

**Range Management and grazing control Regulations 1980**

In exercise of the powers conferred upon me by section 4(1) of the Land Husbandry Act, 1969, I,

Peete Nkuebe Peete

Acting Minister of Agriculture and Marketing make the following regulations:

1. These regulations may be cited as the Range Management and Grazing Control Regulations 1980

Citation and Commencement

2. In these regulations unless the context otherwise requires:—

Interpretation

“agricultural officer” means a public officer serving under the Ministry of Agriculture or a person so appointed for the time being to execute these regulations;

“cattlepost grazing area” means grazing area designated as such by the Minister;

“chief” has the same meaning assigned to it as in the Chieftainship Act, 1968;

“crop” means any species of plants purposefully grown for human or animal consumption;

“land capability” means the suitability of land for use without damage;

“large stock” means cattle, horses, mules and donkeys over the age of one year;

“leboella” means an area set aside for the propagation of grass thatch grass, reedbeds, tree planting or rotational grazing;

“owner” in relation to stock includes the possessor of such stock under “Mafisa” or some similar customary arrangement;

“representative” a person to whom the chief has delegated his responsibility in order to carry out the provisions of these regulations;

“rotational grazing” means a system of grazing whereby some parts of land declared suitable for grazing are rested and alternately grazed without reference to season;

“small stock” means sheep and goats over the age of one year;

“stock” includes large stock and small stock;

“stocking rate” means the number of stock per unit area of land that may be allowed to graze in a grazing area over a given period of time without any permanent damage to grass cover or soil;

“stock unit” means one head of large stock or five head of small stock;

“section of grazing area” means a unit of land used for rotational grazing, and “sectional” shall be construed accordingly;

“to cull” means to remove undesirable stock from the grazing areas;

“undesirable stock” means any stock considered by an Agricultural Officer to be lacking in constitution, size, conformation, soundness and type for the improvement of livestock in Lesotho and includes bastard sheep and boer goats;

“village grazing area” means any grazing area other than cattlepost grazing area;

Setting aside  
Leboella

4. (1) Every Chief shall, after consultation with and on the advice of the Agricultural Officer, set aside special areas within his area of jurisdiction for leboella for such time as may be necessary;

(2) a local chief may restrict grazing in his village area to people living in his area of jurisdiction but he may exempt bona fide travellers, public servants or police officers on duty from this sub-regulation;

(3) the Agricultural Officer may advise a chief to set aside specified grazing areas if he considers it necessary for the purpose of rotational grazing or the improvement of any aspect of agriculture;

(4) when defining the boundaries of an area set aside as leboella a chief shall do so with reference to permanent objects such as hills, streams, or built-up stone pillars and white painted beacons, and not with reference to objects of a temporary nature such as foot paths and trees;

(5) after setting aside an area as leboella and defining its boundaries the chief shall convene a pitso in the customary manner and inform it of his decisions;

(6) a chief shall also inform all other chiefs whose areas of jurisdiction adjoin his, as well as any other chief whom he considers should have notice, of the setting aside of leboella;

(7) a chief may give to any person living in his area of jurisdiction instructions or directives as are necessary for the demarcation, protection, preservation of leboella, and any person who without just excuse fails to comply with such instructions or directions shall be guilty of an offence and liable to a fine of 10 Maloti.

Chiefs to  
have no  
special  
rights to  
leboella

5. A chief shall not claim or exercise rights or privileges over or with respect to leboella not permitted to the public in general.

6. (1) a person shall not, except in cases specially approved by the chief, graze his stock or any stock in his possession or cause such stock to be grazed in any area set aside by a chief as leboella; Trespass upon leboella

(2) a chief may assign to any person living in his area of jurisdiction the duty of impounding stock trespassing on leboella;

(3) the owner or possessor of stock found grazing in contravention of leboella restrictions shall be liable to a fine of M0.50 for each head of large stock, M0.25 for each head of small stock and shall also pay pound fees at the rate of M0.10 per head of large stock and M0.05 per head of small stock per day or part thereof;

(4) upon payment of damage the chief shall release such stock to the owner or possessor;

(5) if the owner or possessor of the stock fails to pay the prescribed damages, such stock shall be impounded and shall be further dealt with according to the law relating to pounds;

(6) any person who shall by threats of violence or otherwise rescue or attempt to rescue, against the will of the person in charge thereof, any stock lawfully seized trespassing on leboella in terms of subregulation (1) in order to be impounded, or shall so rescue or attempt to rescue any stock after it has been impounded with the chief, shall be guilty of an offence, and liable to a fine of M50.00 or 1 year's imprisonment.

(7) a chief or poundmaster receiving payment of damages in terms of sub-regulation (3) shall issue a proper receipt thereof and shall not later than thirty days thereafter pay such money into consolidated revenue; 30% of such collection shall be paid back to the chief to be shared equally among the chief's person who impounded animals and person looking after animals while in pound.

7. (1) supervision of grazing shall be under the direction of the Agricultural Officer;

Responsibility for grazing area

(2) administration of grazing shall be:

(a) in village grazing area the responsibility of the local chief or his representative;

(b) in cattle post grazing area the responsibility of the principal or ward chief or his representative;

(3) a person coming from another ward or district to graze in a particular cattle post area shall fall under the complete authority of the Principal or Ward chief or his representative in whose area such a person is grazing during his sojourn or that of his agents at such a grazing area.

8. (1) grazing of cattle post areas shall be communal and no Principal or Ward chief shall have the right to restrict a cattle post grazing area to the people living in his area of jurisdiction, provided that in special circumstances the Principal or Ward chief may, on the advice of an Agricultural Officer, restrict graz-

Rights of access to grazing areas

ing to a particular group of people or to people living in a particular area;

- (2) (a) a person with lawful rights to cultivate a land shall have the sole right to all crops grown on that land and to all crop residues;
- (b) where such a person has sown his land to permanent grasses, such grass shall be considered in all respects as a crop;

9. (1) a chief may declare certain and specified areas reserved for Agricultural Development;

(2) **Estimation of Stocking Rate:**

- (a) an Agricultural Officer shall determine annually the stocking rate of each section of the grazing area;
- (b) every chief and Agricultural Officer shall keep a written record of the stocking rate of the area under his jurisdiction;
- (c) the chief after consultation with the Agricultural Officer shall divide all grazing areas under his jurisdiction into sections for the purpose of rotational grazing.

(3) **Permits:**

- (a) a person shall not use a grazing area for grazing stock without an official grazing permit renewable annually by the Principal, Ward or Village Chiefs as the case may be and such stock shall be distributed over the grazing sections in proportion to the stocking rate of each section;
- (b) the permit shall be substantially similar to the schedule to this regulation;
- (c) the grazing permit together with the "babeisi" shall be kept at all times by the person in charge of stock. A person grazing his animals without a permit as required in (a) shall be guilty of an offence and liable to a fine of 50 lisente per stock;
- (d) if a person is keeping more stock in the grazing area than are entered on his grazing permit he shall be guilty of an offence and shall be liable to pay a fine of M0.50 per head of large stock and M0.25 per head of small stock and such stock shall be removed from the grazing area forthwith;
- (e) if a person grazes stock in his possession in an area other than that stated on his grazing permit he shall be guilty of an offence and he shall be liable to a fine of M0.50 per head of large stock and M0.25 per head of small stock and such stock shall be removed from such grazing area forthwith.

(4) **Movement of Stock between Grazing Areas:**

When travelling from one grazing area to another, a person in possession of livestock may stay no longer than one night at any one place, and must travel directly to his destination.

Organisation  
of rotational  
grazing

Provided that under special circumstances the local chief may allow the person to remain longer.

10. (1) The total number of stock in the country shall be regulated to equal the total stocking rate of the country by grazing areas as determined according to paragraph 9(2) (a). At any time when the total number of stock exceeds the stocking rate of the grazing areas measures shall be taken to cull undesirable stock until the required number is attained; and such stock shall be distributed over the grazing sections in proportion to the stocking rate of each section.

Regulation  
of stock  
numbers

(2) (a) marking of excess and undesirable stock to be culled shall be performed by Agricultural Officer and shall take place in conjunction with some other activity such as shearing, dipping or dosing. The owner of stock to be culled or a person acting on his behalf must be present at the time stock are marked;

(b) the stock owned by each person shall be inspected by an Agricultural Officer, who shall mark the undesirable and excess stock by tattooing the letter 'X' followed by a numeral designating the year of culling on both ears with black Indian Ink;

(c) the number and type of undesirable stock so marked under paragraph (2) (b) belonging to each person shall be entered in the appropriate place on that person's grazing permit by the chief or his representative who shall also enter these details in a culling register, against the grazing permit number;

(3) (a) any person owning undesirable stock which have been marked and registered as outlined in sub-regulation (2) shall ensure that they are removed from the grazing areas before he is issued with a new grazing permit in the following spring.

Provided that a licensed butcher may keep culled stock from one season into the next season for a maximum period of three months;

(b) an Agricultural Officer will inspect all stock as outlined in paragraph (2) (b) of these regulations each year for the purpose of culling stock. The owner of any stock which were culled in a previous year, but which are found not to have been disposed of at this time, shall be guilty of an offence;

(c) (i) culled stock shall not be entered in a "babeisi" which is to be used to obtain a new grazing permit and such stock shall not be permitted to graze in any grazing areas of Lesotho after the owner has been issued with a new grazing permit;

(ii) any chief of "babeisi" writer who enters culled stock on a "babeisi" which he knows will be used to obtain a new grazing permit, shall be guilty of an offence.

**Control of  
parasites in  
small stock**

11. (1) All small stock shall be dipped once a year against parasites.

- (a) dipping shall be under the supervision of the Agricultural Officer at an official dip tank;
- (b) the Agricultural Officer shall keep a dipping register in which he shall enter the number and type of stock dipped and the grazing permit number for each owner of such stock;
- (c) after the small stock of a person have been dipped the Agricultural Officer shall enter the number and type of stock dipped on that person's grazing permit and stamp it with his official stamp.

(2) All small stock shall be dosed against internal parasites —

- (a) when they
  - (i) graze for the first time in a grazing area which had been set aside as leboella; or
  - (ii) move from village to cattle post grazing area;
- (b) dosing shall be under the supervision of the Agricultural Officer;
- (c) the Agricultural Officer shall keep a dosing register in which he shall enter the number and type of stock dosed and the grazing permit number for each owner of such stock;
- (d) each time the small stock of a person is dosed, the Agricultural Officer shall enter the number and type of small stock on that person's grazing permit and stamp it with his official stamp;

(3) When the grazing permit is presented to the Principal or Ward Chief for renewal in spring of the following year, the Principal or Ward Chief shall inspect the old grazing permit for official entries of small stock dipped and dosed.

**Prohibition  
of grass  
burning**

12. (1) A person who

- (a) burns or sets alight any grass or bush in a cattle post or a village grazing area without written permission of the Principal, Ward or Village Chief as the case may be, issued after consultation with an Agricultural Officer;
- (b) in a village or cattle post grazing area leaves unattended a fire which he, with or without such permission has lighted or rekindled or to which he had added fuel, before such fire is thoroughly extinguished; or
- (c) with or without authority, either personally or through someone else, lights or assists in lighting or uses, rekindles or adds fuel to any fire which, through his negligence, spreads to or causes damage to grass in village or cattlepost grazing area; shall be guilty of an offence and liable to a fine of M50.00 or to imprisonment for 3 months.

(2) Any grazing area or portion thereof in which grass has been burnt shall be deemed to be leboella.

13. (1) It shall be the responsibility of the chief of any area in which land is ploughed to ensure that land to be ploughed is safeguarded against erosion, as advised by the Agricultural Officer.

Opening of  
new land on  
thite and  
Moshoga  
and the re-  
establish-  
ment of  
grass on  
lands  
unsuitable  
for  
cultivation

(2) (a) no virgin grassland (thite or moshoga) shall be opened for cultivation without the written permission of the chief;

(b) any person who cultivates any virgin grassland without written permission of the chief as provided for in paragraph (2) (a) shall be guilty of an offence.

(3) A chief shall, on the advice of the Agricultural Officer order that any land which has been —

(a) cultivated in unsuitable places;

(b) unlawfully cultivated;

be returned to grassland.

14. (1) Where the Agricultural Officer, in terms of these regulations is required to give advice, approval or decision such advice, approval or decision shall be final.

Chief to do  
everything  
necessary to  
assist the  
Ministry of  
Agriculture

(2) Any chief or representative who fails to —

(a) comply within thirty days with any advice addressed to him by an Agricultural Officer and issued under these regulations —

(b) take all reasonable steps to ensure that all persons finding themselves in his area comply with such advice; shall be guilty of an offence.

(3) It shall be no defence for a chief charged with an offence in terms of sub-regulation (2) to prove that the duty of complying with or carrying out such requirements was delegated to a representative.

(4) Any person who shall wilfully obstruct or resist the lawful exercise of any of the powers conferred by these regulations shall be guilty of an offence and liable to a fine of 50 Maloti or 3 months imprisonment.

# SCHEDULE TO GRAZING CONTROL REGULATIONS

## CREST

### TSAMAIISO EA MAKHULO

#### LENGOLO LA TUMELLO — GRAZING PERMIT

Setereke: ..... Selemo: .....  
District Year

Sebaka: ..... Morena .....  
Ward Ward Chief

Morena: ..... Babeisi No.: .....  
Chief Nomoro ea Babeisi

Lebitsong la Sehoai: .....  
Stock Owner's Name:

Motse: .....  
Village:

1 Lenane la liphoofole tse lumelletsoeng.  
Number of stock permitted.

Likhomo	Linku	Lipoli	Lipere	Litonki	Limmoulo

Sebaka sa phuliso: .....  
Approved Grazing Area:

Morena: .....  
Chief:

Setempe: .....  
Date stamp:

**2 Lenane la liphoofole tse tipiloeng:**  
Number of stock dipped

Linku Sheep	Likonyana Lambs	Lipoli Goats	Lipotsanyane Kids	Ofisiri Officer

Morena: ..... Setempe: .....  
Chief Date stamp

**3 Lenane la liphoofole tse noesitsoeng:**  
Number of stock dosed

Letsatsi Date	Linku Sheep	Likonyana Lambs	Lipoli Goats	Lipotsanyane Kids	Ofisiri Officer

Morena: ..... Setempe .....  
Chief stamp

**4 Lenane la liphoofole tse hlahlobiloeng:**  
Number of stock inspected

Letsatsi Date	Tse hlahlobiloeng/ Inspected		Tse hloailoeng/ Culled		Ofisiri Officer
	Linku/ Sheep	Lipoli/ Goats	Linku Sheep	Lipoli Goats	

Morena: ..... Setempe .....  
Chief Date stamp