

GOVERNMENT NOTICE No. 87

NATIONAL PARKS AND WILDLIFE ACT

(No. 11 OF 1992)

NATIONAL PARKS AND WILDLIFE (PROTECTED AREAS)  
REGULATIONS, 1994

IN EXERCISE of the powers conferred by section 41 of the National Parks and Wildlife Act, I, MFUNJO MWANJASI MWAKIKUNGA, Minister of Forestry and Natural Resources, acting on the recommendation of the Wildlife Research and Management Board, make the following Regulations—

Citation            1. These Regulations may be cited as the National Parks and Wildlife (Protected Areas) Regulations, 1994.

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

“camping site” means any site within a protected area which has been declared as such by the Chief Parks and Wildlife Officer;

“lodge” means a place of accommodation of the public declared by the Chief Parks and Wildlife Officer to be a lodge;

“permit” means a permit issued under these Regulations;

“prescribed fee” means the appropriate fee specified in the relevant Schedule to these Regulations;

“protected area” means a park or wildlife reserve declared to be a national park or wildlife reserve under section 28 and includes any river bordering, or in, a park or wildlife reserve;

“road” means any road, track or route demarcated for motor vehicles within the boundaries of a protected area and includes any bridge, culvert, crossing or drift, but does not include a public road;

“observation place”, in relation to a protected area, means a place which has been declared by the Chief Parks and Wildlife Officer as the place for public observation of wildlife in that protected area;

Cap. 69:02            “public road” has the meaning ascribed thereto in the Public Roads Act;

“Wildlife Officer”, in relation to any protected area means an officer of or above the rank of Technical Officer (T.O.) performing duties in relation to that protected area.

Permit to            3.—(1) No person shall enter a protected area with or in a motor  
enter a            vehicle unless there is a valid permit in respect of that motor vehicle.  
protected  
area

(2) A permit shall be in the form prescribed in Form 1 of the First Schedule.

(3) No permit to enter a protected area shall be issued in respect of any motor vehicle carrying goods or designed primarily for the carriage of goods, unless—

(a) in the case of any motor vehicle carrying goods, whether or not it is constructed primarily for that purpose, the goods are—

(i) the personal effects of the occupants of the motor vehicle or for use by any person within the protected area;

(ii) camping equipment, utensils and stores for use by the occupants of the motor vehicle or for use by any person within the protected area; or

(iii) trade or other goods destined for any hotel, shop, lodge or camping place within the protected area or for use by any person within the protected area; or

(b) in the case of any other vehicle, entry of such vehicle into the protected area is solely for the purpose of transportation within, or removal from, the protected area of any goods specified in paragraph (a) or goods not intended for use in the protected area.

(4) A permit shall not be required for a motor vehicle which is in the protected area for transit purpose only.

(5) A permit to enter a protected area shall not be issued to a person who has been prohibited to enter a protected area under regulation 16.

4. Except with the written permission of the Chief Parks and Wildlife Officer, no person shall camp or remain on a camping site during the hours of darkness unless he has paid the prescribed fee.

5.—(1) The Chief Parks and Wildlife Officer or a Wildlife Officer may prohibit persons or vehicles from travelling on or in any part of a protected area of a road.

(2) Where, on the authority of the Chief Parks and Wildlife Officer, any part of a protected area or of a road has been closed to the public or to any kind of traffic or to any class of vehicles, no person shall travel in or on such part or cause the prohibited kind of traffic or the prohibited class of vehicle to travel in or on such part.

(3) For the purpose of this regulation, a part of the protected area or of a road, shall be deemed closed if, on the authority of Chief Parks and Wildlife Officer or a Wildlife Officer, there has been placed with respect thereto a notice, sign, mark, fence, gate, barricade or line of stones, indicating that it has been closed to the public or to any kind of traffic or class of vehicles.

6. Except with the written permission of the Chief Parks and Wildlife Officer or the Wildlife Officer, no person shall—

(a) enter or leave a protected area other than at a place designated by the Chief Parks and Wildlife Officer as an entrance or exit;

(b) enter a protected area (other than Liwonde National Park and Lake Malaŵi National Park) otherwise than in a motor vehicle having four or more wheels; or

(c) enter or remain within water areas of the Liwonde National Park and Lake Malaŵi National Park;

(d) enter a protected area by means of an aircraft unless the aircraft is authorized so to enter and to land at an authorized landing ground;

(e) be within a protected area unless he is within 25 metres of a motor vehicle or boat or is in an observation place;

(f) knowingly alight from a vehicle in a protected area within 200 metres of any live animal (other than an insect or bird) unless he is in an observation place;

(g) exceed a speed of 40 kilometres per hour in a motor vehicle within a protected area;

(h) sound a motor horn within a protected area;

(i) cut or remove any vegetation in a protected area, or damage or remove any object or geological, prehistoric, archeological, historical or scientific interest in a protected area;

(j) remove from a protected area any animal or vegetation whether alive or dead other than animal or vegetation lawfully introduced into a protected area by the person removing it;

(k) in case of the Nyika National Park, drive any vehicle on those parts of section of M9 (Mphora–Kaperekezi) and S103 roads (Chilinda turn-off to Kasaramba) which are inside the boundary of the said national park, between the hours of 6.00 p.m. and 6.00 a.m.

(l) in the case of Nkhotakota Wildlife Reserve, drive any vehicle on the section of the M10 road (Mbobbo–Wozi) which is within the boundary of the said wildlife reserve, between the 6.00 p.m. and 6.00 a.m.; or

(m) be allowed to enter Nyika National Park or Nkhotakota Wildlife Reserve after 4.00 p.m. and before 6.00 a.m.

7.—(1) Except with the permission of the Chief Parks and Wildlife Officer, no person, while within a protected area, shall molest, provoke, feed or disturb any animal.

(2) For the purposes of this regulation, any person who approaches or follows any animal, or makes any sudden movement or noise, or flashes a light or intentionally does something to cause an animal to move away from where it is, to change its direction of travel, to increase its pace or speed, to become frightened or to stampede shall be deemed to have disturbed the animal.

8. Except with the written permission of the Chief Parks and Wildlife Officer, no person shall intentionally discharge any weapon or release any appliance so that a projectile therefrom passes over any portion of, or falls within, a protected area.

9. Except with the written permission of the Chief Parks and Wildlife Officer or the Wildlife Officer, no person, while within a protected area, shall—

(a) light a fire, or cause a fire to be lighted;

(b) leave any fire which has been lighted, or which he has caused to be lighted, unextinguished; or

(c) discard any burning object.

10. Except with the written permission of the Chief Parks and Wildlife Officer or the Wildlife Officer, no person shall—

(a) display any notice or advertisement within a protected area or at any entrance to or on the boundary of a protected area; or

(b) collect any money from members of the public, sell any goods, or offer any goods for sale or carry on any trade within a protected area.

11. Except with the written permission of the Chief Parks and Wildlife Officer or a Wildlife Officer, no person shall—

(a) place, erect, damage, move, loosen, alter, break, cut, destroy or in any way interfere with fencing, fence post, gate, beacon or boundary of a protected area;

(b) place, erect, mark, spoil, damage, disfigure, alter, bend, cover, move or remove any signboard, notice board or any notice within a protected area or on any boundary of a protected area.

12.—(1) No person, unless he in a bona fide tourist driving himself or being driven in a motor vehicle hired for visiting a protected area, shall drive a public service motor vehicle within a protected area, except under and in accordance with a permit in Form II set out in the First Schedule issued by the Chief Parks and Wildlife Officer or a Wildlife Officer.

(2) The Chief Parks and Wildlife Officer or a Wildlife Officer may refuse to issue a permit required under subregulation (1) or may endorse, suspend or cancel any such permit already issued.

(3) Where a permit issued under subregulation (1) has been suspended or cancelled, the holder thereof, when applying again for the issue of such permit, shall disclose the fact of such suspension or cancellation.

13. Except with the permission of the Chief Parks and Wildlife Officer, no person shall—

(a) unless in an emergency, land any aircraft in a protected area except at an airfield at which landing of aircraft has been generally authorized by an order of the Chief Parks and Wildlife Officer;

(b) except for the purpose of landing or taking off or in an emergency, fly in a protected area an aircraft at an altitude of less than five hundred metres above the ground.

14.—(1) No person, other than an officer, shall make use of or wear any badge, uniform or emblem authorized to be worn by an officer of a protected area.

(2) No person shall—

(a) make use of or wear any badge, uniform or emblem so

nearly resembling a badge, uniform, or emblem authorized to be worn by an officer of a protected area;

(b) unlawfully hold himself out as being an officer.

15.—(1) The Chief Parks and Wildlife Officer, a Wildlife Officer or any other officer authorized in writing in that behalf, may issue orders, notices, and directions, either orally or in writing, for the purposes of—

(a) directing traffic in a protected area;

(b) prohibiting the use of any part of a protected area or any road therein;

(c) prohibiting visitors to a protected area from using any radio set or musical instrument or restricting the use thereof;

(d) preventing any damage or injury to any animal or plant, or any behaviour on the part of any person in a protected area which is likely to disturb or provoke any animal.

(2) It shall be a condition of any person's entry into a park that he shall comply with any lawful order or direction, whether oral or written, given or issued by the Chief Parks and Wildlife Officer or any other officer.

(3) If any person contravenes any direction or order lawfully given to him under the provisions of the preceding paragraph, the Wildlife Officer may either orally or in writing forthwith cancel such a person's entry permit, without refund or any fees paid.

16. If in the opinion of the Chief Parks and Wildlife Officer or a Wildlife Officer the presence of any person within a protected area is or would be detrimental to the proper management and control of the protected area, the Chief Parks and Wildlife Officer or Wildlife Officer may order such person to leave and the Chief Parks and Wildlife Officer may, in addition, prohibit him from entering the protected area or other protected area for a period not exceeding three years.

17.—(1) For the issue of a permit or granting of a permission under these Regulations, the appropriate fee specified in Part I of Second Schedule shall be charged and payable.

(2) The fees specified in Part II of the Second Schedule shall be payable for the taking of photographs within a protected area, where the Chief Wildlife Officer or a Wildlife Officer has reasonable grounds to believe that such photographs are intended for sale or public exhibition or for any other purpose from which monetary rewards, gain, commission or profit will or is intended to result:

Provided that no fee shall be payable in respect of any photographs taken by an employee of the Government in the course of his employment.

(3) In this regulation, the expression "photographs" means pictures, images, or likenesses, whether cinematographic or still, obtained by means of camera.

18. Any person who contravenes the provisions of these Regulations commits an offence and shall be liable—

(a) in the case of a first offence, to a fine of not less than K200 but not more than K500 and to imprisonment for a term of three months;

(b) in the case of a second or subsequent offence, to a fine of not less than K500 but not more than K1,000 and to imprisonment for a term of six months.

# **FIRST SCHEDULE**

regs 3 and 12

## **FORMS**

Form 1

### **NATIONAL PARKS AND WILDLIFE ACT**

(No. 11 OF 1992)

### **NATIONAL PARKS AND WILDLIFE (PROTECTED AREAS) REGULATIONS**

#### **MOTOR VEHICLE PERMIT**

Mr./Miss/Mrs./Messrs .....

.....

.....

is hereby permitted to enter .....

.....

with or in a motor vehicle registration number .....

Subject to the Act and Regulations made thereunder and conditions endorsed on the permit

Date of issue .....

Date of expiry .....

Fees paid .....

*for Chief Parks and Wildlife Officer*

*(Official stamp)*

Form 2

### **NATIONAL PARKS AND WILDLIFE ACT**

(No. 11 of 1992)

### **NATIONAL PARKS AND WILDLIFE (PROTECTED AREAS) REGULATIONS**

#### **PUBLIC SERVICE MOTOR VEHICLE PERMIT**

Mr./Miss/Mrs./Messrs .....

.....

is hereby permitted to drive a public service motor vehicle registration number .....

within .....  
 subject to the Act and Regulations made thereunder and conditions endorsed on the permit.  
 Date of issue .....  
 Date of expiry .....  
 Fees paid .....

*for: Chief Parks and Wildlife*  
*(Official stamp)*

## SECOND SCHEDULE

reg. 17

## PART I—PERMIT FEES

Fees for the first period commencing at 6 a.m. on one day and ending at 6 a.m. on the next following day, or part of such period and for each following period of twenty-four hours or part thereof, spent in the park—

					<i>Fees</i> K t
A.	Permit for the entry of each person—				
	(a) Malawians—				
	(i)	above the age of 12 years	..	..	5 00
	(ii)	below the age of 12 years	..	..	free
	(b) Non-Malawians—				
	(i)	above the age of 12 years	..	..	20 00
	(ii)	below the age of 12 years	..	..	free
	(c) Non-Residents—				
	(i)	above the age of 12 years	..	..	US\$ 10 00
	(ii)	below the age of 12 years	..	..	free
B.	Permit for each motor vehicle—				
	(a) Malawians—				
	(i)	tare weight less than 2,000 kilos	..	..	5 00
	(ii)	tare weight 2,000 kilos to 5,000 kilos	..	..	10 00
	(iii)	tare weight over 5,000 kilos	..	..	50 00
	(b) Non-Malawians—				
	(i)	tare weight less than 2,000 kilos	..	..	10 00
	(ii)	tare weight 2,000 kilos to 5,000 kilos	..	..	20 00
	(iii)	tare weight over 5,000 kilos	..	..	50 00
	(c) Non-Residents—				
	(i)	tare weight less than 2,000 kilos	..	..	US\$ 5 00
	(ii)	tare weight 2,000 kilos to 5,000 kilos	..	..	US\$ 10 10
	(iii)	tare weight over 5,000 kilos	..	..	US\$ 25 00
C.	Permit for camping—				
	(a) where tents are provided—				
	(i)	for persons above the age of 12 years	..	..	25 00
	(ii)	for persons below the age of 12 years			free

## D. Permit for the landing of an aircraft weighing—

(a) not more than 20,000 kg calculated to the nearest 1,000 kg	5 00 per 1,000 kg
(b) more than 20,000 kg . . . . .	7 00 per 1,000 kg

## E. Permit for accommodation in protected areas—

## (a) Kasungu National Park

(i) Single . . . . .	75 00
(ii) Double . . . . .	95 00
(iii) Triple . . . . .	130 00
(iv) Extra bed . . . . .	40 00

## (b) Nyika National Park

## (i) Chalets—

Single . . . . .	80 00
Double . . . . .	120 00
Triple . . . . .	150 00
Quadruple . . . . .	180 00
Extra bed . . . . .	30 00

## Rooms—

Single . . . . .	40 00
Double . . . . .	60 00
Extra bed . . . . .	30 00
Juniper . . . . .	20 00

## Lake Malawi National Park

## (i) Rondarels—

Single . . . . .	25 00
Double . . . . .	40 00
Triple . . . . .	55 00
Extra bed . . . . .	30 00

## (ii) Chalets—

Single . . . . .	20 00
Double . . . . .	30 00

Camp Site . . . . .	15 00
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## (d) Lengwe National Park

## Rooms—

Single . . . . .	60 00
Double . . . . .	90 00
Triple . . . . .	105 00
Full . . . . .	115 00

## (e) Liwonde National Park (Chinguni)

## Rooms—

Single . . . . .	40 00
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Double	..	..	..	..	..	..	60 00
Triple	..	..	..	..	..	..	70 00
Extra bed	..	..	..	..	..	..	30 00
(f) Vwaza Marsh Wildlife Reserve, per person	..	..	..	..	..	..	25 00
(g) Majete Wildlife Reserve							
Chalet, per person	..	..	..	..	..	..	25 00
(h) Nkhotakota Wildlife Reserve Bua and Chipata, per person	..	..	..	..	..	..	25 00

F. Permit for other services—

(a) Hire of guides

(i) regular, per trip	..	..	..	..	..	10 00
(ii) Wilderness Trail, per day	..	..	..	..	..	50 00
(iii) Porter on Trail, per day	..	..	..	..	..	75 00

(b) Sport Fishing (Nyika, Kasungu, Vwaza and Liwonde)

(i) Hire of rod	..	..	..	..	..	10 00
(ii) Fishing daily (up to 6 fish per day)	..	..	..	..	..	20 00
(iii) Weekly (up to 6 fish per day)	..	..	..	..	..	140 00
(iv) Monthly (up to 6 fish per day)	..	..	..	..	..	500 00
(v) Annually (up to 6 fish per day)	..	..	..	..	..	800 00
(c) Angling (Nkhotakota and Majete), per rod	..	..	..	..	..	100 00

PART II—PHOTOGRAPHY FEES

*Fees*

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(a) Cinematography—

Filming in a protected area	..	..	..	..	..	3,000 00
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(b) Still Photography—

One person or more than one person travelling or working together and forming one photographic unit—

(i) Filming in a protected area, per person	..	..	..	..	..	500 00
(ii) Filming in a protected area, per one photographic unit	..	..	..	..	..	500 00

Made this 30th day of March, 1994.

M. M. MWAKIKUNGA  
Minister of Forestry and  
Natural Resources

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