

29 September 2023 – The Minister of Forestry, Fisheries and the Environment, Ms Barbara Creecy, has published a Government Notice, under section 9A read with sections 99 and 100 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004), in the Government Gazette, to consult on her intention to prohibit the establishment or registration of new captive breeding facilities, commercial exhibition facilities, rehabilitation facilities or sanctuaries in respect of live specimens of African lion (*Panthera leo*) and the keeping of live specimens of African lion (*Panthera leo*) in any other new controlled environment.

In 2018, the Parliamentary Portfolio Committee for Environmental Affairs convened a Colloquium on Captive Lion Breeding for Hunting in South Africa: harming or promoting the conservation image of the country. One of the recommendations made by the Portfolio Committee was that a policy and legislative review of captive breeding of lions for hunting and lion bone trade should be initiated as a matter of urgency, with a view to putting an end to this practice.

Following the Colloquium, as part of a comprehensive process of policy and legislative review, the Minister of Forestry, Fisheries and the Environment appointed a High-Level Panel (HLP) in October 2019 to review policies, legislation and practices relating to the management, breeding, hunting, trade and handling of elephant, lion, leopard and rhinoceros. The HLP's report and recommendations were adopted by Cabinet in April 2021. The HLP recommended that South Africa should not captive breed lions, keep lions in captivity, or use captive lions or their derivatives commercially.

The White Paper on Conservation and Sustainable Use of South Africa's Biodiversity was approved by Cabinet on 29 March 2023 and published on 14 June 2023. The White Paper sets the broad

overarching policy from which the species-specific legislation, policies and strategies are developed.

The consideration of the well-being of animals in the management, conservation and sustainable use thereof is now one of the objectives of the National Environmental Management: Biodiversity Act, 2004. "Well-being" is defined in section 1 of the Act as "the holistic circumstances and conditions of an animal, which are conducive to its physical, physiological and mental health and quality of life, including the ability to cope with its environment."

It has become critical to implement appropriate measures to avoid the establishment of new captive facilities for lion whilst the development of a policy, strategy and legislation are under consideration to phase out the captive lion industry.

Lions are sentient and social animals and as such more consideration needs to be given to promoting their well-being, compared to that of less sentient species. These considerations include their physical and mental health, quality of life, and their ability to cope with their environment.

Consideration of lions' well-being also includes providing opportunity for complex social interactions, such as the ability to interact naturally with other lions, for example, as groups of males, with groups of females or with their offspring. This requires sufficient space for groups of lions to choose to be together in a group, or to move separately at sufficient distance to provide for a refuge from the group. Artificial behavioural enhancement may not be sufficient to substitute for these highly evolved needs.

Lion is a highly territorial and competitive species, especially in respect of competition for access to mates and promoting the production and survival of their own progeny. The ability to escape

when dominated as a result of intra-specific competition is a critical consideration.

As apex predators, hunting and killing, as well as the diverse diet associated with a generalist apex predator and access to prey, are central to the physiology and behaviour of lions.

In addition to minimum standards of husbandry, as well as diverse and healthy diets, sufficient space and opportunity to conduct natural behaviours, and for refuge, when necessary, are all thus critical elements for providing for the physical and physiological requirements of lion, and to ensure their well-being.

The proposed prohibition relates only to the establishment or registration of new captive breeding facilities, commercial exhibition facilities, rehabilitation facilities or sanctuaries in respect of live specimens of African lion (*Panthera leo*) and the keeping of live specimens of African lion (*Panthera leo*) in any other new controlled environment. Persons who operate under existing permits and the establishment or registration of new exhibition facilities, rehabilitation facilities or sanctuaries, which provide a public function or operates on a non-profit basis are not affected.

Members of the public are invited to submit, within 30 days from the date of publication of the Notice in the Government Gazette or in the newspaper, whichever date is the later date of publication, written comments to this Notice to any of the following addresses:

**By post to:**

**The Director-General: Department of Forestry, Fisheries and the Environment**

**Attention: Mr Khuthadzo Mahamba  
Private Bag X447  
PRETORIA  
0001**

**By hand at: Reception, Environment House, 473 Steve Biko Road,  
Arcadia, Pretoria, 0083 *or***

**By e-mail: [lionprohibition@dffe.gov.za](mailto:lionprohibition@dffe.gov.za)**

Any inquiries in connection with this Notice or to obtain a copy of the draft Socio-Economic Impact Assessment (SEIAS) Report, can be directed to Mr Khuthadzo Mahamba on +27 64 880 8728 or [lionprohibition@dffe.gov.za](mailto:lionprohibition@dffe.gov.za).

**ISSUED BY THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

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