

*Range Management and Grazing Control (Amendment)
Regulations, 1986*

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

Evaristus Rets'elisitsoe Sekhonyana

Minister of Agriculture and Marketing make the following regulations:—

Citation

1. These regulations may be cited as the Range Management and Grazing Control (Amendment) Regulations, 1986 and shall come into operation on date of publication.

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

2. Regulation 2 of the principal regulations is amended by,

(a) adding thereto the following definitions —

“administration” means the management of public affairs e.g. setting aside leboella and the removal of trespass livestock from them, issuing of grazing permits and holding pitsos, etc.

“carrying capacity” means the maximum stocking rate possible without damage to vegetation or related resources;

“grazing season” means an established period of time for which permits are issued.

“mafisa” means the long term loan of animals by one person (owner) to another (holder). Loan should be for not less than one year.

“range” means land on which native vegetation (climax or natural potential) is predominantly grasses, grass-like plants, forbs or shrubs suitable for grazing or browsing use. Includes lands revegetated naturally or artificially to provide a forage cover that is managed like native vegetation.

“recognisable mark” means the following marks used for identification:— water-proof paint on the forehead, colour, brand on the left hip, or tattooing the letter “X” on both ears;

“supervision” means the overseeing or inspection of work (e.g. overseeing dipping and dosing operations and inspecting for cull animals) and the establishing of technical standards e.g. establishing of carrying capacities and setting of stocking rates.

(b) by deleting the definition of the following —

“large stock, small stock and stocking rate” and substituting thereto the following definitions —

"large stock" means cattle, horses, mules and donkeys;

"small stock" means sheep and goats;

"stocking rate" means the number of stock per unit of land that may be allowed to graze in a grazing area over a given period of time.

3. Regulation 6 of the principal regulations is amended by,

(1) deleting subregulation (3) and substituting thereto the following,

(3) (a) the owner or possessor of stock found grazing in contravention of the leboella restriction shall be liable to a fine of M2.50 for each head of large stock and M1.00 for each head of small stock, and also shall pay pound fees at the rate of M1.00 per day or part thereof for each head of large stock and M0.50 for each head of small stock per day or part thereof. For the second and subsequent offences within a grazing season trespass fees shall be M10.00 for each head of large stock and M5.00 for each head of small stock.

(2) deleting subregulation (6) and substituting thereto the following,

"(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 M500.00 or six months imprisonment.

(3) deleting in subregulation (7) the "30%" and substituting "70%" therefor.

4. Regulation 7 of the principal regulations is amended by deleting subregulation (3) and substituting therefor the following —

"(3) a person coming from another village, ward or district grazing to graze in a particular cattle post area or village grazing area shall fall under the complete authority of the Principal or Ward or Village Chief or his representative who has jurisdiction over the grazing area for as long as his livestock are in the area.

5. Regulation 9 of the principal regulations is amended,

(1) by deleting subregulation (2) and substituting therefor the following —

"(2) Determination of Stocking Rate;

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

Amendment of
Regulation
7 of L.N.
39 of 1980

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

- (a) an Agricultural Officer shall determine annually the stocking rate based upon the carrying capacity of each section of the grazing area;
- (b) every Chief and Agricultural Officer shall keep a written record of the stocking rate and carrying capacity 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.

(2) in subregulation (3) by,

- (a) deleting paragraph (a) and substituting therefor the following —

“(a) a person shall not use a cattlepost or village grazing area for grazing stock without an official grazing permit renewable annually by the Principal, Ward or Village Chief as the case may be and such stock shall be distributed over the grazing section in proportion to the stocking rate of each section;”

- (b) deleting paragraph (c) and substituting therefor the following —

“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 M2.50 per head of large stock and M1.00 per head of small stock;”

- (c) deleting paragraph (d) and substituting therefor the following —

“(d) if a person is keeping more stock in the grazing area than entered on his grazing permit he shall be liable to pay a fine of M2.50 per head of large stock and M1.00 per head of small stock and such excess stock shall be removed from the grazing area forthwith.

- 6. Regulation 9 of the principal regulations is amended by deleting paragraph (e) and substituting therefor 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 shall be liable to a fine of M2.50 per head of large stock and M1.00 per head of small stock and such stock shall be removed from such grazing area forthwith.”

- 7. Regulation 10 of the principal regulation is amended —

- (1) by deleting subregulation (1) and substituting the following —

“Regulation of 10 (1) The total number of stock in the country shall be regulated to equal the total stock numbers

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

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

stocking rate based upon the carrying capacity of the country by grazing areas as determined according to Regulation 9 (2) (a). At any time when the total number of stock exceeds the carrying capacity 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 carrying capacity of each section."

(2) in subregulation (2) by —

(a) deleting paragraph (a) and substituting therefor the following —

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

(b) deleting paragraph (b) and substituting therefor the following —

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

8. Regulation 11 of the principal regulations is amended,

(1) in subregulation (1) by inserting the following words "at least" immediately after the words "shall be dipped."

(2) in subregulation (3), by inserting the words "or village" immediately after the words "Principal or Ward."

Amendment of
Regulation
11 of L.N.
39 of 1980

9. Regulation 12 of the principal regulations is amended in subregulation (2) by inserting the following words "the next two years" immediately after the words "deemed to be leboella".

Amendment of
Regulation
12 of L.N.
39 of 1980

10. Regulation 13 of the principal regulations is amended in paragraph (b) of subregulation (3) by inserting the following words "by sowing to perennial forage by the land holder" immediately after the words "returned to grassland."

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

Amendment of Regulation 14 of L.N. 39 of 1980

11. Regulation 14 of the principal regulations is amended—

(a) in subregulation (1) by deleting the words “be final” immediately after the words “decision shall” and substituting therefor the following,

“not be unduly disregarded. Any deviation from the advice, approval or decision of Agricultural Officer shall be fully justified in writing and a copy filed with Agricultural Officer.”

(b) in subregulation (2) by inserting the following words “without adequate reason” (as required in Regulation 14 (1)),

(c) in subregulation (4) by deleting subregulation (4).

Insertion of New Regulation after Regulation 14 of L.N. 39 of 1980

12. The principal regulations are amended by the insertion after regulation 14 of the following New Regulation,

“Offences 15. Any person who,

(1) obstructs or

(2) resists,

the lawful exercise of any powers conferred by these regulations shall be guilty of an offence and liable to a fine of M500.00 or 6 months imprisonment.”

Amendment of Schedule to L.N. 39 of 1980

13. The Schedule to the principal regulations is deleted and replaced by the following schedule hereto attached:—

Evaristus Retselisitsoe Sekhonyana,
Minister of Agriculture and Marketing.

TSAMAISO EA MAKHULO
Lengolo la Tumello/Grazing Permit

Setereke: Selemo:
 District: Year
 Sebaka: Morena:
 Ward: Ward Chief
 Morena: Nomoro ea Babeisi
 Chief: Babeisi No.
 Lebitso 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: (A)
 Approved Grazing Area: (A)

Morena: Setempe:
 Chief: Stamp:

Likhomo	Linku	Lipoli	Lipere	Litonki	Limmoulo

Sebaka sa phuliso: (B)
 Approved Grazing Area: (B)

Morena: Setempe:
 Chief: Stamp:

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

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

Livestock Improvement Centre

Name of Diptank Lenane motipong oa pele
 First Dipping No.
 Lenane motipong oa bobeli
 Second Dipping No.

3. Lenane la liphoofole tse noesitsoeng
 Number of stock dosed

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

Diptank/Home

4. Lenane la liphoofole tse hlahlobiloeng
Number of stock inspected

Letsatsi Date	Tse hlahlobiloeng Number inspected		Tse hloailoeng Number culled		Ofisiri Officer
	Linku Sheep	Lipoli Goats	Linku Sheep	Lipoli Goats	

5. Lenane la liphoofole tse balloeng
Number of stock counted

Lenane la liphoofole Number of Livestock					Sebaka sa phuliso Grazing Area (A)	Letsatsi Date
Likhomo	Linku	Lipoli	Lipere	Litonki	Limmoulo	

Lenane la liphoofole Number of Livestock					Sebaka sa phuliso Grazing Area (B)	Letsatsi Date
Likhomo	Linku	Lipoli	Lipere	Litonki	Limmoulo	

Grazing Control Supervisor/Range Officer

Evaristus Rets'elisitsoe Sekhonyana,
 Minister of Agriculture and Marketing.