

NOTIFICATIONS

26th August, 1981

No. SOFT (FAD)VIII-4/75/27476-86--- In exercise of the powers conferred by section 43 of the ¹[Khyber Pakhtunkhwa] Wildlife (Protection, Preservation, Conservation and Management) Act, 1975 (²[Khyber Pakhtunkhwa] Act V of 1975), the Government of the ³[Khyber Pakhtunkhwa] are pleased to make the following rules:---

1. (1) These rules may be called the ⁴[Khyber Pakhtunkhwa] Falcons (Procedure for Trapping, Possession and Export) Rules, 1980.

(2) They shall come into force at once.

2. In these rules, unless the context otherwise requires---

(a) "Act" means the ⁵[Khyber Pakhtunkhwa] Wildlife (Protection, Preservation, Conservation and Management) Act, 1975 (⁶[Khyber Pakhtunkhwa] Act V of 1975).

(b) "Form" means a form appended to these rules.

(c) "Year" means a calendar year beginning from 1st January and ending on 31st December.

3. (1) No person shall, unless he be in possession of a valid licence, permit and/ or certificate of Lawful possession:---

(a) deal, as a trade, business or profession in falcons;

(b) trap or capture, keep or possess, buy or sell, or train falcons, except for the purposes of export ; and

(c) export falcons outside the Province by any means of travel, i.e., air, rail or road.

(2) The Divisional Forest Officer (wildlife), shall be the authority to issue licences, permits, certificate, etc., on payment of fee specified in rule 4.

¹ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

² Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

³ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁴ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁵ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

⁶ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.

4. (1) For the purposes of rule 3, the following fee shall be levied and charged:---

(a)	for falcon dealing licence	..	Rs. 20,000.00
(b)	for falcon trapping licence	..	Rs. 10,000.00
(c)	for falcon training licence	..	Rs. 2,000.00
(d)	for certificate of lawful possession of falcon	..	Rs. 2,000.00 per bird.
(e)	for certificate of lawful possession of laggar falcon and other similar species.	..	Rs.100.00 per bird.
(f)	for falcon exit permit	..	Rs. 4,500.00 per bird.

Note.--- A person in possession of dealing or trapping licence or exit permit shall not be required to have certificate of Lawful possession.

(2) A licence, certificate or permit under sub-rule (1) shall be valid for such area and for such period as may be specified in the licence, certificate or permit, as the case may be.

5. No licence, certificate of permit issued under rule 3 shall be entitle the holder thereof to falconry.

6. No dealer shall sell or transfer any falcon to any person unless such person has with him an authority letter issued by the Divisional Forest Officer, Wildlife, for such sale or transfer.

7. A Licence dealer shall acquire his stock of falcons only from a licence trapper while a licences trapper shall be bound to sell his stock only a licenced dealer.

8. The dealer shall keep up to-date record of his stock and shall produce it to Division Forest Officer, Wildlife or his subordinate staff for checking as and when required.

9. The Purchaser shall report the number of falcons purchased by him for export to the Divisional Forest, Wildlife.

10. The exit permit shall to be produced at the check posts along with the falcons when they are transported outside the Province.

11. The dealer shall specify the premises of his dealing in writing while applying for dealers licence and shall restrict his dealing to the premises so specified.

12. The dealing premises should be reasonably approachable and visitable by foreign dignitaries.

13. If a dealer is also a licenced trapper, he should registered names of all the members of trapping party employed by him, in the office of Divisional Forest Officer, Wildlife, and such employees will bear an authority from the dealer.

14. The owners/manager or any other person acting on his behalf, of any hotle, motel, inn or any other place where the exporter/ importer or in any way dealer in falcons or its tropheies is staying, shall be bound to show the wildlife staff, the particulars of person staying and the falcons or its trophies in their possession.

15. (1) Divisional Forest Officer, Wildlife, Range Officer, Wildlife Deputy Range Officer, Wildlife and Wildlife watcher is hereby authorised to search any person, premises, vessel, vehicle, animal, package, receptacle or covering without warrant to satisfy himself weather or not an offence under the Act or these rules has been committed.

(2) The officer mentioned in sub-rule (1) are further authorized to arrest without warrant any person who has committed or is suspected to have committed an offence under the Act, or these rules.

(3) The Divisional Forest Officer, Wildlife and Range Officer, Wildlife, shall be competent to release the person so arrested on bond.

16. (1) The Divisional Forest Officer, Wildlife, Range Officer, Wildlife, Deputy Range Officer Wildlife, and Wildlife watcher are authoised to seize any falcon having been caught or possessed in contravention of these rules.

(2) The Divisional Forest Officer, Wildlife, is authoised to confiscate the falcons captured or possessed otherwise than in accordance with the provisions of these rules.

SAHIBAZADA MUHAMMAD AYAZ,
Secretary to Government of ⁷[Khyber Pakhtunkhwa],
Agriculture, Forests and Co-Operation Department.

⁷ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011.