



REPUBLIC OF MOZAMBIQUE

Ministerial Decree Nr. xxxxxxx of xxx xxx

Law Nr. 16/2014, of 20 June, amended and republished as Law Nr. 5/2017, of 11 May – the Law on the Protection, Conservation and Sustainable Use of Biological Diversity - recategorized conservation areas and established the creation of sustainable use conservation areas, including game farms. The Regulations of the above law, approved by Decree Nr. 89/2017, of 29 December, establish in Article 81.1 that the handling, breeding, rearing, import or export of wild animals and of game farm facilities and infrastructure are governed by the regulations approved by the Minister with oversight of the conservation areas. Given the need to adopt the rules and procedures for the handling, breeding, rearing, import or export of wild animals and game farm facilities and infrastructure, and pursuant to the powers vested in his authority by Article 81.1 of Decree Nr. 89/2017, of 29 December, the Minister of Land, Environment and Rural Development determines:

GAME FARM REGULATIONS

CHAPTER I GENERAL PROVISIONS

Article 1 (Objective)

The purpose of this legal decree is to adopt the specific legal framework for the exploitation of wildlife species through the handling, breeding, rearing, hunting, transport, import or export of wild animals and game farm facilities and infrastructure, in accordance with the law for the protection, conservation and sustainable use of biological diversity and other applicable legislation.

Article 2 (Scope)

1. These Regulations apply to all values associated with the sustainable use of the biological diversity that exists in the national territory, and cover all public or private entities that directly or indirectly may influence the national system of conservation areas, in accordance with the provisions of Law Nr. 16/2014, of 20 June, amended and republished as Law Nr. 5/2017, of 11 May - the Law on the Protection, Conservation and Sustainable Use of Biological Diversity - and its regulations.

2. In addition to the rules referred to in the preceding number, these Regulations shall apply in a subsidiary manner to the rules provided for in Decree Nr. 34/2016, of 24 August, which approves the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and also as provided for in Decree Nr. 82/2017, of 29 December, which approves the Hunting Regulations and in the provisions of Ministerial Decree 219/2002, of 5 December, which approves the Livestock Health Regulations.

Article 3 (Definitions)

The definitions of the terms used in these Regulations are those contained in the Glossary of Law Nr. 16/2014, of 20 June, amended and republished as Law Nr. 5/2017, of 11 May, of 29 December, with the addition of those contained in Decree Nr. 89/2017, of 29 December, and those of Ministerial Decree 219/2002, of 5 December, all of which are gathered in Annex 1, which is an integral part of this decree.

Article 4 (Principles)

1. These Regulations are governed by the following principles:
 - a) Sovereignty - the right of the Mozambican state and people to conserve and exploit their natural resources, taking into account applicable environmental policies and legislation, as well as ratified conventions and international agreements;
 - b) Equality - equality among citizens and recognition of the role of gender in the management, use, conservation and rehabilitation of natural resources;
 - c) Citizen Participation in Management and Benefits - the right of every citizen to be involved in decision-making, in the entire conservation value chain and in the sustainable use of natural resources;
 - d) Public-Private Partnerships - the promotion by the state of the involvement of local and national authorities, local communities, the private sector and non-governmental organizations in development, which allow for the economic viability of this policy. The use by the state of mechanisms based on transparency, accountability and reward in its relations with the private sector and local communities.

Chapter II OBJECTIVES OF GAME FARMS

Article 5 (Game Farms)

1. A game farm is a privately owned area that is fenced and not larger than 10,000 ha, intended for the conservation of fauna and flora, where the right to hunt is limited to the respective holder of the DUAT (the right to use and benefit from the land) or to those so authorized, while both the former and the latter need the license in question issued by the competent authority.
2. The animals to be introduced belong to the owner of the game farm.
3. If the owner of the game farm wishes to own the animals found in the area, he or she can buy them from the state, after having made an inventory using the appropriate

methodology approved by the entity with oversight of the management and administration of conservation areas.

4. Restocking of species may take place on game farms, provided it complies with the provisions of these Regulations and national legislation, and with the respective management plan.
5. The owner of the game farm is responsible for the feeding and health of its animals, in accordance with Ministerial Decree Nr. 219/2002, of 5 December, which regulates animal health, and for maintaining the game farm.

Article 6

(Objectives of the Establishment of Game Farms)

1. The objectives of establishing game farms are the following:
 - a) the conservation of biodiversity, including the protection of rare and endangered species;
 - b) the collection of dried or green meat, including remains for human consumption;
 - c) the collection of hunting trophies;
 - d) the sale of disease-free wildlife species;
 - e) improving the management of flora and fauna resources, including their breeding for ecological, socio-economic, recreational and scientific purposes;
 - f) contributing to the control of the man-wildlife conflict.

Article 7

(Purposes of Game Farms)

1. It is incumbent upon the owner of the game farm to establish its purposes.
2. The purposes shall always provide for the balanced exploitation of fauna and flora.
3. The purposes served by the establishment of game farms may be the following:
 - a) the restocking of wild animals through purchase from the State or from individuals for intensive breeding purposes;
 - b) sport hunting;
 - c) commercial hunting;
 - d) hunting on the basis of a simple license;
 - e) the intensive production of green or dried meat or remains;
 - f) the promotion of the conservation and development of wild flora and fauna;
 - g) the capture and translocation through sale or offer of live animals, and the harvesting of eggs;
 - h) beekeeping and fish farming;
 - i) ecotourism and the conduct of studies and scientific research;
 - j) community development, and any other uses by communities owning the game farm or for their benefit;
 - k) other purposes provided for by law if not provided for in the management plan.

Article 8

(Activities on Game Farms)

Ecotourism, hunting, fishing, beekeeping and scientific research are activities carried out while complying with specific legislation, with the permits and restrictions imposed by these Regulations and other applicable legislation and by the management plan of the Game Farm in question.

Article 9
(Equality)

1. It is incumbent upon the entity with oversight of the management and administration of conservation areas to ensure that game farms recognize the principle of equality of opportunities.
2. It is incumbent upon the entity with oversight of the management and administration of conservation areas to promote equality in the provision, management and safeguarding of assets as set forth by these Regulations.
3. The owners and managers of game farms are obliged to implement the principle of gender equality and to ensure that citizens are entitled to equal opportunities and pay when seeking access to employment, training and participation in decision making.

Chapter III
LOCATION AND CREATION OF GAME FARMS

Section I

Article 10
(Characterization/definition of the Location for the Establishment of Game Farms)

1. Areas intended for the establishment of game farms shall preferably be those that are potentially marginal for the development of irrigation agriculture, and may include the presence of domestic animals, if that is to be recommended.
2. The entities with oversight of the conservation sector shall previously study the ecological and socio-economic aspects of areas earmarked for the establishment of game farms in order to ensure the necessary balance and to determine the species that can best be exploited.
3. Game farms should not be established:
 - a) in historical places or locations of socio-cultural interest for the local community;
 - b) in locations with fragile ecosystems, unless intended for the conservation of biodiversity;
 - c) in other places prohibited by law.

Article 11
(Creation, Modification and Termination of Game Farms)

1. It is incumbent upon the Minister with oversight of the conservation areas to create, modify or terminate game farms with a size of 1,000 to 10,000 hectares.
2. It is incumbent upon the provincial government to create, modify or terminate game farms up to a maximum of 1,000 hectares.
3. If the game farm to be created covers more than one province and the provincial government is responsible for its establishment, then the creation order shall be signed by the provincial governors of the provinces in question.

Article 12
(Land Use Planning)

1. The creation, modification, termination and administration of game farms shall be compatible with the legislation governing land use planning at national and provincial levels.
2. It is mandatory to register the delimitation of game farms with the general instrument for land use planning, the National Land Register.

Article 13

(Proposal for the Creation of a Game Farm)

1. The proposal for the creation of a game farm, when within the scope of the authority of the Minister with oversight of the conservation areas or of the Provincial Government, pursuant to article 11 of these Regulations, is submitted by the interested party to the Provincial Directorate dealing with of land-related issues. If the game farm to be created covers more than one province, the proposal for the creation is submitted to the Provincial Directorate dealing with land-related issues of the province where the largest territorial extension of the conservation area to be created is located.

Article 14

(Requirements for the Creation of Game Farms)

1. Requirements to be met for the creation of a game farm:
 - a) hold the right to use and benefit from the land (DUAT);
 - b) have a game farm project that includes:
 - c) an effective fence, in accordance with the type of species to be raised;
 - d) the presence of water reservoirs and animal containment and safety devices;
 - e) a plan for the slaughter of animals and the respective season;
 - f) an indication of the food source;
 - g) an inventory of existing natural resources in the intended area;
 - h) the design of the appropriate facilities for the handling or processing of remains and trophies;

Article 15

(Additional Requirements)

1. Those interested in exploiting and raising wild animals for economic or commercial purposes shall meet the following requirements:
 - a) have a management and exploitation plan approved by the entity with oversight of the management and administration of conservation areas;
 - b) establish safety arrangements and alternatives for dangerous animals;
 - c) carry out signposting in the game farm area;
 - d) enter into an agreement for initiating activities in the game farm.
2. In case the right to use and benefit from the land (DUAT) is obtained for other purposes and when it is necessary to change the object of exploitation for game farm purposes involving species that are considered dangerous, then an additional community consultation will be organized and the exploitation project in question will be submitted to the entity that granted the first DUAT, or to the entity that is competent in case the area has been resized.

Article 16

(Documents for the Proposal to Create a Game Farm)

Those interested in creating a game farm submit their proposal to the entity with oversight of the management and administration of conservation areas, joining:

- a) the full identification of the applicant;
- b) a topographic description and respective limits of the space where the game farm is to be established, including the limits of the buffer zone, whenever its definition is necessary;
- c) a descriptive document with the classification and objectives of the intended game farm;
- d) a detailed and substantiated justification of the proposal for the creation of a game farm, and the reasons why it is to be created in that geographical area and within the proposed limits;
- e) an inventory of wildlife resources;
- f) the title or documentary evidence of, or information on the land rights of the land where the game farm is to be established, or documentary evidence proving the authorization by the holder of said land rights;
- g) information on the occurrence, the density and the distribution of human population and its activities at the proposed game farm site;
- h) in case it turns out to be necessary to remove people and their assets, the applicant shall submit a detailed resettlement plan to be approved by the entity with oversight of the management and administration of the conservation areas, after consultation with the administrations of the affected districts.

Article 17

(Processing of the Proposal)

1. Upon receipt of the proposal referred to in the previous articles, the receiving entity may request, duly substantiated, within thirty days from the date of receipt the information and other documentation it deems relevant and necessary to evaluate the request. It may also take all appropriate and necessary steps to appraise the proposal, including visiting the area to be turned into a game farm and requesting the opinion of the administration of the district where the conservation area will be located.
2. Within sixty days from the date of receipt of the proposal or from the date of submission of the additionally requested information, as the case may be, the entity receiving the request shall issue its opinion and send it to the entity with oversight of the management and administration of conservation areas.
3. The entity with oversight of the management and administration of conservation areas shall verify the process, and when it complies with the legislation in force issue the respective technical opinion and submit the process to the entity responsible for the creation of game farms pursuant to Article 11 of these Regulations.
4. The negative opinion of the entity with oversight of the management and administration of conservation areas is binding in case competence for the approval of the game farm belongs to the Provincial Government.
5. The decision to reject the proposal for the creation of a game farm is subject to appeal, pursuant to the administrative procedural legislation in force.

Article 18

(Obligations of the Proponent)

1. The proponent of the new game farm is responsible for preparing the preliminary technical studies, and for conducting the public consultations and other administrative procedures necessary for the creation of the game farm, by bearing the costs incurred for such activities.
2. The public consultations for the creation of game farms are intended to consult local communities about the opportunity and to determine the boundaries and the location of the game farm in a negotiated manner.
3. Public consultations will follow the procedures established for conducting public consultations under the legislation in force.
4. In the public consultation process the proponent shall indicate clearly and in accessible language the implications for local communities residing within and around the game farm to be created.
5. The creation of game farms not involving animals considered dangerous, is exempt from conducting public consultations, provided that the proponent proves that the public consultations have been conducted when obtaining the DUAT of the area where the game farm will be created.

**Article 19
(Term)**

1. The proponent has a period of one hundred and eighty days, counting from the date of receipt of the communication of the order granting his request, to perform the procedures referred to in the previous article.
2. If the deadline referred to in the previous number is exceeded and the proponent remains interested in creating the game farm, he or she shall submit to the competent entity for the creation of game farms a detailed justification of the reasons of non-compliance with the deadline referred to in number one of this article, and request its extension, indicating the additional period of time needed and the grounds on which it is based.
3. The additional period to be granted under the preceding numbers may not exceed ninety days.

**Article 20
(Financial Guarantee)**

1. The applicant for the creation of a game farm shall provide a financial guarantee to cover the costs of environmental rehabilitation and/or translocation of fauna in the case of closure of the game farm.
2. The value of the financial guarantee is 5% (five percent) of the estimated total investment value for the creation of the game farm.
3. The financial guarantee is valid for the period of time foreseen for the operation of the game farm, plus twenty-four months, in the form of an unconditional and irrevocable insurance policy, in favour of the entity with oversight of the management and administration of conservation areas.
4. In the event of an increase in of the invested capital, the financial guarantee shall be updated while maintaining the basis of calculation.

**Article 21
(Authorization for the Creation of a Game Farm)**

1. Upon conducting the necessary technical studies and the public consultation process and obtaining the environmental license, they are submitted to the entity with oversight of the management and administration of conservation areas, which submits them, on the basis of a reasoned opinion, to the entity responsible for its creation.
2. Upon proof of compliance with the applicable current legislation and verification of the provision of the financial guarantee, if applicable, the competent authority proceeds with the creation of the game farm pursuant to the provisions of Article 11 of these Regulations.

Article 22

(Establishment of the Game Farm)

Once the application for the establishment of the game farm is authorized and the respective management and exploitation plan has been approved, one may pursue with installing the fence, security devices for wild animals and signposting, in accordance with the provisions of this decree and other applicable legislation.

Article 23

(Conditions for the Establishments of the Fence and the Safety Devices)

1. The fences of game farms, taking into account the type, dimensions and species involved, shall be in accordance with Annexes A, B and C, pursuant to the Code of Best Practices for the Creation and Management of Game Farms, adopted by the entity with oversight of the management and administration of conservation areas.
2. It is mandatory for the fence of a game farm containing species such as elephant, hippo, buffalo, rhino, predators and monkeys to be electrified, in accordance with the rules set out in Annex C, which forms an integral part of these Regulations.
3. Game farms for capturing and rearing birds and reptiles shall have fences with appropriate safety devices around the places where animals are accommodated, in accordance with the species involved and pursuant to the applicable legislation and the Code of Best Practices for the Creation and Management of Game Farms, adopted by the entity with oversight of the management and administration of conservation areas.

Article 24

(Creation of Game Farms within other Conservation Areas)

1. The proposal to create a game farm within another conservation area can be submitted:
 - a) by the entity administering the conservation area;
 - b) by the entity managing the conservation area;
 - c) by the administrator of the conservation area;
 - d) by the entity with oversight of the management and administration of conservation areas.
2. It is mandatory for the proposal to contain the opinion of the entity managing the conservation area and of the administrator of the conservation area, in case it is submitted by the entity with oversight of the management and administration of conservation areas.
3. The creation of a game farm within another conservation area is exempt from:
 - a) the environmental impact study;
 - b) conducting public consultations, except when resettlement is necessary.

4. In case the entity competent for the creation of the new game farm differs from the one competent for the creation of the initial conservation area, no decision will be made on the creation of the game farm without the consent of the entity competent for the creation of the initial conservation area.
5. The new game farm is administered and managed in accordance with the rules of these regulations.
6. Participating as a full member in the Management Board of a game farm created within another conservation area is the Administrator of the initial conservation area.
7. The creation of a game farm entirely or partly within another conservation area requires the modification of the boundaries of the initial conservation area, a modification done unofficially by the entity competent for the creation of the initial conservation area, at the request of the entity competent for the creation of the new conservation area, in case the two are different.

Article 25
(Inspection)

1. After installing the fence and the security devices of the game farm, the proponent has a period of 180 days counting from the date of issue of the permit, to request their inspection.
2. The request for inspection is submitted to the entity with oversight of the management and administration of conservation areas, which shall give its opinion within a period of 7 days.
3. The inspection is carried out within a period of 30 days counting from the date of receipt of the inspection request.
4. The inspection process is guided by the verification of the requirements for the creation of conservation areas provided for by the law, these regulations and the Code of Best Practices for the Creation and Management of Game Farms, adopted by the entity with oversight of the management and administration of conservation areas, and results in an inspection report that is to be approved within a period of 30 days by the entity with oversight of the management and administration of conservation areas.
5. In case the inspection report is not approved, the entity with oversight of the management and administration of conservation areas shall notify the proponent, and give him or her a period of at most 60 days to remedy the issues raised by the inspection, after which a new inspection shall be carried out.
6. After the expiry of the deadline referred to in the previous number, another inspection shall be carried out and in case the irregularity is found to persist a reversal term shall be drawn up in favour of the state and the animals shall be deposited in accordance with the model adopted by the National Administration of Conservation Areas, and as a consequence the authorization shall be cancelled, without prejudice to any other legal sanctions that may occur.
7. In the case of reversal in favour of the State, the entity competent to authorize the right to use and benefit from the land (DUAT) may decide to resize its area.
8. If the opinion concerning the inspection is positive, the entity with oversight of the management and administration of conservation areas submits it to the entity responsible for the creation of game farms, which shall issue the dispatch authorizing the entry into operation of the game farm within a period of thirty days counting from the date of receipt of the opinion in question.
9. If resettlement of persons beyond the boundaries of the game farm is necessary, then the inspection shall ascertain that the resettlement process has already been initiated, in

accordance with the legislation in force, which is an essential condition for authorizing the game farm to start operations.

Article 26

(Commencement of Operations of the Game Farm)

It is incumbent upon the entity with oversight of the management and administration of conservation areas to authorize the commencement of the game farm's operation, upon verifying that the following requirements have been met:

- a) the Management Plan has been approved;
- b) the game farm area has been inspected to verify that the minimum conditions for the commencement of activities have been, namely:
 - i. the existence of an inventory;
 - ii. a supervisory body has been created in accordance with current legislation;
 - iii. the area has been fenced.

Section II

Modification of the Boundaries and Termination of the Game Farm

Article 27

(Modification of the Game Farm)

1. The modification of the boundaries, the object or purpose or the classification of a game farm follows the same procedures, with the necessary adaptations, as are established for its creation.
2. The modification of the boundaries of a game farm may be proposed by the same entities that are competent to propose its creation.
3. It is mandatory for the entity competent for the creation of game farms whose modification is requested, to hear the opinion of the entity that administers or owns it, or both, if its modification has not been requested by either one of these entities.
4. The expansion of the boundaries of a game farm requires a new environmental impact study and new public consultations regarding the new areas covered by the expansion.
5. The modification of the boundaries of a game farm by virtue of the creation of another conservation area wholly or partially within its territory does not require any new study or public consultation, and takes place simultaneously with the creation of the new conservation area.

Article 28

(Termination of the Game Farm)

1. In the event of repeated non-compliance with the obligations provided for in the game farm management plan or of breach thereof, the entity with oversight of the management and administration of conservation areas notifies the entity managing the game farm, giving it a period of no less than 90 days, to comply with the obligations that have not been complied with or violated.
2. If the managing entity does not proceed with fulfilling the obligations that have not been complied with or violated, without providing any justification or a justification that is not accepted by the entity with oversight of the management and administration of conservation areas, then the latter will propose, in writing, to the entity competent

for the creation of the game farm its termination, while notifying the game farm's managing entity in writing of the proposed termination.

3. The entity managing the game farm may lodge an appeal against the decision to terminate the game farm within a period of ten days counting from the notification of termination of the game farm.

Chapter IV **INTERNAL STRUCTURE AND MANAGEMENT OF GAME FARMS**

Article 29

(Internal structure of Game Farms)

1. The organic structure of game farms under the administration of the entity with oversight of the management and administration of conservation areas is described in the Standard Statute of Conservation Area Administrations.
2. The game farm holder or manager is obliged to ensure the functioning of the following areas of activity:
 - a) Research and Monitoring;
 - b) Conservation;
 - c) Tourism;
 - d) Community Affairs;
 - e) Protection and Control.

Article 30

(Management Models)

1. The choice of the game farm management model is based on an analysis using multiple criteria, which gives priority to the benefits of biodiversity conservation and the sustainable use of the environment for the existing local communities.
2. For the purposes of the preceding number, game farm management models include management by the private sector and management by civil society organizations.
3. Private sector management is carried out directly by the owner in question, in accordance with the legislation in force, with the obligation to provide information to the entity responsible for conservation areas, whenever required.
4. Management by civil society organizations is carried out in accordance with the legislation in force, with the obligation to provide information to the entity responsible for conservation areas, whenever required.

Article 31

(Role of the Entity with Oversight of the Management and Administration of Conservation Areas in Game Farms)

The entity with oversight of the management and administration of conservation areas has, in coordination with the local state bodies, the following obligations with respect to game farms:

- a) advise the game farm owner on the creation, modification and termination of the game farm;
- b) issue recommendations and approve the game farm management plan;
- c) follow up and supervise the implementation of the management plan;
- d) provide support for the inspection of natural resources;

- e) monitor and evaluate the performance of the game farm in accordance with the model A attached hereto.

Article 32

(Management and Exploitation Plan)

1. The management and exploitation plan shall be elaborated by a consultant, pursuant to Law Nr. 16/2014, of 20 June, amended and republished as Law Nr. 5/2017, of 11 May, the Law on the Protection, Conservation and Sustainable Use of Biological Diversity.
2. The management and exploitation plan shall respect the principle of best management practices of game farms, issued by the entity with oversight of the management and administration of conservation areas.

Chapter V

Section I

Activities allowed on Game Farms

Article 33

(Typical Game Farm Activities)

1. The handling, breeding, rearing, import or export of wild animals and of game farm facilities and infrastructure are governed by the provisions of these regulations and by the rules contained in the principle of best management practices of game farms, issued by the entity with oversight of the management and administration of conservation areas.
2. The game farm owner may establish a balanced exploitation of certain species for the production of meat and other remains and by-products.
3. The game farm owner who holds animals in captivity is responsible for their feeding, health and maintenance.
4. In case the game farm owner intends to exploit the animals found in the area, he or she shall acquire the right to slaughter wild animals, taking into account the following aspects:
 - a) the acquisition of the right to slaughter wild animals covers all species whose slaughter price is governed by a specific legal provision, with the exception of birds;
 - b) the game farm owner is responsible for submitting a survey of the existing populations of the species mentioned in the previous paragraph to the provincial or regional delegation of the entity with oversight of the management and administration of conservation areas;
 - c) the survey of the populations of existing species is subject to in-situ verification by the provincial or regional delegation of the entity with oversight of the management and administration of conservation areas, while the costs of the survey and its verification are to be borne by the game farm owner.
 - d) the deadline for the submission of the survey is one year after the issuance of the right to use and benefit from the land (DUAT);
 - e) for game farms existing at the time of approval of these regulations, the deadline for submission of the survey is one year counting from the date of its publication.
5. Animals belonging to the game farm owner are subject to annual quota, after hearing the game farm owner, and having a slaughter permit

Article 34

(Engaging in other Economic Activities on Game Farms)

Licensing for the pursuit of economic activities on game farms complies with the provisions of the legislation in force governing the activity in question, with the specifications and conditions provided for in Decree Nr. 89/2017, of 29 December.

Article 35

(Game Farm Activities Report)

1. Before the 30th of October, the entity managing the game farm will submit to the entity with oversight of the management and administration of conservation areas a plan of the activities to be executed the following year, while the annual report on the activities carried out during a year is to be submitted before the last day of February of the following year.
2. The report at the end of each hunting season, to be submitted before the last day of February of the following year, shall be in accordance with Annex D, which is an integral part of these Regulations, and contain, among other things, the following information:
 - a) a summary characterization of the game farm, including its dimensions, the identity of the owner identity and its purpose;
 - b) the indication of the hunter-guides with whom it works or worked with;
 - c) data on the clients active on the farm - name, age, nationality, gender and other data on client that hunted on the farm; the number of safaris conducted per species and of the safari hunting days;
 - d) registration of occurrences of compulsorily reported diseases, in accordance with the animal health regulation, and of infringements and cases of human-wildlife conflict;
 - e) harvesting and treatment of eggs;
 - f) other information deemed relevant.
3. Failure to submit any of the reports within the deadline provided for in the preceding number, without justification accepted by the entity with oversight of the management and administration of conservation areas, shall be punished by freezing the slaughter quota for the following year.

Section II

Restocking of Wildlife

Article 36

(Restocking Terms and Conditions)

1. Any natural or legal person who is concessionaire of a game farm may introduce wildlife species in its respective areas, provided they obtain the required permits.
2. Restocking shall be done in accordance with the management plan and in compliance with relevant legislation and best practices.
3. Restocking may be carried out within the scope of the restoration, rehabilitation and remediation plans provided for by law, under the responsibility of the person who caused the damage or of an interested entity.

4. Restocking of wildlife shall always guarantee the use of native species characteristic of the ecosystems and habitats in which the restocking is taking place, provided that their historical occurrence in the region is duly proven.
5. Restocking shall be carried out solely and exclusively using individuals that are known to be free from diseases the reporting of which is mandatory.
6. Restocking of invasive and alien species may not take place, either on land or in water.
7. Restocking on game farms can only be carried out in accordance with the needs, the criteria and the priorities identified in the respective management plan and always in compliance with the provision of the previous number.
8. In addition to a need identified in the game farm management plan, restocking may also result from a need for recovery, in accordance with the criteria and requirements presented in the previous articles of this chapter, or from the results obtained in a monitoring plan.
9. In the case of results obtained by implementing a monitoring plan, the request submitted shall be accompanied by a technical opinion from the entity managing the game farm so as to justify the need for restocking, while the national authority with oversight of the national network of conservation areas is responsible for its authorization.
10. Without prejudice to the provisions of the preceding numbers, restocking activity shall comply with the technical specifications provided for in the specific legislation, as well as with best practices appropriate to the characteristics of the site in question and the species to be restocked.

Article 37
(Restocking Plan)

1. Restocking requires a detailed plan, whose contents are recommended by international best practice and/or existing technical guidelines for the country or the region, and which shall always include a monitoring plan.
2. Restocking plans are approved by the entity with oversight of the management and administration of conservation areas, after hearing the veterinary authority of the province where the game farm is located.

Section III
Environmental Education Programme and Monitoring of Restocked Species

Article 38
(Environmental Education Programme)

Whenever appropriate, an environmental education programme may be carried out, which shall at least contain:

- a) a description of the target group;
- b) a description of the biodiversity of the zone;
- c) a description of the behaviour of the species to be restocked;
- d) the precautions to be taken in cohabiting with them;
- e) strategies for raising awareness among the local communities;
- f) strategies for the dissemination of the programme in the local communities;
- g) the formation of a conservationist attitude and behaviour.

Article 39

(Inventory of protected Species on Game Farms)

Game farms shall maintain an up-to-date inventory of protected species, especially those contained in the CITES Regulations, the Conservation Law Regulations and the Hunting Regulations.

**Chapter VI
TRANSIT, IMPORTANCE AND EXPORT OF WILD ANIMALS**

**Section I
Import of wild animals**

**Article 40
(Conditioning, transport and animal health)**

1. The import, possession, transport, marketing and display of live specimens of wildlife requires a certificate issued by the Veterinary Authority.
2. The transport of live wild animals and game products requires an animal health certificate to be issued by the Veterinary Authority, in accordance with the legislation governing these matters.
3. Conditioning, preparation and transport shall take care of the animal's safety, space, food reserves, ventilation and haulage in such a way as to ensure that the animal arrives at its destination on time; translocation shall also take care of public safety and there shall be no exposure whatsoever of ferocious animals along the way.
4. Wild animals introduced on the game farm shall be subject to quarantine, in accordance with the legislation in force in the country.
5. In case wild animals escape during the journey, the carrier shall be liable for their capture and for the repair of damages they have caused to third parties.

**Article 41
(Import and export of wild animals)**

1. The entry in or exit out of the country of animals, their products, by-products, remains, fodder and biological products, require authorization by means of a license and veterinary certificate issued by the Veterinary Authority.
2. The license referred to in number one of this article shall be issued at the request of the interested party, elaborated in an appropriate form and submitted to the entity or service competent to that end, and it shall state:
 - a) name and address of the applicant;
 - b) the species, age, sex and breed of the animal;
 - c) the country of origin, owner or manufacturer;
 - d) the type of products;
 - e) the quantity;
 - f) the ports of entry or exit;
 - g) the transport to be used;
 - h) the destination;
 - i) the purpose.
3. The license application shall be submitted prior to order confirmation, so that commitments made can be cancelled if the license is not granted.

4. The import and export of wild animals (live or not) and their trophies listed in the appendices of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), require authorization, by means of issuing a certificate, by the CITES Administrative Authority.
5. For the purposes of the preceding numbers, the indication of the ports of entry and exit is specified in the license or certificate, which will always indicate their period of validity.

Article 42
(Veterinary Inspection)

1. The hygiene and health inspection and control of animals, their products and by-products, remains, fodder, biological and pathological products that enter the national territory are mandatory.
2. The hygiene and health inspection and control shall be carried out by the Veterinary Authority seconded for that purpose.
3. The Veterinary Authority may decide, at the importer's expense, to hold and keep in quarantine imported animals and to forfeit products, by-products, animal remains and fodder.

Article 43
(Moving sick, suspect or infected animals)

1. The entry, movement, transit or exit of animals that are sick, suspect, infected, show recent after-effects of diseases that are on the List of compulsory notifiable diseases, or show the presence of ectoparasites, shall be prohibited.
2. Animals referred to in number one of this article may be re-exported, quarantined or slaughtered without compensation, as determined by the Veterinary Authority.

Article 44
(Containers for the transport of animals and products of animal origin)

1. The construction of containers for the transport of animals shall comply with health rules in order to prevent in particular the exit of excrement straw and other types of waste.
2. Containers carrying products of animal origin may only be loaded with products of the same type or with products that cannot reciprocally contaminate one another.

Article 45
(Conditions for the transport of animals)

1. Carriers of animals shall observe the following conditions:
 - a) while transporting animals they use means that:
 - i. are built in such a way that animal faeces, straw or fodder cannot leak or fall out of the vehicle;
 - ii. are cleaned and disinfected with products approved by the Veterinary Authority immediately after each transport of animals or any product which may affect animal health and, if necessary, prior to further loading of animals or any product.
 - b) have appropriate cleaning and disinfecting conditions, approved by the Veterinary Authority, including room to store straw and manure, or the transporters have to

- prove that these conditions are met in operations carried out by third parties approved by the Veterinary Authority.
2. Carriers shall ensure that animals being transported do not enter into contact with other animals at any time during their journey, from leaving their holding pen to arrival at their destination.
 3. The carrier shall, for each vehicle intended for the transport of animals, maintain a register containing the following information and keep it for a period of three years:
 - i. place and date of loading and name of holding pen where animals were loaded;
 - ii. place and date of delivery, name and address of consignee(s);
 - iii. the species and number of the animals transported;
 - iv. a detailed indication of support documentation;
 - v. date and place of vehicle disinfection.
 4. Carriers will commit themselves in writing to:
 - a) take all necessary measures to comply with these Regulations;
 - b) entrust the transport of animals to persons with the necessary professional skills, competences and knowledge.
 5. Containers in transit with products of animal origin, by-products, remains and fodder may be opened whenever the Veterinary Authority deems it necessary.

Article 46 (Specific Formalities)

1. The entry, exit and transit of animals, their products, by-products, remains, fodder and biological products shall take place in sealed vehicles or containers, using bonded or similar warehouses, in accordance with specific formalities.
2. Seals on vehicles or containers may only be applied and removed by the Veterinary Authority or another entity authorized by the Veterinary Authority.

Article 47 (Deaths or anomalies occurred during transport)

1. Any animal found dead on arrival shall be sent to the Reference Laboratory for examination, or destroyed after the necessary samples have been taken by the Veterinary Authority.
2. Interested parties shall notify the nearest Veterinary Authority of travel deaths or of any other abnormalities found in imported animals.

Section II Internal transit of wild animals and wild animal products

Article 48 (Moving animals and animal products)

1. The transit of live wild animals for slaughter, or destined for another exploitation or concentration of animals, their products, by-products, remains, fodder and biological products is not allowed without the transit permit issued by the Veterinary Authority.
2. The transport of fresh meat up to a maximum of 15 kg per person or family is not subject to authorization.

3. Anything found in contravention of the provision of number 1 of this article shall be seized and accrue to the state.
4. The provisions of number 2 of this article may be temporarily suspended in the event of an outbreak of communicable disease or when it constitutes a danger to public health.
5. In the case of wild animals for slaughter, it is incumbent upon the entity or service at the level of the province where the animals originate to issue internal transit permits to another province, after consultation and prior coordination with the entity or service at the level of the province of destination of the animals.

Chapter VII

RAISING WILD ANIMALS IN CAPTIVITY

Article 49 **(Raising Animals in Captivity)**

1. Captivity shall be adequately structured so as to ensure that animals as far as health and breeding conditions are concerned are better off than in nature.
2. Game farm owners shall take sanitary measures to guarantee that the animals are free from any kind of disease and shall submit the corresponding periodic declaration issued by an accredited technical entity to the veterinary authority.
3. In the event of the death of captive animals, game farm owners shall be responsible for their incineration and any other public health safeguard measures.
4. Harvesting eggs of reptiles or capturing the latter and birds for captivity may take place at any time of the year and shall comply with the provisions of the respective birdlife regulation.
5. Two per cent of animals born to breeders or from eggs harvested in nature shall be returned to their natural habitat in accordance with CITES standards.
6. The slaughter of wild animals on game farms, with the exception of farms raising bird and reptiles, requires a license.

Article 50 **(Ownership of fixed wild animal quota)**

1. The wild animal quota fixed annually shall, after approval and publication, belong to the game farm owner.
2. Animals found on the farm, being state property, are subject to the payment of a slaughter fee and of the respective hunting license.
3. Animals belonging to the owner of the game farm are exempt from payment of the slaughter fee.
4. Offspring born to animals brought into the game farm, belong to game farm owner when officially declared and inspected, and are subject to the provisions of the previous number.

Article 51 **(Release of Animals)**

1. Any procedure to release animals is strictly prohibited, given that it endangers the human population and its assets or other animals and ecosystems.

2. Exceptions to the previous rule shall be authorized by the competent services, with risk containment measures being safeguarded by third parties.

Chapter VIII

HARVESTING OF EGGS AND RAISING OF CROCODILES

Article 52 **(Requirements)**

Each crocodile farm owner will be granted a specific area for harvesting or collecting eggs.

Article 53 **(Quotas)**

1. Annual egg collection quotas shall be fixed and published by Ministerial Decree, upon the proposal of each crocodile farm owner.
2. Payments of the amounts corresponding to egg harvesting shall be made per quota fixed and published, in accordance with the legal criteria in force.

Article 54 **(Export of crocodiles and their derivatives)**

1. The commercial export of crocodiles and crocodile eggs is prohibited.
2. The export of crocodile eggs or of animals hatched may be authorized for educational or scientific purposes only.
3. The export of crocodile skin is permitted upon payment of the CITES label to be affixed to the skin.
4. The export of crocodile skins or meat shall be subject to payment of the CITES certificate corresponding to any quantity of skins or meat carried.
5. The export of crocodile meat requires an animal health certificate.

Article 55 **(Fees)**

1. Crocodile eggs may be harvested any time of the year and is subject to a fee as determined in accordance with numbers 1 and 2 of article 35 of Law Nr. 10/99, of 7 July.
2. Payments of the corresponding values of CITES export and certificate labels shall be made to the CITES Administrative Authority.

Article 56 **(Penalties)**

Failure to pay for harvesting eggs and raising crocodiles will be classified as poaching, which is punishable under the legislation in force.

Chapter IX

DUTIES AND OBLIGATIONS

Article 57
(Duty of Information)

1. Game farm owners shall keep and send, whenever requested by the Provincial Services responsible for conservation areas, the form containing the lists of animals by species, of animals captured, alive, in captivity or quarantine, of eggs harvested as well as of animals slaughtered and of trophies and remains in stock.
2. Game farm owners shall hold the reports and copies of licenses in their possession.

Article 58
(Other Obligations)

In addition, game farm owners are obliged to:

- a) comply with and enforce the regulatory standard governing raising and exploitation of animals;
- b) update the exploitation and management plans whenever significant changes occur in habitat and species to be exploited, or for some other convenience;
- c) revise the management plan at least every 10 years.

Chapter X
SUSPENSION AND REVOCATION OF ACTIVITIES

Section I
Suspension and Revocation

Article 59
(Suspension)

1. The exploitation of wild animals in game farms may be suspended, without prejudice to the rules established for the termination of the right to the use and benefit of the land (DUAT), in the following situations:
 - a) when compliance with the approved management plan for no justified reason cannot be verified;
 - b) when activities other than those initially proposed are carried out without approval by the granting authority;
 - c) for any other serious situations considered to be running against the objectives of the establishment of game farms.
2. The suspension shall be determined by the entity competent for the approval of the game farm management plan.
3. The suspension of the activities of the game farm may not exceed a hunting season, after which the exercise of the activity will be redimensioned or automatically revoked.

Article 60
(Revocation)

1. The entity that authorized the establishment of the game farm can at any time revoke the concession, provided that:
 - a) the owner resigns;
 - b) the concession turns out to be inconvenient in the public interest;

- c) The game farm owner repeatedly or continuously does not comply with the obligations to which he is bound.
- 2. A fair indemnity or compensation will be due to the game farm owner in question if the revocation is due to reasons of public interest.

Article 61

(Consequences of the closure of activities)

1. In the event of closure of activities by revocation, captive live animals will be transferred to other farms or zoos at the expense of the offender; except when revocation is due to reasons of public interest, in which case the costs incurred are borne by the state.
2. In the event of resignation by the holder, the destination of the wild animals shall be his or her responsibility, provided he or she does not abandon or exterminate them.
3. In case of abandonment, the game farm will become property of the State after completion of the reversal formalities in favour of the latter.
4. The consequences of revocation for movable and immovable property shall be dealt with in accordance with applicable legislation.

Section II Closure Plan

Article 62 **(Closure Plan)**

1. Game farms shall have a closure or decommissioning plan in case of termination, either at the request of the owner or because it is decreed on reasonable grounds by the entity competent for its creation.
2. The closure plan covers the entire game farm and its buffer zone, if any.
3. The closure plan shall contain at least the following information:
 - a) a short biophysical and socioeconomic characterization of the area concerned;
 - b) an identification and quantification of the existing fauna and flora;
 - c) a characterization of the existing equipment and waste and an indication of the treatment and or destination to be given to these in case of decommissioning;
 - d) an identification of potential environmental, social, economic and/or cultural damages;
 - e) an identification of procedures for environmental rehabilitation and or translocation of fauna;
 - f) an evaluation of wildlife rescue and/or salvage options;
 - g) an evaluation of destination options for fauna translocation;
 - h) an assessment of waste management and of process and works records;
 - i) an estimation of the costs of environmental rehabilitation and or translocation of fauna, as well as of the monitoring of this process by the entity with oversight of the management and administration of conservation areas.
4. The closure plan is approved by the director general of the entity with oversight of the management and administration of conservation areas.
5. The closure plan shall be reviewed every five years by the game farm owner and submitted for approval to the director general of the entity with oversight of the management and administration of conservation areas.

Article 63
(Transmission of infrastructure)

The transmission of game farm infrastructure always requires authorization from the entity with oversight of the management and administration of conservation areas, and the transferee shall meet the following requirements:

- a) not have been convicted of offenses against biodiversity;
- b) be a Mozambican citizen, and in the case of a legal person, have a capital of which at least 25% is held by a Mozambican citizen or citizens.

**Chapter XI
CIVIL LIABILITY**

Article 64
(Liability for damages to third parties)

When raising and exploiting wild animals, including its possession, transport and marketing, game farm owners are liable for damages caused to third parties, pursuant to article 502 of the Civil Code.

**Chapter XII
MONITORING, PROTECTION AND CONTROL**

Article 65
(Monitoring)

The monitoring and control of game farm activities are carried out, using the model contained in this decree, by the competent services, without prejudice to other entities having similar duties.

Article 66
(Protection and Control of Biological Diversity)

1. The protection and control of game farms is guaranteed by sworn inspectors, without prejudice to the support, control and supervision of protection and inspection activities exercised by the Ministry with oversight of conservation areas.
2. It is incumbent upon the stakeholders referred to in **number 1 of the preceding article**, to proceed with drawing up the notice, immediately upon getting acquainted with the facts constituting an infringement.
3. The protection and control of game farms may also be carried out by other state bodies in the area of defence and security, which are responsible for submitting reports about all offenses of which they become aware to the nearest prosecutor for the legal effects due.

Commented [FH1]: ?? The preceding article does not have a nr. 1.

Article 67
(Official Reports)

1. Official reports shall be drawn up in triplicate, and contain:
 - a) the identification of the offender, and other agents involved in the offense;

- b) an indication of the facts and evidence, if any;
 - c) the circumstances of the fact and background, if any;
 - d) the means, instruments and proceeds of the offense;
 - e) the date, time and place of the offense and the proceedings if these are different;
 - f) the date, time and place of the offense and of the proceedings, the seizures made by the officer;
 - g) the indication of witnesses, if any;
 - h) a photographic record of the offense and the offender.
2. The notice of the fine shall always be referred to and attached to the file and together these will be submitted to the nearest attorney's office, with copies delivered to the sectors with oversight of the conservation of biodiversity.
 3. In case of non-voluntary payment of the fine within the established time limit, a copy of the case file shall be sent to the competent court for the enforcement of the fine in accordance with the applicable legislation.

Chapter XIII

FINAL AND TEMPORARY PROVISIONS

Article 68 **(Register)**

The National Conservation Area Administration will maintain a database of all license holders who have been authorized to raise or exploit wild animals on game farms.

Article 69 **(Ongoing Processes)**

1. Ongoing processes related to requests for the exploitation and creation of game farms are subject to the proceedings of this decree.
2. Applicants shall, within a period of one hundred and eighty days counting from the date of entry into force of this decree, express their wish to continue with ongoing processes and to comply with the current rules.

Article 70 **(Omissions)**

Omissions will be resolved by dispatch of the Minister with oversight of the conservation sector, after hearing the entity with oversight of the management and administration of conservation areas.

Annex 1

Definitions

For the purposes of this Decree, the following meanings of terms used have been established:

1. *Controlled environment* – an environment that is manipulated for the purpose of raising animals of a particular species, with boundaries to prevent the entry and exit of animals, eggs or gametes, and whose characteristics include, but are not limited to: housing, the removal of excrement, sanitary treatment, protection against artificially fed predators;
2. Animal - mammal, bird, bee, reptile or amphibian that is a member of the phylum vertebrate, including its carcass.
3. Animal at risk - any animal biologically at risk of contracting a disease.
4. Wild mammalian animal: bird and reptile belonging to undomesticated species, living in freedom, in captivity or at a home, and destined for scientific, economic or recreational purposes.
5. *Harvesting or collection of eggs* – the harvesting of eggs in the natural habitat of a particular species for didactic or scientific purposes and for captive breeding for commercial purposes;
6. Administrative authority - all bodies or agents from the State and other public entities, to which public powers have been legally conferred for the performance of administrative duties in the form of legal acts.
7. Health authority - agent of the Health Services performing health inspections and health surveillance.
8. Veterinary authority. The National Directorate of Livestock (DINAP), or an entity to which the powers attributed to it have been delegated by these Regulations, a veterinary doctor or livestock technician duly accredited by the National Directorate of Livestock, in order to enforce the rules of these Regulations.
9. Meat - the muscle tissue of edible animal species, with adjacent vessels, nerves, tendons and fascia, fats and bones; generically the term “meat” also includes offal.
10. Veterinary certificate - document issued by the Veterinary Authority for the purpose of certifying animal health or the health of animal products and by-products, animal remains, biological products and fodder, ensuring that these do not constitute a vehicle for any agent likely to infect other animals or man, specifying the diagnostic

tests to which they have been submitted as well as the vaccinations performed (in the case of live animals).

11. International veterinary certificate - Document issued by the Official Veterinarian of the exporting country for the purpose of certifying animal health or the health of animal products and by-products, animal remains, biological products and fodder, ensuring that these do not constitute a vehicle for any agent likely to infect other animals or man, specifying the diagnostic tests to which they have been submitted as well as the vaccinations performed (in the case of live animals).
12. CITES - Convention on International Trade in Endangered Species of Wild Fauna and Flora;
13. *Animal raising in captivity* - specimens or individuals captured or collected from the natural environment, whether or not included in CITES Annexes I, II and III, whether or not intended for commercial purposes; it also covers animals not captured, provided that these are confined within a given space with restricted freedom of movement.
14. *Second generation offspring (F2) and offspring of subsequent generations (F3, F4, and more)* - captive-born specimens whose progenitors were also born in captivity;
15. Remains - the body parts of the animal usable for any non-food industrial purpose (skin, bristles, nails, horns and feathers, protection and tegument).
16. Disease - dysfunction or disruption of the normal function of any organ or body of any animal caused by any protozoan, bacteria, virus, fungus, prion, rickettsia, parasite, another organism or bacteria.
17. Epidemic disease - disease that occurs at a given time and space, exceeding the expected normal frequency (more than twice the standard deviation above average) and whose increase is not foreseeable. Outbreak of a List A or B disease from the O.I.E or from the list of compulsory reported diseases in Mozambique.
18. Expansive disease - a disease communicable between animals or between these and man which, due to its high diffusion power, endangers the livestock economy or constitutes a threat to the public health of the country or region.
19. Destruction - slaughter and destruction by burial or incineration of an animal or animal carcass, product, by-product, remains, fodder, biological or pathological material, for health reasons.
20. *Game farm exploitation* - any commercial activity related to the authorized object.

21. Equality - equality between citizens and recognition of the role of gender in the management, use, conservation and rehabilitation of natural resources;
22. List of compulsory reported diseases - list of compulsory diseases in Mozambique, which includes the List A and B diseases from the O.I.E. and SADC and other diseases listed in Annex 1 of these Regulations.
23. Transit license - written authorization, using a special form, issued by the Veterinary Authority for the movement of animals, animal products, by-products, remains, fodder, biological and pathological products from one place to another within the country.
24. Import license - written authorization, using a special form, issued by the Veterinary Authority for the import of animals, animal products, by-products, remains, fodder, biological and pathological products originating in another country.
25. Slaughtering sites - places authorized by the Veterinary Authority, where animals intended for public consumption are slaughtered.
26. Slaughterhouse - facility equipped with appropriate equipment for the slaughter, preparation, preservation and distribution of animal meat for public consumption or industrial processing.
27. "*Breeder stocks*" - set of wild animals used for breeding purposes;
28. *First generation offspring (F1)* - specimens or individuals produced in a controlled environment whose parents or at least one of them was conceived within or collected from such an environment;
29. Quarantine park - facility or place under the control of the Veterinary Authority, where a group of animals is kept in isolation without direct or indirect contact with other animals, for the purpose of being observed and, if necessary, tested and treated.
30. Animal population at risk - group of animals with the same physical and biological characteristics, which may become infected with one or more infectious or parasitic agents.
31. Entry or Exit Port - land border, ports or airports through which animals, animal products, by-products, remains, trophies, fodder and biological products are allowed to enter or leave.
32. Prevalence – the number of cases of disease or infection detected by clinical examination or approved laboratory tests in a given animal population at a given time and in a defined geographical area.

33. Animal products - substances obtained directly from animals and aimed at being used for food as well as industrial purposes.
34. Quarantine - isolation of animals in a quarantine park at their place of origin or at their destination, under the control of the Veterinary Authority, where a group of animals is kept without direct or indirect contact with other animals for the purpose of being observed and, if necessary, tested and treated.
35. Quarantine regime - measures to which animals are subjected in the event of illness, or a set of measures concerning the entry, stay and exit of animals held in quarantine parks.
36. Sanitary sacrifice - animal slaughter authorized by the Veterinary Authority for economic and/or sanitary reasons with partial or total use of their products and by-products after having been subjected or not to processing.
37. Animal by-products - products derived from meat and remains which, with or without short preparation, are used for food or other purposes.
38. Transfers - changes of location to which animals, animal products, by-products, remains and fodder are subjected.
39. Trophy - durable part of wild animals, including the head, skull, horns, teeth, fur, hides, hairs, bristles, nails, claws, hooves and egg shells, nests and feathers, provided they have not lost their original appearance by any manufacturing process.
40. Fencing - physical limitation of land intended to prevent the free entry or exit of animals.
41. Health surveillance - action which implies keeping a herd under health observation as a result of the occurrence or suspicion of the occurrence of an infection or infectious or parasitic disease, and the obligation by the owner or the person who discovered the abnormality to report immediately any change in the health of the animals to the Veterinary Authority.
42. Zoonosis - infectious disease communicable from animals to humans or vice versa.