

BECHUANALAND PROTECTORATE.

No. 78 of 1934.

(Promulgated 4th January, 1935.)

PROCLAMATION

By His Excellency The High Commissioner

Entitled the Bechuanaland Protectorate Diamond Trade Proclamation, 1934.

Whereas it is expedient to regulate the trade in rough or uncut diamonds in the Bechuanaland Protectorate;

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

1. The provisions of Act No. 14 of 1885 of the Colony of the Cape of Good Hope shall cease to be in force and to have effect within the limits of the Bechuanaland Protectorate.

2. It shall not be lawful for any person other than a duly licensed diamond dealer, or the holder of a Prospecting Permit or Crown Grant or other right to prospect for or win diamonds, granted in terms of Proclamation No. 33 of 1932, to have in his possession, or to sell, offer or expose for sale, barter or pledge, or in any way, either as principal or agent, to dispose of or deliver any rough or uncut diamonds, or to be an accessory to such selling, offering, exposing, disposing or delivering as aforesaid.

3. It shall not be lawful for any person other than a duly licensed diamond dealer to buy, deal in, or receive by way of barter, pledge or otherwise, either as principal or agent, any rough or uncut diamonds, or to be an accessory to such buying, dealing in or receiving.

4. No person shall deal in rough or uncut diamonds either as buyer, seller, exporter or importer, unless such person shall be duly licensed by the Resident Commissioner, who shall in his absolute discretion issue licences to such persons as he may deem fit and proper persons to hold such licences. An annual licence duty of thirty pounds shall be paid in respect of every licence, which said licence shall expire on the thirty-first day of December of the year in which it was granted. Every licensed diamond dealer in every case in which he concludes a contract of purchase or sale of diamonds shall issue a broker's note (of which he shall keep a carbon copy available for inspection by the Magistrate of the district at any time) setting out the description and weight of the parcel in question, the number of diamonds of the weight of ten carats and upwards and the price per carat and the amount for which such diamonds were sold, as well as the full names of the purchaser and seller.

Every licensed diamond dealer shall also keep a register which shall be available for inspection at all times by the Resident Magistrate of the District showing the following particulars:—

- (a) The dates of purchases, sales, exports, imports or receipts.
- (b) The names of the consignor, consignee, prospector, seller, buyer, or owner.
- (c) Total weight of each parcel.
- (d) Number of stones of ten carats and upwards in each parcel.
- (e) The price received or paid.
- (f) The weight of any single stone exceeding the value of one hundred pounds.

5. Any person contravening section *two, three or four* shall be liable on conviction to a penalty of a fine not exceeding one hundred pounds, or to imprisonment with or without hard labour for a period not exceeding two years, or to both such fine and imprisonment, and all diamonds the subject of any transaction in contravention of this Proclamation may be confiscated and forfeited to the Crown by the Court before which the proceedings relating thereto have been taken, or by any other competent Court.

6. This Proclamation may be cited as the Bechuanaland Protectorate Diamond Trade 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 Capetown this Thirty-first day of December, 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.