



HERBERT CHITEPO LAW SCHOOL

DEPARTMENT OF LAW

BACHELOR OF LAWS HONOURS DEGREE

LEVEL 3 SEMESTER 2, LEVEL 5 SEMESTER 1, LEVEL 5 SEMESTER 2

EXAMINATION QUESTION PAPER

MODULE CODE	LLB629
MODULE NARRATION	WILDLIFE LAW
DATE	2024
DURATION	3 HOURS

INSTRUCTIONS TO CANDIDATES:

1. Answer ALL questions from Section A and THREE questions from Section B.
2. Students may not take any materials into the examination.
3. You are advised to read all questions carefully before attempting to answer any.
4. You are advised to cite relevant authorities to support your answers.
5. This paper consists of five pages.

SECTION A

Question 1

This is a compulsory question

Peter shot an impala under permission and with a Hunting Permit in Mr Matutu farm. The Impala crossed to the next Chigwizi farm. Chigwizi Farm is owned by Mr Matsiga . Peter entered Chigwizi Farm with the purpose of retrieving the Impala. The injured Impala upon seeing Peter and his hunting party started running, Peter continued following the animal and was caught by Mr Matsiga the owner of Chigwizi farm. Peter was arrested while following the Impala

1. Who owns wildlife in Zimbabwe? {5 marks}
2. What are the implications of owning wildlife in Zimbabwe? {4 marks}
3. Is Peter guilt of an offence? Explain fully. [5 marks]
4. Explain hunting in terms of the relevant legislation in Zimbabwe. {5 marks}
5. With the aid of Case law and citing the relevant provisions of the legislation name and explain the classification of wildlife in Zimbabwe {6 marks}

Total Marks: {25}

Section B

Answer any 3 questions.

Question 2

Analyse the Supreme Court's decision in the case of **State vs Tarr 1999 (2) ZLR 308 (HC)** in relation to wildlife protection, classification of land use and hunting of wildlife . In your analysis, identify whether there are any the gaps in the law based on the decision of this case. Discuss whether the Supreme Court reached the correct decision, justifying your answer. {15 marks}

Question 3

- a) Define Human Wildlife Conflict, citing practical examples? {3 marks}
- b) Discuss the causes of HWC and ways to mitigate it. {12 marks}

[Subtotal 15 Marks]

Question 4

Farai was arrested whilst illegally hunting in Hwange Park. After arresting Farai, the Parks officers went on to shoot and kill his dogs. Farai argued that it was unlawful to kill his dogs since the dogs were in his company and he had not resisted arrest.

4.1. Were the Parks Officers right and what advice would you give Farai in the case [5 Marks]

4.2 Discuss the importance of classification of Land use in the Parks and wildlife estate

[10 Marks]

[Subtotal 15 Marks]

Question 5

Wildlife Law as a component of the Zimbabwean legislative framework and the judicial system does not exist in isolation. Like many other forms and components of our law it is intricately intertwined with other facets of the law. In light of the above statement, accompanied by accurate legislative examples and case law, describe and explain how Wildlife Law intersects with Environmental Law in Zimbabwe. [15 marks]

Question 6

- 6.1. In terms of the provisions of section 8 of the Parks and wildlife Regulations, there are Prohibitions to preserve the Parks and wildlife estate. List any five of these provisions and explain them [10 Marks]
- 6.2. Through giving examples, explain the reasons for the existence of subsidiary legislation in the context of wildlife management in Zimbabwe [5 Marks]

[Subtotal 15 Marks]

TOTAL 70 MARKS

END OF QUESTION PAPER