



ANNEXURE D

KNP OSV CODE OF CONDUCT

NOVEMBER 2023

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1. SECTION 1: INTRODUCTION

South African National Parks (SANParks) is the leading conservation management agency in South Africa and strives to ensure best practice in its everyday operations. The highest standards of conduct and professional ethics are expected from all registered OSV operators and their stakeholders operating in the Kruger National Park (KNP). This Code of Conduct has been developed to provide guidance towards compliance with all standards, and to demonstrate best practice in action, consistent with SANParks core values, vision, mission, legislative commitments, policies and procedures.

Furthermore, SANParks is committed to compliance with all the laws of the Republic of South Africa, which apply equally in the KNP. Consequently, all the country's laws are applicable in the KNP. Nobody has the authority to override laws, or to instruct anyone enforcing any law not to do so. Doing so constitutes interference in the duties of the law enforcer and such acts will be deemed as criminal offences.

Chapter 2, Section 24 of the Bill of Rights, as contained in the Constitution of South Africa (Act 108 of 1996) states that:

Everyone has the right-

- a) To an environment that is not harmful to their health or well-being; and*
- b) To have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that:*
 - prevent pollution and ecological degradation;*
 - promote conservation; and*
 - secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.*

2. SECTION 2: POLICY STATEMENT

The KNP OSV Code of Conduct provides guidelines on appropriate and desirable conduct between OSV operator, public sector and SANParks.

3. SECTION 3: OPEN SAFARI VEHICLE OPERATIONS IN THE KNP

All OSV operators require a KNP OSV permit in order to operate in the KNP. OSV operators will need to apply and register with the KNP OSV office in order to obtain the said permit which will be accompanied by the KNP Monitoring Vehicle Decal (KNP-MVD). OSV permits will be valid from the date of issue until the 31st of October of each year.

3.1. OSV OPERATORS APPLICATION REQUIREMENTS

For successful applications, operators will have to meet the following requirements and be in possession of the following valid documents:

- a) Company Registration Document,
- b) TAX Clearance Certificate,
- c) Letter / Policy from Insurer indicating Passenger Liability, Third Party and Public Liability Insurance,
- d) Shareholder Identity Documents (for each Shareholder),
- e) B-BBEE Certificate, Accountant Letter or an Affidavit,
- f) Motor Vehicle Licence, Licence Disk, Road Worthy Certificate and Operator Card (specifying correct vehicle category & registered to carry 11 passengers - per vehicle),
- g) Operating Licence (if still in process, proof of application will suffice),
- h) OSV SABS Certificate or Certificate of Compliance,
- i) KNP OSV Inspection Certificate not older than five (05) years, and
- j) List of employed Field Guide/s with valid documentation (*see clause 3.2*),
- k) SANParks Debtor / Credit Application for TAX INVOICE.

3.2. FIELD GUIDE REQUIREMENTS

Field Guides must comply with the KNP OSV Code of Conduct in its entirety. It is the obligation and responsibility of OSV Operators to ensure that their employed guides adhere to this code of conduct. All Field Guides that are to operate for a registered OSV Operator will have to meet the following minimum requirements and be in possession of the following valid documents:

- a) FGASA (Apprentice Field Guide) or CATHSSETA (NQF2) guiding qualification,
- b) Tourist Guide ID Card/Badge,
- c) Professional Driving Permit,
- d) Driver's license for the category of vehicle used,
- e) First Aid Certificate,
- f) DEAT Registration,
- g) KNP Orientation Training Certificate (in the process to be reviewed).

4. SECTION 4: GAME DRIVE REQUIREMENTS

A mandatory KNP Game Drive briefing of all terms and conditions of entry as stipulated in the Gate Entrance leaflet must be given to the guests and guest are to be fully aware of the following among other things:

- Litter & waste management (OSV operators are required to assist with waste management in a responsible manner. *Whatever litter comes into the Park must leave the Park and OSVs must have adequate facilities for litter*),
- Remaining in the vehicle apart from at designated areas where guests are allowed to alight from vehicle,
- Respecting the sanctity of the wildlife and other park guests,
- Safety requirements.

The guests are under the Field Guides' supervision once an activity commences and the Field Guides will, to a certain extent, be responsible for the guests on board.

5. SECTION 5: GAME DRIVES

5.1. DRIVE PROCEDURES

The following must be adhered to by the Field Guides on a game drive:

- a) All no-entry access roads (including entry into staff villages) are strictly prohibited for all unauthorised personnel including OSV Operators/Guides.
- b) All vehicles are to keep to the KNP speed limit of 50 KM/H on main roads and 40KM/H on dirt roads.

- c) Speeding and reckless driving will be prosecuted.
- d) Two tyres must always be on the road surface at sightings.
- e) Noise levels whilst on drive, especially whilst at a sighting, must be strictly controlled to avoid disturbing the game or other people sharing the experience.
- f) A parked vehicle along the main road can be overtaken by slowing down to avoid hitting an animal that maybe crossing or disturbing the sighting.
- g) The presence of other OSV operators and the public within the park must be respected.
- h) No smoking is allowed on an OSV while on a game drive.
- i) No fires are allowed to be started in the park unless at designated places.
- j) Stopping in such a way as to block traffic is prohibited and vehicles must keep as much to the left on the road as possible, in the prevailing traffic direction.
- k) A lane must always be kept free to allow for traffic to still move.
- l) Field Guides must remember that KNP is a domain for animals and that they always have a right of way.
- m) Revving the vehicle or pressurising animals in any way to move off the road is prohibited.
- n) Switch vehicle off while at a sighting.
- o) Any breakdowns of OSVs in the park must be reported to the emergency numbers.
- p) Vehicles must remain at a safe and comfortable distance from animals as to not disturb its normal behaviour.
- q) Guides should not monopolise a sighting for long periods, preventing other users from accessing the sighting. Parking for more than 15 minutes at a sighting is discouraged.

5.2. ETHICAL GAME VIEWING

- a) All animals are to be approached with caution, respecting their personal space. Personal space will vary between species.
- b) Animals are to be left in the same fashion as on approach, allowing other vehicles and visitors the same opportunity for viewing.

- c) Driving in between lions and their prey or hippo and water is prohibited and herds or family units are not to be split up.
- d) Breaking or removal of any vegetation, artefacts, horns or anything from the park is prohibited.

5.3. RADIO PROCEDURES

The OSV Operator shall not and shall ensure that its employees, contractors or agents do not use vehicle radios for any other reason or purpose, including but not limited to reporting of sightings, except for emergencies. OSV Operators are requested to turn radios off during the guided activity.

6. SECTION 6: SAFETY PROCEDURES

- 6.1. Guests may not stand up while the vehicle is in motion and/or have any of their body parts outside the vehicle.
- 6.2. Calling, waving, whistling and making any noises to attract the attention of animals is prohibited.
- 6.3. Each OSV must have a First aid kit.
- 6.4. All animals should be regarded as potentially dangerous and must be approached carefully and cautiously at all times.
- 6.5. No Field Guide conducting a game drive is permitted to consume alcohol a minimum of 6 hours before or during the activity.
- 6.6. No OSV Field Guide will be permitted to carry any form of firearm.
- 6.7. Infants younger than 3 years of age will be permitted on Open Safari Vehicles provided the entire OSV is occupied by one family or guests confirming their collective participation on the said activity, but they must be always accompanied by an adult. The guide will always take other guests into consideration, especially at sightings. The allowing of infants on OSVs will be limited to a testing period and will be reviewed if any complaints are received from other guests to the KNP.
- 6.8. Field Guides should ensure that areas around the vehicle are safe at all times.
- 6.9. All occupants of OSVs including Field Guides may only get off the vehicle at designated areas permitted by KNP.

7. SECTION 7: OSV ACCESS INTO THE KNP

As per the KNP guest access procedure.

8. SECTION 8: COMPLAINTS AND NON-COMPLIANCE

8.1. COMPLAINTS

- a) Complaints will be forwarded to the KNP OSV offices or SANParks Customer Care offices.
- b) KNP-MVD will be placed on the back of each vehicle to assist the public to direct their complaints to the correct office.
- c) All complaints will be assessed and recorded by KNP Management and where necessary addressed with the affected OSV operators.
- d) Recorded excessive complaints of an OSV operator will jeopardise their KNP OSV contract which may result in termination of the said contract.

8.2. NON-COMPLIANCE

Non-compliance of any KNP rules, regulations, terms & conditions, KNP OSV Code of Conduct, and any other national law in the KNP will result in immediate termination of OSV operators' KNP OSV contract with the park and possible legal action taken against the OSV operator.

9. SECTION 9: OFFENCES FINES

Fines will be issued as per National Environmental Management Act, 1998 (Act No. 107 of 1998); National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) and Protected Areas Regulations promulgated in terms thereof (Section 86, Admission of Guilt Regulations). Below is a list of some of the fines affecting any guest and OSV operator as per Protected Areas Regulations:

REGULATION	DESCRIPTION	AMOUNT
4(1)(a)	Introduction of any species or specimen, or parts thereof, into a national park without prior written consent of a management authority, license, permit or receipt.	R1500,00
4(1)(c)	Intentional disturbing any species or specimen in a national park.	R1000,00
4(1)(d)	Feeding any species or specimen in a national park.	R500,00
4(1)(e)	Use any recording of the sound of a species or specimen or imagery or scent of a species or specimen to attract animals.	R500,00
4(1)(f)	Remove any wood, sand, gravel, stone, sea shell, guano or other material without prior written consent of a management authority, license, permit or receipt.	R2500,00
4(1)(i)	Significantly alter or change the sense of place, or any environmental, cultural or spiritual values in a national park without prior written consent of a management authority, license, permit or receipt.	R1500,00
9(1)	Entering or remaining in a national park without payment of an entrance fee as determined by the management authority.	R1000,00
9(2)	Entering or remaining within the boundaries of accommodation or recreational facilities in a national park without paying the fees determined for such accommodation or facilities or, without permission of the management authority.	R1000,00
10(1)	Entering or leaving a national park at any place other than through an official point of entry or exit without the written permission of the management authority.	R1500,00
11(1)	Failing to display receipt for the entrance fee or the permit authorizing entry into the national park.	R500,00
13(1)(a)	Staying overnight in a national park without the permission of the management authority.	R1500,00
13(1)(b)	Staying overnight in a national park without payment of the applicable fees as determined by the management authority.	R1500,00

13(1)(c)	Staying overnight in a national park without first reporting to the designated reception office or to an authorized official assigned to perform escort duty.	R1500,00
13(1)(d)	Staying overnight in a national park if no accommodation has been reserved or is available for that person.	R1500,00
13(1)(f)	Staying overnight in a national park at any place other than a place designated by the management authority.	R1500,00
14	Entering, leaving or travelling in a national park at any time other than the times determined by the management authority.	R500,00
15	Entering or travelling in a national park in a vehicle that does not conform to the dimensions and other requirements determined by the management authority from time to time.	R1000,00
16(1)(a)	Driving, parking or stopping a vehicle in a national park in a way that constitute a nuisance, disturbance or danger to any other person.	R2000,00
16(1)(b)	Driving in a national park in a way that causes an obstruction or blocks the pathway of a management operation or emergency vehicle.	R1500,00
16(1)(c)	Parking a vehicle in a national park in a place other than a place designated for that purpose.	R500,00
16(1)(d)	Driving or parking a vehicle in a national park in an area other than a designated road or place.	R1000,00
16(1)(e)	Driving a vehicle in a national park causing damaging or acting in a manner that could cause damage of any nature whatsoever, including damage to any roads, plants or animals.	R1000,00
18(4)	Intentionally obstructing, disturbing, interrupting or annoying any person engaged in the proper use of the national park.	R1000,00
20(1)(a)	Filming and simultaneously transmitting photographic images, in a national park by the use of a webcam or other image recording or transmitting device without a license, permit or agreement with the management authority.	R2500,00

20(1)(b)	Conducting a tour, in a national park without a license, permit or agreement with the management authority.	R2000,00
20(1)(c)	Conducting any kind of competition in a national park without a license, permit or agreement with the management authority.	R1500,00
20(1)(d)	Selling or hiring of goods or the offering of goods for sale or hire in national park without a license, permit or agreement with the management authority.	R1000,00
20(1)(e)	Providing or offering to provide any service for a fee or reward in a national park without a license, permit or agreement with the management authority.	R1000,00
20(1)(h)	Conducting an activity of any kind for the purpose of fund raising, personal gain or making a profit in a national park without a license, permit or agreement with the management authority.	R1500,00
22(a)	Use or cause to be used, any loudspeaker or similar device or other noisy equipment.	R1500,00
30(h)	Driving a vehicle off-road or off designated roads or tracks in a national park without the written permission of the management authority.	R2500,00
37(3)	Block or restrict access to any road or other point of entry.	R1500,00
40(a)	Depositing or leaving, in a national park, any litter or other waste material in an area or receptacle other than an area or receptacle provided for that purpose.	R2000,00
43(a)	Offering any show or entertainment, conducting any business or trade or collecting any money from the public, in a national park without the prior written consent of the management authority.	R2000,00
43(f)	Placing, throwing, dumping or letting out any refuse, rubbish or used containers in a national park.	R2000,00
43(j)	Placing, displaying or distributing any advertisement, promotional material or notice anywhere in a national park	R1500,00

	without the prior written permission of the management authority.	
43(n)	Behaving in an offensive, improper, indecent or disorderly manner in a national park.	R1500,00
62(a)	Hinders, troubles, intimidates, or obstruct an authorized official in the execution of his or her duties, or the performance of his or hers functions.	R1500,00
62(b)	Violates, refuses or fails to obey or comply with any prohibition, request or instruction imposed by these regulations or by the management authority or authorized official.	R1500,00
62(c)	Violates, refuses to obey or comply with any prohibition request or instruction, by alighting from a motor vehicle or protruding from an open window door or roof.	R1500,00