

BECHUANALAND PROTECTORATE.

No. 68 of 1934.

(Promulgated 7th December, 1934.)

PROCLAMATION

By His Excellency The High Commissioner

Entitled the Natural and Historical Monuments, Relics and Antiques (Bechuanaland Protectorate) Proclamation, 1934.

Whereas it is desirable to preserve natural and historical monuments, relics and antiques in the Bechuanaland Protectorate (hereinafter referred to as "the Territory") and to control the export from the Territory of antique objects and articles of historical value;

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

1. The Resident Commissioner may by notice in the *Gazette* proclaim to be—

- (a) a monument, any area of land having a distinctive or beautiful scenery or geological formation, any area of land containing a rare or distinctive or beautiful flora or fauna, any area of land containing objects of archaeological interest, any waterfall, cave, grotto, avenue of trees, old tree or old building and any other object (whether natural or constructed by man) of aesthetic, historical, archaeological or scientific value or interest;
- (b) a relic, any fossil of any kind, any drawing or painting on stone or petroglyph known or commonly believed to have been executed by Bushman or other aborigines of South Africa, or by any people who inhabited or visited South Africa before the advent of the Europeans, and any implement or ornament known or commonly believed to have been used by them, and any anthropological or archaeological contents of the graves, caves, rock shelters, middens, shell mounds or other sites used by them;
- (c) an antique, any movable object (not being a monument or relic) of aesthetic, historical, archaeological or scientific value, or interest, the whole or more valuable portion whereof has for more than one hundred years been in any part of South Africa, or which was made therein more than one hundred years before the publication of the said notice.

2. (1) Whenever the owner of any object proclaimed under the provisions of section *one* alienates, pledges or lets it he shall forthwith inform the Resident Commissioner of the name and address of the alienee, pledgee, or lessee.

(2) No person shall, without the written consent of the Resident Commissioner, destroy or damage any monument or relic or make any alteration thereto or remove it from its original site or export it from the Territory.

(3) Any person desiring to remove any monument or relic from its original site or to export it from the Territory shall, when applying to the Resident Commissioner for his consent, supply the Resident Commissioner with a drawing or photograph of the monument or relic in question and shall state the exact locality in which it is situated and the place to which and purposes for which it is desired to remove or to export it.

(4) No person having control of any antique shall without the written consent of the Resident Commissioner destroy or damage it or export it from the Territory.

(5) Any person desiring to export any antique from the Territory shall, when applying to the Resident Commissioner for his consent, supply him with a photograph and description thereof and shall state the place to which and purpose for which it is desired to export the antique.

3. Any person who knowingly—

(a) fails to comply with or contravenes any provision of section *two*, or

(b) in any application to the Resident Commissioner for his consent makes any statement which is false in any material respect or supplies therewith any drawing or photograph which is false in any material respect,

shall be guilty of an offence and liable on conviction to a fine not exceeding one hundred pounds or in default of payment to imprisonment not exceeding six months, and in the case of the unauthorized export of an antique the said fine may be increased to a sum not exceeding seventy-five per cent. of the market value of such antique.

4. In this Proclamation—

“antique” means an object proclaimed by the Resident Commissioner as such under the provisions of section *one*;

“monument” means an area or object proclaimed by the Resident Commissioner as such under the provisions of section *one*;

“relic” means an object proclaimed by the Resident Commissioner as such under the provisions of section *one*.

5. This Proclamation may be cited as the Natural and Historical Monuments, Relics and Antiques (Bechuanaland Protectorate) Proclamation, 1934, 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 Pretoria this Thirtieth day of November One thousand Nine hundred and Thirty-four.

H. J. STANLEY,
High Commissioner.

By Command of His Excellency the
High Commissioner.

E. COHEN,
for Administrative Secretary.