

BECHUANALAND PROTECTORATE.

No. 3 of 1932.

(Promulgated 8th January, 1932.)

PROCLAMATION

By His Excellency the High Commissioner.

Providing for the levying on certain goods on their importation into the Bechuanaland Protectorate of special customs duty or primage and amending the Customs Tariff and Excise Duties Amendment Proclamation, 1925.

Whereas it is expedient to provide for the levying on certain goods on their importation into the Bechuanaland Protectorate (hereinafter referred to as "the territory") of a special customs duty or primage and to amend the Customs Tariff and Excise Duties Amendment Proclamation 1925;

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

1. Subject to the exemptions provided for in this Proclamation, there shall be levied on all goods, other than goods referred to in items 15 (a) (i) and (ii), 91, 283, 311, 312, 317, 325 and 326 of the First Schedule to the principal law imported into the territory on or after the thirtieth day of October, 1931, in addition to the duties levied under the principal law, a special customs duty at the rate of five per centum of the value of such goods, as determined for purposes of duty in terms of section *fourteen* of the principal law.

2. No primage shall be levied on—

- (a) any goods produced or manufactured in the Union of South Africa, Southern Rhodesia, Northern Rhodesia, Basutoland and Swaziland or the Province of Mozambique which under an agreement entered into between the Government of the territory and the Government of any such country wherein such goods were produced or manufactured, and existing at the commencement of this law, may be imported into the territory free of customs or import duty; or
- (b) any goods produced or manufactured in the mandated territory of South West Africa; or
- (c) any goods which were, on the twenty-ninth day of October, 1931, in a bonded warehouse at Lourenco Marques; or
- (d) printed books, newspapers, periodicals or printed music referred to in item 284 of the First Schedule to the principal law, imported through the post if imported not for the purpose of being sold; or
- (e) any goods imported through the post other than goods referred to in paragraph (d) if of a value of less than five shillings and if imported not for the purpose of being sold; or
- (f) bona fide samples intended solely for use in the taking of orders and not for sale, imported by commercial travellers or by representatives of foreign business undertakings; or
- (g) goods not intended for consumption in but imported into the territory by bona fide tourists for their own use; or
- (h) goods to which paragraph (e), (k) or (m) of section *twelve* of the principal law applies; or
- (i) goods imported and declared on importation to be imported for the purpose of being supplied out of bond to any Government of His Britannic Majesty.

3. When primage has been paid or is due on any goods it shall not be refunded or rebated under section *twelve* of the principal law.

4. The levying of primage under this Proclamation shall cease upon a date to be fixed by the High Commissioner by

notice in the *Gazette*: Provided that any primage which became payable but was not paid before that date shall be recoverable as if such notice had not been issued.

5. Section *fifteen* of the principal law is hereby amended—

- (a) by the deletion of paragraph (b) of sub-section (1);
- (b) by the deletion of paragraph (b) of sub-section (2); and
- (c) by the addition of the following new sub-sections at the end of the section:—

“(3) Whenever the High Commissioner is satisfied that the exchange value of the currency of the country of origin or export of goods imported into the territory, is depreciated in relation to the currency of the territory or the Union and is of opinion that by reason of such depreciation goods of a class or kind manufactured or produced in the territory or the Union are being imported into the territory at prices which are detrimental to an industry in the territory or the Union and is further of opinion that it would be in the public interest to impose, in respect of such goods, a dumping duty, the High Commissioner shall from time to time determine the rate at which the currency of such country shall be computed in terms of the currency of the territory or the Union for the purposes of assessing the dumping duty referred to in sub-section (4) and he shall thereupon notify in the *Gazette* the rate so determined and the class or kind of goods to which such duty shall apply.

(4) If after the issue of such notification any person imports from such country into the territory any goods of a class or kind so notified, there shall be charged, levied, collected and paid on such goods on their importation into the territory in addition to the duties otherwise prescribed, an exchange dumping duty equal to the difference between the cost free on board at the port of shipment of such goods to the importer in the currency of the territory or the Union on the one hand, and such cost, expressed in the currency of the country of origin or export of such goods computed in terms of the currency of the territory or the Union at the rate determined by the High Commissioner under sub-section (3), on the other hand: Provided that the dumping duties levied under this section on any goods shall collectively not exceed one-half of the value of such goods for purposes of duty as determined under section *fourteen*.”

6. In this Proclamation—

“primage” means the special customs duty referred to in section *one*;

“principal law” means the Customs Tariff and Excise Duties Amendment Proclamation 1925.

7. This Proclamation may be cited as the Customs (Primage) Proclamation 1932 and save as otherwise herein provided shall have force and take effect from the date of publication in the *Gazette*.

GOD SAVE THE KING.

Given under my Hand and Seal at Capetown this Fourth day of January One thousand Nine hundred and Thirty-two.

H. J. STANLEY,
High Commissioner.

By Command of His Excellency
the High Commissioner:

SHIRLEY FALES,
Acting Imperial Secretary.