

# BECHUANALAND PROTECTORATE.

No. 4 of 1926.

[Promulgated 9th April, 1926.]

## PROCLAMATION

By His EXCELLENCY THE HIGH COMMISSIONER

Entitled "The Bechuanaland Protectorate Diseases of Stock Proclamation, 1926."

Whereas it is expedient to amend the law relating to the prevention of diseases among stock in the Bechuanaland Protectorate (herein after referred to as "the territory").

Now therefore under and by virtue of the powers in me vested I do hereby declare, proclaim and make known as follows:—

1. The undermentioned Proclamations are hereby repealed:—

Proclamation No. 6 of 1902, No. 9 of 1902, No. 14 of 1904, No. 16 of 1904, No. 23 of 1906, No. 11 of 1907, No. 2 of 1909, No. 22 of 1909, No. 25 of 1909, No. 14 of 1911, No. 3 of 1913, No. 8 of 1914, No. 32 of 1915, and No. 36 of 1924 and No. 1 of 1926, together with any notices issued thereunder.

2. It shall be lawful for the High Commissioner from time to time by notice in the *Gazette* to make, alter and repeal regulations for the territory for all or any of the following purposes, and to provide penalties for the breach thereof:—

- (1) The prevention of the introduction to and spread in the territory of any disease specified in such regulation.
- (2) The regulation and prevention of the importation into the territory of stock or of any article or thing from any place outside the territory and of the movement of stock within the territory.
- (3) The notification of the outbreak of any disease.
- (4) The inspection of stock and the payment by the owner or person in charge of any stock of fees for such inspection.
- (5) The detention, isolation, concentration, testing, inoculation, disinfection, branding and dipping or removal of stock, the disinfection of buildings and clothing and the payment by the owner of all expenses connected therewith.
- (6) The slaughter of stock and the destruction of any article or thing with or without compensation to the owner.
- (7) The burial or destruction of carcasses and the payment by the owner or person in charge of such carcasses of all expenses connected therewith.
- (8) The fencing of any area for the prevention of the introduction or spread among stock in the territory of any disease specified in such regulation.

3. Where in any prosecution under the regulations it is necessary to establish that an accused person suspected or had any reasonable grounds for suspecting the existence of any fact, the burden of proving that he did not so suspect or had no reasonable grounds for so suspecting shall lie upon the accused.

4. Where under any regulation made under this Proclamation it shall be necessary to obtain a permit in writing from any official, the onus shall be upon the person charged with a contravention of such regulation to prove that a permit has been issued to him under such regulation. A certificate under the hand of the official shall in such case be prima facie evidence of the fact of his having issued or not having issued such permit as the case may be.

5. A certificate under the hand of any Government analyst or bacteriologist, or of the Chief Veterinary Officer, shall in any prosecution be prima facie evidence of the facts stated therein, and it shall not be necessary for the prosecution to tender the oral evidence of such analyst, bacteriologist or Chief Veterinary Officer in support of the statements made, or opinions given in the certificate, unless the Court specially directs, in which case the Court shall grant a remand to enable the person whose presence is required to attend.

6. In any prosecution for an offence against the provisions of any regulation made under this Proclamation

(a) any person required by a regulation made under this Proclamation to possess a permit, certificate or receipt in order to do or refrain from doing any act or thing shall produce the same on demand to any police officer or to the Court or give other satisfactory proof of possessing the same and in the absence of such proof shall be presumed not to possess such permit, certificate or receipt.

(b) A certificate by a magistrate or other official as defined in the regulations shall be taken to be sufficient proof of the facts contained in such certificate.

7. This Proclamation may be cited for all purposes as the Bechuanaland Protectorate Diseases of Stock Proclamation 1926, and shall have force and take effect from the date of its publication in the *Gazette*.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Twenty-sixth day of March One thousand Nine hundred and Twenty-six.

ATHLONE,  
High Commissioner.

By Command of His Excellency the  
High Commissioner.

B. E. H. CLIFFORD,  
Imperial Secretary.