

# **THE WILDLIFE CONSERVATION AND MANAGEMENT ACT**

**(No. 47 of 2013)**

## **WILDLIFE CONSERVATION AND MANAGEMENT (SECURITY OPERATIONS) REGULATIONS, 2015**

### **ARRANGEMENT OF REGULATIONS**

#### **PART I- PRELIMINARY**

##### **REGULATION**

1. Citation and commencement.
2. Interpretation.

#### **PART II- WILDLIFE SECURITY OFFICERS COMMAND AND DISCIPLINE**

3. Wildlife Security Officers.
4. Discipline of Wildlife Security Officers.
5. Command and control of Wildlife Security Officers.
6. Dress regulation.

#### **PART III- TRAINING OF WILDLIFE SECURITY OFFICERS**

7. Establishment of the Kenya Wildlife Service Law Enforcement Academy.
8. Functions of the Kenya Wildlife Service Law Enforcement Academy.
9. Command of the Kenya Wildlife Service Law Enforcement Academy.
10. Training of Wildlife Security Officers.

#### **PART IV- POWERS OF WILDLIFE SECURITY OFFICERS**

11. Powers of Wildlife Security Officers.
12. Limitations of exercise of powers and functions of Wildlife Security Officers.
13. Protection from personal liability.

#### **PART V- WILDLIFE SECURITY OPERATIONS**

14. Joint operations.
15. Overt operations.
16. Covert operations.
17. Wildlife Monitoring.
18. Operation orders and reports.
19. Confidentiality.

#### **PART VI- USE OF CANINES IN WILDLIFE SECURITY OPERATIONS**

20. Registration of Canines.
21. Training and Appointment of Canine Handlers.
22. Use of Evidence Recovered by a Canine in Court.

#### **PART VII- INVESTIGATION OF WILDLIFE CRIMES**

23. Investigations under the Wildlife Conservation and Management Act.
24. Scene of Crime Management.
25. Confiscation of Wildlife, Trophies and Instrumentalities of Crime.
26. Forfeiture of Unclaimed Confiscated Items.
27. Charging of Wildlife Crime Offenders.

#### **PART VIII- WILDLIFE FORENSICS**

28. Establishment of the Wildlife Forensics Laboratory.
29. Use of the Wildlife Forensics Laboratory.
30. Fees.

#### **PART IX- EXHIBIT MANAGEMENT**

31. Custody and Storage of Exhibits.
32. Disposal of Exhibits.
33. Chain of Custody.

#### **PART X- DISASTER MANAGEMENT**

34. Disasters Response.
35. Disaster Management Plan.

#### **PART XI- WILDLIFE SECURITY DATABASE**

36. Establishment of Wildlife Security Database.
37. Access to Wildlife Security Data.

#### **PART XII- OFFENCES AND PENALTIES**

38. Disciplinary Offences.
39. Offences Relating to Appointment of Wildlife Security Officers.
40. Offences Relating to Dress Regulation of Wildlife Security Officers.
41. Impersonation of a Wildlife Security Officer.
42. Offences Relating to Training of Wildlife Security Officers.
43. Offences Relating to Security Operations.
44. Offences relating to use of Canines.
45. Offences relating to investigation of wildlife crimes.
46. Offences relating to wildlife forensics.
47. Offences relating to exhibit management.

48. Offences relating to Wildlife Security Database.
49. Attempts to commit offences under the Act.
50. Enforcement of the Convention on International Trade in Endangered Species.

**THE WILDLIFE CONSERVATION AND MANAGEMENT ACT**

**(No. 47 OF 2013)**

**IN EXERCISE** of the powers conferred by Section 112(8) of the Wildlife Conservation and Management Act, 2013, the Cabinet Secretary for Environment and Natural Resources makes the following Regulations –

**THE WILDLIFE CONSERVATION AND MANAGEMENT (SECURITY OPERATIONS) REGULATIONS,  
2015**

**PART I – PRELIMINARY**

- Citation** 1. These Regulations may be cited as the Wildlife Conservation and Management (Security Operations) Regulations, 2015.
- Interpretation** 2. In these Regulations, unless the context otherwise requires –
- “Act” means the Wildlife Conservation and Management Act 2015;
  - “ Board of Trustees” means a Board of Trustees under section 8 of the Act;
  - “Community Wildlife Scout” means a Community Wildlife Scout appointed as such under the Act and registered under the Wildlife Conservation and Management (Conservancy and Sanctuary) Regulations, 2015;
  - “Disciplinary Code” means the Wildlife (Conservation and Management)(Armed Wing)(Disciplinary) Code, 1990 or any Code in replacement thereof;
  - “Firearm” means a firearm as defined in the Firearms Act;
  - “Honorary Warden” means an Honorary Warden appointed under the Act;
  - “Protected Area” means a protected area as defined in the Act;
  - “Security Operation” means a Wildlife Operation or intervention to avert insecurity to wildlife;
  - “Service” means Kenya Wildlife Service established under section 6 of the Act;
  - “Service Officer” means an officer appointed under Section 12(1)(a) of the Act;
  - “Service Standing Orders” means the Kenya Wildlife Service (Armed Wing) Standing Orders or any Standing Orders that may be issued in replacement thereof;
  - “Warden” means a warden as defined under the Act;
  - “Wildlife Manager” means a Wildlife Manager registered under the Act and the Wildlife Conservation and Management (Conservancy and Sanctuary) Regulations;

“Wildlife Security Officer” means an Officer of the Service, a Community Scout, an Honorary Warden and a Wildlife Manager.

**PART II – WILDLIFE SECURITY OFFICERS COMMAND AND DISCIPLINE**

**Wildlife Security Officers**

3. The following shall be a Wildlife Security Officer under these Regulations –

(1) A Service Officer appointed under Section 12(1) (a) of the Act.

(2) A Community Scout who has undergone the requisite training under these Regulations and is Registered under Section 87(1) (c) of the Act and the Wildlife Conservation and Management (Conservancy and Sanctuary) Regulations.

(3) An Honorary Warden who has undergone the requisite training under these Regulations and is appointed under Section 12(5) of the Act.

(4) A Wildlife Manager who has undergone the requisite training under these Regulations and is appointed under Section 12(6) of the Act or registered under Section 40 of the Act and the Wildlife Conservation and Management (Conservancy and Sanctuary) Regulations.

**Discipline of Wildlife Security Officers**

4. Every Wildlife Security Officer shall be subject to the provisions of the Disciplinary Code when carrying out their functions or exercising their powers under these Regulations.

**Command and control of Wildlife Security Officers**

5. (1) Every Service Officer shall be subject to the command and control structure as provided for under the Second Schedule to the Act.

(2) Every Community Wildlife Scout, Honorary Warden and Wildlife Manager shall be under the command and direction of the Service Warden in the area in which they operate.

**Dress regulation**

6. (1) Every Service Officer shall wear the dress issued by the Service as described in the Service Standing Orders.

(2) Every Honorary Warden shall wear the dress that may be issued to them by the Service from time to time.

Provided that such dress shall not be similar to any dress of the Service and that no Honorary Warden shall be allowed to wear the dress of the Service.

(3) Every Community Scout and Wildlife Manager shall wear the dress issued by their employers, which dress shall conform to the standards provided for in the Wildlife Conservation and Management (Conservancy and Sanctuary) Regulations.

### **PART III – TRAINING OF WILDLIFE SECURITY OFFICERS**

#### **Establishment a Law Enforcement Academy.**

7. There is hereby established an Academy of the Service to be known as the Kenya Wildlife Service Law Enforcement Academy.

#### **Functions of the Law Enforcement Academy**

8. The Function of the Kenya Wildlife Service Law Enforcement Academy shall be to:

(a) conduct paramilitary training of Wildlife Security Officers;

Provided that a Wildlife Security Officer who is not authorised to use firearms under the Act shall not be trained on the use of firearms.

(b) conduct training on wildlife security aspects under the Act and under these Regulations;

(c) implement any wildlife Security Curricula that may be issued by the Board of Trustees from time to time;

(d) undertake training of other Security Agencies as may be approved from time to time by the Board of Trustees; and

(e) undertake training of regional and international Security Agencies as may be approved from time to time by the Cabinet Secretary.

#### **Command of the Law Enforcement Academy**

9. The Board of Trustees shall appoint a suitably qualified and experienced Service Officer to be the Commanding Officer of the Law Enforcement Academy.

#### **Training of Wildlife Security Officers.**

10. (1) Every Wildlife Security Officer shall be required to undergo the requisite training and complete any curriculum at the Law Enforcement Academy for them to be authorised to carry out law enforcement activities under the Act and these Regulations.

(2) Upon successful completion of training at the Law Enforcement Academy, all

Wildlife Security Officers shall be issued with a certificate by the Director General confirming that they have undergone the requisite training and are duly authorised to carry out the law enforcement activities under the Act and these Regulations.

- (3) No person shall be accepted as a trainee at the Law Enforcement Academy –
- (a) if they have been previously convicted of a wildlife offence or any other serious offence;
  - (b) if they suffer an infirmity of mind or of body that will prevent them from undergoing any training at the Law Enforcement Academy;
  - (c) if they are a member of any criminal organized group outlawed under the Prevention of Organized Crimes Act, No. 6 of 2010; or
  - (d) if they do not meet the standards and criteria that may be issued from time to time by the Board of Trustees.

#### **PART IV – POWERS OF WILDLIFE SECURITY OFFICERS**

#### **Powers of Wildlife Security Officers.**

- 11.** (1) Wildlife Security Officers shall have the powers given to them under the Act.
- (2) In addition to the powers under the Act, Service officers shall have the powers to –
- (a) use canines in wildlife security operations;
  - (b) manage wildlife crime scenes;
  - (c) charge offenders under the Act;
  - (d) apply technology for wildlife monitoring and wildlife security operations;
  - (e) enforce the provisions of the Act and any Regulations made thereunder.
- (3) In addition to the powers under the Act, Community Scouts, Honorary Wardens and Wildlife managers shall have the powers to –
- (a) arrest any person who commits an offence under the Act or under these Regulations;
  - (b) search any person, vehicle or vessel and seize and detain any wildlife specimens in respect of which an offence has been deemed to be committed within their jurisdiction;
  - (c) confiscate any equipment or receptacle placed for purposes of capturing, harming or killing wildlife animals;

- (d) use canines in wildlife security operations;
- (e) apply technology for wildlife monitoring and wildlife security operations;  
and
- (f) use firearms for wildlife security operations where they are appointed as Police Reservists under the National Police Service Act.

**Limitations of exercise of powers of Wildlife Security Officers**

12. (1) When exercising their powers under these Regulations, Wildlife Security Officers shall not infringe on the fundamental rights and freedoms of any person.

(2) The powers of Community Scouts, Honorary Wardens and Wildlife Managers shall only apply in their areas of jurisdiction outside protected areas unless specifically appointed by the Director General to operate within a specific protected area.

**Protection from personal liability**

13. No matter or thing done by a Wildlife Security Officer if the matter or thing is done bona fide for executing the powers and functions under the Act or these regulations render the Wildlife Security Officer personally liable to any action, claim or demand whatsoever.

**PART V – WILDLIFE SECURITY OPERATIONS**

**Wildlife Security Officers to Participate in Joint Operations**

14. (1) Wildlife Security Officers may be required by the Director General or Inspector General to participate in –

- (a) Joint Service Operations involving other Kenyan law enforcement agencies;
- (b) Cross-border Operations; or
- (c) International Operations.

(2) When participating in Joint Operations, Wildlife Security Officers shall come under the command of the person commissioning the operation or any person appointed by such person to be the commander of the operation.

**Overt Operations**

15.(1) Overt operations shall include:

- (a) patrol including foot patrols, aerial patrols, mounted patrols and static patrols;



- (b) wildlife monitoring;
- (c) problem animal management;
- (d) canine handling; and
- (e) overt investigations;

(2) When carrying out overt operations, Wildlife Security Officers shall be required to produce identification where required to substantiate their power and authority to carry out those operations.

**Covert Operations**

**16.**(1) Covert operations shall include –

- (a) collection of intelligence and information relating to wildlife crime; and
- (b) undercover wildlife crime investigations;

(2) When carrying out covert operations Wildlife Security Officers may not be compelled to produce any identification that may disclose their identity and compromise the operation.

(3) Wildlife Security Officers may recruit informers to assist them in carrying out of covert operations.

**Wildlife monitoring**

**17.** (1) Wildlife Security Officers may use any relevant equipment or technology for monitoring wildlife for security purposes including –

- (a) mobile equipment that captures images or voices of persons;
- (b) mounted and static equipment that captures images of wildlife or persons;
- (c) equipment that magnifies images of wildlife or persons;
- (d) equipment that enhances vision of wildlife security officers during periods of low visibility; or
- (e) equipment that enhances accuracy of firearms.

(2) Subject to the provisions of the Evidence Act, Cap. 80, images captured and evidence collected by use of wildlife monitoring equipment shall be admissible in a court of law.

**Operation orders and reports**

**18.** (1) The Service may from time to time issue operation orders for carrying out of Joint Operations.

(2) Upon the completion of a Joint Operation, a report shall be made to the officer commissioning the operation.

(3) Subject to the provisions of the Evidence Act, Cap.80 –

(a) operation orders for a joint operation may be produced in a court of law as evidence of the authorisation to carry out any questioned joint operation; and

(b) operation reports for joint operations may be produced in court of law as evidence of the conclusion and outcome of any questioned joint operation.

**Confidentiality.**

**19.** (1) No person shall disclose or publish the contents of operation orders or operation reports to unauthorised persons without the consent of the Director General or any person authorising a particular operation.

(2) Subject to the provisions of the Evidence Act, Cap. 80, no Wildlife Security Officer shall be compelled to disclose the identity of his informer or to disclose the identity of any person giving him information.

**PART VI – USE OF CANINES IN WILDLIFE SECURITY OPERATIONS**

**Registration of Canines**

**20.** (1) Canines owned and maintained by the Service, County Government, conservancies and sanctuaries which shall be used for wildlife Security Operations shall be registered with the Service.

(2) The register of canines shall include the registration number, the name of the canine, the date of birth the breed and the trainings it has received.

(3) Each canine shall be tattooed or tagged with its registration number for purposes of identification.

**Training and Appointment of Canine Handlers**

**21.** Wildlife Security Officers may undergo training at the Law Enforcement Academy or any other institution on handling of canines and may present certification from that training to any court of law when testifying in his capacity as a canine handler.

**Use of Evidence**

**22.** Subject to the provisions of the Evidence Act, Cap. 80, any evidence recovered by

**Recovered by a  
Canine in Court**

a canine shall be admitted in court in the following manner –

- (1) The canine handler may testify as an eye witness as to the recovery of any particular evidence by a canine or tracking down of any accused person by the canine.
- (2) The canine trainer may testify as an expert witness as to the training and antecedents of the canine.
- (3) The register of canines may be produced in court to demonstrate the training and antecedents of any particular canine.

**PART VII – INVESTIGATION OF WILDLIFE CRIMES**

**Investigations  
under the  
Wildlife  
Conservation and  
Management Act**

23.(1) Service Officers may carry out the following investigations –

- (a) Investigation for offences committed under the act and any regulations made thereunder.
- (b) Investigations into questionable compensation claims.

(2) When carrying out investigations, Service Officers shall have jurisdiction throughout Kenya.

**Scene  
Management**

24.(1) Wildlife Security Officers may manage wildlife scenes of crime or compensation claim scenes by–

- (a) securing the scene;
- (b) collection of evidence or exhibits from the scene; or
- (c) preserving of evidence or exhibits collected at the scene.

(2) Wildlife Security Officers may testify in court as to any procedure used or any evidence collected when managing a wildlife scene of crime or a compensation claim scene.

**Confiscation of  
Wildlife,  
Trophies and  
Instrumentalities  
of Crime**

25.(1) A Wildlife Security Officer may confiscate any wildlife, any trophy or any instrumentality of a crime where a crime has been committed with respect to that wildlife or trophy or by means of that instrumentality of crime.

(2) A Community Scout who confiscates any wildlife or trophy or instrumentality of a crime shall as soon as practicable, but more than 48 hours, surrender the same to his commanding officer who shall forward the same to the nearest Service Warden.

(3) A Wildlife Manager or an Honorary Warden confiscating any wildlife, or trophy or instrumentality of a crime shall as soon as practicable surrender the same to the nearest Service Warden.

**Forfeiture of Unclaimed Confiscated Items**

26. Where anything has been confiscated and detained under the Act and these Regulations and a person charged with forfeiture offence in relation thereto has not appeared to answer the charge within three months of the confiscation, proceedings shall be instituted through a written application to the court in which the person has been charged to have those items forfeited to the Service.

**Charging of Wildlife Crime Offenders**

27.(1) Any person arrested by a Community Scout, an Honorary Warden or a Wildlife Manager shall be handed over immediately to a Service Officer or the nearest Police Station for purposes of charging.

(2) A Service officer of or above the rank of Assistant Warden III or a Police Officer of or above the rank of Inspector may sign a charge sheet with respect to an offence under the Act or any regulations made thereunder for and on behalf of the Service.

**PART VIII – WILDLIFE FORENSICS**

**Establishment of the Wildlife Forensics Laboratory**

28. (1) There shall be established a Wildlife Forensic and Genetics Laboratory.

(2) The functions of the Wildlife Forensic and Genetics Laboratory shall include –

- (a) carrying out forensic and genetics research of wildlife species and their products;
- (b) identification of wildlife specimens;
- (c) connecting offenders to the crime scene;
- (d) connecting offenders to exhibits; and
- (e) connecting exhibits to crime scenes.

**Use of the Wildlife Forensics Laboratory.**

29. (1) Any person may forward any exhibit or wildlife specimen to the Wildlife and Forensic Laboratory for analysis.

(2) All specimens forwarded to the forensic laboratory shall be accompanied by –

- (a) an exhibit memo form in triplicate;

- (b) the chain of custody form with respect to an exhibit.
- (3) (a) an exhibit memo form shall be in Form A; and
- (b) a chain of custody form shall be in Form B.

**Fees**                    **30.** The Service may from time to time prescribe fees for use of the Forensic Laboratory.

**PART IX – EXHIBIT MANAGEMENT**

**Custody and Storage of Exhibits**                    **31.** (1) A Service Officer appointed to investigate any particular case shall take charge and be responsible for the custody and storage of the exhibits of that case.

(2) Every exhibit recovered shall be clearly marked, entered in the occurrence book and in the exhibit register and a chain of custody form completed.

(3) No exhibit shall be moved, used or applied for any purpose other than for purposes of the particular case for which they are intended.

(4) Movement of exhibits shall be entered in the exhibit register and the occurrence book at all times.

**Disposal of Exhibits**                    **32.** (1) All exhibits shall be disposed of in accordance to the order of the Court.

(2) Where no specific orders are issued as to the disposal of exhibits, the provisions of Section 110(2)(a) of the Act or the provisions of the Public Procurement and Disposal Act, 2005.

(3) Wildlife trophies which have been forfeited to the Service shall be clearly marked and stored in the trophy strong room.

**Chain of Custody**                    **33.** Chain of custody shall be strictly maintained for each exhibit and a chain of custody form properly maintained.

**PART X – DISASTER MANAGEMENT**

**Disasters Response**                    **34.** (1) Wildlife Security Officers shall respond to disasters in wildlife conservation areas, wildlife conservancies and sanctuaries.

(2) The Inspector General may deploy Wildlife Security Officers together with

their equipment in the management of national disasters and such officers and equipment shall be under the command and direction of the Inspector General until such time as he may release them from such deployment.

**Disaster  
Management  
Plan**

35. The Service shall put in place a Disaster Management Plan which shall guide disaster management and emergency response.

**PART XI – WILDLIFE SECURITY DATABASE**

**Establishment of  
Wildlife Security  
Database.**

36. (1) There is hereby established a Wildlife Security Database whose functions shall be to maintain data on –

- (a) wildlife mortality;
- (b) habitat destruction;
- (c) wildlife offenders;
- (d) wildlife security operations;
- (e) exhibits in wildlife crimes;
- (f) any other data regarding wildlife security.

(2) Subject to the provisions of the Evidence Act, Cap.80 and where it is required by a court of law, the contents of the Wildlife Security Database may be produced in a court of law by a competent Service Officer.

(3) The Service may carry out data harmonization exercises of the Wildlife Security Database jointly with other stakeholders to ensure accuracy of the data.

**Access to Wildlife  
Security Data.**

37. Any person who requires wildlife security data shall apply in writing to the Director General for such data.

**PART XII – OFFENCES AND PENALTIES**

**Disciplinary  
Offences**

38. All Wildlife Security Officers shall be subject to the Disciplinary Code.

**Offences Relating  
to Appointment  
of Wildlife  
Security Officers**

39. Any Wildlife Security Officer who makes a misrepresentation or gives any false information for purposes of being appointed or registered as a Service Officer, an

Honorary Warden, a Community Scout or a Wildlife Manager commits an offence and shall be liable on conviction to such penalty as is provided for in the Act.

**Offences Relating to Dress Regulation of Wildlife Security Officers.**

**40.** (1) Any person who without lawful authority is found in possession of any uniform or any article which has been supplied to a Service Officer, an Honorary Warden, a Community Scout or a Wildlife Manager for use in the execution of his duties as such commits an offence and shall be liable on conviction to such penalty as is provided for in the Act.

(2) Any person who without lawful authority assumes the uniform or distinctive part thereof of the Service, an Honorary Warden, a Community Scout or a Wildlife Manager commits an offence and shall be liable on conviction to such penalty as is provided for in the Act.

**Impersonation of a Wildlife Security Officer**

**41.** (1) Any person who not being a member of the Service, an Honorary Warden, a Community Scout or a Wildlife Manager falsely represents himself to be a member of the Service, an Honorary Warden a Community Scout or a Wildlife Manager commits an offence and shall be liable on conviction to such penalty as is provided for in the Act.

(2) Any member of the Service, Honorary Warden, Community Scout or Wildlife Officer who gives, sells or lends his uniform or any part thereof or any documentation or identity card confirming his appointment as a member of the Service, an Honorary Warden, a Community Scout or Wildlife Officer to an unauthorised person with the intent that the unauthorised person may personate him commits an offence and shall be liable on conviction to such penalty as is provided for in the Act.

**Offences Relating to Training of Wildlife Security Officers**

**42.** (1) Any person who without the written authority of the Board of Trustees trains or drills any unauthorised person in the use of arms or the practice of paramilitary exercises, movements or evolutions at the Law Enforcement Academy commits an offence and shall be liable on conviction to such penalty as is provided for in the Act.

(2) Any person, who without the written authority of the Board of Trustees presents himself for training or drilling in the use of arms or the practice of paramilitary exercises, movements or evolutions at the Law Enforcement Academy

commits an offence and shall be liable on conviction to such penalty as is provided for in the Act.

(3) It shall not be a defence for a person charged under sub-regulation (1) herein that he was following the orders, direct or indirect, of another person senior to him.

**Offences Relating to Security Operations**

43.(1) Any person who wilfully and unlawfully moves, resets, destroys or damages any mounted or static wildlife security equipment commits an offence and shall be liable on conviction to such penalty as is provided for in the Act.

(2) Any person who does any act with intent to impair the usefulness of any wildlife security equipment commits an offence and shall be liable on conviction to such penalty as is provided for in the Act.

(3) Any member of the Service, Honorary Warden, Community Scout or Wildlife Manager who, without written authority, publishes or discloses the contents of any operation order with intent to sabotage a planned operation commits an offence and shall be liable on conviction to such penalty as is provided for in the Act.

**Offences Relating to Use of Canines**

44. Any person who applies or wraps any wildlife trophy with any substance intended to repel a canine or temporarily or permanently destroy the olfactory senses of a canine commits an offence and shall be liable on conviction to such penalty as is provided for in the Act.

**Offences Relating to Investigation of Wildlife Crimes**

45.(1) Any person who wilfully and unlawfully, tampers with or interferes with a crime scene commits an offence and shall be liable on conviction to such penalty as is provided for in the Act.

(2) Any person who wilfully and unlawfully –

(a) interferes with any investigation; or

(b) gives false or misleading information to a Wildlife Security officer with the intent of interfering with an investigation;

commits an offence and shall be liable on conviction to such penalty as is provided for in the Act.

**Offences Relating to Wildlife Forensics**

46. Any person who wilfully and unlawfully –

(a) contaminates any sample or exhibit forwarded to the forensic laboratory



with the intent of aiding an offender; or

- (b) substitutes any sample or exhibit that is to be forwarded to the forensic laboratory for analysis;

commits an offence and shall be liable on conviction to such penalty as is provided for in the Act.

**Offences Relating to Exhibit Management.**

47.(1) Any person who wilfully and unlawfully –

- (a) misapplies an exhibit;
- (b) misplaces or mislays an exhibit;
- (c) destroys or damages an exhibit;
- (d) alters an exhibit;

commits an offence and shall be liable on conviction to such penalty as is provided for in the Act.

(2) Any person who wilfully and unlawfully interferes with the chain of custody of any exhibit commits an offence and shall be liable on conviction to such penalty as is provided for in the Act.

**Offences Relating to Wildlife Security Database**

48.(1) Any person who wilfully and unlawfully –

- (a) tampers with any data in the wildlife security database;
- (b) erases, destroys or damages any data in the wildlife security database;
- (c) submits false information for entry into the wildlife security database;

commits an offence and shall be liable on conviction to such penalty as is provided for in the Act.

(2) Any person who without authorisation alters any data in the wildlife security database commits an offence and is liable on conviction to such penalty as is provided for in the Act.

(3) Any person who without authorisation distributes or publishes any data in the wildlife security database commits an offence and is liable on conviction to such penalty as is provided for in the Act.

**Attempts to commit offences under the Act or**

49. (1) The provisions of Section 388 of the Penal Code shall apply with respect to attempts to commit offences under the Act or the Regulations.

## **Regulations**

(2) Any person who attempts to commit an offence under the Act or Regulations is guilty of an offence and is liable upon conviction to the same penalty as if he had committed the offence.

## **Enforcement of the Convention on International Trade in Endangered Species**

**50.** Any person who without a permit –

- (a) is in possession of any plant, animal or its trophy listed in Appendix I, II or III of the Convention on International Trade on Endangered Species for which no offence is prescribed in the Act;
- (b) manufactures any item out of any plant, animal or its trophy listed in Appendix I, II or III of the Convention on International Trade on Endangered Species for which no offence is prescribed in the Act;
- (c) deals with any trophy listed in Appendix I, II or III of the Convention on International Trade on Endangered Species for which no offence is prescribed in the Act;
- (d) trades in any plant, animal or its trophy listed in Appendix I, II or III of the Convention on International Trade on Endangered Species for which no offence is prescribed in the Act;
- (e) imports any plant, animal or its trophy listed in Appendix I, II or III of the Convention on International Trade on Endangered Species for which no offence is prescribed in the Act;
- (f) exports any plant, animal or its trophy listed in Appendix I, II or III of the Convention on International Trade on Endangered Species for which no offence is prescribed in the Act;
- (g) transports or conveys by any means or any vessel any plant, animal or its trophy listed in Appendix I, II or III of the Convention on International Trade on Endangered Species for which no offence is prescribed in the Act; or
- (h) harvests, cuts or removes any plant listed in Appendix I, II or III of the Convention on International Trade on Endangered Species for which no offence is prescribed in the Act

commits an offence and shall be liable on conviction to such penalty as is provided for in the Act.

**FORM A  
EXHIBIT MEMO FORM**




**EXHIBIT MEMO FORM**

<b>Station:</b>	<b>Division:</b>	<b>Charge Register:</b>
<b>To:-</b> No.....	<b>Hollerith Code</b>	
<b>I forward herewith <u>*by registered:-</u> No.</b>		
<b>*under escort of</b>		
Exhibits enumerated below for favour of examination		
(*strike out whichever is inapplicable)		
<b>Exhibits and identification markings:-</b>		
<b>Precise of evidence: -</b>		
<b>It is desired to ascertain: -</b>		
<b>Name of complainant:-</b>		
<b>Name of accused (if known) :-</b>		
<b>Offence and section:-</b>		
<b>Time date and place committed:</b>		
<b>Time date and place exhibit(s) found and by whom:-</b>		
<b>Taken possession of by:-</b>		
Date.....		

Signed.....
<b>Exhibits enumerated above received.</b>
Signed..... Date.....
<b>Note:-</b> This form to be completed in triplicate, three copies to accompany exhibit, second copy to be returned as report, third copy to be returned as receipt.(PTO)

**FORM B**  
**CHAIN OF CUSTODY FORM**

					
<b>A.</b>	<b>PARTICULARS OF RECOVERING OFFICER</b>				
	Name		EST No.		
	Park/Station		Conservation Area		
	Time		Signature		
<b>B.</b>	<b>PARTICULARS OF RECOVERY</b>				
	Place of Recovery(Exact place, area &County)				
	Particular Position (e.g car, house)				
	Date and Day of Recovery				
	Time of Recovery				
	Name(s) of Accused Person(s)	(1)			
		(2)			
		(3)			
		(4)			
		(5)			
<b>C.</b>	<b>PARTICULARS OF EXHIBITS:</b>				
	<b>1. Trophies</b>				
	Type (e.g Ivory, skin)	Quantity (No.)	Quantity (Kg)	Unique Markings	Other Information
	(a)				
	(b)				
	(c)				
	(d)				
	<b>2. Vessels (including motor vehicles, motor bikes, boats etc)</b>				
	Registration No.	Make	Colour	Owner (if known)	Other Information
	(a)				
	(b)				
	(c)				
	<b>3. Firearms and Ammunition</b>				
	Make	Calibre	Serial No.	Unique Markings	Other Information
	(a)				
	(b)				
	(c)				

(d)					
<b>4. Other Exhibits</b>					
	Nature	Quantity	Other Information		
(a)					
(b)					
(c)					
<i>Exhibits enumerated above taken over by Investigating Officer</i>					

**D. PARTICULARS OF INVESTIGATING OFFICER**

Name		EST No.	
Park/Station		Conservation Area	
Date & Time		Signature	

**E. CHAIN OF CUSTODY**

Item No. (Eg C1(a))	Date	Time	Released By		Received By		Purpose of Change of Custody
			Name		Name		
			Est		Est		
			Sign		Sign		
			Name		Name		
			Est		Est		
			Sign		Sign		
			Name		Name		
			Est		Est		
			Sign		Sign		
			Name		Name		
			Est		Est		
			Sign		Sign		
			Name		Name		
			Est		Est		
			Sign		Sign		

**F. DISPOSAL**

Final Disposal Authority	
Exhibits Released To	Name
	ID No.

		Date				Signature			
<i>Fill the following part if exhibit released to the Service:</i>									
Action To Be Taken (tick)		Storage		Destruction		Disposal		Use in Service	
1.	Destruction	Witness to Destruction		Name				Sign	
2.	Disposal	Witness to Disposal		Name				Sign	
3.	Use in Service	Officer taking over		Name				Sign	
<b>G</b>	<b>CLOSURE SECTION</b>								
	Checked By	Est		Name		Sign		Date	
	Authorized By	Est		Name		Sign		Date	