

Range Management and grazing Control (Amendment) Regulations, 1992

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

JAMES LEBITSO DINGISWAYO

Minister of Agriculture, make the following regulations:

Citation and commencement

1. These regulations may be cited as the Range Management and Grazing Control (Amendment) Regulations 1992 and shall come into operation on the date of publication in the Gazette.

Amendment of regulation 2 of L.N. 39 of 1980

2. The principal regulations are amended by inserting the following definitions, "authorised officer" means a person appointed by the Village Development Council or Ward Development Council, as the case may be, to carry out the provisions of these regulations; "equine" means mule, horse or donkey; "Livestock Registry Book" means a book referred to in subregulation 9 (3);

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"Village Development Council" means a Village Development Council established under section 3 of the Development Councils Order 1991;

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"Ward Development Council" means a Ward Development Council established

under section 7 of the Development Council Order 1991

Amendment of regulation 4 of L.N. 39 of 1980

3. Regulation 4(7) of the principal regulations is amended by deleting "10 maloti" and substituting "50 Maloti or one month imprisonment".

Amendment of regulation 6 L.N. 39 of 1980.

4. Regulation 6 of the principal regulations is amended,

- (a) by deleting subregulation (3) and substituting the following,

"(3) The owner of stock found grazing in contravention of leboella restrictions shall be liable on conviction,

- (i) for a first offence to a fine calculated on the basis of M4.00 for each head of cattle, M6.00 for each equine and M0.60 for each head of small stock;

- (ii) for a second or subsequent offence, to a fine equal to 2 times the grazing fees set out in the Third Schedule."

- (b) in subsection (4) by deleting the word "damage" and substituting the words "fine referred to in subregulation (3)";

- (c) in subregulation (5) by deleting the word "damages" and substituting the word "fine";

- (d) by deleting subregulation (7) and substituting the following,

"(7) The Village Development Council or Ward Development Council, as the case may be, which receives payment of a fine referred to in subregulation (3) shall issue a receipt to the owner of stock and shall not later than 30 days thereafter pay such fine into the Development Fund to be established under the Development Order 1991."

Amendment of regulation 9 of L.N. 39 of 1980

5. Regulation 9 of the principal regulations is amended,

- (a) in subregulation (3) by deleting words "Principal, Ward or Village Chief," and substituting the following, "Village Development Council or Ward Development Council, as the case may be,";

- (b) by inserting after paragraph (a) the following paragraphs,

- (aa) no person shall be issued with a grazing permit unless he is in possession of a Livestock Registry Book;

- (ab) the Livestock Registry Book shall be as set out in the Second

Schedule;

(ac) the village Development Council or Ward Development Council, as the case may be, shall be responsible for the issuing of the Livestock Registry Book to the owner of stock and such Livestock Registry Book shall be presented to the Village Development Council or Ward Development Council, as the case may be, by the owner of stock before such owner is issued with a grazing permit;

(ad) a person who fails to,

(i) register his stock or part of his stock;

(ii) produce a Livestock Registry Book, grazing permit, or babeisi, when so required by the authorised officer, is guilty of an offence and liable to a fine not exceeding M500, or to imprisonment for a period not exceeding 6 months, or to both;”;

(c) by deleting paragraph (c) and substituting the following,

“(c) a person in charge of stock shall keep a grazing permit, babeisi and Livestock Registry Book and shall produce them for inspection when so requested by the authorised officer. A person who grazes his animals without a permit as required in regulation 9(3)(a) shall be guilty of an offence and liable to a fine equal to one and half times the grazing fees set out in the Third Schedule;”;

(d) by deleting paragraph (d) and substituting the following,

“(d) if a person keeps more stock in the grazing area than entered on his grazing permit, such person shall be liable to pay a fine equal to one and one half times the grazing fees set out in the Third Schedule for the excess stock and he shall remove such excess stock from the grazing area forthwith;”;

(e) by deleting paragraph (e) and substituting the following,

“(e) if a person grazes stock in his possession in an area or at a time other than that stated on his grazing permit, he shall be guilty of an offence and liable to a fine equal to one and one half times the grazing fees set out in the Third Schedule, and shall remove the stock from the grazing area forthwith”.

Amendment of regulation 9 of L.N. of 1980

6. Regulation 9 of the principal regulations is amended in sub-regulation (4), by deleting the proviso.

Amendment of regulation 10 of L.N. 39 of 1980

7. Regulation 10 of the principal regulations is amended,

- (a) in sub-regulation (3)(b), by adding at the end the following, “and liable to a fine equal to 2 times the grazing fees set out in the Third Schedule”;
- (b) in sub-regulation (3) (c) (ii) by adding at the end the following, “and liable to a fine equal to 2 times the grazing fees set out in the Third Schedule”.

Amendment of regulation 13 of L.N. 39 of 1980

8. Regulation 13(2)(b) of the principal regulations is amended by adding at the end the following words, “and liable to a fine not exceeding M50.00 or to a term of imprisonment not exceeding 6 months”.

Insertion of a regulations after regulation 14 of L.N. 39 of 1980

9. The principal regulations are amended by the insertion after regulation 14 of the following regulation,

“Grazing Fees 14A. (1) No person shall graze or cause his stock to graze on a communal grazing area unless he has paid to the Village Development Council or Ward Development Council, as the case may be, the annual grazing fees set out in the Third Schedule.

(2) No person shall be issued a grazing permit under regulation 9(3)(aa) unless such person has first paid the grazing fees set out in the Third Schedule.

(3) The Village Development Council or Ward Development Council, as the case may be, shall deposit the grazing fees referred to in subregulation (1) into the Development Fund.

(4) A person who contravenes the provisions of sub-regulation (1) is guilty of an offence and liable,

- (a) for a first offence, to a fine not exceeding M100;
- (b) for a second or subsequent offence, to a fine not exceeding M200.

Cutting of grass prohibited

14B. (1) No person shall cut grass on a communal grazing area.

- (2) A person who contravenes the provisions of sub-regulation (1) is guilty of an offence and liable,
 - (a) for a first offence, to a fine not exceeding M100;

- (b) for a second or subsequent offence, to a fine not exceeding M200.”

Amendment of Schedule to L.N. 39 of 1980

10. The Schedule to the principal regulations is amended by inserting the heading “First Schedule”.

Addition of Schedules

11. The Principal regulations are amended by adding at the end the second and Third Schedules.

**James Lebitso Dingizwayo,
Minister of Agriculture.**

THIRD SCHEDULE

Grazing Fees "per head of stock" per annum

CATTLE		EQUINE		SMALL STOCK	
M	L	M	L	M	L
3	00	5	00		50