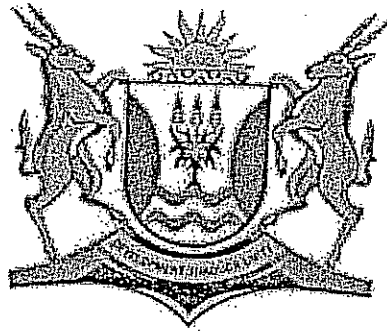


Province of the Eastern Cape



Department of Economic
Development &
Environmental Affairs

**CERTIFICATE OF ADEQUATE
ENCLOSURE & DANGEROUS
GAME FENCING
SPECIFICATIONS**

Operational Guideline
of the Chief Directorate of
Environmental Affairs
Private Bag x 0054
Bhisho
5605

This policy serves as a guide to game farmers who would like to apply for a Certificate of Adequate Enclosure granting them certain rights to manage the game within their properties. This policy is based on the Nature and Environmental Conservation Ordinance (No 19 of 1974). A CAE is issued in terms of Chapter IV section 35 of the ordinance.

In order to qualify for a permit under the National Environmental Management: Biodiversity Act 10 of 2004 (Threatened or Protected Species Regulations - TOPS), the fencing specifications described below will apply even though the TOPS species will not be listed on the CAE.

Extra-limital species listed in terms of the National Environmental Management: Biodiversity Act 10 of 2004 (Alien and Invasive Species Regulations) MAY ONLY be kept on a property that adheres to these specifications.



Certificate of Adequate Enclosure (CAE)

Rights and Conditions (Section 36)

A CAE permits a landowner, any full-time employee under the authority of the owner and any other person in possession of a relevant permit/license acting with the written permission of the owner to at any time by means other than fire or poison to hunt such protected wild animals as specified therein;

- permits a landowner, or persons under his/her authority as mentioned above, to: sell or donate any animal which has been so captured or the carcass of such animal;
- is only valid for the protected species indicated on the approved certificate;
- is not issued in respect of dangerous game, exotics or endangered species;
- is a prerequisite to introduce any species outside of its natural distribution range (the introduction of exotics is discouraged, especially where conflict with endemic species may occur);
- will only be issued if the fences conform to the minimum standards and conditions stipulated in this document;
- may be withdrawn at any time, by the Chief Director;
- becomes invalid during any period of damages to the fences due to flood, fire, breakout or in the event of change of ownership or expiry;

The Chief Director reserves the right to exempt any applicant from meeting these specifications;

A CAE for areas under 400ha will not be approved (except in special circumstances that have to be motivated for). See Chapter IV 35(4)(a) of the Ordinance.

NOTE: The introduction of any wild animals is the full responsibility of the owner of the property. In no way can the Department of Economic Development and Environmental Affairs in the Eastern Cape be held liable for any damage or injury to persons or property caused directly or indirectly by such introduction.



Application for a new CAE

The following information is required by the Department for new CAE applications:

A CAE application form must be completed (available from the Department);

A 1:50 000 maps must accompany all applications (including renewals) on which the property area is clearly defined;

A copy of the Deed of Transfer, of the relevant property, must accompany all applications

The applicant must submit sketches and maps for the construction of any major river crossings to the Department for approval prior to construction.

Renewal of CAE

A CAE is valid for a period of three years, or as otherwise specified, and the responsibility of renewal rests with the holder. Please note: once a CAE has expired it is no longer valid;

Any maintenance required upon inspection of any fence must be according to the specifications contained in this document.

Where the applicant shares a common boundary on an existing approved CAE fence, that boundary fence may be deemed adequate, if well maintained, for the purpose of the renewal application.

Change of ownership

Any maintenance upon inspection of the fence must be according to the specifications contained in this document.

Where the new applicant shares a common boundary on an existing approved CAE fence, that boundary fence may be deemed adequate, if well maintained, for the purpose of the new CAE.



General requirements for the fencing of dangerous game

In order to qualify for a permit under the National Environmental Management: Biodiversity Act 10 of 2004 (Threatened or Protected Species Regulations - TOPS) the fencing specifications described below will apply even though the TOPS species will not be listed on the CAE.

Dangerous game refers to: Lion, Elephant, Black and White Rhinoceros, Hippopotamus, Leopard, Cheetah, Wild Dog and Hyaena;

A letter stipulating specific conditions for an in-principle approval may be granted to applicants who meet the conditions as set out in this document;

An approved permit is valid for 3 years after which it must be renewed before the expiry date;

The application for renewal is the responsibility of the landowner;

Approval for the introduction of dangerous game lies with the Chief Directorate and will be based on ecological considerations;

The Chief Director reserves the right to exempt any applicant from meeting these specifications;

The recommended minimum area to introduce dangerous game is 2000 ha depending on topography, habitat, prey availability and carrying capacity. (Hippopotamus and Cheetah are excluded from the minimum of 2000ha and require a minimum of 1000 ha depending on habitat and topography)

The maximum safety standards must be adhered to in terms of all staff housing, lodges and other facilities (this must be included in the management plan)

Applications to keep dangerous game on property

A comprehensive management plan for all species is essential – see appendix A for details.



Fencing specifications

FENCE CLASS I: 2.4 m high

CAE Species: kudu, impala, giraffe, eland

TOPS species: cheetah, lion, leopard, spotted hyena, brown hyena, serval, elephant, African wild dog

Extra-limital species: nyala, fallow deer, sambar deer, red deer, Pere Davids deer, Indian black buck, scimitar-horned oryx, addax, sitatunga, lechwe, waterbuck

poles	straining, gate & corner posts	wooden	120 – 140 mm ¹
		iron	80 – 90 mm ²
	line	wooden	100 – 120 mm ¹
		iron	40 – 50 mm ²
droppers		wooden	32 – 50 mm ¹
		iron	standard steel
spacing (max)	straining posts	planted at min depth of 90 cm	100 – 150 m
	line poles	planted at min depth of 60 cm	10 m apart
	droppers		2 m apart

¹ top measurement

² diameter

- 17 wires spaced as per Diagram 1 and specifications;
- Electrification optional but recommended (4 strands, spacing 400, 600, 1200, and 2250 mm);
- Every second dropper may be joined (i.e. droppers every 4 meters) provided the overlap is bound by no less than 3 wires as per spacing in Diagram 1



FENCE CLASS 2: 1.4 m high

CAE Species: gemsbok, blue wildebeest, blesbok, sable antelope, reedbuck, steenbuck, mountain reedbuck, springbok, grey duiker, Burchell's zebra, klipspringer, buffalo, bushbuck, grey rhebuck, red hartebeest, grysbok

TOPS species: black wildebeest, bontebok, blue duiker, roan antelope, black rhino, white rhino, tsessebe, common reedbuck, oribi, suni, Sharpe's Grysbuck, tsessebe

Extra limital-species: axis deer, hog deer, nilgai

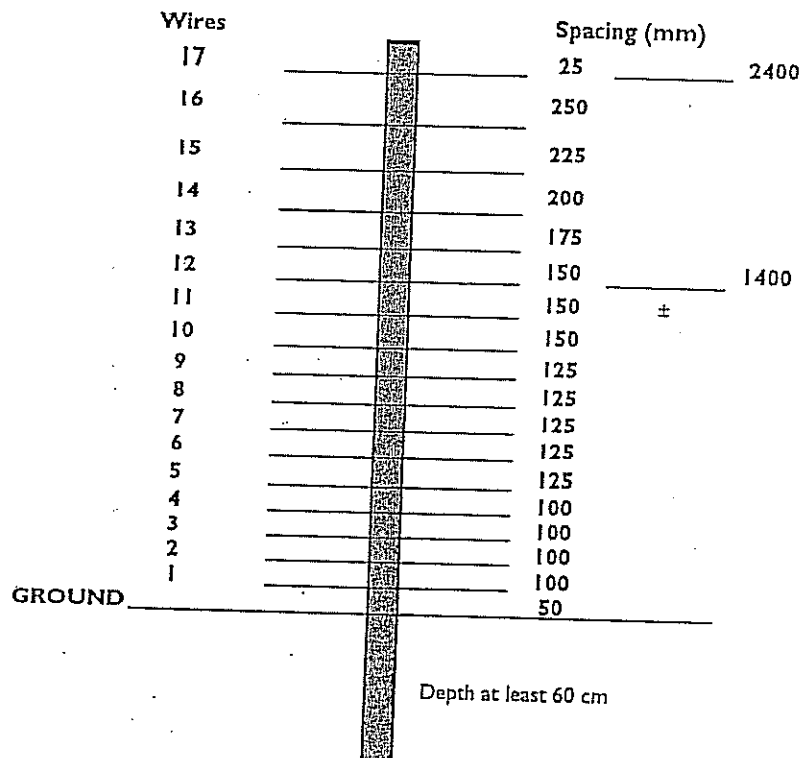
poles	straining, gate & corner posts	wooden	120 – 140 mm ¹
		iron	80 – 90 mm ²
	line	wooden	120 – 140 mm ¹
		iron	40 – 50 mm ²
droppers		wooden	32 – 50 mm ¹
		iron	standard steel
spacing (max)	straining posts	planted at min depth of 90 cm	250 m apart
	line poles	planted at min depth of 60 cm	16 – 20 m apart
	droppers		3 m apart

¹ top measurement

² diameter

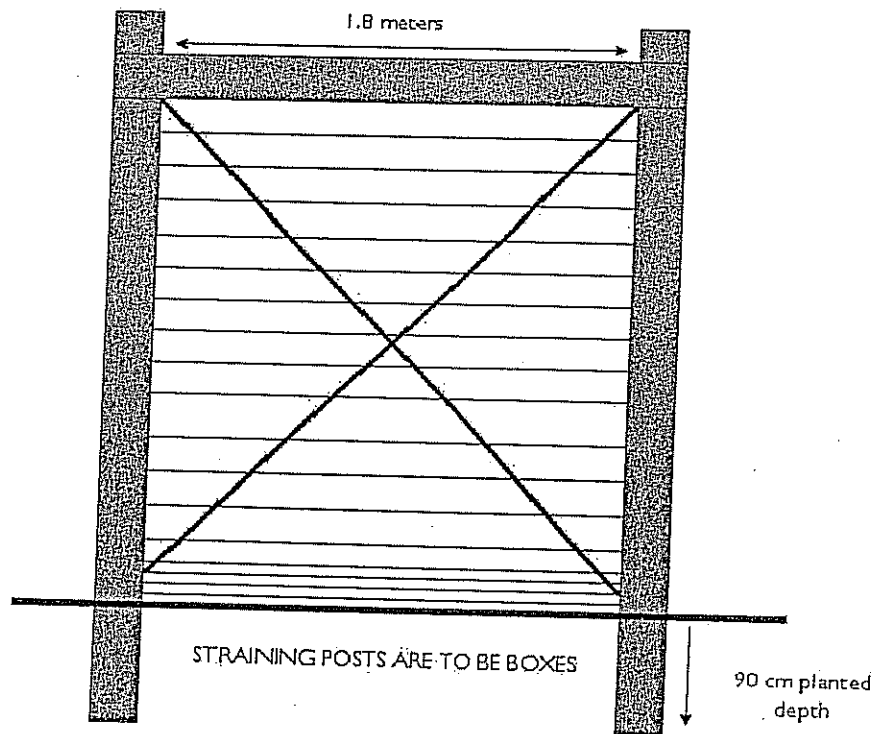
- A standard wire netted stock-proof fence;
- Electrification optional but recommended (5 strands, spacing 100, 300, 600, 900 and 1200mm or with 12 strands);
- Small species such as blue duiker and grysbok require a minimum netting size of 90mm around the perimeter boundary.



Diagram 1: Specifications of a 2.4m high game fence to qualify for a CAE

- Poles and posts must be planted adequately (min 90 and 60 cm deep respectively);
- Straining posts **MUST** be boxes at corners (see diagram below)
- Corner boxes must be sturdy and have cross stays to prevent leaning (see diagram below) at a recommended depth of 90 cm;

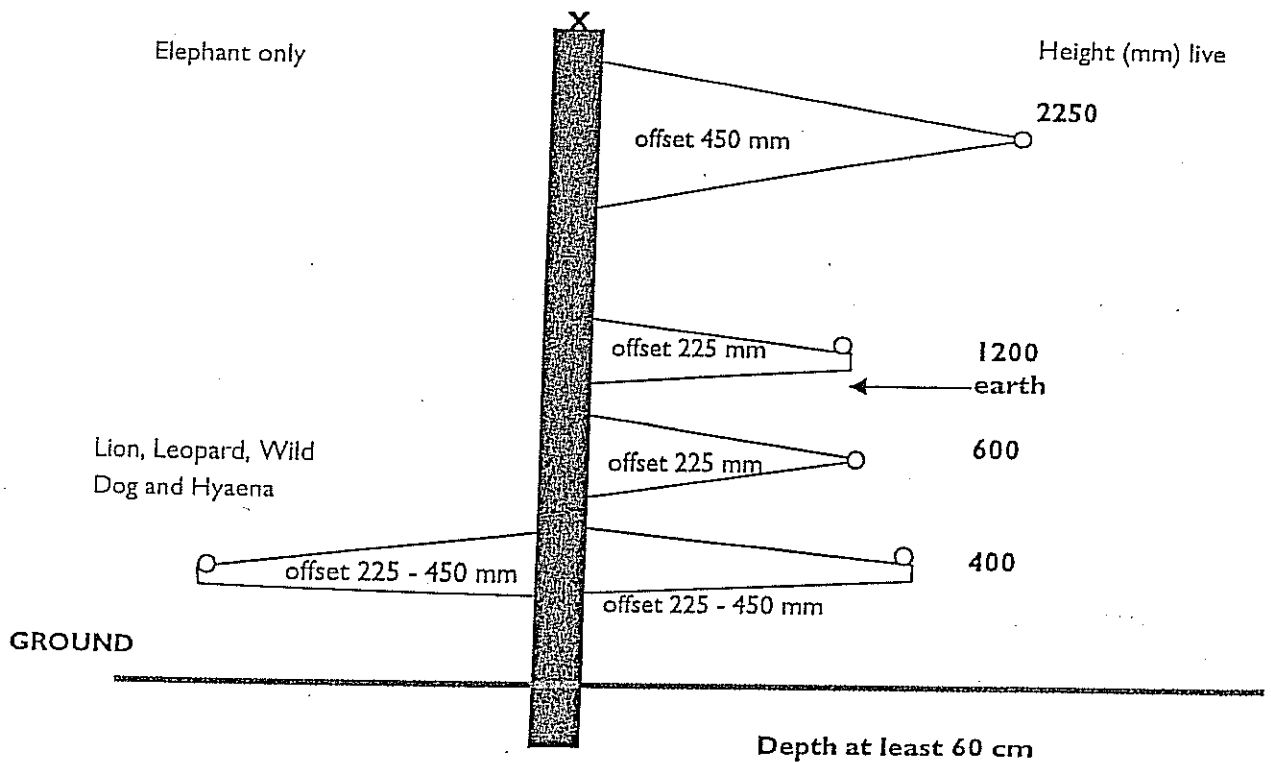
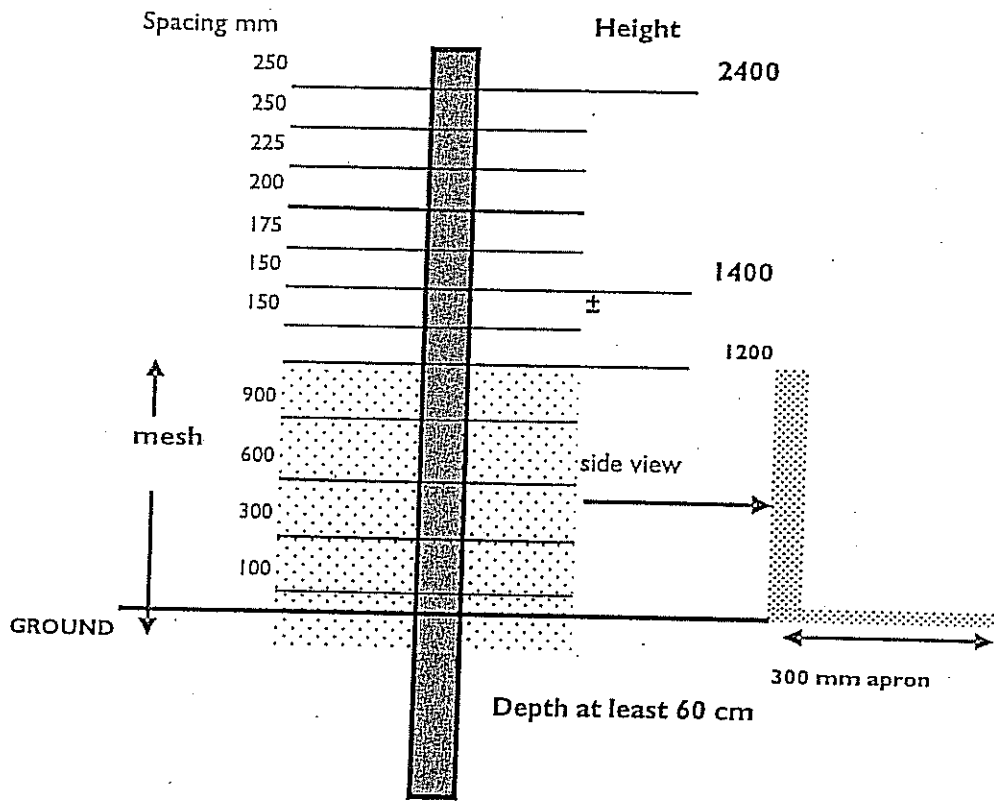




- Curtains or "matte" must be of the same standard as the fence, mesh compulsory and game proof;
- 50m funnels and 6m grids are compulsory where public roads enter/exit the property (or electrified steel wire grid);
- Refer to the Department of Transport with regard to fencing and grids along public roads
- Other fencing materials may be considered on request;
- In the case of existing or new wire netting being used, the wires above the netting must be spaced as per specification;
- Field fencing e.g. bonnox or veldspan type fencing is permissible provided that the wire spacing conforms to required standard.



Diagram 2 Electric fencing specifications for dangerous game. Electric fence 2.4 m

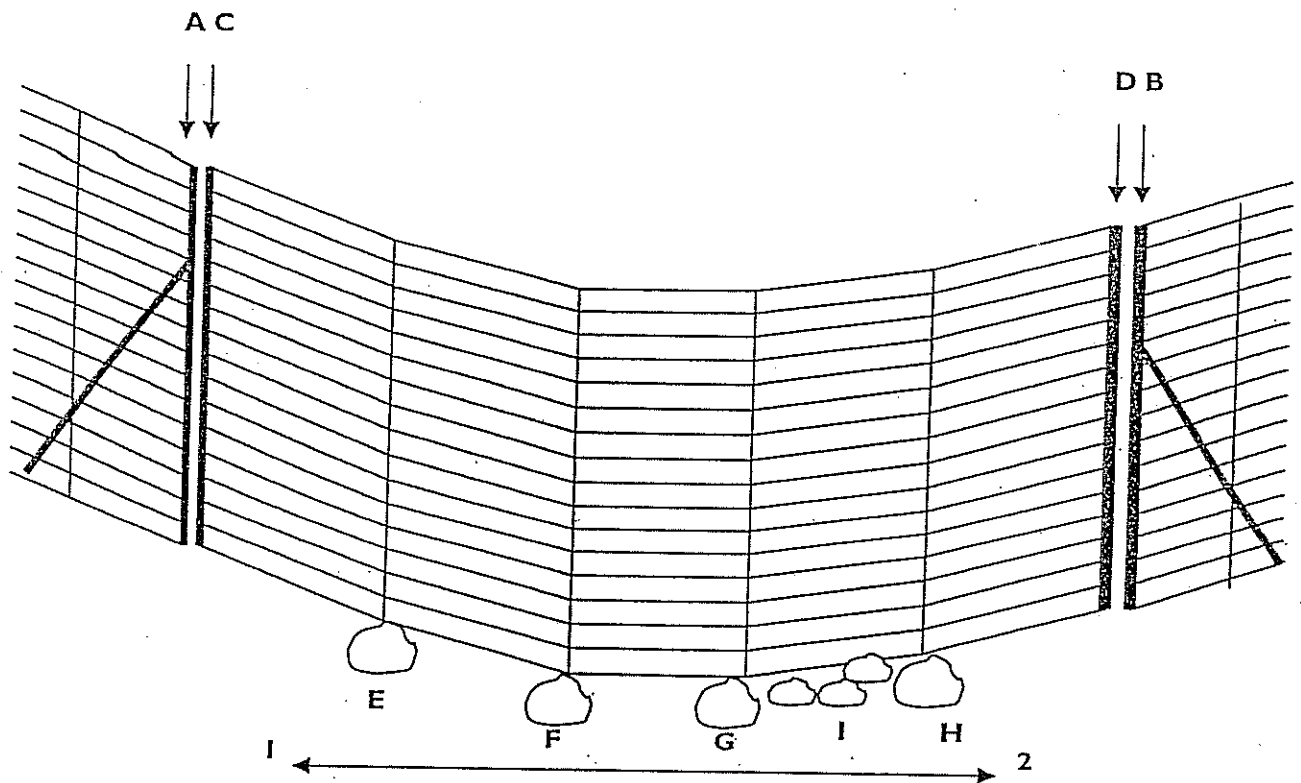


In respect of dangerous game:

- An alarm system is optional. Logbooks must be kept indicating detail of voltage checks (which must be made available for inspection on request);
- The live wire at 1200mm must have a parallel earth at 100mm;
- A minimum voltage of 5000V must be maintained at all times;
- A back-up system must be in place for each energiser;
- The fencing of accommodation facilities is recommended;
- Warning signs must be placed at all gates and along fenced public roads at 1km intervals;
- Special plans with regards to fencing of dongas and rivers must be submitted for approval;
- The double offset of 225 - 450mm and 400mm high with the earth wire placed above the live wire;
- An electrified introduction boma is a prerequisite for all dangerous game (excluding White Rhino);
- Fencing at major river crossings can have own energiser, cut-out switches or flood gate control switches – see diagram on page 11 for suggested plan;



Diagram 3: Example of sacrificial fence used for major river crossing where flash floods are likely to occur



C and D are freestanding posts separated from A and B which are concreted. Intermediate poles E, F, G up to H are knocked into the ground and weighed down with rocks to avoid pulling out from the horizontal strain between C and D. Gaps below the bottom wire can be filled in with rocks. Straining posts A and B are planted above the highest water level 1 and 2 (Taken from MEPS electronics, 1994). In the case of an electrified sacrificial fence, it must have its own energiser.

Additional requirements for certain species of dangerous game:

LION, LEOPARD, WILD DOG, SERVAL AND HYAENA

- Corners of the fence must be eliminated by fencing diagonally across the corner (10 m either side);
- Wire netting to a height of 1.2m with a 300 mm apron securely held down is **COMPULSORY** along the entire boundary (if field fencing is used, the horizontal wire spacing must conform to the specifications);
- Double electrified entrance and exit gates are required unless manned 24 hrs;
- A boma feeding programme which excludes human contact must be implemented;
- Serval, although not dangerous to humans, are subject to the same fencing requirements.


ELEPHANT

- A live wire is to be included at the top of the fence;
- Cable at a height of 1.2 m is recommended;
- Three barbed wire strands at the top of the fence are recommended;

BLACK RHINO, WHITE RHINOCEROS AND HIPPOPOTAMUS


- A 1.4 m fence of at least 12 strands spaced as per diagram;
- Three electric wires spaced at 0.3, 0.6 and 1.2 m;
- In the case of White Rhino, a non-electrified 2.4 m fence may replace the 1.4m electrified fence;
- A temporary holding/release boma is recommended;
- Rivers must be fenced with 120 – 140 mm wooden poles or railway irons concreted in at a 60° angle leaning down stream and protruding at least 1.4 m above the river bed.



N. Bam 	21 FEBRUARY 2008
The Chairperson: Biodiversity Technical Committee	Date:

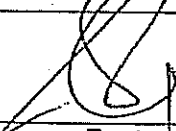
Recommended / ~~Not Recommended~~

Remarks: One would want to explore the possibility of Gazetting these Fencing Specifications for compliance purposes. Public participation was conducted broadly several times and therefore Gazetting can affirm the legal status.

	P. Mazar Cresal
Director: Biodiversity Conservation and Coastal Zone Management	Date: 22/02/2008

Approved / ~~Not Approved~~

Remarks:.....

	S. A. H. MRENJANA
Chief Director: Environmental Affairs	Date: 25/02/08



APPENDIX A: MANAGEMENT PLAN REQUIREMENTS FOR THE INTRODUCTION OF DANGEROUS GAME

1. A Formal Management Plan, which is not limited to, but must include;
 - Contents
 - Introduction
 - Feasibility
 - Competing facilities
 - General info regarding the area, locality of farm etc.
 - Climate
 - Vegetation
 - Game management on the property including a list of all mammal species
 - A habitat assessment, applicable to any species proposed for introduction.
 - Population management for any proposed introduction of Dangerous game species, including introduction strategy, sourcing of animals, temporary holding facility (acclimatization boma) and sustainable utilization methods.
 - Staff competency, and care of animals
 - Access and thoroughfare to the public, safety, including special transport arrangements.
 - A list of farm names, sizes and deeds
 - A list of all neighbours, including property names and full contact details
 - Detailed maps indicating boundaries, contours, roads, dams, rivers etc.
 - Detailed map indicating neighbours, and type of land use.
 - A Breakout plan, giving contact numbers and modus operandi.
2. A basic Business Plan
3. The property must have a minimum area size of 2000ha in a consolidated shape
4. Letters of no objection from all the neighbours, and affected parties.
5. Proof that Provincial Roads Department has approved the removal of fences along any public roads.
6. Proof of Liability insurance
7. The Directorate of Environmental Affairs, fencing specifications must be met, as per guideline, with special reference to the general requirements as well as the specific requirements per species.



**APPENDIX B: CERTIFICATE OF ADEQUATE ENCLOSURE.
EXTRACT FROM NATURE CONSERVATION ORDINANCE
NO 19 OF 1974**

- 35.(1) Any owner of land on which any species of protected wild animal is found may in the prescribed manner and form and in relation to any such species, apply to the Director for a certificate of adequate enclosure as contemplated by subsection (4) in respect of the whole or any portion of such animal.
- (2) Any application under subsection (1) shall –
- (a) include a full description of the land in respect of which application is made, its boundaries and size and the vegetation thereon;
- (b) state the species of protected wild animals to which the application relates, the estimated number of such species in a free state of nature and the number of such species in captivity, on the land referred to in paragraph (a);
- (c) set forth the grounds on which the land in question is considered to be adequately enclosed, and
- (d) reflect such further information as may be prescribed.
- (3) For the purpose of deciding upon any such application the Director may require the applicant to furnish him with such further information as he may consider necessary or desirable.
- (4) If the Director –
- (a) having regard to the size of the land in respect of which application has been made under subsection (1), the number of the species of protected wild animal to which such application relates which is normally found on such land and such other circumstances as he may consider relevant, is of opinion that the animals in question are in effect being kept in captivity, he shall refuse the application, or
- (b) is satisfied that such land is adequately enclosed in relation to such species, he may in his discretion grant the application subject to such conditions as he may consider necessary or desirable and issue to the applicant a certificate of adequate enclosure in respect of such land and shall in such certificate specify the conditions, if any, subject to which it is issued, define the boundaries of the land concerned and specify the species of protected wild animals to which it relates.



- (5) (a) A certificate of adequate enclosure issued in terms of subsection(4) shall, subject to the provisions of paragraph (b), be valid for a period of three years from the date of issue thereof (Substituted by s. 3/0 4/78.)
- (b) A certificate of adequate enclosure may at any time during the period of validity thereof be withdrawn by the Director summarily and without prior notice to or consultation with the holder thereof; provided that such withdrawal may be set aside by the Director if, after consultation with such holder, he is of the opinion that such setting aside is necessary or desirable.

Rights of holder of certificate of adequate enclosure and certain other persons

36. Any owner of land to whom a certificate of adequate enclosure has been issued in terms of section 35 (4) (b), any relative of such owner acting under the authority of such owner and any other person in possession of a permit or of a license referred to in section 27 (1) (a) and acting with the permission of such owner may, notwithstanding anything to the contrary contained in this ordinance but subject to any conditions specified in such certificate –
- (a) at any time by any means other than by the use of fire or poison and on the land in respect of which such certificate was issued hunt any number of the species of protected wild animal specified in such certificate;
- (b) subject to the provisions of section 31 (2) and any regulations made under section 82 (1) (d) keep any animal of such species which has been captured on such land in captivity on such land, and (Substituted by s.9/0 15/83.)
- (c) sell or donate any animal of such species which has been so captured or the carcass of any such animal.

Certificate of adequate enclosure lapses on transfer or lease of land

37. Any certificate of adequate enclosure issued in terms of section 35 (4) (b) shall lapse upon the transfer or lease of the land in respect of which it was issued or of any portion of such land.

Transfer of hunting and other rights.

- 38(1) The Director may in writing authorise –
- (a) any owner of land to whom a certificate of adequate enclosure has been issued in terms of section 35 (4) (b), or
- (b) any other owner of land ,



to transfer, whether temporarily or permanently, to a person approved by him and subject to such conditions as he may impose –

- (i) in the case of an owner referred to in paragraph (a), the rights conferred on such owner by section 36, and
- (ii) in the case of an owner referred to in paragraph (b), the rights of any such owner under this ordinance.

(2) In the application of the provisions of this ordinance, any person to whom any rights have been transferred as contemplated by subsection (1), shall as from the date of such transfer and in the case of a temporary transfer, for the duration of the period concerned, be deemed to be the owner of the land in question.



DECLARATION BY LANDOWNER IN RESPECT OF A CERTIFICATE OF ADEQUATE ENCLOSURE (CAE)

I(name)(designation) of the property known as hereby declare that I have been informed and understand the rights of a CAE holder as stipulated in the Nature and Environmental Ordinance 19 of 1974 (Sec 35 to Sec 38), and have a copy of the fencing specifications presently applicable. I undertake to maintain my fences in good condition and according to the latest minimum specifications as stipulated by the Chief Directorate of Environmental Affairs. I will furthermore abide by any conditions contained therein, specified on the CAE or attached to my in-principle approval to keep Dangerous Game, if applicable.

I further acknowledge that the fence was inspected by the official named below, in my presence on

.....(date)(time)

and that I have specifically brought attention to any sections of the boundary fence which may render my CAE invalid by not meeting with the fencing specification referred to above, as well as having discussed possible weak points, where fences may easily be damaged by the environment or through any other reason excluding negligence, which may render my CAE invalid..

Signature of owner/representative

Name

Date

Signature of DEDEA Official

Name

Date



