



**NAMIBIA UNIVERSITY  
OF SCIENCE AND TECHNOLOGY**

**FACULTY OF HEALTH, NATURAL RESOURCES AND APPLIED SCIENCES**

**SCHOOL OF AGRICULTURE AND NATURAL RESOURCE SCIENCES**

**DEPARTMENT OF NATURAL RESOURCES SCIENCES**

<b>QUALIFICATION: BACHELOR OF NATURAL RESOURCES MANAGEMENT</b>	
<b>QUALIFICATION CODE: 07BNRS</b>	<b>LEVEL: 7</b>
<b>COURSE CODE: LFN512S</b>	<b>COURSE NAME: LEGAL FRAMEWORK FOR NATURAL RESOURCES</b>
<b>DATE: JANUARY 2025</b>	
<b>DURATION: 3 HOURS</b>	<b>MARKS: 150</b>

<b>SECOND OPPORTUNITY EXAMINATION QUESTION PAPER</b>	
<b>EXAMINER(S)</b>	Mr Jeremia K.L. Amutenya
<b>MODERATOR:</b>	Mr Helmuth Tjikurunda

<b>INSTRUCTIONS</b>	
<ol style="list-style-type: none"><li>1. Please write neatly and legibly.</li><li>2. Do not use the left-side margin of the exam paper.</li><li>3. No books, notes or other additional aids are allowed.</li><li>4. Mark all answers clearly with their respective question numbers.</li></ol>	

**PERMISSIBLE MATERIALS**

1. Examination question paper
2. Answering book

**THIS QUESTION PAPER CONSISTS OF 3 PAGES (Excluding this front page)**

### **QUESTION 1**

**Write short notes to define or explain the following terms:**

- 1.1. Confessions (1)
- 1.2. Non-consumptive use (1)
- 1.3. Children (1)
- 1.4. Sell (1)
- 1.5. Human-wildlife conflict (2)
- 1.6. Controlled wildlife product (1)
- 1.7. Deal in (1)
- 1.8. Proponent (1)
- 1.9. Assessment (1)

**[10]**

### **QUESTION 2**

**Explain** the difference between the following pairs/group of terms.

- 2.1. Criminal Intent vs. Criminal Motive (2)
- 2.2. Crime vs. Delicts (2)
- 2.3. Law vs. Policy (2)
- 2.4. Offset vs. Compensation (2)
- 2.5. Summons vs. Subpoena (2)

**[10]**

### **QUESTION 3**

- 3.1. Name the three organs of the state and who forms part of those organs of the state. (6)
- 3.2. A guilty act comes in three forms, name them. (3)
- 3.3. The Criminal Procedure Act 51 of 1977, under section 20, gives the right to the state to seize/ confiscate any article. Under what conditions can the state seize/confiscate an article? (3)
- 3.4. Section 21 of the Criminal Procedure Act 51 of 1977, makes provision for articles to be seized with a search warrant. Who is mandated by the Criminal Procedure Act of 1977 to issue a search warrant? (2)
- 3.5. Criminal intent is the conscious decision someone makes to deliberately engage in an unlawful act. What are the four model codes (Mens Rea or Criminal intent) that determine a crime? (4)
- 3.6. A guilty act comes in three forms, name them. (4)
- 3.7. Section 30 of the Criminal Procedure Act of 1977 provides directives on the disposal of articles after it has been seized. **List three (3)** ways how such articles can be disposed of, by the Officer who seized such articles. (3)

**[25]**

### **QUESTION 4**

- 4.1. Wildlife as per the Nature Conservation Ordinance 4 of 1975, is divided into three main legal statuses namely, specially protected, protected and huntable game. **Name five (5)** specially protected (except elephant and rhino), six **(6)** protected and **four (4)** huntable game species in Namibia. (15)
- 4.2. **List ten (10)** functions and duties of a Nature Conservation Officer as enshrined in the Nature Conservation Ordinance 4 of 1975. (10)



- 4.3. The energy of the bullet used to hunt wildlife is important as per Section 42 (1). Which joules are required when hunting the following species: a) Buffalo, b) Blue wildebeest and c) Springbok. (3)

[28]

#### QUESTION 5

- 5.1. **Name five (5)** species that are the major cause of Human-wildlife conflict incidents in Namibia. (5)
- 5.2. With an increase in human population and a high demand for land, humans and wildlife are increasingly interacting and competing for resources, thus leading to Human-wildlife conflict. **Outline six** ways in which wildlife is creating conflict with human beings. (6)
- 5.3. The **Human-Wildlife Conflict Management Scheme** is one of the key strategies of the human-wildlife policy aimed at mitigating conflict between humans and wildlife to offset community members that have been affected by wildlife. Under **which conditions** shall payment for livestock loss or crop damage be considered? (5)

[16]

#### QUESTION 6

- 6.1. A feasibility study is a prerequisite for the registration of any Communal Conservancy in Namibia, **what is the relevance** of such a study? (5)
- 6.2. Any person residing on communal land and desires to have the area which they inhabit, or any part thereof, be declared a conservancy, shall apply therefor to the Minister. **List of SIX (6)** documents that need to accompany such application. (6)
- 6.3. Accountability and good governance are of fundamental importance during the initiation phase of a communal conservancy. How will you attain accountability and good governance during the initial phase of the conservancy? (5)
- 6.4. The Nature Conservation Amendment Act of 1996 gives tenure rights over renewable resources to community members that have formed Conservancies, subject to sustainable utilisation and the details of sectoral policy. **List four (4)** of the renewable resources that communal conservancies have tenure rights on. (6)

[22]

#### QUESTION 7

- The Controlled Wildlife Product and Trade Act 9 of 2008, has categorised wildlife species into three distinct categories (Appendix 1; 2 & 3) in compliance with CITES. **Explain** the criteria used to justify the placement of wildlife species in those categories and provide an example of a species listed in each Appendix. (7)
- 7.2 **List four (4)** conditions under which CITES can grant an export permit, to member states, for species listed under Appendix 1. (4)

[11]

#### QUESTION 8

- 8.1. Section 22 of the Environmental Management Act of 2007, details offences committed against an Environmental Office. With regards to an **Environmental Officer, list four (4)** scenarios when **an offence is committed**. (4)
- 8.2. An environmental officer may issue a compliance order to a person whom the (6)

environmental officer has reason to believe that they have contravened this Act or a condition on the environmental clearance certificate. What are the components that need to be specified in the compliance order?

- 8.2. List the steps that need to be followed when conducting an Environmental Impact Assessment (EIA) *four (4)*. (5)

[15]

**QUESTION 9**

***Briefly explain*** the synergies that exist among Natural Resources Legislation in Namibia. (13)

[13]

**END OF EXAM PAPER**