	Section 78 (1)	Failure to report killing of protected/endangered/ listed species through error or accident
Section 41 (2) (c)	Contravention of regulations for fees for entry or any services in a protected area	Section 79 (1)	Failure to kill a wounded protected/endangered/listed species
Section 41 (2) (d)	Contravention of regulations for prohibition/control of low flying aircraft over a protected area	Section 79 (3)	Failure to report entrance of wounded protected/endangered/listed species into protected area

Section 41 (2) (e)	Contravention of regulations providing for rules for persons in a protected area	Section 79 (4)	Failure to report entrance of wounded protected/ endangered/ listed species into private land to owner thereof
Section 41 (2) (f)	Contravention of regulations for prohibition/control of commercial enterprises within a protected area	Section 79 (5)	Failure to comply with landowner's decision to kill wounded animal following subsection (4) report
Section 41 (2) (g)	Contravention of regulations for efficient management of protected areas	Section 80 (1)	Failure to report wounding of any dangerous animal upon failure to recapture within 24 hours of wounding
Section 47 (1)	Prohibition against hunting/taking any protected/ endangered/ listed species	Section 80 (2)	Failure by officer to take action upon receipt of wounded animal
Section 60 (1) (a)	Failure to have in person a hunting licence whilst taking any animal/ plant	Section 82 (a)	Molesting/ provoking wild animals
Section 60 (1) (b)	Failure to produce licence for inspection upon request by officer	Section 82 (b)	Molesting/ provocation likely to result in provocation/ harassment/ destruction
Section 60 (1) (c)	Failure to keep record in prescribed form of all game species hunted/ taken during validity of licence	Section 83	Causing unnecessary/ undue suffering of any wild animal whether or not in wild or in captivity
Section 62 (2)	Chasing/ driving/ employing any weapon against protected/ endangered/ listed species without a licence	Section 93 (a)	Conducting business as a professional hunter without licence
Section 64	Causing fire for purposes of hunting/ taking any wild animal/ plant	Section 93 (b)	Advertising oneself as a professional hunter
Section 65	Hunting any dependent young or a female accompanied by dependent young of any protected/ endangered/ listed species	Section 93 (c)	Soliciting contracts/ commissions in capacity of professional hunter
		Section 93 (d)	Assisting another to hunt protected game species except as a guide, tracker or porter

APPENDIX 4(a): TABLE OF AGGRAVATING AND MITIGATING FEATURES FOR OFFENCES UNDER SEC 108

Responsibility and Harmfulness	Aggravating Factors	Mitigating Factors
<ul style="list-style-type: none"> • Type of species involved • Quantity of the species • Tourism or other economic benefit of species to Malawi • Transnational nature of offence • Group action and level of participation of the offender • Level of concealment of the species • Possession is as a result of other offences • Crime committed for commercial purposes 	<ul style="list-style-type: none"> • Group action • Injury to persons or property • Scene of Crime • Inconvenience to the public • The number of protected species, endangered species or listed species affected by the offender's conduct • The injury or harm caused by the offender • Premeditation • High prevalence of the offence in the community in which it was committed 	<ul style="list-style-type: none"> • First offender • Pleaded guilty (evidence of remorse) • Age • Time already spent in custody • Cooperation with law enforcers • Offender was involved through coercion or intimidation • No actual protected species was affected by the offender's conduct

APPENDIX 4 (b): TABLE OF AGGRAVATING AND MITIGATING FEATURES FOR OFFENCES UNDER SEC 109

Responsibility and Harmfulness	Aggravating Factors	Mitigating Factors
<ul style="list-style-type: none"> Degree of harm to the species (killed, wounded) Offence took place in a protected area Tourism or other economic benefit of species to Malawi Transnational nature of offence Group action Use of poison, explosives, automatic or semi-automatic weapon Injury to or death of forest/wildlife/law enforcement officer in execution of offence Crime committed for commercial purposes Offence poses high risk to public health Particular medicinal, educational or aesthetic value of forestry produce or other species In forestry crime, destructive or indiscriminate method of felling trees Accused is a public officer charged with the duty of protecting natural resources or is a law enforcement officer or a military official or judicial officer 	<ul style="list-style-type: none"> Species actually killed or seriously wounded Offence took place in a protected area Species is a particular driver of tourism or other economic benefit to Malawi Commission of offence is part of wider operation that crosses international borders Accused acted in concert with others. Poison or dangerous weapons used to access the species Injury to or death of wildlife/forest/law enforcement officer in execution of offence Crime committed for commercial purposes. Offence poses high risk to public health In case of forests, the forest or species has particular medicinal, educational or aesthetic value In forestry crime, destructive or indiscriminate method of felling trees Accused is a public officer charged with the duty of protecting natural resources or is a law enforcement or a military or judicial officer. Previous convictions Offence committed whilst on bail Significant planning involved – evidence of organised crime Concealing/attempt to conceal the evidence Established evidence of community or wider impact Failure to comply with previous court orders Involvement of others through coercion or intimidation Offence is clearly a commercial/large scale/organised crime operation High Prevalence of offence in a particular community in which it was committed 	<ul style="list-style-type: none"> First offender Pleaded guilty (evidence of remorse) Age Cooperation with law enforcers (and proof that evidence led to a successful arrest/intel which was used in the investigation) No injury inflicted on animal Offender was involved through coercion or intimidation Purpose was for subsistence for the offender and his immediate family only In case of possession, ignorance of offender that he was in possession of the item in issue

APPENDIX 4 (c): TABLE OF AGGRAVATING AND MITIGATING FEATURES FOR OFFENCES UNDER SEC 110

Responsibility and Harmfulness	Aggravating Factors	Mitigating Factors
<ul style="list-style-type: none"> • Degree of harm caused by the weapons, traps, explosives or poison • The offence took place in a protected area • Premeditation of the possession or use of the weapons, traps, explosives and poison • The offence poses high risk to public health • Accused is a public officer charged with the duty of protecting wildlife 	<ul style="list-style-type: none"> • Wildlife species actually killed or seriously wounded owing to the offence • The offence took place in a protected area • The affected species is a particular driver of tourism or other economic benefit to Malawi • The accused acted in concert with others • There was injury to or death of wildlife officer in execution of offence • Crime committed for commercial purposes • Offence poses high risk to public health • Accused is a public officer charged with the duty of protecting natural resources • Previous convictions • Offence committed whilst on bail • Significant planning involved • Concealing/attempt to conceal the evidence • Established evidence of community or wider impact • Failure to comply with previous court orders • High prevalence of offence in a particular community in which it was committed 	<ul style="list-style-type: none"> • Plea of guilty (evidence of remorse) • Age • Time already spent in custody • Evidence of genuine remorse • Previous good character • Serious medical condition requiring urgent, intensive long-term treatment • Little or no planning • Small quantity of species • Offender was involved through coercion or intimidation • Purpose was for subsistence for the offender and his immediate family only • In case of possession, ignorance of offender that he was in possession of the item in issue

APPENDIX 4 (d): TABLE OF AGGRAVATING AND MITIGATING FEATURES FOR OFFENCES UNDER SEC 110A

Responsibility and Harmfulness	Aggravating Factors	Mitigating Factors
<ul style="list-style-type: none"> • Degree of harm caused by the weapons, traps, explosives or poison • The offence took place in a protected area • Premeditation of the possession or use of the weapons, traps, explosives and poison • The offence poses high risk to public health • Accused is a public officer charged with the duty of protecting wildlife 	<ul style="list-style-type: none"> • Wildlife species actually killed or seriously wounded owing to the offence • The offence took place in a protected area • The affected species is a particular driver of tourism or other economic benefit to Malawi • The accused acted in concert with others • There was injury to or death of wildlife officer in execution of offence • Crime committed for commercial purposes • Offence poses high risk to public health • Accused is a public officer charged with the duty of protecting natural resources • Previous convictions • Offence committed whilst on bail • Significant planning involved • Concealing the evidence • Wider impact on community • Failure to comply with previous court orders • High? prevalence of offence in a particular community in which it was committed 	<ul style="list-style-type: none"> • First offender • Pleaded guilty (evidence of remorse) • Evidence that the offender was a mere courier (not mastermind) and not privy to planning or owner of vehicles/buildings used to commit the crime/coordinating payments etc. • Cooperation with law enforcers and evidence leads to an arrest/use of supplied intelligence in the case. • No injury inflicted on animal • Offender was involved through coercion or intimidation • Purpose was for subsistence for the offender and his immediate family only • In case of possession, ignorance of offender that he was in possession of the item in issue

APPENDIX 4 (e): TABLE OF AGGRAVATING AND MITIGATING FEATURES FOR OFFENCES UNDER SEC 110B

Responsibility and Harmfulness	Aggravating Factors	Mitigating Factors
<ul style="list-style-type: none"> Degree of harm to the species (killed, wounded) Offence took place in a protected area Tourism or other economic benefit of species to Malawi Transnational nature of offence Group action Use of poison, explosives, automatic or semi-automatic weapon Injury to or death of forest officer in execution of offence Crime committed for commercial purposes Offence poses high risk to public health Accused is a public officer charged with the duty of protecting natural resources or is a law enforcement officer or a military official or judicial officer Nature of the breach Impact of the breach on wildlife Benefit derived from the breach Whether the breach was intentional or not 	<ul style="list-style-type: none"> Species actually killed or seriously wounded Offence took place in a protected area Species is a particular driver of tourism or other economic benefit to Malawi Commission of offence is part of wider operation that crosses international borders Accused acted in concert with others Poison or dangerous weapons used to access the species Injury to or death of forest officer in execution of offence Crime committed for commercial purposes Offence poses high risk to public health In case of forests, the forest or species has particular medicinal, educational or aesthetic value In forestry crime, destructive or indiscriminate method of felling trees used Accused is a public officer charged with the duty of protecting natural resources or is a law enforcement or a military or judicial officer Previous convictions Offence committed whilst on bail Significant planning involved Concealing/attempt to conceal the evidence Established evidence of community or wider impact Failure to comply with previous court orders Involvement of others through coercion or intimidation Offence is clearly commercial/large scale operation High prevalence of offence in relevant community 	<ul style="list-style-type: none"> First offender Pleaded guilty (evidence of remorse) Evidence that the offender was a mere courier (not mastermind) and not privy to planning or owner of vehicles/buildings used to commit the crime/coordinating payments etc. Cooperation with law enforcers Offender was involved through coercion or intimidation Purpose was for subsistence for the offender and his immediate family only In case of possession, ignorance of offender that he was in possession of the item in issue

APPENDIX 4 (f): TABLE OF AGGRAVATING AND MITIGATING FEATURES FOR OFFENCES UNDER SEC 111

Responsibility and Harmfulness	Aggravating Features	Mitigating Features
<ul style="list-style-type: none"> • Type of species involved • Quantity of the species • Tourism or other economic benefit of species to Malawi • Transnational nature of offence • Group action and level of participation of the offender • Level of concealment of the species • Possession is as a result of other offences • Crime committed for commercial purposes 	<ul style="list-style-type: none"> • Group action • Vulnerable victim • High prevalence • Injury to persons or property • Scene of Crime • Inconvenience to the public 	<ul style="list-style-type: none"> • First offender • Pleaded guilty (Evidence of Remorse) • Evidence that the offender was a mere courier (not mastermind) and not privy to planning or owner of vehicles/buildings used to commit the crime/coordinating payments etc. • Cooperation with law enforcers

CITES Appendices I, II and III
October 2017

Appendices I, II and III

valid from 4 October 2017

Interpretation

1. Species included in these Appendices are referred to:
 - a) by the name of the species; or
 - b) as being all of the species included in a higher taxon or designated part thereof.
2. The abbreviation “spp.” is used to denote all species of a higher taxon.
3. Other references to taxa higher than species are for the purposes of information or classification only. The common names included after the scientific names of families are for reference only. They are intended to indicate the species within the family concerned that are included in the Appendices. In most cases this is not all of the species within the family.
4. The following abbreviations are used for plant taxa below the level of species:
 - a) “ssp.” is used to denote subspecies; and
 - b) “var(s).” is used to denote variety (varieties).
5. As none of the species or higher taxa of FLORA included in Appendix I is annotated to the effect that its hybrids shall be treated in accordance with the provisions of Article III of the Convention, this means that artificially propagated hybrids produced from one or more of these species or taxa may be traded with a certificate of artificial propagation, and that seeds and pollen (including pollinia), cut flowers, seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers of these hybrids are not subject to the provisions of the Convention.
6. The names of the countries in parentheses placed against the names of species in Appendix III are those of the Parties submitting these species for inclusion in this Appendix.
7. When a species is included in one of the Appendices, all parts and derivatives of the species are also included in the same Appendix unless the species is annotated to indicate that only specific parts and derivatives are included. The symbol # followed by a number placed against the name of a species or higher taxon included in Appendix II or III refers to a footnote that indicates the parts or derivatives of plants that are designated as 'specimens' subject to the provisions of the Convention in accordance with Article I, paragraph (b), subparagraph (iii).
8. The terms and expressions below, used in annotations in these Appendices, are defined as follows:

Extract

Any substance obtained directly from plant material by physical or chemical means regardless of the manufacturing process. An extract may be solid (e.g. crystals, resin, fine or coarse particles), semi-solid (e.g. gums, waxes) or liquid (e.g. solutions, tinctures, oil and essential oils).

Finished products packaged and ready for retail trade

Products, shipped singly or in bulk, requiring no further processing, packaged, labelled for final use or the retail trade in a state fit for being sold to or used by the general public.

Powder

A dry, solid substance in the form of fine or coarse particles.

Woodchips

Wood that has been reduced to small pieces.

Appendices			III
I		II	
FAUNA (ANIMALS) PHYLUM CHORDATA CLASS MAMMALIA (MAMMALS) ARTIODACTYLA Antilocapridae Pronghorns			
		<i>Antilocapra americana</i> (Only the population of Mexico; no other population is included in the Appendices)	
	Bovidae Antelopes, cattle, duikers, gazelles, goats, sheep, etc.		
<i>Addax nasomaculatus</i>		<i>Ammotragus lervia</i>	<i>Antilope cervicapra</i> (Nepal, Pakistan)
<i>Bos gaurus</i> (Excludes the domesticated form, which is referenced as <i>Bos frontalis</i> , and is not subject to the provisions of the Convention) <i>Bos mutus</i> (Excludes the domesticated form, which is referenced as <i>Bos grunniens</i> , and is not subject to the provisions of the Convention) <i>Bos sauveli</i>			<i>Boselaphus tragocamelus</i> (Pakistan) <i>Bubalus arnee</i> (Excludes the domesticated form, which is referenced as <i>Bubalus bubalis</i> and is not subject to the provisions of the Convention) (Nepal)
<i>Bubalus depressicornis</i> <i>Bubalus mindorensis</i> <i>Bubalus quarlesi</i> <i>Capra falconeri</i>		<i>Budorcas taxicolor</i> <i>Capra caucasica</i>	

Appendices		
I	II	III
<p><i>Capricornis milneedwardsii</i> <i>Capricornis rubidus</i> <i>Capricornis sumatraensis</i> <i>Capricornis thar</i></p> <p><i>Cephalophus jentinki</i></p> <p><i>Gazella cuvieri</i></p> <p><i>Gazella leptoceros</i> <i>Hippotragus niger variani</i></p> <p><i>Naemorhedus baileyi</i> <i>Naemorhedus caudatus</i> <i>Naemorhedus goral</i> <i>Naemorhedus griseus</i> <i>Nanger dama</i> <i>Oryx dammah</i> <i>Oryx leucoryx</i></p> <p><i>Ovis ammon hodgsonii</i> <i>Ovis ammon nigrimontana</i></p>	<p><i>Cephalophus brookei</i> <i>Cephalophus dorsalis</i></p> <p><i>Cephalophus ogilbyi</i> <i>Cephalophus silvicultor</i> <i>Cephalophus zebra</i> <i>Damaliscus pygargus pygargus</i></p> <p><i>Kobus leche</i></p> <p><i>Ovis ammon</i> (Except the subspecies included in Appendix I)</p>	<p><i>Capra hircus aegagrus</i> (Specimens of the domesticated form are not subject to the provisions of the Convention) (Pakistan) <i>Capra sibirica</i> (Pakistan)</p> <p><i>Gazella bennettii</i> (Pakistan)</p> <p><i>Gazella dorcas</i> (Algeria, Tunisia)</p>

Appendices		
I	II	III
	<p>Ovis aries (Except the subspecies included in Appendix I, the subspecies <i>O. a. isphahanica</i>, <i>O. a. laristanica</i>, <i>O. a. musimon</i> and <i>O. a. orientalis</i> which are not included in the Appendices, and the domesticated form <i>Ovis aries aries</i> which is not subject to the provisions of the Convention)</p> <p>Ovis canadensis (Only the population of Mexico; no other population is included in the Appendices)</p> <p>Phylantomba monticola</p> <p>Rupicapra pyrenaica ornata Saiga borealis Saiga tatarica</p>	<p>Pseudois nayaur (Pakistan)</p> <p>Tetracerus quadricornis (Nepal)</p>
Camelidae Camels, guanacos, vicunas	<p>Ovis aries ophion Ovis aries vignei</p> <p>Pantholops hodgsonii</p> <p>Pseudoryx nghetinhensis</p>	
	<p>Vicugna vicugna [Except the populations of: Argentina (the populations of the Provinces of Jujuy and Catamarca and the semi-captive populations of the Provinces of Jujuy, Salta, Catamarca, La Rioja and San Juan), Chile (population of the Primera Región), Ecuador (the whole population), Peru (the whole population) and the Plurinational State of Bolivia (the whole population), which are included in Appendix II]</p>	<p>Lama guanicoe</p>

Appendices		
I	II	III
	<p><i>Vicugna vicugna</i> [Only the populations of Argentina (the populations of the Provinces of Jujuy and Catamarca and the semi-captive populations of the Provinces of Jujuy, Salta, Catamarca, La Rioja and San Juan), Chile (population of the Primera Región), Ecuador (the whole population), Peru (the whole population) and the Plurinational State of Bolivia (the whole population); all other populations are included in Appendix I)]¹</p>	
Cervidae Deer, huemuls, muntjacs, pudus		
	<p><i>Axis calamianensis</i></p> <p><i>Axis kuhlii</i></p>	

¹ For the exclusive purpose of allowing international trade in fibre from vicuñas (*Vicugna vicugna*) and their derivative products, only if the fibre comes from the shearing of live vicuñas. Trade in products derived from the fibre may only take place in accordance with the following provisions:

a) Any person or entity processing vicuña fibre to manufacture cloth and garments must request authorization from the relevant authorities of the country of origin (Countries of origin: The countries where the species occurs, that is, Argentina, Bolivia, Chile, Ecuador and Peru) to use the "vicuña country of origin" wording, mark or logo adopted by the range States of the species that are signatories to the Convention for the Conservation and Management of the Vicuña.

b) Marketed cloth or garments must be marked or identified in accordance with the following provisions:

i) For international trade in cloth made from live-sheared vicuña fibre, whether the cloth was produced within or outside of the range States of the species, the wording, mark or logo must be used so that the country of origin can be identified. The VICUÑA [COUNTRY OF ORIGIN] wording, mark or logo has the format as detailed below:

This wording, mark or logo must appear on the reverse side of the cloth. In addition, the selvages of the cloth must bear the words VICUÑA [COUNTRY OF ORIGIN].

ii) For international trade in garments made from live-sheared vicuña fibre, whether the garments were produced within or outside of the range States of the species, the wording, mark or logo indicated in paragraph b) i) must be used. This wording, mark or logo must appear on a label on the garment itself. If the garments are produced outside of the country of origin, the name of the country where the garment was produced should also be indicated, in addition to the wording, mark or logo referred to in paragraph b) i).

c) For international trade in handicraft products made from live-sheared vicuña fibre produced within the range States of the species, the VICUÑA [COUNTRY OF ORIGIN] - ARTESANÍA wording, mark or logo must be used as detailed below:

d) If live-sheared vicuña fibre from various countries of origin is used for the production of cloth and garments, the wording, mark or logo of each of the countries of origin of the fibre must be indicated, as detailed in paragraphs b) i) and ii).

e) All other specimens shall be deemed to be specimens of species listed in Appendix I and the trade in them shall be regulated accordingly

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Appendices		
I	II	III
<i>Axis porcinus annamiticus</i> <i>Blastocercus dichotomus</i> <i>Cervus elaphus hanglu</i> <i>Dama dama mesopotamica</i> <i>Hippocamelus</i> spp. <i>Muntiacus crinifrons</i> <i>Muntiacus vuquangensis</i> <i>Ozotoceros bezoarticus</i> <i>Pudu puda</i> <i>Rucervus duvaucelii</i> <i>Rucervus eldii</i>	<i>Cervus elaphus bactrianus</i> <i>Pudu mephistophiles</i>	<i>Axis porcinus</i> (Except the subspecies included in Appendix I) (Pakistan) <i>Cervus elaphus barbarus</i> (Algeria, Tunisia) <i>Mazama temama cerasina</i> (Guatemala) <i>Odocoileus virginianus mayensis</i> (Guatemala)
Hippopotamidae Hippopotamuses		
	<i>Hexaprotodon liberiensis</i> <i>Hippopotamus amphibius</i>	
Moschidae Musk deer		
	<i>Moschus</i> spp. (Only the populations of Afghanistan, Bhutan, India, Myanmar, Nepal and Pakistan; all other populations are included in Appendix II)	<i>Moschus</i> spp. (Except the populations of Afghanistan, Bhutan, India, Myanmar, Nepal and Pakistan, which are included in Appendix I)
Suidae Babirusa, hogs, pigs		
	<i>Babyrusa babyrussa</i> <i>Babyrusa bolabatuensis</i>	

Appendices			III
II		I	
		<i>Babyroura celebensis</i> <i>Babyroura togeanensis</i> <i>Sus salvanius</i>	
Tayassuidae Peccaries			
	Tayassuidae spp. (Except the species included in Appendix I and the populations of <i>Pecari tajacu</i> of Mexico and the United States of America, which are not included in the Appendices)		
		<i>Catagonus wagneri</i>	
CARNIVORA			
Ailuridae Red pandas			
		<i>Ailurus fulgens</i>	
Canidae Dogs, foxes, wolves			
		<i>Canis lupus</i> (Only the populations of Bhutan, India, Nepal and Pakistan; all other populations are included in Appendix II. Excludes the domesticated form and the dingo which are referenced as <i>Canis lupus familiaris</i> and <i>Canis lupus dingo</i> , respectively, which are not subject to the provisions of the Convention)	<i>Canis aureus</i> (India)
	<i>Canis lupus</i> (Except the populations of Bhutan, India, Nepal and Pakistan, which are included in Appendix I. Excludes the domesticated form and the dingo which are referenced as <i>Canis lupus familiaris</i> and <i>Canis lupus dingo</i> , respectively, which are not subject to the provisions of the Convention) <i>Cerdocyon thous</i> <i>Chrysocyon brachyurus</i> <i>Cuon alpinus</i> <i>Lycalopex culpaeus</i> <i>Lycalopex fulvipes</i> <i>Lycalopex griseus</i>		

Appendices			
I		II	III
Eupleridae Fossa, falanouc, Malagasy civets	<i>Speothos venaticus</i>	<i>Lycalopex gymnocercus</i>	<i>Vulpes bengalensis</i> (India)
		<i>Vulpes cana</i>	<i>Vulpes vulpes griffithi</i> (India)
		<i>Vulpes zerda</i>	<i>Vulpes vulpes montana</i> (India)
Felidae Cats			<i>Vulpes vulpes pusilla</i> (India)
		<i>Cryptoprocta ferox</i>	
		<i>Eupleres goudotii</i>	
		<i>Fossa fossana</i>	
	<p><i>Acinonyx jubatus</i> (Annual export quotas for live specimens and hunting trophies are granted as follows: Botswana: 5; Namibia: 150; Zimbabwe: 50. The trade in such specimens is subject to the provisions of Article III of the Convention)</p>	<p>Felidae spp. [Except the species included in Appendix I. Excludes specimens of the domesticated form, which are not subject to the provisions of the Convention. For <i>Panthera leo</i> (African populations): a zero annual export quota is established for specimens of bones, bone pieces, bone products, claws, skeletons, skulls and teeth removed from the wild and traded for commercial purposes. Annual export quotas for trade in bones, bone pieces, bone products, claws, skeletons, skulls and teeth for commercial purposes, derived from captive breeding operations in South Africa, will be established and communicated annually to the CITES Secretariat.]</p>	

Appendices		
I	II	III
<p><i>Caracal caracal</i> (Only the population of Asia; all other populations are included in Appendix II)</p> <p><i>Catopuma temminckii</i></p> <p><i>Felis nigripes</i></p> <p><i>Leopardus geoffroyi</i></p> <p><i>Leopardus jacobitus</i></p> <p><i>Leopardus pardalis</i></p> <p><i>Leopardus tigrinus</i></p> <p><i>Leopardus wiedii</i></p> <p><i>Lynx pardinus</i></p> <p><i>Neofelis nebulosa</i></p> <p><i>Panthera leo persica</i></p> <p><i>Panthera onca</i></p> <p><i>Panthera pardus</i></p> <p><i>Panthera tigris</i></p> <p><i>Pardofelis marmorata</i></p> <p><i>Prionailurus bengalensis bengalensis</i> (Only the populations of Bangladesh, India and Thailand; all other populations are included in Appendix II)</p> <p><i>Prionailurus planiceps</i></p> <p><i>Prionailurus rubiginosus</i> (Only the population of India; all other populations are included in Appendix II)</p> <p><i>Puma concolor costaricensis</i></p> <p><i>Puma yagouaroundi</i> (Only the populations of Central and North America; all other populations are included in Appendix II)</p> <p><i>Uncia uncia</i></p>		
Herpestidae Mongooses		<p><i>Herpestes edwardsi</i> (India, Pakistan)</p> <p><i>Herpestes fuscus</i> (India)</p> <p><i>Herpestes javanicus</i> (Pakistan)</p> <p><i>Herpestes javanicus auropunctatus</i> (India)</p>

Appendices		
I	II	III
		<i>Herpestes smithii</i> (India) <i>Herpestes urva</i> (India) <i>Herpestes vitticollis</i> (India)
Hyaenidae Aardwolf, hyenas		
		<i>Hyaena hyaena</i> (Pakistan) <i>Proteles cristata</i> (Botswana)
Mephitidae Skunks		
	<i>Conepatus humboldtii</i>	
Mustelidae Badgers, martens, otters, weasels, etc.		
Lutrinae Otters		
	Lutrinae spp. (Except the species included in Appendix I)	
<i>Aonyx capensis microdon</i> (Only the populations of Cameroon and Nigeria; all other populations are included in Appendix II) <i>Enhydra lutris nereis</i> <i>Lontra felina</i> <i>Lontra longicaudis</i> <i>Lontra provocax</i> <i>Lutra lutra</i> <i>Lutra nippon</i> <i>Pteronura brasiliensis</i>		
Mustelinae Grisons, honey badgers, martens, tayra, weasels		<i>Eira barbara</i> (Honduras) <i>Galictis vittata</i> (Costa Rica) <i>Martes flavigula</i> (India) <i>Martes foina intermedia</i> (India) <i>Martes gwatkinsii</i> (India) <i>Mellivora capensis</i> (Botswana) <i>Mustela altaica</i> (India) <i>Mustela erminea ferghanae</i> (India) <i>Mustela kathiah</i> (India)

Appendices		
	I	II
	<i>Mustela nigripes</i>	III
Odobenidae Walruses		<i>Mustela sibirica</i> (India)
Otariidae Fur seals, sealions		<i>Odobenus rosmarus</i> (Canada)
	<i>Arctocephalus townsendi</i>	<i>Arctocephalus</i> spp. (Except the species included in Appendix I)
Phocidae Seals		
	<i>Monachus</i> spp.	<i>Mirounga leonina</i>
Procyonidae Coatis, kinkajous, olingos		
		<i>Bassaricyon gabbii</i> (Costa Rica) <i>Bassariscus sumichrasti</i> (Costa Rica) <i>Nasua narica</i> (Honduras) <i>Nasua nasua solitaria</i> (Uruguay) <i>Potos flavus</i> (Honduras)
Ursidae Bears, giant pandas		
	<i>Ailuropoda melanoleuca</i> <i>Helarctos malayanus</i> <i>Melursus ursinus</i> <i>Tremarctos ornatus</i> <i>Ursus arctos</i> (Only the populations of Bhutan, China, Mexico and Mongolia; all other populations are included in Appendix II) <i>Ursus arctos isabellinus</i> <i>Ursus thibetanus</i>	<i>Ursidae</i> spp. (Except the species included in Appendix I)
Viverridae Binturong, civets, linsangs, otter-civet, palm civets		
		<i>Cynogale bennettii</i> <i>Arctictis binturong</i> (India) <i>Civettictis civetta</i> (Botswana)

Appendices			
I		II	III
	<i>Prionodon pardicolor</i>	<i>Hemigalus derbyanus</i> <i>Prionodon linsang</i>	<i>Paguma larvata</i> (India) <i>Paradoxurus hermaphroditus</i> (India) <i>Paradoxurus jerdoni</i> (India) <i>Viverra civettina</i> (India) <i>Viverra zibetha</i> (India) <i>Viverricula indica</i> (India)
CETACEA Dolphins, porpoises, whales			
		CETACEA spp. (Except the species included in Appendix I. A zero annual export quota has been established for live specimens from the Black Sea population of <i>Tursiops truncatus</i> removed from the wild and traded for primarily commercial purposes)	
Balaenidae Bowhead whale, right whales			
	<i>Balaena mysticetus</i> <i>Eubalaena</i> spp.		
Balaenopteridae Fin whales, humpback whales, rorquals			
	<i>Balaenoptera acutorostrata</i> (Except the population of West Greenland, which is included in Appendix II) <i>Balaenoptera bonaerensis</i> <i>Balaenoptera borealis</i> <i>Balaenoptera edeni</i> <i>Balaenoptera musculus</i> <i>Balaenoptera omurai</i> <i>Balaenoptera physalus</i> <i>Megaptera novaeangliae</i>		

Appendices		
	I	II
		III
Delphinidae Dolphins	<i>Orcaella brevirostris</i> <i>Orcaella heinsohni</i> <i>Sotalia</i> spp. <i>Sousa</i> spp.	
Eschrichtiidae Grey whale	<i>Eschrichtius robustus</i>	
Iniidae River dolphins	<i>Lipotes vexillifer</i>	
Neobalaenidae Pygmy right whale	<i>Caperea marginata</i>	
Phocoenidae Porpoises	<i>Neophocaena asiaeorientalis</i> <i>Neophocaena phocaenoides</i> <i>Phocoena sinus</i>	
Physeteridae Sperm whales	<i>Physeter macrocephalus</i>	
Platanistidae River dolphins	<i>Platanista</i> spp.	
Ziphiidae Beaked whales, bottle-nosed whales	<i>Berardius</i> spp. <i>Hyperoodon</i> spp.	
CHIROPTERA		
Phyllostomidae Broad-nosed bats		<i>Platyrrhinus lineatus</i> (Uruguay)
Pteropodidae Fruit bats, flying foxes		
	<i>Acerodon jubatus</i>	Acerodon spp. (Except the species included in Appendix I)
	<i>Pteropus insularis</i> <i>Pteropus loochoensis</i>	Pteropus spp. (Except the species included in Appendix I and <i>Pteropus brunneus</i>)

Appendices				III
I		II		
	<i>Pteropus mariannus</i> <i>Pteropus molossinus</i> <i>Pteropus pelewensis</i> <i>Pteropus pilosus</i> <i>Pteropus samoensis</i> <i>Pteropus tonganus</i> <i>Pteropus ualanus</i> <i>Pteropus yapensis</i>			
CINGULATA				
Dasypodidae Armadillos				
			<i>Chaetophractus nationi</i> (A zero annual export quota has been established. All specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly)	<i>Cabassous centralis</i> (Costa Rica) <i>Cabassous tatouay</i> (Uruguay)
	<i>Priodontes maximus</i>			
DASYUROMORPHIA				
Dasyuridae Dunnarts				
	<i>Sminthopsis longicaudata</i> <i>Sminthopsis psammophila</i>			
DIPROTODONTIA				
Macropodidae Kangaroos, wallabies				
	<i>Lagorchesites hirsutus</i> <i>Lagostrophus fasciatus</i> <i>Onychogalea fraenata</i>	<i>Dendrolagus inustus</i> <i>Dendrolagus ursinus</i>		
Phalangeridae Cuscuses				
		<i>Phalanger intercastellanus</i> <i>Phalanger mimicus</i> <i>Phalanger orientalis</i> <i>Spilocus kraemeri</i>		

Appendices		
	I	II
		III
		<i>Spilocus maculatus</i> <i>Spilocus papuensis</i>
Potoroidae Rat-kangaroos		
	<i>Bettongia</i> spp.	
Vombatidae Wombats		
	<i>Lasiorhinus krefftii</i>	
LAGOMORPHA		
Leporidae Hares, rabbits		
	<i>Caprolagus hispidus</i> <i>Romerolagus diazi</i>	
MONOTREMATA		
Tachyglossidae Echidnas, spiny anteaters		<i>Zaglossus</i> spp.
PERAMELEMORPHIA		
Peramelidae Bandicoots, echymiperas		
	<i>Perameles bougainville</i>	
Thylacomyidae Bilbies		
	<i>Macrotis lagotis</i>	
PERISSODACTYLA		
Equidae Horses, wild asses, zebras		
	<i>Equus africanus</i> (Excludes the domesticated form, which is referenced as <i>Equus asinus</i> , and is not subject to the provisions of the Convention) <i>Equus grevyi</i>	<i>Equus hemionus</i> (Except the subspecies included in Appendix I)
	<i>Equus hemionus hemionus</i> <i>Equus hemionus khur</i> <i>Equus przewalskii</i>	<i>Equus kiang</i> <i>Equus zebra hartmannae</i> <i>Equus zebra zebra</i>

Appendices			III
I	II		
Rhinocerotidae Rhinoceroses	Rhinocerotidae spp. (Except the subspecies included in Appendix II)	<i>Ceratotherium simum simum</i> (Only the populations of South Africa and Swaziland; all other populations are included in Appendix I. For the exclusive purpose of allowing international trade in live animals to appropriate and acceptable destinations and hunting trophies. All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly)	
Tapiridae Tapirs	Tapiridae spp. (Except the species included in Appendix II)	<i>Tapirus terrestris</i>	
PHOLIDOTA			
Manidae Pangolins	<i>Manis crassicaudata</i> <i>Manis culionensis</i> <i>Manis gigantea</i> <i>Manis javanica</i> <i>Manis pentadactyla</i> <i>Manis temminckii</i> <i>Manis tetradactyla</i> <i>Manis tricuspis</i>	<i>Manis</i> spp. (Except the species included in Appendix I)	
PILOSA			
Bradypodidae Three-toed sloths		<i>Bradypus pygmaeus</i> <i>Bradypus variegatus</i>	
Megalonychidae Two-toed sloths			<i>Choloepus hoffmanni</i> (Costa Rica)

Appendices			I	II	III
Myrmecophagidae American anteaters				<i>Myrmecophaga tridactyla</i>	<i>Tamandua mexicana</i> (Guatemala)
	PRIMATES Apes, monkeys			PRIMATES spp. (Except the species included in Appendix I)	
Atelidae Howler monkeys, spider monkeys			<i>Alouatta coibensis</i> <i>Alouatta palliata</i> <i>Alouatta pigra</i> <i>Ateles geoffroyi frontatus</i> <i>Ateles geoffroyi ornatus</i> <i>Brachyteles arachnoides</i> <i>Brachyteles hypoxanthus</i> <i>Oreonax flavicauda</i>		
Cebidae Marmosets, tamarins, new-world monkeys			<i>Callimico goeldii</i> <i>Callithrix aurita</i> <i>Callithrix flaviceps</i> <i>Leontopithecus</i> spp. <i>Saguinus bicolor</i> <i>Saguinus geoffroyi</i> <i>Saguinus leucopus</i> <i>Saguinus martinsi</i> <i>Saguinus oedipus</i> <i>Saimiri oerstedii</i>		
Cercopithecidae Old-world monkeys			<i>Cercocebus galerritus</i> <i>Cercopithecus diana</i> <i>Cercopithecus roloway</i> <i>Macaca silenus</i> <i>Macaca sylvanus</i>		

Appendices		
	I	II
		III
	<i>Mandrillus leucophaeus</i> <i>Mandrillus sphinx</i> <i>Nasalis larvatus</i> <i>Ptilocolobus kirkii</i> <i>Ptilocolobus rufomitratu</i> <i>Presbytis potenziani</i> <i>Pygathrix</i> spp. <i>Rhinopithecus</i> spp. <i>Semnopithecus ajax</i> <i>Semnopithecus dussumieri</i> <i>Semnopithecus entellus</i> <i>Semnopithecus hector</i> <i>Semnopithecus hypoleucos</i> <i>Semnopithecus priam</i> <i>Semnopithecus schistaceus</i> <i>Simias concolor</i> <i>Trachypithecus geei</i> <i>Trachypithecus pileatus</i> <i>Trachypithecus shortridgei</i>	
Cheirogaleidae Dwarf lemurs		
	Cheirogaleidae spp.	
Daubentonidae Aye-aye		
	<i>Daubentonia madagascariensis</i>	
Hominidae Apes, chimpanzees, gorillas, orang-utans		
	<i>Gorilla beringei</i> <i>Gorilla gorilla</i> <i>Pan</i> spp. <i>Pongo abelii</i> <i>Pongo pygmaeus</i>	
Hylobatidae Gibbons		
	<i>Hylobatidae</i> spp.	
Indridae Indris, sifakas, woolly lemurs		
	Indridae spp.	

	Appendices		
	I	II	III
Lemuridae Large lemurs			
		Lemuridae spp.	
Lepilemuridae Sportive lemurs			
		Lepilemuridae spp.	
Lorisidae Lorises			
		Nycticebus spp.	
Pitheciidae Sakis, uakaris			
		Cacajao spp.	
		Chiropotes albinasus	
PROBOSCIDEA			
Elephantidae Elephants			
		Elephas maximus	
		Loxodonta africana (Except the populations of Botswana, Namibia, South Africa and Zimbabwe, which are included in Appendix II subject to annotation 2)	Loxodonta africana ² (Only the populations of Botswana, Namibia, South Africa and Zimbabwe; all other populations are included in Appendix I)
RODENTIA			
Chinchillidae Chinchillas			
		Chinchilla spp. (Specimens of the domesticated form are not subject to the provisions of the Convention)	

² Populations of Botswana, Namibia, South Africa and Zimbabwe (listed in Appendix II):

For the exclusive purpose of allowing:

- trade in hunting trophies for non-commercial purposes;
- trade in live animals to appropriate and acceptable destinations, as defined in Resolution Conf. 11.20 (Rev. CoP17), for Botswana and Zimbabwe and for *in situ* conservation programmes for Namibia and South Africa;
- trade in hides;
- trade in hair;
- trade in leather goods for commercial or non-commercial purposes for Botswana, Namibia and South Africa and for non-commercial purposes for Zimbabwe;
- trade in individually marked and certified ekips incorporated in finished jewellery for non-commercial purposes for Namibia and ivory carvings for non-commercial purposes for Zimbabwe;
- trade in registered raw ivory (for Botswana, Namibia, South Africa and Zimbabwe, whole tusks and pieces) subject to the following:

Appendices		
I	II	III
Cuniculidae Pacas		<i>Cuniculus paca</i> (Honduras)
Dasyproctidae Agoutis		<i>Dasyprocta punctata</i> (Honduras)
Erethizontidae New-world porcupines		<i>Sphiggurus mexicanus</i> (Honduras) <i>Sphiggurus spinosus</i> (Uruguay)
Muridae Mice, rats	<i>Leporillus conditor</i> <i>Pseudomys fieldi praeconis</i> <i>Xeromys myoides</i> <i>Zyzomys pedunculatus</i>	
Sciuridae Ground squirrels, tree squirrels	<i>Cynomys mexicanus</i>	<i>Marmota caudata</i> (India) <i>Marmota himalayana</i> (India) <i>Sciurus deppei</i> (Costa Rica)
SCANDENTIA Tree shrews	<i>Ratufa</i> spp.	SCANDENTIA spp.

- i) only registered government-owned stocks, originating in the State (excluding seized ivory and ivory of unknown origin);
- ii) only to trading partners that have been verified by the Secretariat, in consultation with the Standing Committee, to have sufficient national legislation and domestic trade controls to ensure that the imported ivory will not be re-exported and will be managed in accordance with all requirements of Resolution Conf. 10.10 (Rev. CoP17) concerning domestic manufacturing and trade;
- iii) not before the Secretariat has verified the prospective importing countries and the registered government-owned stocks;
- iv) raw ivory pursuant to the conditional sale of registered government-owned ivory stocks agreed at CoP12, which are 20,000 kg (Botswana), 10,000 kg (Namibia) and 30,000 kg (South Africa);
- v) in addition to the quantities agreed at CoP12, government-owned ivory from Botswana, Namibia, South Africa and Zimbabwe registered by 31 January 2007 and verified by the Secretariat may be traded and despatched, with the ivory in paragraph g) iv) above, in a single sale per destination under strict supervision of the Secretariat;
- vi) the proceeds of the trade are used exclusively for elephant conservation and community conservation and development programmes within or adjacent to the elephant range; and
- vii) the additional quantities specified in paragraph g) v) above shall be traded only after the Standing Committee has agreed that the above conditions have been met; and
- h) no further proposals to allow trade in elephant ivory from populations already in Appendix II shall be submitted to the Conference of the Parties for the period from CoP14 and ending nine years from the date of the single sale of ivory that is to take place in accordance with provisions in paragraphs g) i), g) ii), g) iii), g) vi) and g) vii). In addition such further proposals shall be dealt with in accordance with Decisions 16.55 and 14.78 (Rev. CoP16).

On a proposal from the Secretariat, the Standing Committee can decide to cause this trade to cease partially or completely in the event of non-compliance by exporting or importing countries, or in the case of proven detrimental impacts of the trade on other elephant populations.

All other specimens shall be deemed to be specimens of species included in Appendix I and the trade in them shall be regulated accordingly.

	Appendices II		III
SIRENIA	I		
Dugongidae Dugong			
Trichechidae Manatees		<i>Dugong dugon</i>	
		<i>Trichechus inunguis</i> <i>Trichechus manatus</i> <i>Trichechus senegalensis</i>	
CLASS AVES (BIRDS)			
ANSERIFORMES			
Anatidae Ducks, geese, swans, etc.			
		<i>Anas aucklandica</i> <i>Anas chlorotis</i> <i>Anas laysanensis</i> <i>Anas nesiotis</i> <i>Asarcornis scutulata</i> <i>Branta canadensis leucopareia</i> <i>Branta sandvicensis</i>	<i>Anas bernieri</i> <i>Anas formosa</i> <i>Branta ruficollis</i> <i>Coscoroba coscoroba</i> <i>Cygnus melancoryphus</i> <i>Dendrocygna arborea</i> <i>Oxyura leucocephala</i> <i>Sarkidiornis melanotos</i>
		<i>Rhodonessa caryophyllacea</i>	<i>Dendrocygna autumnalis</i> (Honduras) <i>Dendrocygna bicolor</i> (Honduras)
APODIFORMES			
Trochilidae Hummingbirds			
		<i>Glaucis dohrnii</i>	Trochilidae spp. (Except the species included in Appendix I)

Appendices			II	I	III
CHARADRIIFORMES					
Burhinidae Thick-knees					
					<i>Burhinus bistriatus</i> (Guatemala)
Laridae Gulls					
				<i>Larus relictus</i>	
Scolopacidae Curlews, greenshanks					
				<i>Numenius borealis</i>	
				<i>Numenius tenuirostris</i>	
				<i>Tringa guttifer</i>	
CICONIIFORMES					
Balaenicipitidae Shoebills, whale-headed storks					
					<i>Balaeniceps rex</i>
Ciconiidae Storks					
				<i>Ciconia boyciana</i>	
				<i>Ciconia nigra</i>	
				<i>Jabiru mycteria</i>	
				<i>Mycteria cinerea</i>	
Phoenicopteridae Flamingos					
					Phoenicopteridae spp.
Threskiornithidae Ibises, spoonbills					
					<i>Eudocimus ruber</i>
					<i>Geronticus calvus</i>
				<i>Geronticus eremita</i>	
				<i>Nipponia nippon</i>	
					<i>Platalea leucorodia</i>
COLUMBIFORMES					
Columbidae Doves, pigeons					
				<i>Caloenas nicobarica</i>	
				<i>Ducula mindorensis</i>	
					<i>Gallicolumba luzonica</i>
					<i>Goura</i> spp.
					<i>Nesoenas mayeri</i> (Mauritius)

Appendices		
	I	II
		III
CORACIIFORMES		
Bucerotidae Hornbills		
	<p><i>Aceros nipalensis</i></p> <p><i>Buceros bicornis</i></p> <p><i>Rhinoplax vigil</i></p> <p><i>Rhyticeros subruficollis</i></p>	<p>Aceros spp. (Except the species included in Appendix I)</p> <p>Anorrhinus spp.</p> <p>Anthracoceros spp.</p> <p>Berenicornis spp.</p> <p>Buceros spp. (Except the species included in Appendix I)</p> <p>Penelopides spp.</p> <p>Rhyticeros spp. (Except the species included in Appendix I)</p>
CUCULIFORMES		
Musophagidae Turacos		Tauraco spp.
FALCONIFORMES Eagles, falcons, hawks, vultures		FALCONIFORMES spp. (Except <i>Caracara lutosa</i> and the species of the family Cathartidae, which are not included in the Appendices; and the species included in Appendices I and III)
Accipitridae Hawks, eagles	<p><i>Aquila adalberti</i></p> <p><i>Aquila heliaca</i></p> <p><i>Chondrohierax uncinatus wilsonii</i></p> <p><i>Haliaeetus albicilla</i></p> <p><i>Harpia harpyja</i></p> <p><i>Pithecophaga jefferyi</i></p>	

	Appendices		
	I	II	III
Cathartidae New-world vultures			
	<i>Gymnogyps californianus</i>		
	<i>Vultur gryphus</i>		<i>Sarcoramphus papa</i> (Honduras)
Falconidae Falcons			
	<i>Falco araeus</i>		
	<i>Falco jugger</i>		
	<i>Falco newtoni</i> (Only the population of Seychelles)		
	<i>Falco pelegrinoides</i>		
	<i>Falco peregrinus</i>		
	<i>Falco punctatus</i>		
	<i>Falco rusticolus</i>		
GALLIFORMES			
Cracidae Chachalacas, curassows, guans			
	<i>Crax blumenbachii</i>		<i>Crax alberti</i> (Colombia)
			<i>Crax daubentoni</i> (Colombia)
			<i>Crax globulosa</i> (Colombia)
			<i>Crax rubra</i> (Colombia, Costa Rica, Guatemala, Honduras)
	<i>Mitu mitu</i>		
	<i>Oreophasis derbianus</i>		<i>Ortalis vetula</i> (Guatemala, Honduras)
			<i>Pauxi pauxi</i> (Colombia)
	<i>Penelope albipennis</i>		<i>Penelope purpurascens</i> (Honduras)
	<i>Pipile jacutinga</i>		<i>Penelopina nigra</i> (Guatemala)
	<i>Pipile pipile</i>		
Megapodiidae Megapodes, scrubfowl			
	<i>Macrocephalon maleo</i>		

	I	Appendices II	III
Phasianidae Grouse, guineafowl, partridges, peafowl, pheasants, tragopans	<p><i>Catreus wallichii</i> <i>Colinus virginianus ridgwayi</i> <i>Crossoptilon crossoptilon</i> <i>Crossoptilon mantchuricum</i></p> <p><i>Lophophorus impejanus</i> <i>Lophophorus lhuysii</i> <i>Lophophorus sclateri</i> <i>Lophura edwardsi</i> <i>Lophura swinhoii</i></p> <p><i>Polyplectron napoleonis</i></p> <p><i>Rheinardia ocellata</i> <i>Symaticus ellioti</i> <i>Symaticus humiae</i> <i>Symaticus mikado</i> <i>Tetraogallus caspius</i> <i>Tetraogallus tibetanus</i> <i>Tragopan blythii</i> <i>Tragopan caboti</i> <i>Tragopan melanocephalus</i></p>	<p><i>Argusianus argus</i></p> <p><i>Gallus sonneratii</i> <i>Ithaginis cruentus</i></p> <p><i>Pavo muticus</i> <i>Polyplectron bicalcaratum</i> <i>Polyplectron germaini</i> <i>Polyplectron malacense</i> <i>Polyplectron schleiermacheri</i></p>	<p><i>Lophura leucomelanos</i> (Pakistan)</p> <p><i>Meleagris ocellata</i> (Guatemala) <i>Pavo cristatus</i> (Pakistan)</p> <p><i>Pucrasia macrolopha</i> (Pakistan)</p>

Appendices			
I		II	III
		<i>Tympanuchus cupido attwateri</i>	<i>Tragopan satyra</i> (Nepal)
GRUIFORMES			
Gruidae Cranes			
	<i>Grus americana</i> <i>Grus canadensis nesiototes</i> <i>Grus canadensis pulla</i> <i>Grus japonensis</i> <i>Grus leucogeranus</i> <i>Grus monacha</i> <i>Grus nigricollis</i> <i>Grus vipio</i>	Gruidae spp. (Except the species included in Appendix I)	
Otididae Bustards			
	<i>Ardeotis nigriceps</i> <i>Chlamydotis macqueenii</i> <i>Chlamydotis undulata</i> <i>Houbaropsis bengalensis</i>	Otididae spp. (Except the species included in Appendix I)	
Rallidae Rails			
	<i>Gallirallus sylvestris</i>		
Rhynochetidae Kagu			
	<i>Rhynochetos jubatus</i>		
PASSERIFORMES			
Atrichornithidae Scrub-birds			
	<i>Atrichornis clamosus</i>		
Cotingidae Cotingas			
	<i>Cotinga maculata</i> <i>Xipholena atropurpurea</i>	<i>Rupicola</i> spp. 	<i>Cephalopterus ornatus</i> (Colombia) <i>Cephalopterus penduliger</i> (Colombia)

Appendices		
I	II	III
Emberizidae Cardinals, tanagers	<i>Gubernatrix cristata</i> <i>Paroaria capitata</i> <i>Paroaria coronata</i> <i>Tangara fastuosa</i>	
Estrilidae Mannikins, waxbills	<i>Amandava formosa</i> <i>Lonchura oryzivora</i> <i>Poephila cincta cincta</i>	
Fringillidae Finches	<i>Carduelis cucullata</i>	
Hirundinidae Martins	<i>Carduelis yarrellii</i>	
Icteridae New-world blackbirds	<i>Pseudochelidon sirintarae</i>	
Meliphagidae Honeyeaters	<i>Xanthopsar flavus</i>	
Muscicapidae Old-world flycatchers	<i>Lichenostomus melanops cassidix</i>	
	<i>Dasyornis broadbenti litoralis</i> <i>Dasyornis longirostris</i>	<i>Acrocephalus rodericanus</i> (Mauritius)
	<i>Picathartes gymnocephalus</i> <i>Picathartes oreas</i>	<i>Cyornis ruckii</i> <i>Garrulax canorus</i> <i>Garrulax taewanus</i> <i>Leiothrix argenteauris</i> <i>Leiothrix lutea</i> <i>Liocichla omeiensis</i>
Paradisaeidae Birds of paradise		<i>Terpsiphone bourbonnensis</i> (Mauritius)
		Paradisaeidae spp.

Appendices		
	I	II
		III
Pittidae Pittas		
	<i>Pitta gurneyi</i> <i>Pitta kochi</i>	<i>Pitta guajana</i> <i>Pitta nympha</i>
Pycnonotidae Bulbuls		<i>Pycnonotus zeylanicus</i>
Sturnidae Mynas, starlings		<i>Gracula religiosa</i>
Zosteropidae White-eyes	<i>Leucopsar rothschildi</i>	
PELECANIFORMES	<i>Zosterops albogularis</i>	
Fregatidae Frigatebirds	<i>Fregata andrewsi</i>	
Pelecanidae Pelicans	<i>Pelecanus crispus</i>	
Sulidae Gannets	<i>Papasula abbotti</i>	
PICIFORMES		
Capitonidae Barbets		<i>Semnornis ramphastinus</i> (Colombia)
Picidae Woodpeckers	<i>Dryocopus javensis richardsi</i>	
Ramphastidae Toucans		<i>Bailloniuss bailloni</i> (Argentina) <i>Pteroglossus castanotis</i> (Argentina) <i>Ramphastos dicolorus</i> (Argentina)

Appendices II			III
I	II	III	
	<i>Ramphastos vitellinus</i>	<i>Selenidera maculirostris</i> (Argentina)	
PODICIPEDIFORMES			
Podicipedidae Grebes			
	<i>Podilymbus gigas</i>		
PROCELLARIIFORMES			
Diomedidae Albatrosses			
	<i>Phoebastria albatrus</i>		
PSITTACIFORMES			
	PSITTACIFORMES spp. (Except the species included in Appendix I and <i>Agapornis roseicollis</i> , <i>Melopsittacus undulatus</i> , <i>Nymphicus hollandicus</i> and <i>Psittacula krameri</i> , which are not included in the Appendices)		
Cacatuidae Cockatoos			
	<i>Cacatua goffiniana</i> <i>Cacatua haematurophygia</i> <i>Cacatua moluccensis</i> <i>Cacatua sulphurea</i> <i>Probosciger aterrimus</i>		
Loriidae Lories, lorikeets			
	<i>Eos histrio</i> <i>Vini ultramarina</i>		
Psittacidae Amazons, macaws, parakeets, parrots			
	<i>Amazona arausiaca</i> <i>Amazona auropalliata</i> <i>Amazona barbadensis</i> <i>Amazona brasiliensis</i> <i>Amazona finschi</i> <i>Amazona guildingii</i> <i>Amazona imperialis</i> <i>Amazona leucocephala</i> <i>Amazona oratrix</i>		

	Appendices II	III
	<div>I</div> <p> <i>Amazona pretrei</i> <i>Amazona rhodocorytha</i> <i>Amazona tucumana</i> <i>Amazona versicolor</i> <i>Amazona vinacea</i> <i>Amazona viridigenalis</i> <i>Amazona vittata</i> <i>Anodorhynchus</i> spp. <i>Ara ambiguus</i> <i>Ara glaucogularis</i> <i>Ara macao</i> <i>Ara militaris</i> <i>Ara rubrogenys</i> <i>Cyanopsitta spixii</i> <i>Cyanoramphus cookii</i> <i>Cyanoramphus forbesi</i> <i>Cyanoramphus novaezelandiae</i> <i>Cyanoramphus saisseti</i> <i>Cyclopsitta diophthalma coxeni</i> <i>Eunymphicus cornutus</i> <i>Guarouba guarouba</i> <i>Neophema chrysogaster</i> <i>Ognorhynchus icterotis</i> <i>Pezoporus occidentalis</i> <i>Pezoporus wallicus</i> <i>Pionopsitta pileata</i> <i>Primolius couloni</i> <i>Primolius maracana</i> <i>Psephotus chrysopterygius</i> <i>Psephotus dissimilis</i> <i>Psephotus pulcherrimus</i> <i>Psittacula echo</i> <i>Psittacus erithacus</i> <i>Pyrrhura cruentata</i> </p>	

Appendices		
	I	II
	<i>Rhynchopsitta</i> spp. <i>Strigops habroptilus</i>	III
RHEIFORMES		
Rheidae Rheas		
	<i>Pterocnemia pennata</i> (Except <i>Pterocnemia pennata pennata</i> which is included in Appendix II)	<i>Pterocnemia pennata pennata</i> <i>Rhea americana</i>
SPHENISCIFORMES		
Spheniscidae Penguins		<i>Spheniscus demersus</i>
	<i>Spheniscus humboldti</i>	
STRIGIFORMES Owls		STRIGIFORMES spp. (Except the species included in Appendix I and <i>Sceloglaux albifacies</i>)
Strigidae Owls	<i>Heteroglaux blewitti</i> <i>Mimizuku gurneyi</i> <i>Ninox natalis</i>	
Tytonidae Barn owls	<i>Tyto soumagnei</i>	
STRUTHIONIFORMES		
Struthionidae Ostriches	<i>Struthio camelus</i> (Only the populations of Algeria, Burkina Faso, Cameroon, the Central African Republic, Chad, Mali, Mauritania, Morocco, the Niger, Nigeria, Senegal and the Sudan; all other populations are not included in the Appendices)	
TINAMIFORMES		
Tinamidae Tinamous	<i>Tinamus solitarius</i>	

		Appendices II		III
TROGONIFORMES				
Trogonidae Quetzals				
CLASS REPTILIA (REPTILES)				
CROCODYLIA Alligators, caimans, crocodiles				
			CROCODYLIA spp. (Except the species included in Appendix I)	
Alligatoridae Alligators, caimans				
		<i>Alligator sinensis</i> <i>Caiman crocodilus apaporiensis</i> <i>Caiman latirostris</i> (Except the population of Argentina, which is included in Appendix II) <i>Melanosuchus niger</i> (Except the population of Brazil, which is included in Appendix II, and the population of Ecuador, which is included in Appendix II and is subject to a zero annual export quota until an annual export quota has been approved by the CITES Secretariat and the IUCN/SSC Crocodile Specialist Group)		
Crocodylidae Crocodiles				
		<i>Crocodylus acutus</i> (Except the population of the Integrated Management District of Mangroves of the Bay of Cispata, Tinajones, La Balsa and Surrounding Areas, Department of Córdoba, Colombia, and the population of Cuba, which are included in Appendix II) <i>Crocodylus cataphractus</i> <i>Crocodylus intermedius</i> <i>Crocodylus mindorensis</i>		

Appendices		
I	II	III
	<p><i>Crocodylus moreletii</i> (Except the population of Belize, which is included in Appendix II with a zero quota for wild specimens traded for commercial purposes, and the population of Mexico, which is included in Appendix II)</p> <p><i>Crocodylus niloticus</i> [Except the populations of Botswana, Egypt (subject to a zero quota for wild specimens traded for commercial purposes), Ethiopia, Kenya, Madagascar, Malawi, Mozambique, Namibia, South Africa, Uganda, the United Republic of Tanzania (subject to an annual export quota of no more than 1,600 wild specimens including hunting trophies, in addition to ranches specimens), Zambia and Zimbabwe, which are included in Appendix II]</p> <p><i>Crocodylus palustris</i></p> <p><i>Crocodylus porosus</i> {Except the populations of Australia, Indonesia, Malaysia [wild harvest restricted to the State of Sarawak and a zero quota for wild specimens for the other States of Malaysia (Sabah and Peninsular Malaysia), with no change in the zero quota unless approved by the Parties] and Papua New Guinea, which are included in Appendix II}</p> <p><i>Crocodylus rhombifer</i></p> <p><i>Crocodylus siamensis</i></p> <p><i>Osteolaemus tetraspis</i></p> <p><i>Tomistoma schlegelii</i></p>	
Gavialidae Gavials		
	<i>Gavialis gangeticus</i>	
RHYNCHOCEPHALIA		
Sphenodontidae Tuataras		
	<i>Sphenodon</i> spp.	

Appendices		
	I	II III
SAURIA		
Agamidae Spiny-tailed lizards, agamas		
		Saara spp. Uromastyx spp.
Anguidae Alligator lizards		
	Abronia anzuetoi Abronia campbelli Abronia fimbriata Abronia frosti Abronia meledona	Abronia spp. [except the species included in Appendix I (zero export quota for wild specimens for <i>Abronia aurita</i> , <i>A. galiophantasma</i> , <i>A. montecristoi</i> , <i>A. salvadorensis</i> and <i>A. vasconcelosii</i>)]
Chamaeleonidae Chameleons		
	Brookesia perarmata	Archaius spp. Bradypodion spp. Brookesia spp. (Except the species included in Appendix I) Calumma spp. Chamaeleo spp. Furcifer spp. Kinyongia spp. Nadzikambia spp. Palleon spp. Rhampholeon spp. Rieppeleon spp. Trioceros spp.
Cordylidae Spiny-tailed lizards		
		Cordylus spp. Hemicordylus spp. Karusauros spp.

Appendices			
	I	II	III
		<i>Namazonurus</i> spp. <i>Ninurta</i> spp. <i>Ouroborus</i> spp. <i>Pseudocordylus</i> spp. <i>Smaug</i> spp.	
Gekkonidae Geckos	<i>Cnemaspis psychedelica</i> <i>Lygodactylus williamsi</i>	<i>Nactus serpensinsula</i> <i>Naultinus</i> spp. <i>Paroedura masobe</i> <i>Phelsuma</i> spp. <i>Rhoptropella</i> spp. <i>Uroplatus</i> spp.	<i>Dactylocnemis</i> spp. (New Zealand) <i>Hoplodactylus</i> spp. (New Zealand) <i>Mokopirirakau</i> spp. (New Zealand) <i>Toropuku</i> spp. (New Zealand) <i>Tukutuku</i> spp. (New Zealand) <i>Woodworthia</i> spp. (New Zealand)
Helodermatidae Bearded lizards, gila monsters		<i>Heloderma</i> spp. (Except the subspecies included in Appendix I)	
	<i>Heloderma horridum charlesbogerti</i>		
Iguanidae Iguanas			
	<i>Brachylophus</i> spp. <i>Cyclura</i> spp.	<i>Amblyrhynchus cristatus</i> <i>Conolophus</i> spp. <i>Ctenosaura bakeri</i> <i>Ctenosaura melanosterna</i> <i>Ctenosaura oedirhina</i> <i>Ctenosaura palearis</i> <i>Iguana</i> spp.	

Appendices			II	III
	I			
		<i>Sauromalus varius</i>	<i>Phrynosoma blainvillii</i> <i>Phrynosoma cerroense</i> <i>Phrynosoma coronatum</i> <i>Phrynosoma wigginsi</i>	
Lacertidae Lizards		<i>Gallotia simonyi</i>	<i>Podarcis lilfordi</i> <i>Podarcis pityusensis</i>	
Lanthanotidae Earless monitor lizards			Lanthanotidae spp. (Zero export quota for wild specimens for commercial purposes)	
Scincidae Skinks			<i>Corucia zebrata</i>	
Teiidae Caiman lizards, tegu lizards			Crocodilurus amazonicus <i>Dracaena</i> spp. <i>Salvator</i> spp. <i>Tupinambis</i> spp.	
Varanidae Monitor lizards		<i>Varanus bengalensis</i> <i>Varanus flavescens</i> <i>Varanus griseus</i> <i>Varanus komodoensis</i> <i>Varanus nebulosus</i>	Varanus spp. (Except the species included in Appendix I)	
Xenosauridae Chinese crocodile lizard		<i>Shinisaurus crocodilurus</i>		

Appendices			III
II			
I			
SERPENTES			
Boidae Boas			
	<p>Boidae spp. (Except the species included in Appendix I)</p> <p><i>Acrantophis</i> spp. <i>Boa constrictor occidentalis</i> <i>Epicrates inornatus</i> <i>Epicrates monensis</i> <i>Epicrates subflavus</i> <i>Sanzinia madagascariensis</i></p>		
Bolyeriidae Round Island boas			
	<p>Bolyeriidae spp. (Except the species included in Appendix I)</p> <p><i>Bolyeria multocarinata</i> <i>Casarea dussumieri</i></p>		
Colubridae Typical snakes, water snakes, whipsnakes			
		<p><i>Clelia clelia</i> <i>Cyclagras gigas</i> <i>Elachistodon westermanni</i> <i>Ptyas mucosus</i></p>	<p><i>Atretium schistosum</i> (India) <i>Cerberus rynchops</i> (India)</p> <p><i>Xenochrophis piscator</i> (India) <i>Xenochrophis schnurrenbergeri</i> (India) <i>Xenochrophis tytleri</i> (India)</p>
Elapidae Cobras, coral snakes			
	<p><i>Hoplocephalus bungaroides</i></p> <p><i>Naja atra</i> <i>Naja kaouthia</i> <i>Naja mandalayensis</i></p>		<p><i>Micrurus diastema</i> (Honduras) <i>Micrurus nigrocinctus</i> (Honduras) <i>Micrurus ruatanus</i> (Honduras)</p>

Appendices			I	II	III
				<i>Naja naja</i> <i>Naja oxiana</i> <i>Naja philippinensis</i> <i>Naja sagittifera</i> <i>Naja samarensis</i> <i>Naja siamensis</i> <i>Naja sputatrix</i> <i>Naja sumatrana</i> <i>Ophiophagus hannah</i>	
Loxocemidae Mexican dwarf boas					
				Loxocemidae spp.	
Pythonidae Pythons					
			<i>Python molurus molurus</i>	Pythonidae spp. (Except the subspecies included in Appendix I)	
Tropidophiidae Wood boas					
				Tropidophiidae spp.	
Viperidae Vipers					
				<i>Atheris desaixi</i> <i>Bitis worthingtoni</i> <i>Trimeresurus mangshanensis</i> <i>Vipera wagneri</i>	<i>Crotalus durissus</i> (Honduras) <i>Daboia russelii</i> (India)
TESTUDINES			<i>Vipera ursinii</i> (Only the population of Europe, except the area which formerly constituted the Union of Soviet Socialist Republics; these latter populations are not included in the Appendices)		
Carettochelyidae Pig-nosed turtles					
				<i>Carettochelys insculpta</i>	

Appendices		
I	II	III
Chelidae Austro-American sideneck turtles		
	<i>Pseudemys umbrina</i>	<i>Chelodina mccordi</i> (Zero export quota for specimens from the wild)
Cheloniidae Sea turtles		
	Cheloniidae spp.	
Chelydridae Snapping turtles		<i>Chelydra serpentina</i> (United States of America) <i>Macrochelys temminckii</i> (United States of America)
Dermatemydidae Central American river turtles		
	<i>Dermatemys mawii</i>	
Dermochelyidae Leatherback turtles		
	<i>Dermochelys coriacea</i>	
Emydidae Box turtles, freshwater turtles		
	<i>Glyptemys muhlenbergii</i>	<i>Clemmys guttata</i> <i>Emydoidea blandingii</i> <i>Glyptemys insculpta</i>
	<i>Terrapene coahuila</i>	<i>Malaclemys terrapin</i> <i>Terrapene</i> spp. (Except the species included in Appendix I)
Geoemydidae Box turtles, freshwater turtles		<i>Graptemys</i> spp. (United States of America)
	<i>Batagur affinis</i> <i>Batagur baska</i>	<i>Batagur borneoensis</i> (Zero quota for wild specimens for commercial purposes)

	I	Appendices II	III
	<p><i>Geoclemys hamiltonii</i></p>	<p><i>Batagur dhongoka</i> <i>Batagur kachuga</i> <i>Batagur trivittata</i> (Zero quota for wild specimens for commercial purposes) <i>Cuora</i> spp. (Zero quota for wild specimens for commercial purposes for <i>Cuora aurocapitata</i>, <i>C. bourreti</i>, <i>C. flavomarginata</i>, <i>C. galbinifrons</i>, <i>C. mccordi</i>, <i>C. mouhotii</i>, <i>C. pani</i>, <i>C. picturata</i>, <i>C. trifasciata</i>, <i>C. yunnanensis</i> and <i>C. zhoui</i>) <i>Cyclemys</i> spp.</p> <p><i>Geoemyda japonica</i> <i>Geoemyda spengleri</i> <i>Hardella thurjii</i> <i>Heosemys annandalii</i> (Zero quota for wild specimens for commercial purposes) <i>Heosemys depressa</i> (Zero quota for wild specimens for commercial purposes) <i>Heosemys grandis</i> <i>Heosemys spinosa</i> <i>Leucocephalon yuwonoi</i> <i>Malayemys macrocephala</i> <i>Malayemys subtrijuga</i> <i>Mauremys annamensis</i> (Zero quota for wild specimens for commercial purposes)</p> <p><i>Mauremys japonica</i> <i>Mauremys mutica</i> <i>Mauremys nigricans</i></p>	<p><i>Mauremys iversoni</i> (China) <i>Mauremys megalcephala</i> (China) <i>Mauremys pritchardi</i> (China) <i>Mauremys reevesii</i> (China)</p>

Appendices			
I		II	III
	<i>Melanochelys tricarinata</i>	<i>Melanochelys trijuga</i>	<i>Mauremys sinensis</i> (China)
	<i>Morenia ocellata</i>	<i>Morenia petersi</i> <i>Notochelys platynota</i>	<i>Ocadia glyphistoma</i> (China) <i>Ocadia philippeni</i> (China)
	<i>Pangshura tecta</i>	<i>Orlitia borneensis</i> (Zero quota for wild specimens for commercial purposes) <i>Pangshura</i> spp. (Except the species included in Appendix I)	
		<i>Sacalia bealei</i> <i>Sacalia quadriocellata</i> <i>Siebenrockiella crassicolis</i> <i>Siebenrockiella leytenensis</i> <i>Vijayachelys silvatica</i>	<i>Sacalia pseudocellata</i> (China)
	Platysternidae Big-headed turtles		
Podocnemididae Afro-American sideneck turtles	Platysternidae spp.		
		<i>Erymnochelys madagascariensis</i> <i>Peltocephalus dumerilianus</i> <i>Podocnemis</i> spp.	
Testudinidae Tortoises			
	<i>Astrochelys radiata</i> <i>Astrochelys yniphora</i> <i>Chelonoidis niger</i>	<i>Testudinidae</i> spp. (Except the species included in Appendix I. A zero annual export quota has been established for <i>Centrochelys sulcata</i> for specimens removed from the wild and traded for primarily commercial purposes)	

Appendices			III
II			
I			
<i>Geochelone platynota</i> <i>Gopherus flavomarginatus</i> <i>Psammobates geometricus</i> <i>Pyxis arachnoides</i> <i>Pyxis planicauda</i> <i>Testudo kleinmanni</i>			
Trionychidae Softshell turtles			
		<i>Amyda cartilaginea</i>	<i>Apalone ferox</i> (United States of America) <i>Apalone mutica</i> (United States of America) <i>Apalone spinifera</i> (Except the subspecies included in Appendix I) (United States of America)
<i>Apalone spinifera atra</i>		<i>Chitra</i> spp. (Except the species included in Appendix I)	
<i>Chitra chitra</i> <i>Chitra vandijiki</i>		<i>Cyclanorbis elegans</i> <i>Cyclanorbis senegalensis</i> <i>Cycloderma aubryi</i> <i>Cycloderma frenatum</i> <i>Dogania subplana</i> <i>Lissemys ceylonensis</i> <i>Lissemys punctata</i> <i>Lissemys scutata</i> <i>Nilssonina formosa</i>	
<i>Nilssonina gangetica</i> <i>Nilssonina hurum</i>		<i>Nilssonina leithii</i>	
<i>Nilssonina nigricans</i>		<i>Palea steindachneri</i> <i>Pelochelys</i> spp. <i>Pelodiscus axenaria</i>	

Appendices		
	I	II III
		<i>Pelodiscus maackii</i> <i>Pelodiscus parviformis</i> <i>Rafetus euphraticus</i> <i>Rafetus swinhoi</i> <i>Trionyx triunguis</i>
CLASS AMPHIBIA (AMPHIBIANS)		
ANURA		
Aromobatidae Cryptic forest frogs		
		<i>Allobates femoralis</i> <i>Allobates hodli</i> <i>Allobates myersi</i> <i>Allobates zaparo</i> <i>Anomaloglossus rufulus</i>
Bufonidae Toads	<i>Amietophrynus channingi</i> <i>Amietophrynus superciliaris</i> <i>Altiphrynoides</i> spp. <i>Atelopus zeteki</i> <i>Incilius periglenes</i> <i>Nectophrynoides</i> spp. <i>Nimbaphrynoides</i> spp.	
Calyptocephalellidae Chilean toads		<i>Calyptocephalella gayi</i> (Chile)
Dendrobatidae Poison frogs		<i>Adelphobates</i> spp. <i>Ameerega</i> spp. <i>Andinobates</i> spp. <i>Dendrobates</i> spp. <i>Epipedobates</i> spp. <i>Excidobates</i> spp. <i>Hyloxalus azureiventris</i> <i>Minyobates</i> spp. <i>Oophaga</i> spp. <i>Phyllobates</i> spp. <i>Ranitomeya</i> spp.

Appendices		
I	II	III
Dicroglossidae Frogs		
	<i>Euphyctis hexadactylus</i> <i>Hoplobatrachus tigerinus</i>	
Hylidae Tree frogs		
	<i>Agalychnis</i> spp.	
Mantellidae Mantella frogs		
	<i>Mantella</i> spp.	
Microhylidae Tomato frogs		
	<i>Dyscophus antongilii</i> <i>Dyscophus guineti</i> <i>Dyscophus insularis</i> <i>Scaphiophryne boribory</i> <i>Scaphiophryne gottlebei</i> <i>Scaphiophryne marmorata</i> <i>Scaphiophryne spinosa</i>	
Myobatrachidae Gastric-brooding frogs		
	<i>Rheobatrachus</i> spp. (Except <i>Rheobatrachus silus</i> and <i>Rheobatrachus vitellinus</i> which are not included in the Appendices)	
Telmatobiidae Andean water frogs		
	<i>Telmatobius culeus</i>	
CAUDATA		
Ambystomatidae Axolotls, mole salamanders		
	<i>Ambystoma dumerilii</i> <i>Ambystoma mexicanum</i>	
Cryptobranchidae Giant salamanders		
	<i>Andrias</i> spp.	<i>Cryptobranchus alleganiensis</i> (United States of America)
Hynobiidae Asiatic salamanders		<i>Hynobius amjensis</i> (China)

Appendices		
I	II	III
Salamandridae Newts and salamanders	<i>Neuregus kaiseri</i>	
	<i>Paramesotriton hongkongensis</i>	<i>Salamandra algira</i> (Algeria)
CLASS ELASMOBRANCHII (SHARKS)		
CARCHARHINIFORMES		
Carcharhinidae Requiem sharks		
	<i>Carcharhinus falciformis</i> <i>Carcharhinus longimanus</i>	
Sphyrnidae Hammerhead sharks		
	<i>Sphyrna lewini</i> <i>Sphyrna mokarran</i> <i>Sphyrna zygaena</i>	
LAMNIFORMES		
Alopiidae Thresher sharks		
	<i>Alopias</i> spp.	
Cetorhinidae Basking sharks		
	<i>Cetorhinus maximus</i>	
Lamnidae Mackerel sharks		
	<i>Carcharodon carcharias</i> <i>Lamna nasus</i>	
MYLIOBATIFORMES		
Myliobatidae Eagle and mobulid rays		
	<i>Manta</i> spp. <i>Mobula</i> spp.	
Potamotrygonidae Freshwater stingrays		
		<i>Paratrygon aiereba</i> (Colombia) <i>Potamotrygon</i> spp. (population of Brazil) (Brazil) <i>Potamotrygon constellata</i> (Colombia) <i>Potamotrygon magdalenae</i> (Colombia) <i>Potamotrygon motoro</i> (Colombia)

Appendices		
I	II	III
		<i>Potamotrygon orbignyi</i> (Colombia) <i>Potamotrygon schroederi</i> (Colombia) <i>Potamotrygon scobina</i> (Colombia) <i>Potamotrygon yepezi</i> (Colombia)
ORECTOLOBIFORMES		
Rhincodontidae Whale sharks		
	<i>Rhincodon typus</i>	
PRISTIFORMES		
Pristidae Sawfishes		
	Pristidae spp.	
CLASS ACTINOPTERI (FISHES)		
ACIPENSERIFORMES		ACIPENSERIFORMES spp. (Except the species included in Appendix I)
Acipenseridae Sturgeons		
	<i>Acipenser brevirostrum</i> <i>Acipenser sturio</i>	
ANGUILLIFORMES		
Anguillidae Freshwater eels		
	<i>Anguilla anguilla</i>	
CYPRINIFORMES		
Catostomidae Cui-ui		
	<i>Chasmistes cujus</i>	
Cyprinidae Carps		
	<i>Probarbus jullieni</i>	<i>Caecobarbus geertsii</i>
OSTEOGLOSSIFORMES		
Arapaimidae Arapaimas		
	<i>Arapaima gigas</i>	
Osteoglossidae Bonytongue		
	<i>Scleropages formosus</i> <i>Scleropages inscriptus</i>	

	I	Appendices II	III
PERCIFORMES			
Labridae Wrasses		<i>Cheilinus undulatus</i>	
Pomacanthidae Angelfishes		<i>Holacanthus clarionensis</i>	
Sciaenidae Totoaba			
	<i>Totoaba macdonaldi</i>		
SILURIFORMES			
Pangasiidae Pangasid catfish			
Loricariidae Armoured catfishes	<i>Pangasianodon gigas</i>		
			<i>Hypancistrus zebra</i> (Brazil)
SYNGNATHIFORMES			
Syngnathidae Pipefishes, seahorses		<i>Hippocampus</i> spp.	
CLASS DIPNEUSTI (LUNGFISHES)			
CERATODONTIFORMES			
Neoceratodontidae Australian lungfishes		<i>Neoceratodus forsteri</i>	
CLASS COELACANTHI (COELACANTHS)			
COELACANTHIFORMES			
Latimeriidae Coelacanth	<i>Latimeria</i> spp.		
PHYLUM ECHINODERMATA CLASS HOLOTHUROIDEA (SEA CUCUMBERS)			
ASPIDOCHIROTIDA			
Stichopodidae Sea cucumbers			<i>Isostichopus fuscus</i> (Ecuador)

		Appendices	
I		II	III
PHYLUM ARTHROPODA			
CLASS ARACHNIDA (SCORPIONS AND SPIDERS)			
ARANEAE			
Theraphosidae Red-kneed tarantulas, tarantulas			
		<i>Aphonopelma albiceps</i> <i>Aphonopelma pallidum</i> <i>Brachypelma</i> spp.	
SCORPIONES			
Scorpionidae Scorpions			
		<i>Pandinus dictator</i> <i>Pandinus gambiensis</i> <i>Pandinus imperator</i> <i>Pandinus roeseli</i>	
CLASS INSECTA (INSECTS)			
COLEOPTERA			
Lucanidae Stag beetles			<i>Colophon</i> spp. (South Africa)
Scarabaeidae Scarab beetles		<i>Dynastes satanas</i>	
LEPIDOPTERA			
Nymphalidae Brush-footed butterflies			<i>Agrias amydon boliviensis</i> (Plurinational State of Bolivia) <i>Morpho godartii lachaumei</i> (Plurinational State of Bolivia) <i>Prepona praeneste buckleyana</i> (Plurinational State of Bolivia)
Papilionidae Birdwing butterflies, swallowtail butterflies			
		<i>Atrophaneura jophon</i> <i>Atrophaneura pandiyana</i> <i>Bhutanitis</i> spp. <i>Ornithoptera</i> spp. (Except the species included in Appendix I)	

Appendices		
II		III
I		
<i>Ornithoptera alexandrae</i> <i>Papilio chikae</i> <i>Papilio homerus</i>	<i>Papilio hospiton</i> <i>Parnassius apollo</i> <i>Teinopalpus</i> spp. <i>Trogonoptera</i> spp. <i>Troides</i> spp.	
PHYLUM ANNELIDA CLASS HIRUDINOIDEA (LEECHES) ARHYNCHOBDELLIDA Hirudinidae Medicinal leeches		
	<i>Hirudo medicinalis</i> <i>Hirudo verbana</i>	
PHYLUM MOLLUSCA CLASS BIVALVIA (CLAMS AND MUSSELS)		
MYTILOIDA Mytilidae Marine mussels		
	<i>Lithophaga lithophaga</i>	
UNIONOIDA Unionidae Freshwater mussels, pearly mussels		
	<i>Conradilla caelata</i> <i>Dromus dromas</i> <i>Epioblasma curtisi</i> <i>Epioblasma florentina</i> <i>Epioblasma sampsonii</i> <i>Epioblasma sulcata perobliqua</i> <i>Epioblasma torulosa gubernaculum</i> <i>Epioblasma torulosa torulosa</i> <i>Epioblasma turgidula</i> <i>Epioblasma walkeri</i>	<i>Cyprogenia aberti</i> <i>Epioblasma torulosa rangiana</i>

Appendices		I	II	III
Camaenidae Green tree snails			<i>Papustyla pulcherrima</i>	
Cepolidae Helicoid terrestrial snails				
			<i>Polymita</i> spp.	
PHYLUM CNIDARIA CLASS ANTHOZOA (CORALS AND SEA ANEMONES)				
ANTIPATHARIA Black corals			ANTIPATHARIA spp.	
GORGONACEAE				
Coralliidae Red and pink corals				<i>Corallium elatius</i> (China) <i>Corallium japonicum</i> (China) <i>Corallium konjoi</i> (China) <i>Corallium secundum</i> (China)
HELIOPORACEA				
Helioporidae Blue corals			Helioporidae spp. (Includes only the species <i>Heliopora coerulea</i> . Fossils are not subject to the provisions of the Convention)	
SCLERACTINIA Stony corals			SCLERACTINIA spp. (Fossils are not subject to the provisions of the Convention)	
STOLONIFERA				
Tubiporidae Organ-pipe corals			Tubiporidae spp. (Fossils are not subject to the provisions of the Convention)	
CLASS HYDROZOA (SEA FERNS, FIRE CORALS AND STINGING MEDUSAE)				
MILLEPORINA				

	Appendices		
	I	II	III
Milleporidae Fire corals			
		Milleporidae spp. (Fossils are not subject to the provisions of the Convention)	
STYLASTERINA			
Stylasteridae Lace corals			
		Stylasteridae spp. (Fossils are not subject to the provisions of the Convention)	

Appendices		I	II	III
FLORA (PLANTS)				
AGAVACEAE Agaves				
	<i>Agave parviflora</i>		<i>Agave victoriae-reginae</i> ^{#4} <i>Nolina interrata</i> <i>Yucca queretaroensis</i>	
AMARYLLIDACEAE Snowdrops, sternbergias				
			<i>Galanthus</i> spp. ^{#4} <i>Sternbergia</i> spp. ^{#4}	
ANACARDIACEAE Cashews				
			<i>Operculicarya decaryi</i> <i>Operculicarya hyphaenoides</i> <i>Operculicarya pachypus</i>	
APOCYNACEAE Elephant trunks, hoodias				
	<i>Pachypodium ambongense</i> <i>Pachypodium baronii</i>		<i>Hoodia</i> spp. ^{#9} <i>Pachypodium</i> spp. ^{#4} (Except the species included in Appendix I)	

^{#4} All parts and derivatives, except:

- seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Dypsis decaryi* exported from Madagascar;
- seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- cut flowers of artificially propagated plants;
- fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;
- stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae); and
- finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade.

^{#9} All parts and derivatives except those bearing a label:

"Produced from *Hoodia* spp. material obtained through controlled harvesting and production under the terms of an agreement with the relevant CITES Management Authority of [Botswana under agreement No. BW/xxxxxx] [Namibia under agreement No. NA/xxxxxx] [South Africa under agreement No. ZA/xxxxxx]".

Appendices		
	I	II
	<i>Pachypodium decaryi</i>	III
ARALIACEAE Ginseng		<i>Rauvolfia serpentina</i> #2
		<i>Panax ginseng</i> #3 (Only the population of the Russian Federation; no other population is included in the Appendices)
		<i>Panax quinquefolius</i> #3
ARAUARIACEAE Monkey-puzzle trees		
	<i>Araucaria araucana</i>	
ASPARAGACEAE Includes ponytail palms		
	<i>Beaucarnea</i> spp.	
BERBERIDACEAE May-apple		<i>Podophyllum hexandrum</i> #2
BROMELIACEAE Air plants, bromelias		
	<i>Tillandsia harrisii</i> #4	
	<i>Tillandsia kammii</i> #4	
	<i>Tillandsia xerographica</i> #4	

#2 All parts and derivatives except:

- a) seeds and pollen; and
- b) finished products packaged and ready for retail trade.

#3 Whole and sliced roots and parts of roots, excluding manufactured parts or derivatives, such as powders, pills, extracts, tonics, teas and confectionery.

#4 All parts and derivatives, except:

- a) seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Dypsis decaryi* exported from Madagascar;
- b) seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- c) cut flowers of artificially propagated plants;
- d) fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;
- e) stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae); and
- f) finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade.

Appendices		III	
II		I	
CACTACEAE Cacti			
	<p>CACTACEAE spp.^{9 #4} (Except the species included in Appendix I and except <i>Pereskia</i> spp., <i>Peresklopsis</i> spp. and <i>Quiabentia</i> spp.)</p>	<p><i>Ariocarpus</i> spp. <i>Astrophytum asterias</i> <i>Aztekium ritteri</i> <i>Coryphantha werdermannii</i> <i>Discocactus</i> spp. <i>Echinocereus ferreirianus</i> spp. <i>lindsayi</i> <i>Echinocereus schmollii</i> <i>Escobaria minima</i> <i>Escobaria sneedii</i> <i>Mammillaria pectinifera</i> (includes <i>ssp. solisoides</i>) <i>Melocactus conoideus</i> <i>Melocactus deinacanthus</i> <i>Melocactus glaucescens</i> <i>Melocactus paucispinus</i> <i>Obregonia denegrii</i></p>	

⁹ Artificially propagated specimens of the following hybrids and/or cultivars are not subject to the provisions of the Convention:

- *Hatiora* x *graeberi*
- *Schlumbergera* x *buckleyi*
- *Schlumbergera russelliana* x *Schlumbergera truncata*
- *Schlumbergera orssichiana* x *Schlumbergera truncata*
- *Schlumbergera opuntioides* x *Schlumbergera truncata*
- *Schlumbergera truncata* (cultivars)
- *Cactaceae* spp. colour mutants grafted on the following grafting stocks: *Harrisia 'Jusbertii'*, *Hylocereus trigonus* or *Hylocereus undatus*
- *Opuntia microdasys* (cultivars).

^{#4} All parts and derivatives, except:

- a) seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Dypsis decaryi* exported from Madagascar;
- b) seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- c) cut flowers of artificially propagated plants;
- d) fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;
- e) stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae); and
- f) finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade.

Appendices		
I	II	III
<i>Pachocereus militaris</i> <i>Pediocactus bradyi</i> <i>Pediocactus knowltonii</i> <i>Pediocactus paradigmii</i> <i>Pediocactus peeblesianus</i> <i>Pediocactus sileri</i> <i>Pelecypora</i> spp. <i>Sclerocactus blainei</i> <i>Sclerocactus brevihamatus</i> ssp. <i>tobuschii</i> <i>Sclerocactus brevispinus</i> <i>Sclerocactus cloverae</i> <i>Sclerocactus erectocentrus</i> <i>Sclerocactus glaucus</i> <i>Sclerocactus mariposensis</i> <i>Sclerocactus mesae-verdae</i> <i>Sclerocactus nyensis</i> <i>Sclerocactus papyracanthus</i> <i>Sclerocactus pubispinus</i> <i>Sclerocactus sileri</i> <i>Sclerocactus wetlandicus</i> <i>Sclerocactus wrightiae</i> <i>Strombocactus</i> spp. <i>Turbinicarpus</i> spp. <i>Uebelmannia</i> spp.		
CARYOCARACEAE Ajo		
	Caryocar costaricense #4	

#4 All parts and derivatives, except:

- seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Dypsis decaryi* exported from Madagascar;
- seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- cut flowers of artificially propagated plants;
- fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;
- stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae); and
- finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade.

	Appendices		
	I	II	III
COMPOSITAE (Asteraceae) Kuth			
	<i>Saussurea costus</i>		
CUCURBITACEAE Melons, gourds, cucurbits			
		<i>Zygoscicyos pubescens</i> <i>Zygoscicyos tripartitus</i>	
CUPRESSACEAE Alerce, cypresses			
	<i>Fitzroya cupressoides</i> <i>Pilgerodendron uviferum</i>		
CYATHEACEAE Tree-ferns			
		<i>Cyathea</i> spp. #4	
CYCADACEAE Cycads			
		CYCADACEAE spp. #4 (Except the species included in Appendix I)	
	<i>Cycas beddomei</i>		
DICKSONIACEAE Tree-ferns			
		<i>Cibotium barometz</i> #4 <i>Dicksonia</i> spp. #4 (Only the populations of the Americas; no other population is included in the Appendices)	
DIDIEREACEAE Alluaudias, didiereas			
		DIDIEREACEAE spp. #4	
DIOSCOREACEAE Elephant's foot, kniss			
		<i>Dioscorea deltoidea</i> #4	

#4

All parts and derivatives, except:

- seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Dypsis decaryi* exported from Madagascar;
- seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- cut flowers of artificially propagated plants;
- fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;
- stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae); and
- finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade.

Appendices		
I	II	III
DROSERACEAE Venus' flytrap		
EBENACEAE Ebonies	<i>Dionaea muscipula</i> ^{#4}	
EUPHORBIACEAE Spurges	<i>Diospyros</i> spp. ^{#5} (Populations of Madagascar)	
	<p><i>Euphorbia</i> spp. ^{#4} (Succulent species only except <i>Euphorbia misera</i> and the species included in Appendix I.</p> <p>Artificially propagated specimens of cultivars of <i>Euphorbia trigona</i>, artificially propagated specimens of crested, fan-shaped or colour mutants of <i>Euphorbia lactea</i>, when grafted on artificially propagated root stock of <i>Euphorbia nerifolia</i>, and artificially propagated specimens of cultivars of <i>Euphorbia</i> 'Mili' when they are traded in shipments of 100 or more plants and readily recognizable as artificially propagated specimens, are not subject to the provisions of the Convention)</p>	
	<p><i>Euphorbia ambovombensis</i> <i>Euphorbia capsaintemariensis</i> <i>Euphorbia cremersii</i> (Includes the forma <i>viridifolia</i> and the var. <i>rakotozafy</i>) <i>Euphorbia cylindrifolia</i> (Includes the ssp. <i>tuberifera</i>)</p>	

^{#4} All parts and derivatives, except:

- seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Dypsis decaryi* exported from Madagascar;
- seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- cut flowers of artificially propagated plants;
- fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;
- stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae); and
- finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade.

^{#5} Logs, sawn wood and veneer sheets.

Appendices		
II		III
I		
	<p><i>Euphorbia decaryi</i> (Includes the vars. <i>ampanihyensis</i>, <i>robinsonii</i> and <i>spirosticha</i>)</p> <p><i>Euphorbia francoisii</i></p> <p><i>Euphorbia moratii</i> (Includes the vars. <i>antsingensis</i>, <i>bemarahensis</i> and <i>multiflora</i>)</p> <p><i>Euphorbia parvicyathophora</i></p> <p><i>Euphorbia quartiticola</i></p> <p><i>Euphorbia tulearensis</i></p>	
FAGACEAE Beeches		<i>Quercus mongolica</i> ^{#5} (Russian Federation)
FOUQUIERIACEAE Ocotillos		<i>Fouquieria columnaris</i> ^{#4}
	<p><i>Fouquieria fasciculata</i></p> <p><i>Fouquieria purpusii</i></p>	
GNETACEAE Gnetums		<i>Gnetum montanum</i> ^{#1} (Nepal)
JUGLANDACEAE Gavlans		<i>Oreomunnea pterocarpa</i> ^{#4}
LAURACEAE Laurels		

^{#5} Logs, sawn wood and veneer sheets.

^{#4} All parts and derivatives, except:

- a) seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Dypsis decaryi* exported from Madagascar;
- b) seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- c) cut flowers of artificially propagated plants;
- d) fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;
- e) stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae); and
- f) finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade.

^{#1} All parts and derivatives, except:

- a) seeds, spores and pollen (including pollinia);
- b) seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- c) cut flowers of artificially propagated plants; and
- d) fruits, and parts and derivatives thereof, of artificially propagated plants of the genus *Vanilla*.

Appendices		
I	II	III
	<i>Aniba rosaeodora</i> #12	
LEGUMINOSAE (Fabaceae) Afromosia, cristobal, palisander, rosewood, sandalwood		
	<i>Dalbergia nigra</i>	
	<i>Caesalpinia echinata</i> #10 <i>Dalbergia</i> spp. #15 (except for the species listed in Appendix I) <i>Guibourtia demeusei</i> #15 <i>Guibourtia pellegriniana</i> #15 <i>Guibourtia tessmannii</i> #15 <i>Pericopsis elata</i> #5 <i>Platymiscium pleiostachyum</i> #4 <i>Pterocarpus erinaceus</i> <i>Pterocarpus santalinus</i> #7 <i>Senna meridionalis</i>	<i>Dipteryx panamensis</i> (Costa Rica, Nicaragua)

#12 Logs, sawn wood, veneer sheets, plywood and extracts. Finished products containing such extracts as ingredients, including fragrances, are not considered to be covered by this annotation.

#10 Logs, sawn wood, veneer sheets, including unfinished wood articles used for the fabrication of bows for stringed musical instruments.

#15 All parts and derivatives are included, except:

- Leaves, flowers, pollen, fruits, and seeds;
- Non-commercial exports of a maximum total weight of 10 kg, per shipment;
- Parts and derivatives of *Dalbergia cochinchinensis*, which are covered by Annotation # 4;
- Parts and derivatives of *Dalbergia* spp. originating and exported from Mexico, which are covered by Annotation # 6.

#5 Logs, sawn wood and veneer sheets.

#4 All parts and derivatives, except:

- seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Dypsis decaryi* exported from Madagascar;
- seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- cut flowers of artificially propagated plants;
- fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;
- stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae); and
- finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade.

#7 Logs, woodchips, powder and extracts.

Appendices		
	I	II
		III
LILIACEAE Aloes	<p><i>Aloe albid</i></p> <p><i>Aloe albiflora</i></p> <p><i>Aloe alfredii</i></p> <p><i>Aloe bakeri</i></p> <p><i>Aloe bellatula</i></p> <p><i>Aloe calcairophila</i></p> <p><i>Aloe compressa</i> (Includes the vars. <i>paucituberculata</i>, <i>rugosquamosa</i> and <i>schistophila</i>)</p> <p><i>Aloe delphinensis</i></p> <p><i>Aloe descoingsii</i></p> <p><i>Aloe fragilis</i></p> <p><i>Aloe haworthioides</i> (Includes the var. <i>aurantiaca</i>)</p> <p><i>Aloe helenae</i></p> <p><i>Aloe laeta</i> (Includes the var. <i>maniaensis</i>)</p> <p><i>Aloe parallelifolia</i></p> <p><i>Aloe parvula</i></p> <p><i>Aloe pillansii</i></p> <p><i>Aloe polyphylla</i></p> <p><i>Aloe rauhii</i></p>	<p>Aloe spp. ^{#4} (Except the species included in Appendix I. Also excludes <i>Aloe vera</i>, also referenced as <i>Aloe barbadensis</i> which is not included in the Appendices)</p>

#4

All parts and derivatives, except:

- seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Dypsis decaryi* exported from Madagascar;
- seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- cut flowers of artificially propagated plants;
- fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;
- stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae); and
- finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade.

Appendices		
I	II	III
	<i>Aloe suzannae</i> <i>Aloe versicolor</i> <i>Aloe vossii</i>	
MAGNOLIACEAE Magnolias		<i>Magnolia liliifera</i> var. <i>obovata</i> ^{#1} (Nepal)
MALVACEAE Includes baobabs		
MELIACEAE Mahoganies, West Indian cedar	<i>Adansonia grandidieri</i> ^{#16}	
		<i>Cedrela fissilis</i> ^{#5} (Plurinational State of Bolivia, Brazil) <i>Cedrela lilloi</i> ^{#5} (Plurinational State of Bolivia, Brazil) <i>Cedrela odorata</i> ^{#5} (Brazil and the Plurinational State of Bolivia. In addition, the following countries have listed their national populations: Colombia, Guatemala and Peru)
		<i>Swietenia humilis</i> ^{#4}

^{#1} All parts and derivatives, except:

- a) seeds, spores and pollen (including pollinia);
- b) seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers; and
- c) cut flowers of artificially propagated plants; and
- d) fruits, and parts and derivatives thereof, of artificially propagated plants of the genus *Vanilla*.

^{#16} Seeds, fruits, oil and live plants

^{#5} Logs, sawn wood and veneer sheets.

^{#4} All parts and derivatives, except:

- a) seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Dyopsis decaryi* exported from Madagascar;
- b) seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- c) cut flowers of artificially propagated plants;
- d) fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;
- e) stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae); and
- f) finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade.

Appendices		
I	II	III
	<i>Swietenia macrophylla</i> ^{#6} (Populations of the Neotropics)	
	<i>Swietenia mahagoni</i> ^{#5}	
NEPENTHACEAE Pitcher-plants (Old World)		
	<i>Nepenthes</i> spp. ^{#4} (Except the species included in Appendix I)	
	<i>Nepenthes khasiana</i> <i>Nepenthes rajah</i>	
OLEACEAE Ashes, etc.		<i>Fraxinus mandshurica</i> ^{#5} (Russian Federation)
ORCHIDACEAE Orchids		
	ORCHIDACEAE spp. ^{10 #4} (Except the species included in Appendix I)	

^{#6} Logs, sawn wood, veneer sheets and plywood.

^{#5} Logs, sawn wood and veneer sheets.

^{#4} All parts and derivatives, except:

- a) seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Dypsis decaryi* exported from Madagascar;
- b) seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- c) cut flowers of artificially propagated plants;
- d) fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;
- e) stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae); and
- f) finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade.

- ¹⁰ Artificially propagated hybrids of the following genera are not subject to the provisions of the Convention, if conditions, as indicated under a) and b), are met: *Cymbidium*, *Dendrobium*, *Phalaenopsis* and *Vanda*:
- a) Specimens are readily recognizable as artificially propagated and do not show any signs of having been collected in the wild such as mechanical damage or strong dehydration resulting from collection, irregular growth and heterogeneous size and shape within a taxon and shipment, algae or other epiphyllous organisms adhering to leaves, or damage by insects or other pests; and
 - b) i) when shipped in non-flowering state, the specimens must be traded in shipments consisting of individual containers (such as cartons, boxes, crates or individual shelves of CC-containers) each containing 20 or more plants of the same hybrid; the plants within each container must exhibit a high degree of uniformity and healthiness; and the shipment must be accompanied by documentation, such as an invoice, which clearly states the number of plants of each hybrid; or
 - ii) when shipped in flowering state, with at least one fully open flower per specimen, no minimum number of specimens per shipment is required but specimens must be professionally processed for commercial retail sale, e.g. labelled with printed labels or packaged with printed packages indicating the name of the hybrid and the country of final processing. This should be clearly visible and allow easy verification.

Plants not clearly qualifying for the exemption must be accompanied by appropriate CITES documents.

Appendices		
II		III
I		
	(For all of the following Appendix-I species, seedling or tissue cultures obtained <i>in vitro</i> , in solid or liquid media, and transported in sterile containers are not subject to the provisions of the Convention only if the specimens meet the definition of 'artificially propagated' agreed by the Conference of the Parties) <i>Aerangis ellisii</i> <i>Dendrobium cruentum</i> <i>Laelia jongheana</i> <i>Laelia lobata</i> <i>Paphiopedilum</i> spp. <i>Peristeria elata</i> <i>Phragmipedium</i> spp. <i>Renanthera imschootiana</i>	
OROBANCHACEAE Broomrapes		
	<i>Cistanche deserticola</i> ^{#4}	
PALMAE (Arecaceae) Palms		
	<i>Beccariophoenix madagascariensis</i> ^{#4} <i>Dypsis decaryi</i> ^{#4} <i>Lemurophoenix halleuxii</i> <i>Marojejya darianii</i>	<i>Lodoicea maldivica</i> ^{#13} (Seychelles)
	<i>Dypsis decipiens</i>	

^{#4} All parts and derivatives, except:

- seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Dypsis decaryi* exported from Madagascar;
- seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- cut flowers of artificially propagated plants;
- fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;
- stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae); and
- finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade.

^{#13} The kernel (also known as 'endosperm', 'pulp' or 'copra') and any derivative thereof.

Appendices		
I	II	III
	<i>Ravenea louvelii</i> <i>Ravenea rivularis</i> <i>Satranala decussilvae</i> <i>Voanioala gerardii</i>	
PAPAVERACEAE Poppy		<i>Meconopsis regia</i> ^{#1} (Nepal)
PASSIFLORACEAE Passion-flowers		
	<i>Adenia firingalavensis</i> <i>Adenia olaboensis</i> <i>Adenia subsessilifolia</i>	
PEDALIACEAE Sesames		
	<i>Uncarina grandidieri</i> <i>Uncarina stellulifera</i>	
PINACEAE Firs and pines		
	<i>Abies guatemalensis</i>	<i>Pinus koraiensis</i> ^{#5} (Russian Federation)
PODOCARPACEAE Podocarps		
	<i>Podocarpus parlatorei</i>	<i>Podocarpus nerifolius</i> ^{#1} (Nepal)

^{#1}

All parts and derivatives, except:

- seeds, spores and pollen (including pollinia);
- seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- cut flowers of artificially propagated plants; and
- fruits, and parts and derivatives thereof, of artificially propagated plants of the genus *Vanilla*.

^{#5}

Logs, sawn wood and veneer sheets.

	Appendices		
	I	II	III
PORTULACACEAE Lewisias, portulacas, purslanes		<i>Anacampseros</i> spp. #4 <i>Avonia</i> spp. #4 <i>Lewisia serrata</i> #4	
PRIMULACEAE Cyclamens		<i>Cyclamen</i> spp. #11 #4	
RANUNCULACEAE Golden seals, yellow adonis, yellow root		<i>Adonis vernalis</i> #2 <i>Hydrastis canadensis</i> #8	
ROSACEAE African cherry, stinkwood		<i>Prunus africana</i> #4	
RUBIACEAE Ayugue		<i>Balmea stormiae</i>	
SANTALACEAE Sandalwoods		<i>Osyris lanceolata</i> #2 (Populations of Burundi, Ethiopia, Kenya, Rwanda, Uganda and the United Republic of Tanzania)	

#4 All parts and derivatives, except:

- a) seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Dypsis decaryi* exported from Madagascar;
- b) seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- c) cut flowers of artificially propagated plants;
- d) fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;
- e) stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae); and
- f) finished products of *Euphorbia antisyphilitica* packaged and ready for retail trade.

#11 Artificially propagated specimens of cultivars of *Cyclamen persicum* are not subject to the provisions of the Convention. However, the exemption does not apply to such specimens traded as dormant tubers.

#2 All parts and derivatives except:

- a) seeds and pollen; and
- b) finished products packaged and ready for retail trade.

#8 Underground parts (i.e. roots, rhizomes): whole, parts and powdered.

Appendices		
I	II	III
SARRACENIACEAE Pitcher-plants (New World)		
	<i>Sarracenia oreophila</i> <i>Sarracenia rubra</i> ssp. <i>alabamensis</i> <i>Sarracenia rubra</i> ssp. <i>jonesii</i>	<i>Sarracenia</i> spp. ^{#4} (Except the species included in Appendix I)
SCROPHULARIACEAE Kutki		
		<i>Picrorhiza kurroo</i> ^{#2} (Excludes <i>Picrorhiza scrophulariiflora</i>)
STANGERIACEAE Stangerias		
	<i>Stangeria eriopus</i>	<i>Bowenia</i> spp. ^{#4}
TAXACEAE Himalayan yew		
		<i>Taxus chinensis</i> and infraspecific taxa of this species ^{#2} <i>Taxus cuspidata</i> and infraspecific taxa of this species ^{12 #2} <i>Taxus fuana</i> and infraspecific taxa of this species ^{#2} <i>Taxus sumatrana</i> and infraspecific taxa of this species ^{#2} <i>Taxus wallichiana</i> ^{#2}

^{#4}

All parts and derivatives, except:

- a) seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Dypsis decaryi* exported from Madagascar;
- b) seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- c) cut flowers of artificially propagated plants;
- d) fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;
- e) stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae); and
- f) finished products of *Euphorbia antisiphilitica* packaged and ready for retail trade.

^{#2}

All parts and derivatives except:

- a) seeds and pollen; and
- b) finished products packaged and ready for retail trade.

¹²

Artificially propagated hybrids and cultivars of *Taxus cuspidata*, live, in pots or other small containers, each consignment being accompanied by a label or document stating the name of the taxon or taxa and the text 'artificially propagated', are not subject to the provisions of the Convention.

Appendices		I	II	III
THYMELAEACEAE (Aquiliaceae) Agarwood, ramin			<i>Aquilaria</i> spp. #14 <i>Gonystylus</i> spp. #4 <i>Gyrinops</i> spp. #14	
TROCHODENDRACEAE (Tetracentraceae) Tetracentron				<i>Tetracentron sinense</i> #1 (Nepal)
VALERIANACEAE Himalayan spikenard				
VITACEAE Grapes			<i>Nardostachys grandiflora</i> #2	
			<i>Cyphostemma elephantopus</i> <i>Cyphostemma laza</i> <i>Cyphostemma montagnacii</i>	

#14 All parts and derivatives except:

- seeds and pollen;
- seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- fruits;
- leaves;
- exhausted agarwood powder, including compressed powder in all shapes; and
- finished products packaged and ready for retail trade, this exemption does not apply to wood chips, beads, prayer beads and carvings.

#4 All parts and derivatives, except:

- seeds (including seedpods of Orchidaceae), spores and pollen (including pollinia). The exemption does not apply to seeds from Cactaceae spp. exported from Mexico, and to seeds from *Beccariophoenix madagascariensis* and *Dypsis decaryi* exported from Madagascar;
- seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- cut flowers of artificially propagated plants;
- fruits, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genus *Vanilla* (Orchidaceae) and of the family Cactaceae;
- stems, flowers, and parts and derivatives thereof, of naturalized or artificially propagated plants of the genera *Opuntia* subgenus *Opuntia* and *Selenicereus* (Cactaceae); and
- finished products of *Euphorbia antisiphilitica* packaged and ready for retail trade.

#1 All parts and derivatives, except:

- seeds, spores and pollen (including pollinia);
- seedling or tissue cultures obtained *in vitro*, in solid or liquid media, transported in sterile containers;
- cut flowers of artificially propagated plants; and
- fruits, and parts and derivatives thereof, of artificially propagated plants of the genus *Vanilla*.

#2 All parts and derivatives except:

- seeds and pollen; and
- finished products packaged and ready for retail trade.

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THE PAUL G. ALLEN
FAMILY FOUNDATION

2020 DNPW ACHIEVEMENTS

	2020	2019	Change
Arrests	621	987	-366
Number of convictions	405	296	109
Firearms	57	59	-2
Ivory	349.5	562.7	-213.16
Hippo teeth	12.91	63.64	-50.732
Wire snares	1892	3642	-1750
Pitsaw	42	40	2
Axe	81	124	-43
Hoe	100	45	55
Panga knife	113	237	-124
Fishing net	65	105	-40
Planks	823	247	576
Ammunition	0	373	-373
Bicycle	38	36	2
Motorbike		0	0
Vehicle	9	11	-2
Shovel	7	14	-7
Charcoal bags	806	268	538
Fence wire	58	40	18
Oxen	0	6	-6
Oxcart	1	6	-5
Gintrap	21	38	-17
Spear	3	7	-4
Elephant bone	74	10	64
Rhino horn	0	0.914	-0.914
Pangolin	43	12	31
Pangolin scales	3.754	4.008	-0.254
African giant rat	0	2	-2
Emperor scorpions	0	80	-80
Tortoises	2	4	-2
Animal skins	0	12	-12
Crabs	0	385	-385
Hand grenades	0	5	-5
Boats	139	78	61

Canoes	76	51	25
Game meat	113.5	57	56.5
Hook and line	0	16	-16
Hammer	0	1	-1
Poles	196	50	146
Cannabis	0	2024	-2024
Pellets (MLG)	54	43	11
Pick	0	1	-1
Orchid	41	11	30
Fish	365	64	301
Matches	0	1	-1
Others	680	56	624

VISITOR INFORMATION

Non Paying Visitors

Visitor Numbers	2020	2019	Change
Nyika National Park	308	165	143
Vwaza Marsh Wildlife Reserve	356	509	- 153
Kasungu National Park	1,382	6,047	- 4,665
Lake Malawi National Park	294	3,260	- 2,966
Lengwe National Park	267	1,340	- 1,073
	2,607	11,321	- 8,714

Paying Visitors

Visitor Numbers	2020	2019	Change
Nyika National Park	557	1,500	- 943
Vwaza Marsh Wildlife Reserve	116	452	- 336
Kasungu National Park	633	1,191	- 558
Lake Malawi National Park	4,694	7,974	- 3,280
Lengwe National Park	94	296	- 202
	6,094	11,413	- 5,319

Revenue collected

	2020	2019	Change
Nyika National Park	4,952,049.00	15,369,842.00	- 10,417,793.00
Vwaza Marsh Wildlife Reserve	2,483,275.00	10,811,120.00	- 8,327,845.00
Kasungu National Park	1,619,260.00	6,243,665.00	- 4,624,405.00
Lake Malawi National Park	5,133,500.00	12,984,708.00	- 7,851,208.00
Lengwe National Park	494,980.00	1,015,050.00	- 520,070.00
Concessions	29,150,000.00	83,000,000.00	- 53,850,000.00
	43,833,064.00	129,424,385.00	- 85,591,321.00

Animal Mortality		Remarks
Bushpig	1	Lake Malawi National Park
Rock hyrax	3	Lake Malawi national Park
Cichlid fish	848	Lake Malawi National Park
Buffalo	1	Mwabvi Wildlife Reserve
Crocodile	1	Mwabvi Wildlife Reserve
Elephants	7	Reports from Kasungu, Nkhotakota, Liwonde and Majete. Cause of death being natural though through investigations we learnt that Liwonde lost 2 elephants through poaching.
Dead animals	64	Data from Nyika (52) and Nkhotakota (12) species involved not mentioned
Bushbuck	3	Kasungu National Park
Leopards	2	Nkhotakota Wildlife Reserve