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THE WILDLIFE CONSERVATION ACT

(CAP. 283)

REGULATIONS

(Made under section 22(2) and 121(f))

THE WILDLIFE CONSERVATION (WILDLIFE CORRIDORS, DISPERSAL AREAS, BUFFER ZONES AND MIGRATORY ROUTES) REGULATIONS, 2018

**PART I
PRELIMINARY PROVISIONS**

Citation and application

1.-(1) These Regulations may be cited as the Wildlife Conservation (Wildlife Corridors, Dispersal Areas, Buffer Zones and Migratory Routes) Regulations, 2018.

(2) These Regulations shall apply to areas designated under the Act as wildlife corridors, dispersal areas, buffer zones and migratory routes.

Interpretation

2. In these Regulations, unless the context requires otherwise-

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“Act” means the Wildlife Conservation Act;

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“authorized association” has the meaning ascribed to it under the Act;

“authorized officer” has the meaning ascribed to it under the Act;

“buffer zone” means an area surrounding a conservation area which the Minister may, by Notice in the *Gazette* declare in relation to the conservation area;

“Committee” means the Joint Management Committee established under regulation 14;

“Conservator” means the conservator of the conservation area appointed in accordance with the provisions of section 7 of the Ngorongoro Conservation Area Act;

“designated areas” means areas designated by the Minister in accordance with section 22 (1) of the Act;

“Director” means the Director of Wildlife appointed under section 7 of the Act;

“Director General” means Director General of Tanzania Wildlife Management Authority and Director General of Tanzania National Parks;

“investments” means investments approved in the Resource Zone Management Plans or General Management Plans of designated areas;

“dispersal area” means an area habitually used by wild animal species for feeding, laying, storing eggs, rearing or feeding their young and includes breeding places;

“Joint Management Agreement” means an agreement signed between Director, Director General of Tanzania Wildlife Management Authority, Director General of Tanzania National Parks, the Conservator of Ngorongoro Conservation Area Authority and District Council, Chief Executive of Tanzania Forest Services Agency, Village Council, authorized association managing a Wildlife Management Area or any holders of rights of occupancy or derivative rights within a designated

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- area for the purpose of joint management and conservation of the designated area;
 - “land use plan” has the meaning ascribed to it under the Land Use Planning Act;
 - “migratory route” means an area of a strip or zone of land used by herds of wild animal during their migratory cycle or seasonal movements;

 - “Minister” means the Minister for the time being responsible for wildlife
 - “NCAA” is an acronym of the Ngorongoro Conservation Area Authority;
 - “Resource Management Zone Plan” means a tool prepared by the Director in collaboration with the local authorities and other stakeholders that provides for different forms of utilization of resources in the designated areas;
 - “TAWA” is an acronym of the Tanzania Wildlife Management Authority;
 - TANAPA” is an acronym of the Tanzania National Parks;
 - “wildlife corridor” means an area of land used by wild animal species in their seasonal movement from one part of the ecosystem to another in search of basic requirements such as water, food, space and habitat;
 - “wildlife institutions” means the Tanzania Wildlife Management Authority, Tanzania National Parks or the Ngorongoro Conservation Area Authority;
 - “Wildlife Management Area” means an area established by the Minister under section 31 of the Act;
 - “wildlife utilization activities” means all forms of consumptive and non consumptive wildlife uses as prescribed in Part VII of the Act.

PART II
**DESIGNATION OF WILDLIFE CORRIDORS, DISPERSAL AREAS,
BUFFER ZONES AND MIGRATORY ROUTES**

Criteria for designation of an area

3.-(1) Subject to the provisions of section 22 of the Act, wildlife corridors, dispersal areas, buffer zones and migratory routes may be designated in areas-

(a) outside National Parks, Ngorongoro Conservation Area, Game Reserves, Wetland Reserves and Game Controlled Area; or

(b) within village land, general land and any other land under which a right of occupancy operates.

(2) Without prejudice to sub regulation (1), an area designated for the establishment of wildlife corridors, dispersal areas, buffer zones and migratory routes shall meet the following criteria-

(a) forms part of an ecologically viable ecosystem;

(b) the area serves as a supplementary habitat to core protected areas that are unsuitable owing to climatic change;

(c) loss or degradation of its habitat is a cause of decline or extinction of plants and animals in areas surrounding it; or

(d) the area is prone to loss of genetic variation due to isolation.

Compliance with the relevant laws

4.-(1) The Director, Director General or the Conservator shall, in initiating the process of designating wildlife Corridors, migratory route, buffer zone or dispersal area, comply with the relevant laws governing the land to be designated and carryout a Social Impact Assessment.

(2) The Director, Director General or the Conservator shall ensure that local communities in the area to be designated are sensitized in order to make an informed consent in allocating land to be designated under regulation 7.

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Cap. 114 (3) Where the area to be designated falls under the jurisdiction of more than one village council, the respective village councils that have consented to the designation shall, prior to designation, sign a Joint Village Land Use Agreement in accordance with the provisions of section 11 of the Village Land Act.

(3) The Joint Land Use Agreement to be executed by the Village Councils of villages forming the area to be designated shall be in the form prescribed in the First Schedule to these Regulations.

Notice of intention to designate areas

5.-(1) Where the Minister is minded to designate an area of land in accordance with section 22(1) of the Act, he shall cause a notice to be-

- (a) published in the *Gazette* and in one or more newspapers circulating widely in the area proposed to be designated, describing the proposed boundaries of the wildlife corridor, migratory route, buffer zone or dispersal area and the purpose for which the land is proposed to be designated;
 - (b) placed in a conspicuous place in the offices of all local authorities within whose area of jurisdiction any part of the proposed wildlife corridor, migratory route, buffer zone or dispersal area is situated; and
 - (c) publicised in such a manner as is customary in the area or as is otherwise calculated to bring it to the attention of all persons living within and in the vicinity of the proposed wildlife corridor, migratory route, buffer zone or dispersal area.
- (2) The notice of intention shall incorporate-
- (a) a description of boundaries of the proposed wildlife corridor, migratory route, buffer zone or dispersal area;

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- (b) a statement of the purposes for which the land is proposed to be designated a wildlife corridor, migratory route, buffer zone or dispersal area;
 - (c) a statement of the reasons for the choice of the area basing on its environmental, biological and socio-ecological importance;
 - (d) the period of time, being not less than ninety days within which any person or group of persons or a representative thereof may in writing-
 - (i) object to;
 - (ii) make representations; or
 - (iii) claim any rights based on and arising out of customary law in relation to land or any rights based on any other written law within the area the subject of the proposed designation;
 - (e) the names of a person or persons to whom any such statements as are referred to in paragraph (d) may be made and the places and times at which any such persons will be available to receive any such statements;
 - (f) the times, being not less than thirty days from the date of the notice, and places at which any village assembly or other public meetings will be held to explain and receive comments on the proposed designation; or
 - (g) such other matters as the Minister may prescribe.
- (3) During the ninety days' notice prescribed under sub- regulation (2)(d), any activities which may further degrade the proposed designation area shall be halted until a final agreement on land use options is reached.

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Receipt of
comments and
representations

6.-(1) The Director, Director General and the Conservator shall-

- (a) collect and maintain records of objections and representations received under regulation 5(2) (d) (i) and (ii);
- (b) organise and ensure the accurate recording of comments and representations made at the village assembly meetings or other public meetings held during the period referred and submit a copy of the comments and representations to the respective Village Council for proper documentation and records;
- (c) undertake such consultations with organisations and persons in the public, private sector and Civil Society Organizations as will enable him to advise the Minister on the proposed designation;
- (d) acquire the approval of the Village Assembly to designate the area and prepare or review the Land Use Plan to reflect the proposed designated area; and
- (e) cause to be prepared or reviewed a Land Use Plan in accordance with the Land Use Planning Act.

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(2) The Director, Director General and the Conservator shall, in performing the duties under this regulation, form a working group that comprises of the following members-

- (a) a representative from the Wildlife Division;
- (b) a representative of the Director General, Conservator or the Chief Executive of Tanzania Forest Services Agency of the relevant area;
- (c) a representative from the respective District Authority;
- (d) a representative of respective village council;
- (e) a representative of the relevant protected area agencies;

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- (f) a representative of the Authorized Association of the relevant Wildlife Management Area; and
- (g) a holder of a right of occupancy or derivative right.

(3) The Director shall upon completion of the requirements under sub regulation (1), prepare and submit a report to the Minister, together with his observations and recommendations thereon.

Designation of areas

7. Upon receipt of the report referred to under regulation 6(3) the Minister shall in consultation with the respective local authorities-

- (a) designate an area in accordance to section 22 of the Act;
- (b) reserve the right to designate an area pending further considerations, consultations or investigations in respect of that proposed wildlife corridor, migratory route, buffer zone or dispersal area.

**PART III
MANAGEMENT AND ADMINISTRATION OF
DESIGNATED AREAS**

Objectives of Management of designated areas

8. For the purpose of preserving wildlife connectivity, biodiversity conservation and improvement of livelihood of communities in designated areas, the Director shall, with the approval of the respective relevant Authorities and beneficiaries, establish a management mechanism that provides for-

- (a) legal protection framework which will secure their ecological integrity;
- (b) promoting and maintenance of eco-systems and natural environment;
- (c) improvement of livelihood for adjacent communities
- (d) planning and management of the land;

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- (e) conservation and enhancement of natural resource for future generations;
- (f) resolution of land conflicts;
- (g) reduction of poverty through conservation based investment; and
- (h) mean or measure of controlling animal.

Model by-laws

Cap. 287

9. The model by-laws prescribed in the Second Schedule to these Regulations may be adopted by the respective local authorities in accordance with the Local Government (District Authorities) Act for the management and conservation of designated areas.

Management agreement

10.-(1) The Director, Director General, or the Conservator on behalf of their respective Boards may, for the purpose of better implementation of these Regulations, enter into management agreement with any of the following-

- (a) the Tanzania Forest Services Agency;
- (b) Village Council for which the designated area is located;
- (c) District Council for which the designated area is located;
- (d) holder of a right of occupancy falling within the designated area;
- (e) an Authorized Association managing a Wildlife Management Area contiguous or adjacent to a designated area; or
- (f) any other person managing the area within which a designated area is located.

(2) Without prejudice to sub-regulation (1), the management and conservation of designated areas shall take cognizance the agreements for which the designated area is established.

Land Use Plan in village land

11.-(1) The Village Council shall incorporate designated areas that falls under their Village Land in their respective Land Use Plans.

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(2) Where the proposed designated area falls under more than one village, the village councils shall-

Cap. 114 (a) enter into a Joint Land Use Agreement in accordance with the Village Land Act; and

Cap. 116 (b) prepare a Joint Land Use Plan in accordance with the Land Use Planning Act.

(3) The Land Use Plan referred to under sub regulation (1) shall recognize the existence of the clearly demarcated designated area.

Resource Management Zone Plan

12.-(1) The Director, Director General or the Conservator shall, in collaboration with the respective District Authority or any holder of a right of occupancy or derivative right in a designated area falling outside reserved land, prepare a Resource Management Zone Plan.

(2) The Resource Management Zone Plan shall incorporate the land use for which the area is designated.

Contents of Management Agreement

13. The Management Agreement referred to under regulation 10, shall incorporate the following-

- (a) the parties that are making the agreement and a brief statement of the Powers and authority of the organizations to make any such agreement;
- (b) a description of the area covered by the agreement;
- (c) a description of the matters which are the subject of the agreement;
- (d) a statement of the objectives of the agreement;
- (e) basic rights and duties of the parties to the agreement;
- (f) a description of the management activities agreed to be undertaken by the manager as per the Resource Zone Management Plan;
- (g) the rules governing and regulating the use of, access to the area and the resources;
- (h) powers and duties of persons from a local community appointed to act as guardians of the area;

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- (i) a description of the existing rights, right-holders within the area who are not parties to the agreement and procedures for resolving any disputes between them and the parties to the agreement;
- (j) rules regulating access to, use and division of, and management and audit of any funds which may be made available for, or are generated by, the implementation of the agreement;
- (k) procedures for resolving disputes which may arise between the parties to the agreement;
- (l) the duration of the agreement
- (m) modality of renewal of the agreement; and
- (n) such other matters as may be prescribed or as the parties to the agreement consider necessary and desirable to include in the agreement.

Joint
Management
Committee

14.-(1) There shall be a Joint Management Committee for every designated area to administer, manage and oversee all activities related to the sustainable utilization, management and conservation of the designated area.

(2) A Joint Management Committee of a designated area shall be composed of-

- (a) in the case of a designated area falling within a village land, five representatives of the village council comprising of the Village Chairman, the Village Executive Officer and Chairpersons of each Village Standing Committee, one representative of the Director, Director General or the Conservator as the case may be, the District Wildlife Officer of the respective District and a representative of the existing right holders;
- (b) in the case of a designated area falling within more than one village, two representatives of each village council comprising of the Village

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Chairman and the Village Executive Officer, two representatives of the Director, Director General or the Conservator as the case may be, the District Game Officer of the respective District and a representative of the existing right holders;

- (c) in the case of a designated area falling outside the village land and reserve land, three representatives of the District Executive Director one of whom shall be the District Game Officer, two representatives of the Director, Director General or the Conservator as the case may be, and holder of right of occupancy or derivative right where applicable.

(3) Without prejudice to sub-regulation (2), the number of members forming a Joint Management Committee may vary to incorporate the following members where applicable-

- (a) an authorized association where such association is contiguous or adjacent to a designated area;
- (b) a representative from Tanzania Wildlife Management Authority, Tanzania National Parks or Ngorongoro Conservation Area Authority; or
- (c) any other person managing the area within which a designated area is located.

(4) The procedure for appointment of the Chairperson and Vice Chairperson and the conduct of meetings of the Joint Management Committee shall be as prescribed in the Third Schedule to these Regulations.

(5) The Joint Management Committee established under this regulation shall provide a copy of the quarterly reports of its management operations to the Director.

Functions of
the Joint

15. The functions of the Joint Management Committee shall be to-

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Management
Committee

- (a) prepare annual programs and budgets for the management and conservation of designated areas;
- (b) consolidate and submit joint annual programs and budgets together with its recommendations for approval by the respective Director General or the Conservator;
- (c) monitor, and oversee the implementation of approved programs and budgets and provide the Director with feedback thereon and/or recommendations for such modifications as it may consider appropriate;
- (d) implement agreed joint management programmes with adjacent protected area authorities;
- (e) communicate and consult with other responsible Government officials, including the Director, District Councils, Village Council and local communities, and with other relevant stakeholders, including the owners of right of occupancy or derivative right and conservation organizations on matters concerning the designated area;
- (f) produce and submit to the Director a quarterly report on its activities, including programs conducted and budget utilization pursuant to these Regulations;
- (g) manage a designated Area in accordance with an existing Land Use Plan or Resource Management Zone Plan and these Regulations;
- (h) cooperate with the Director, the Director General and the Conservator in the management of a designated area;
- (i) review activities in the designated area and propose amendments of the General Management Plan or Resource Management Zone Plan;

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- (j) supervise operations of Village Game Scouts in designated area;
- (k) implement mechanisms for equitable sharing of benefits between parties of the Joint Management Agreement;
- (l) coordinate and promote investment activities to the Village Assembly or District Authority;
- (m) oversee investment and development activities within the designated area;
- (n) protect biodiversity resources of the designated areas;
- (o) liaise with other institutions for knowledge, skills and technological exchange;
- (p) facilitate the training of Village Game Scouts in accredited and recognized institutions;
- (q) undertake resource monitoring; and
- (r) perform any other functions for better performance of these Regulations.

Responsibilities
of Village
Council

16. The Village Council shall undertake the following responsibilities in a designated area-

- (a) to incorporate proposed designated areas in the Land Use Plan of the Village;
- (b) make by-laws for the implementation of these Regulations;
- (c) to prescribe and demarcate areas for the purpose of wildlife conservation;
- (d) promote a secure and favorable investment environment in a designated area;
- (e) to facilitate the adoption of the model by-laws prescribed under these Regulations;
- (f) ensure that the designated area is utilized in accordance with the management procedure as set out in the Land Use Plan, the management agreement and any other provisions of these Regulations;

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- (g) keep in safe custody all documentation, minutes and data on the management of the designated area;
- (h) convene meetings which are necessary for the proper management and determination of the designated area;
- (i) to sign a Joint Village Land Use Agreement where the area to be designated falls under more than one village;
- (j) appoint representatives of Joint Management Committee;
- (k) approve the names of village game scouts to be appointed by the Director as Authorized officers for the purpose of carrying out patrols within the designated area; and
- (l) encourage and facilitate villagers to participate in the management and conservation of the designated area.

Responsibilities
of Director

17. The responsibilities of the Director shall be to-
- (a) where applicable in collaboration with Non-Governmental Organizations and where applicable Tanzania Wildlife Management Authority, Tanzania National Parks and Ngorongoro Conservation Area Authority, and conservation stakeholders, facilitate the process of establishing Designated Areas;
 - (b) in consultation with Tanzania Wildlife Research Institute, Tanzania Wildlife Management Authority, Tanzania National Parks and Ngorongoro Conservation Area Authority and other conservation stakeholders prepare a priority action plan for designating areas under these Regulations, which shall take into consideration-
 - (i) the biological and ecological importance;

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- (ii) integrity of the Protected Area System;
 - (iii) wildlife population;
 - (iv) negotiation complexities and related cost;
-
- (c) facilitate and support the establishment and operations of the Joint Management Committees;
 - (d) facilitate and support the preparation of Land Use Plans in collaboration with local authorities and other relevant stakeholders;
 - (e) oversee the performance of the Joint Management Committee in the management of designated areas;
 - (f) oversee conservation activities in designated areas;
 - (g) approve wildlife utilization activities in designated areas;
 - (h) provide support in the protection and utilization of natural resources;
 - (i) appoint village game scouts approved by the village council for the purpose of conducting anti-poaching patrols in designated areas;
 - (j) provide working equipment to the Village Game Scouts for the purpose of conducting anti-poaching patrols in designated areas;
 - (k) conduct resource monitoring and inventory;
 - (l) support and conduct training and awareness on the conservation and management of designated areas to the village authorities;
 - (m) support capacity building of the Joint Management Committee on negotiation skills, contract management, conflict management and managing growth;
 - (n) monitor and evaluate development trends impacting designated areas;
 - (o) initiate and support anti-poaching activities;

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- (p) support problem animal control initiatives;
- (q) advise the Minister on the continuity of a designated area;
- (r) ensure effective engagement and alignment of interest of different stakeholders;
- (s) mobilize stakeholders to join forces and invest in skills time and fund;
- (t) put mechanism for management and protection of transboundary wildlife corridors in accordance with existing Regional and International obligations;
- (u) ensure inclusive planning, beneficiation and livelihood alternatives;
- (v) put mechanisms that will promote private sector investment in designated areas;
- (w) harmonization of policy and legal framework that affects realization of objectives of wildlife corridors; and
- (x) organize national forum to promote lessons, knowledge management and collaboration and foster innovation in the field.

Responsibilities
of TAWA,
TANAPA and
NCAA

18. The Tanzania Wildlife Management Authority, Tanzania National Parks and the Ngorongoro Conservation Area Authority where applicable shall in consultation with the Director undertake the following-

- (a) initiate, support and facilitate establishment of designated areas in areas adjacent to their areas of jurisdiction;
- (b) facilitate the establishment and operations of the Joint Management Committees;
- (c) enter into contractual agreements in accordance with regulation 10(1) for the management of designated areas;
- (d) participate in the Joint Management Committee;
- (e) support in the protection and utilization of natural resources;

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- (f) support resource monitoring and inventory in the Designated Areas;
- (g) facilitate and support the preparation of Land Use Plans in collaboration with local authorities and other relevant stakeholders;
- (h) support with working equipment to the Village Game Scouts for the purpose of conducting anti-poaching patrols in designated areas;
- (i) support and conduct training and awareness on the conservation and management of designated areas to the village authorities;
- (j) initiate and support anti-poaching activities; and
- (k) support animal control initiatives.

Responsibilities
of District
Council

19. The District Council shall undertake the following responsibilities-

- (a) in collaboration with the Director, Director General or the Conservator facilitate establishment of designated areas;
- (b) make by – laws for the implementation of these Regulations;
- (c) appoint representatives to the Joint Management Committee;
- (d) facilitate the adoption of the model by-laws prescribed under the Act;
- (e) in consultation with the District Commissioner, to act as a forum for early dispute resolution in designated areas;
- (f) coordinate negotiations between the holders of right of occupancy or derivative right in the designated area and the Director, Director General or the Conservator on issues specified in these Regulations;
- (g) advice and give guidance on the preparation and implementation Village Land Use Plans;
- (h) monitor enforcement of laws governing wildlife conservation in designated areas; and

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(i) monitor investment in designated areas.

Qualification of Village game Scout, appointment and issuance of identity cards

20.-(1) For the purpose of regulation 16(k), a person shall qualify for nomination as a Village Game Scout if he fulfills the following requirements-

- (a) is a citizen of the United Republic and resident of the village forming a designated area;
- (b) the person is of the age of or above eighteen years and not more than thirty five years;
- (c) has completed Primary Education and is able to read and write;
- (d) is trustworthy and of proven good character;
- (e) has not, for the past three years prior to recommendation, been convicted of a criminal offence that warrants imprisonment for a term of six months or more; and
- (f) is of good health and sound mind certified by a government medical doctor.

(2) The Joint Management Committee shall elect a commander and an assistant commander among the approved Village Game Scouts who shall serve for a term of three years, and the commander and an assistant commander may be eligible for re-appointment.

(3) The Director shall appoint the approved Village Game Scouts as Authorized Officers in accordance with the Act and issue an identification card to Village Game Scouts designated as such in accordance with the Fourth Schedule to these Regulations.

(4) The Director may withdraw any identification card issued to a Village Game Scout as a result of misconduct.

(5) A Village Game Scout whose identification card has been withdrawn shall be disqualified from performing the activities assigned under these Regulations.

(6) Where the appointment of a Village Game Scout is terminated by Joint Management Committee, the

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identification card issued to him shall no longer be valid and shall be surrendered to the Director by the respective Joint Management Committee.

(7) The withdrawal or invalidity of an identification card issued to a Village Game Scout shall have an effect of disqualification of the Village Game Scout from being an Authorized Officer.

Responsibilities
of the Village
Game Scouts

21. Village Game Scouts shall undertake the following responsibilities-

- (a) guard designated areas in accordance with the Act and these Regulations;
- (b) conduct regular patrols of the designated area;
- (c) arrest persons who contravene the provisions of these Regulations in accordance with the Act;
- (d) provide important information on the state of security of the designated area during their tenure;
- (e) in collaboration with other Authorized Officers and other relevant authorities, protect lives and property of villagers from problem animals;
- (f) supervise sustainable use of wildlife resources in designated areas;
- (g) collect and store basic information and data for purposes of monitoring the use of the resources of the designated area;
- (h) maintain a ledger book of weekly activities and report regularly to the Joint Management Committee; and
- (i) take part in fire prevention, control and management activities.

Matters of
Discipline

22.-(1) Village Game Scouts who fail to perform their tasks shall be reported to the Joint Management Committee which shall be the disciplinary authority.

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(2) In carrying out its disciplinary function under sub-regulation (1), the Joint Management Committee may take the following disciplinary measures-

- (a) interdiction of the Village Game Scout from duty pending inquiry;
- (b) suspend the Village Game Scout from carrying out the functions stipulated under these Regulations; or
- (c) terminate the Village Game Scout.

Remuneration and awards to village game scouts

23.-(1) Village Game Scouts shall be paid an allowance by their respective Joint Management Committee.

(2) The Director or Joint Management Committee may award incentives to Village Game Scouts for outstanding performance.

(3) The rate of allowance referred to in sub-regulation (2) shall be determined by the Director upon recommendation from the Joint Management Committee.

Financing of the Joint Management Committee

24.-(1) The operations of the Joint Management Committee shall be financed by the respective wildlife institutions in accordance with their areas of mandate:

Provided that where the designated area falls under the mandate of two wildlife institutions, the operations of the Joint Management Committee shall be jointly financed as the Minister shall prescribe.

(2) The Director may, with the approval of the Minister, give specific instructions to wildlife institutions with regard to financial contributions to the operations of designated areas.

PART IV
PERMITTED AND RESTRICTED ACTIVITIES ON
DESIGNATED AREAS

Activities
prohibited in
designated
areas

25.-(1) The following land uses shall be prohibited in the designated areas- farming, settlements and infrastructure that can interfere with the wildlife movement.

(2) On and after the coming into force of a designation of a wildlife corridor, dispersal area, buffer zone and wildlife route, no person, other than an existing right-holder exercising an existing right within such designated area in respect of which the existing right has been determined shall do any of the following acts in any such designated area unless and until such a person has been granted a licence or permit in accordance with the provisions of these Regulations-

- (a) cut down, fell, dig up or remove any tree;
- (b) dig up or remove any protected wild plant;
- (c) enter, perambulate for purposes of tourism or camping;
- (d) take and remove any rock, stones, sand, shells or soil;
- (e) undertake any mining activities;
- (f) occupy or reside on any land;
- (g) clear, cultivate, or break up for cultivation or any other purpose, any land in designated area;
- (h) cut, burn, uproot, damage or destroy any vegetation;
- (i) cut or re-open any saw-pit or work place;
- (j) erect any buildings or other structures;
- (k) hunt, fish, use or be in possession of any trap, snare, net, bow and arrow, gun, poison or explosive substance used or capable of being used for the purposes of hunting or fishing;

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- (l) use any buildings or other structures for any purpose other than a purpose for which it was being used at the time of the designation;
 - (m) carry out any research for which a research permit is required; and
 - (n) undertake any other activity within a designated area that is prohibited by approved by-laws.
- (3) The District and Village Council shall in accordance with the Local Government (District Authorities) Act make by-laws for better carrying out the provisions of these Regulations and prescribing inter alia penalty for the contravention of the by-laws.

**PART V
DISPUTE SETTLEMENT AND CONFLICT MANAGEMENT**

Dispute
settlement

26.-(1) Where a party to an agreement made pursuant to these Regulations wants to terminate the agreement, a conflict shall be deemed to have occurred and be referred to mediation process.

(2) Notwithstanding the provisions of sub-regulation (1), where the parties fail to resolve the dispute through mediation, the aggrieved party may institute proceedings in a court of competent jurisdiction.

**PART VI
GENERAL PROVISIONS**

General
Penalty

27. A person who contravenes the provisions of these Regulations for which no specific penalty has been prescribed commits an offence and is liable on conviction to a fine of not less than fifty thousand shillings and not exceeding five hundred thousand shillings or to imprisonment for a term of not less than one month and not exceeding one year or to both.

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Cost benefit sharing of designated area

28.-(1) The cost benefit sharing under sub regulation (2) shall adhere to mechanisms of equitable distribution of costs and benefits targeted at promoting wildlife and environment conservation, enhancing economic development and contribute to poverty eradication.

(2) Without prejudice to sub-regulation (1), benefit sharing accruing from Non-Consumptive Wildlife Utilization activities in designated areas shall be distributed to beneficiaries in accordance with the following formula-

(a) in the case of designated areas falling under village land except in a Wildlife Management Areas-

- (i) 25% to the Tanzania Wildlife Management Authority;
- (ii) 15% shall be directed to the District Council of the respective area; and
- (iii) 60% to Village Council and right holder whose distribution shall be determined in terms of sub regulation (3).

(b) in the case of designated areas falling under general land and including land owned under right of occupancy-

- (i) 75% to the District Council and holders of rights of occupancy or derivative right whose distribution shall be determined in terms of sub regulation (3);
- (ii) 25% to the Tanzania Wildlife Management Authority.

(3) The distribution of benefit in co-owned designated areas as specified under sub regulation (2) shall be determined by a mutually agreed consensus between the respective beneficiaries taking into consideration the wildlife resource base of the area owned.

(4) For the purpose of this regulation, the term “beneficiaries” means the District Council, Village Council

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and holders of right of occupancy or derivative right other than investors carrying out wildlife activities in the designated areas.

Auditing

29.-(1) The funds allocated to the Joint Management Committee shall be annually audited by the Controller and Auditor General or such other person registered as an Auditor under the relevant law appointed for that purpose by the Controller and Auditor General on such terms and conditions as the Controller and Auditor General may determine.

(2) Without prejudice to sub-regulation (1), relevant wildlife institution may appoint an internal Auditor of the relevant wildlife institution to conduct annual audit of the fund allocated to the Joint Management Committee on such terms and conditions as deemed fit.

Investments

30.-(1) All investments and developments in the designated area shall conform to relevant laws and regulations

(2) All investments in designated areas shall conform to the Land Use Management Plan and the Resource Management Zone Plan of the area.

(3) The respective Village Council shall seek assistance of the Director, the District Council and Joint Management Committee when negotiating a contract, agreement or concession with prospective investors.

FISRT SCHEDULE

(Made under regulation 4(4))

**WILDLIFE CORRIDORS, DISPERSAL AREAS, BUFFER ZONES AND MIGRATORY
ROUTES JOINT LAND USE AGREEMENT**

A Joint Village Land-Use Agreement may help to solve or avoid land use conflicts between two or more neighbouring villages, and to improve the management of the 'shared' areas. The need arises when use of land resources located in one village are also

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of importance to groups living in one or more neighbouring villages, or in other words, when the inhabitants of neighbouring villages depend on each others land use management agreements. For examples micro catchments, grazing land, water points, forests and places of particular cultural interests that are shared by more than one village.

The process of entering into an agreement on a joint village land use management will be guided by the following procedure:

- (1) When the need for such an agreement is expected or identified by the councils of the villages involved, they can form a Joint Area Planning (JAP) Committee, which is composed of 3 to 4 councillors from each village.
- (2) This Joint Area Planning Committee organizes one or more meetings whereby the nature, purpose and proposed content of the agreement are explained to the different groups of persons from the concerned villages using the land in question. During these meetings, they have the opportunity to put forward their interests in and views on the use of the land and the content of any agreement on that use.
- (3) The Joint Area Planning Committee drafts with assistance of the Village Land Use Management committees of the concerned villages and the Planning and Land Use Management Team) a Joint Village Land Use Management Agreement which takes into account the views and interests of the users concerned and presents the proposal to the councils of the villages concerned for their approval.
- (4) The Joint Area Planning Committee informs the respective District Council on the contents of the proposed agreement and the District Council can make comments that have to be presented together with the Agreement to the Village Assemblies for their approval.
- (5) After the Agreement has been presented to and approved by all the Assemblies of the villages involved, it will take effect.
- (6) The Joint Land Use Agreement shall contain a provision that restricts member Villages from terminating the contract where it is not in the public interest.

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GN. No.123 (contd.)

SECOND SCHEDULE

(Made under regulation 9)

A MODEL FORMAT BY-LAWS FOR DESIGNATED AREAS

(Made under Section 167 of the Local Government (District Authorities) Act No. 7 of 1982)

Section 1: Title of the Bylaws

This says that this Bylaw shall be known as XXX Vilage (xxxxxx **Corridor/Buffer Zone/Dispersal Area/Migratory Route**) By-laws, 20.....

Section 2: Glossary

This states the meaning of different terminologies used in the village by-law

Section 3: Subject & Purpose of the By-laws

This names and describes the designated area (in government or private ownership) as per the Order that designated it:

estimated size and status of designated area as per the Order

The boundaries of the Designated Area.

The location of the Designated Area as per Order

The purpose of the Bylaws is stated: e.g. 'to empower villagers to fully participate and exercise the roles and responsibilities in the management of wildlife resources in designated areas and effectively enforce the rules and regulations set out in these Bylaws' and the Wildlife Conservation (Wildlife Corridors, Dispersal Areas, Buffer Zones and Migratory Routes) Regulations, 2018

Section 4: Management

This identifies the Joint Management Committee and the manner in which the Village Council shall select its representatives to the Joint Management Committee.

Reporting of the implementation of the responsibilities of the Joint Management.

Procedure for the making of decisions regarding the implementation of their responsibilities to the Joint Management Committee.

Section 5: Rules

This sets out each and every rule or 'law' of access, use and protection of the designated area. It may be convenient to divide these into different sets of rules:

- prohibited activities within the designated area
- permitted activities within designated area which through a licence
- activities within designated area which need permission but no fee
- activities within designated area, which are freely available.

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The village may also like to install General Rules such as a rule forbidding persons living next to the Designated Area from burning crop residue, a rule requiring every villager to report damage seen or knowledge that an offence has been committed, to help fight fires in the Designated Area, etc.

Section 6: *Procedures*

This is where the community states exactly how it expects offenders to be apprehended and fined, how the fine will be paid and received.

This section will also include a statement of which conditions will an offender be sent to court and how the bylaws expect the court to handle the offence.

Section 7: *Finances*

By-laws should prescribe the actual percentage of the financial benefit to be received as per the mutual consensus between the beneficiaries as per the Wildlife Conservation (Wildlife Corridors, Dispersal Areas, Buffer Zones and Migratory Routes), Regulations, 2018.

It will describe the consequences and penalties for responsible persons who fail to follow the provisions of the management plan regarding finances.

Section 8: *Disciplinary measures*

This section should list punishments to be given to leaders or members of the Joint Management Committee appointed by the Village Council who are found to be abusing their position of responsibility.

Section 9: *Penalties*

This sets out the precise penalties and fine for each rule broken. Furthermore, it may state that the Joint Management Committee reserves the right to-

- charge an apprehension fee to cover the costs of catching the offender
- charge compensation costs
- order the offender to carry out certain public works [such as boundary clearing or tree planting] in lieu of paying damages or in lieu of the fine.

Section 10 *Amendments*

This will state that amendments, which are not contrary to the spirit of the By-laws, may be made, usually through submission of the proposed change to a Village Assembly.

Notification of the change should be copied to the District Council and/or to Wildlife Division/TAWA/TANAPA/NCAA.

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Section 11 *Date of Commencement*

This states the date the By-laws shall come into operation.

Signatures:

Village Chairperson, Village Executive Officer.

District Council Chairperson, District Executive Director.

THIRD SCHEDULE

(Made under regulation 14(4))

MEETING AND PROCEDURAL MATTERS OF THE JOINT MANAGEMENT COMMITTEE

Chairperson of the Committee **1.** The members of the Committee shall elect from amongst their members a Chairperson and a Vice-Chairperson who shall hold office for a period of three years respectively unless their membership is otherwise terminated and shall be eligible to be re-elected for one further term in those offices.

Secretary **2.** The Director, Director General or the Conservator shall appoint among his representatives an officer to be the Secretary to the Committee.

Meetings of the Committee **3.-(1)** There shall be not less than four ordinary meetings of the Committee in each year.

(2) An ordinary meeting of the Committee shall be convened by the Chairperson and the notice specifying the place, date, and time of, and agenda for, the meeting shall be sent to each member at his usual place of business or residence not less than fourteen days before the date of the meeting.

(3) The Chairperson, or in his absence the Vice-Chairperson shall be bound to convene a special meeting of the Committee upon receipt of a request in writing in that behalf signed by not less than three members of the Committee and where such special meeting is convened, the agenda for such a meeting shall be sent to each member at his usual place of business of residence not less than seven days before the date of the meeting.

(4) A meeting of the Committee shall be presided over by the Chairperson or in his absence, by the Vice-Chairperson and when both

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the Chairperson and the Vice-Chairperson are absent, by a member elected by those members present at that meeting.

(5) The quorum at any meeting of the Committee shall be two third of the members.

(6) The Committee may establish such sub-committees as it sees fit to enable it to discharge its functions under the Regulations.

(7) The Committee and any sub-committees established by the Committee shall have the power to co-opt any person on to the Committee or sub-committee either generally or for a specific item of business and such co-opted person shall have all the rights and duties of a member of the Committee or sub-committee except that such co-opted person shall not have any right to vote on any matter before the Committee or sub-committee.

(8) A member who has any interest, direct or indirect in any matter coming before the Committee or sub-committee shall, as soon as is reasonably practicable, disclose the nature of that interest to the Chairperson or Vice-Chairperson and shall not, thereafter take part in any decision on that matter nor, except with the consent of a majority of the members present at that meeting, take part in any deliberations of that meeting.

(9) Subject to the provisions of this Schedule, the Committee shall regulate its own proceedings.

Quarterly
report

4. The Committee shall prepare a quarterly report setting out its current activities and indicating its future activities together with a set of audited accounts and shall submit that report to the Director.

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FOURTH SCHEDULE

(Made under regulation 20(3))

KITAMBULISHO CHA ASKARI WANYAMAPORI WA KIJIKI

*(Zimetengenezwa chini ya Kanuni ya 20(3) ya Kanuni za Shoroba, Maeneo ya
Mtawanyiko, Maeneo Kinga na Mapito ya Wanyamapori, 2018)*

Jina kamili

Na

Mwenye kitambulisho ambaye picha na sahihi yake vimeonyeshwa katika kitambulisho hiki amepewa madaraka ya kusimamia utekelezaji wa sheria ya Kuhifadhi Wanyamapori Sura 283, kukagua leseni za kuwindia, kukagua, kupekua, kukamata na kutia mbaroni kama ilivyobainishwa katika vifungu vya 106, 107, 108, 109 na 110 vya sheria ya Kuhifadhi Wanyamapori Sura 283.

Onyo:

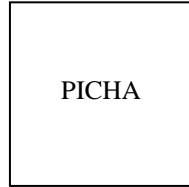
Mtu yeyote atakayekataa kutii amri yoyote ya kisheria atakayopewa na Ofisa huyu anaweza kutiwa mbaroni pasi na waranti.

.....
Mkurugenzi wa Idara ya
Wanyamapori
Tarehe

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Cheo
Anwani.....
.....



Angalia

Kisitambulike kama hakina mhuri wa Idara uliobandikwa kwa namna ambayo sehemu yake iko juu ya picha ya mwenyenacho.

Madaraka haya ni katika eneo la vijiji vinavyounda Eneo la Jumuiya la Uhifadhi Wanyamapori la

.....
..... (jina la eneo)

.....
Sahihi ya mwenye kitambulisho

Dodoma,
24th February, 2018

HAMISI A. KIGWANGALLA
Minister for Natural Resources and Tourism