

# Legal requirements when exporting bird material out of the Northern Cape, South Africa, to another country

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During recent years the Directorate Conservation and Environment (Northern Cape) has had several requests about the requirements for the export of bird material out of South Africa. Usually skins, feathers, tissue, and/or blood are required for taxonomic, parasitological, and sometimes other biological research. The aim of this document is to clarify the legal requirements regarding the export of such material to another country. Although only of direct relevance to the export of material out of South Africa's Northern Cape province, the conditions are probably the same (or similar) for the other eight provinces.

For the export of material, the following is required:

- (1) Collecting permit.
- (2) Letter from landowner on whose property the material was collected.
- (3) CITES or non-CITES certificate.
- (4) Import permit from country to which material is being exported.
- (5) Export permit.
- (6) Veterinary clearance certificate.

As background the Cape Nature and Environmental Conservation Ordinance, No. 19 of 1974, states the following:

According to **Section 42** any person found in possession of any wild animal or the carcass of any such animal shall be guilty of an offence unless, in the event of (a) the animal having been hunted by him on the land of any other person, he is in possession of the written permission contemplated by section 39, or (b) his having acquired such animal or carcass from any other person, he is in possession of a written document contemplated by section 41.

A 'carcass' can be defined as follows: the whole or any part of the meat (whether dried, smoked, salted, cured or treated in any manner), the head, tooth, horns, shell, scale, tusks, bones, feathers, tail, claw, paw, hoof, skin, hide, hair, viscera or any part whatsoever of the carcass, and includes an egg. Note that this would include a single feather and a blood sample (even a blood smear). For a batch of material (i.e. a number of samples or specimens), one permit would be required (but on this permit the number of samples or specimens would be specified).

According to **Section 39**, subject to the provisions of this ordinance, any owner of land may permit any other person to hunt in accordance with such provisions any wild animal on the land of such owner and to remove any such animal or the carcass of any such animal from such land. However, permission must be granted (in writing) for the person to do so. This letter must include the full names and address of the owner concerned and of the person to whom it is granted, and the number and the species of wild animal, the date or dates and the land in respect of which it is granted. The letter must be signed and dated by the landowner.

**Section 41** states that no person shall donate or sell any wild animal or the carcass of any such animal to any other person unless, when he delivers such animal or carcass to such other person, he furnishes such other person with a written document signed by him reflecting: (a) the full names and address of such first mentioned person; (b) the full names and address of such other person; (c) the number and species of wild animals or carcasses so donated or sold; (d) the date on which such animal or carcass was so donated

or sold, and (e) a statement by him that he has donated or sold such animal or carcass to such other person.

Furthermore, **Section 43** states that every document referred to in sections 39 and 41 shall be retained by the person to whom it was furnished for a period of at least two months from the date on which it was so furnished or while such person is in possession of the wild animal or carcass to which it relates, whichever is the longer period.

According to **Section 44(1)b(ii)** no person shall, without a permit authorising him to do so, export from the Province the carcass of any endangered wild animal or any protected wild animal specified in Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, Washington, 1973. The exporter thus needs a permit for a CITES species and written permission and donation by the landowner for a

non-CITES species, as well as veterinary certificates. The Directorate Conservation and Environment (Northern Cape) does issue non-CITES certificates for trophies of game species that are being exported overseas, but to date no permits have been issued for non-CITES birds, reptiles and insects.

A State Veterinarian has to issue veterinary permits/certificates prior to the export of live animals as well as carcasses. The procedure is usually for the applicant to apply for a permit from the country of import, so that they can stipulate their requirements. South Africa then adheres to the requirements stipulated by the country of import. The following people at the Department of Agriculture in Pretoria can be contacted for additional information: Alec Naidoo (tel. 012-808 0952; alecn@nda.agric.za), Dr Bronkhorst (tel. 012-319 7444) or Celia Dickenson (tel. 012-319 6000).



Adult and juvenile European Swallow in the hand.  
There are currently requests for feathers of swallows.