

BECHUANALAND PROTECTORATE.

No. 18 of 1940.

(Promulgated 19th April, 1940.)

PROCLAMATION

By His Excellency the High Commissioner
Entitled the Bechuanaland Protectorate Arms
and Ammunition Proclamation, 1940.

Whereas it is expedient to make provision for the licensing of the sale of arms and ammunition, the importation of arms and ammunition, the restriction of supply, delivery and acquisition and movement of arms and ammunition, and the registration and licensing of arms in the Bechuanaland Protectorate (hereinafter 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:—

CHAPTER I.

SALE, IMPORTATION, ETC., OF ARMS AND AMMUNITION.

1. (1) No person shall deal in arms or ammunition without being in possession of a licence issued under the provisions of this section in addition to any other licence prescribed by any other law: Provided that this sub-section shall not apply to a licensed auctioneer in selling any arm or ammunition in pursuance of instructions from a customs officer, District Commissioner or other public officer acting under proper authority or from the executor in a deceased estate or the trustee of an insolvent estate or the liquidator of a company, for the purposes of winding up that estate or company, or to an officer of a court of law selling any arm or ammunition under proper authority.

Licences to deal in arms and ammunition.

(2) A licence to deal in arms and ammunition shall be issuable by the District Commissioner of the district in which the premises to be licensed are situate on the authorisation of the Resident Commissioner.

(3) Before issuing such an authorisation the Resident Commissioner shall satisfy himself that the applicant is a fit and proper person to deal in arms and ammunition, and that the premises to be licensed are suitable and reasonably safe for the storage of arms and ammunition.

(4) Such a licence shall authorise the holder thereof to deal in arms and ammunition on the premises specified therein, shall be in the prescribed form, and shall expire on the thirty-first day of December of the year of issue.

(5) There shall be payable in respect of such a licence, if the liability therefor commences before the first day of July in any year, the sum of five pounds, and if such liability commences after that date in any year, the sum of two pounds ten shillings.

Change of licensed premises.

2. (1) A dealer's licence may without charge be endorsed so as to be valid for premises other than those for which the licence was issued, if application is made to the District Commissioner of the district in which those other premises are situate, and the District Commissioner is satisfied that those premises are suitable and reasonably safe for the storage of arms and ammunition.

(2) Such endorsement shall provide that the licence is, from the date specified in the endorsement, no longer valid for the premises originally licensed, but that until the date of the expiry of the licence it is valid for the other premises.

Notice to the public of the licence.

3. (1) Every licensed dealer shall cause to be painted in a conspicuous place on the walls of the premises mentioned in his licence, or on a board affixed to the main entrance to those premises, the words "Licensed Dealer in Arms and Ammunition" prefixed by his name in full, or, in the case of a firm or partnership, by the name or style of the firm or partnership, or, in the case of a company, by the registered name of the company. Each of the letters of the words so painted shall be of a size at least one inch square, and the whole shall be clearly legible and easily visible by the public.

(2) No person, who is not a licensed dealer, shall place on his premises or issue any notice alleging that he deals or is licensed to deal in arms or ammunition.

Licensed dealers to keep registers and make returns of arms and ammunition.

4. (1) Every licensed dealer shall keep, at the premises mentioned in his dealer's licence, a register in the prescribed form wherein he shall enter the prescribed particulars with regard to the purchase, sale, or disposal of each class of arms and ammunition, and a register in which he shall enter the name and address of the holder and the number and

date and place of issue of every licence produced to him in terms of section *six*, and the number and other particulars of the arm to which it relates.

(2) Every licensed dealer shall render to the District Commissioner of the district in which his business premises are situate, such returns as may be prescribed.

5. A licensed dealer shall at all reasonable times, at the request of any policeman or any other person authorised in writing by the District Commissioner of the district in which the dealer's licensed premises are situate to act under this section, produce any register kept by him in terms of section *four*, and any arms and ammunition which are in his possession, for the inspection of such policeman or other person.

6. No person shall supply or (save under the provisions of section *eighteen*) deliver to any other person any arm or part thereof, or any cannon, machine gun, machine rifle or any part thereof, or any ammunition, without the permission in writing first had and obtained of the Resident Commissioner or a District Commissioner and—

- (a) in the case of an arm, unless the person to whom the arm is to be supplied or delivered produces a licence entitling him to possess such arm; or
- (b) in the case of ammunition, unless the person to whom the ammunition is to be supplied or delivered produces a licence entitling him to possess an arm which is capable of firing such ammunition.

The Resident Commissioner or a District Commissioner shall not be bound to assign any reason for refusing his permission under this section.

7. Every District Commissioner shall keep in the prescribed form a register of all licences and permits issued by him under this Chapter.

8. No arms or ammunition shall be manufactured or assembled except at arsenals established by the Resident Commissioner. This section shall not apply to the loading of cartridges.

High Commissioner may prohibit the sale and movement of arms and ammunition.

9. The High Commissioner may, in the interests of the public safety, by notice in the *Gazette*, prohibit, regulate or restrict for any period specified therein—

- (a) the supply of any description of arms or ammunition in any defined area; or
- (b) the importation of any description of arms or ammunition into the Territory or into any defined area; or
- (c) the transportation of any description of arms or ammunition from any place to any other place.

Safe-guarding stocks of arms and ammunition in possession of licensed dealers.

10. (1) In the interests of public safety the Resident Commissioner may at any time direct that the stocks of arms and ammunition in the possession of licensed dealers in any district or of any arms and ammunition in transit within the Territory be taken possession of by the police for the purpose of safe storage.

(2) If the Resident Commissioner has in terms of sub-section (1) issued any direction with reference to any district, each licensed dealer within that district shall, on being informed by a policeman of the intention to take possession of his stock of arms and ammunition, take immediate steps for the packing of all arms and ammunition in his possession, for removal to a place of safety.

(3) A receipt shall be given by the policeman to the person from whom the arms or ammunition are received, for the number of packages of arms or ammunition taken possession of in terms of this section.

(4) Any arms or ammunition taken possession of in terms of this section shall be returned to the persons from whom they were received at such time as the Resident Commissioner may determine.

Importation of arms and ammunition into the Territory.

11. No arms or any part thereof or cannon, machine gun, machine rifle or any part thereof or ammunition shall be imported into the Territory without the permission in writing first had and obtained of the Resident Commissioner or a District Commissioner duly authorised by the Resident Commissioner to grant permission for the importation of arms and ammunition; and if any person shall import any of the said articles into the Territory without having previously obtained the permission in writing above mentioned such person shall for every such offence be liable to a penalty not exceeding one hundred pounds or to imprisonment with or without hard labour

for any period not exceeding two years. The Resident Commissioner or a District Commissioner shall not be bound to assign any reason for refusing to give such permission.

12. The provisions of Articles 6, 7 and 8 of the Convention for the Control of the Trade in Arms and Ammunition signed on the tenth day of September, 1919, shall be observed in the Territory in accordance with regulations which may from time to time be framed and published by the High Commissioner by notice in the *Gazette*. The aforesaid Articles are set forth in the First Schedule to this Proclamation.

Provisions of the Convention of the 10th September, 1919, to be observed.

13. (1) It shall be lawful for any District Commissioner upon the personal application of and production by any native of a certificate, under the hand of the Chief of the tribe to which such native belongs, or such other evidence as may be satisfactory to the District Commissioner, that such native is the owner or in lawful possession of an arm or muzzle-loading gun in respect of which no ammunition has been obtained during the year commencing the first day of April immediately preceding the date of the certificate, to grant to such native a permit authorising the purchase or receipt by such native during the period in such permit stated, not exceeding the term of twelve months from the date thereof, of not more than one hundred cartridges in the case of an arm or of not more than five pounds in weight of gunpowder and five hundred percussion caps in the case of a muzzle-loading gun, and the District Commissioner shall, in case he shall grant such permit, enter thereon, and also in a register to be kept by him for that purpose, the particulars following, namely--

District Commissioner may grant natives permits to purchase ammunition.

- (a) the name and residence of the grantee of such permit;
- (b) the amount and description of ammunition authorised to be purchased or received by virtue of such permit;
- (c) the date on which such permit shall be granted,

and the District Commissioner shall affix his signature to such permit:

Provided, however, that it shall not be lawful for any District Commissioner to grant more than one permit in respect of the same

arm or muzzle-loading gun during the year commencing the first day of April immediately preceding, but the Resident Commissioner may by special authority in writing increase the quantity of ammunition to be purchased or received by any native.

Expiry of permit.

(2) Every such permit as aforesaid shall expire as soon as the grantee thereof shall have purchased or received the full amount of ammunition mentioned in such permit, and in any case such permit shall expire on the thirty-first day of March next after the date of the grant thereof.

Fees payable for permits.

(3) One of the following fees shall be paid for and in respect of every such permit as aforesaid, namely—

- (a) the sum of five shillings, if such permit shall authorise the purchase or receipt of cartridges; or
- (b) the sum of two shillings and sixpence, if such permit shall authorise the purchase or receipt of gunpowder or percussion caps.

Permits only to authorise receipt of ammunition from licensed dealers.

(4) Every such permit as aforesaid shall authorise the receipt of the ammunition therein mentioned by the grantee thereof from no person other than a licensed dealer.

Penalty in case of unlicensed persons delivering ammunition to natives.

(5) Any person not being a licensed dealer who shall deliver any ammunition to any native, whether such native shall or shall not be the grantee of any such permit as aforesaid, shall upon conviction be liable to a fine not exceeding five hundred pounds, and in default of payment to imprisonment for any period not exceeding seven years.

Penalty for making false statement on application for a permit.

(6) Any native who shall, when making application for a permit, produce to any District Commissioner any certificate knowing the same to be forged or to be false in any material particular, or who shall sell, exchange, barter, or dispose of any ammunition obtained by means of a permit granted under the provisions of this section otherwise than for the purpose in such permit stated, shall be liable upon conviction to a penalty not exceeding one hundred pounds, and in default of payment to imprisonment with or without hard labour for any period not exceeding six months.

(7) It shall be the duty of every licensed dealer to keep a special book or register in which he shall enter, in the case of any sale or supply of ammunition to any native, the particulars following, namely—

Licensed dealer to keep a register of supplies of ammunition to natives.

- (a) the name and residence of such native;
- (b) the amount and description of ammunition so sold or supplied;
- (c) the date of such sale or supply; and
- (d) the name of the District Commissioner whose signature shall be on such permit;

and such licensed dealer shall within the first fourteen days of every month deliver or cause to be delivered to the District Commissioner having jurisdiction over the place where such licensed dealer resides, a return or account of the sales or supplies of ammunition to natives by him during the last preceding month; and every such return or account shall contain the particulars in this section mentioned, and shall be signed by some licensed dealer, and it shall be lawful for such District Commissioner, or any person authorised by him in writing under his hand, at all reasonable times to have access to such book or register.

(8) It shall further be the duty of every licensed dealer, in the case of any sale or supply of any ammunition to any native, to endorse on the permit authorising the purchase or receipt thereof by the native producing the same the amount and description of ammunition so sold or supplied and the date of such sale or supply; and such licensed dealer shall further affix his signature to such permit immediately opposite or beneath such endorsement; and such permit when so endorsed shall authorise the purchase or receipt by the grantee thereof of such quantity of ammunition as shall, together with the amount or amounts, if any, previously endorsed on such permit in accordance with this section, not exceed the total quantity originally authorised to be purchased or received by such permit and no more.

Permits to be endorsed.

(9) The Resident Commissioner may from time to time authorise in writing any person approved by him to do all acts or things which a District Commissioner is by this section empowered to do, and may from time to time withdraw such authority.

Resident Commissioner may authorise any person to act.

CHAPTER II.

REGISTRATION AND LICENSING OF ARMS.

Registra-
tion of
arms held
prior to
this Proclama-
tion.

14. (1) Every person who at the commencement of this Proclamation owns or is in possession of any arm shall, not later than the thirtieth day of September, 1940, submit to the District Commissioner of the district in which such person resides a statement in writing in the prescribed form setting forth the type, calibre and number of the arm and every name and address inscribed on the metal of the arm and the time when and the circumstances in which and the person from whom he acquired it.

(2) If the District Commissioner is satisfied that the person who owns or is in possession of the arm is a fit and proper person to possess it he shall issue to such person without fee a licence to possess the arm.

(3) If the District Commissioner is not satisfied that such person is a fit and proper person to possess an arm he shall direct such person by registered letter sent by post, or by letter delivered to him, to deliver the arm to the District Commissioner at his office within a stated period, and if such person fails to do so the District Commissioner shall direct in writing any policeman to seize the arm and deliver it to the District Commissioner, and it shall be competent for any policeman to carry out that direction as if it were a search warrant issued in terms of section *forty-nine* of the Criminal Procedure and Evidence Proclamation, 1938 (No. 52 of 1938).

(4) If an arm has been delivered to the District Commissioner in accordance with his direction or has been seized and delivered to the District Commissioner, in terms of subsection (3), the District Commissioner shall dispose of the arm in such manner as the Resident Commissioner may direct.

Licences
to possess
arms.

15. (1) As from the first day of October, 1940, no person other than a licensed dealer (save under the provisions of section *eighteen*) shall own or have in his possession any arm unless he holds a licence issued under this Chapter to possess it. Provided that any person who before the commencement of this Proclamation in the course of his business lawfully accepted an arm as security for the

fulfilment of an obligation may retain possession of that arm for the purpose of his business without holding a licence for that arm until the obligation is discharged or he lawfully disposes of that arm.

(2) A licence to possess an arm may on application be issued by a District Commissioner to a native free of charge and to any other person on payment of a sum of five shillings.

(3) The licence shall set out the type, calibre and number of the arm, and every name and address inscribed on the metal of the arm.

(4) The Resident Commissioner may instruct any District Commissioner to refer to him for consideration any or all applications for licences to possess arms, and may instruct the District Commissioner to grant or refuse any application so referred to him.

(5) No licence shall be issued to a person under the age of fourteen years.

(6) No licence shall be transferable.

16. It shall be lawful for any District Commissioner or member of the Bechuanaland Protectorate Police, or any European Game Ranger appointed under the Bechuanaland Protectorate Game Proclamation, 1940, within a game reserve or sanctuary or outside a game reserve or sanctuary within a distance of one mile from the boundary thereof, or any member of a duly constituted Tribal Police Force within the limits of his tribal area, or any other person authorised thereto in writing by a District Commissioner, to require any person in possession of an arm to produce a licence granted to such person under this Chapter, or, if such person shall have received the arm under the provisions of section *eighteen* to furnish the full name and address of the owner of the arm: and upon the refusal or inability of such person to comply with such requirement he may be forthwith arrested without warrant, and upon being so arrested he shall be taken with all reasonable speed before a District Commissioner having jurisdiction at the place where he is found, to be dealt with according to law.

17. Every District Commissioner shall keep in the prescribed form a register of all licences granted by him under this Chapter specifying the christian name and surname and place of residence of every person licensed, the date of such licence, and the type, calibre and number of the arm and every name and address inscribed on the metal of the arm.

Inspection
and
production
of licences.

Register
of licences-
to be kept

Persons not
required to
take out a
licence

18. The following persons shall not be required to register arms or take out licences in respect of arms:—

- (a) any person in His Majesty's naval or military or air forces or serving in any colonial corps for the time being, whether burgher or volunteer, or in the Bechuanaland Protectorate Police, or in any other legally constituted police force, using or carrying any arm which it is his duty to possess;
- (b) any person carrying an arm belonging to a person having in force a licence under this Chapter by order of such licensed person, and for the use of such licensed person;
- (c) any male descendant or *bona fide* servant of a person having in force a licence under this Chapter carrying or using an arm the property of such licensed person by his order or with his permission;
- (d) within a tribal area, any native who is in possession of a certificate issued by the Chief that he is a fit and proper person to possess an arm, carrying or using an arm the property of a person having in force a licence for such arm issued under this Chapter by the order of the owner or with his permission;
- (e) any gunsmith or his servant, in the ordinary course of the trade of a gunsmith, carrying or using an arm for the purpose of testing or regulating its strength or quality;
- (f) any person conveying an arm in the ordinary course of his trade or business as a common carrier.

Arms lent
for a
temporary
purpose.

19. The holder of an arms licence may lawfully possess and bear an arm and ammunition therefor lent to him for a temporary purpose by the person who holds an arms licence in respect of such arm.

Notice of
loss, etc.,
of an arm
to be given

20. The holder of an arms licence shall forthwith notify the District Commissioner should the arm be lost, stolen, or destroyed, and if the District Commissioner is satisfied that the same has been lost, stolen, or destroyed, he shall grant to such person a certificate to that effect. If the holder of an arms licence fails to produce an arm which he is authorised to bear and has not complied

with the provisions of this section or has failed to obtain a certificate as aforesaid, he shall be deemed to have dealt with the arm in breach of the provisions of this Proclamation, unless he shall prove the contrary.

CHAPTER III.

GENERAL.

21. The court convicting any person of an offence under this Proclamation may declare any article with reference to which the offence has been committed to be forfeited to the Crown. Forfeiture.

22. If any policeman or any European Game Ranger appointed under the Bechuanaland Protectorate Game Proclamation, 1940, has reason to suspect that an offence under this Proclamation has been committed with reference to any arm or ammunition, and that such arm or ammunition is in the possession of any person upon any premises or at any place, or upon any vehicle or vessel, he may at any time without warrant enter upon and search such premises, place, vehicle, or vessel and search any person thereupon or thereat and seize any such arm or ammunition : Power to search and seize.

Provided that the powers conferred upon a European Game Ranger under this section shall only be exercised in a game reserve or sanctuary or outside a game reserve or sanctuary within a distance of one mile from the boundary thereof.

23. Any occupier of premises and any person who is upon or in charge of or who accompanies any vehicle, vessel or animal upon which or in which there is any arm or ammunition, and any person in possession of any ammunition, shall, until the contrary is proved, be deemed for the purposes of this Proclamation to be the possessor of such arm or to have acquired such ammunition, as the case may be. Presumptions.

24. Any person who— Penalties.
(a) makes any false entry or, with intent to defraud or deceive, alters or obliterates any entry in any book or register which by this Proclamation he is required to keep ;

- (b) counterfeits any licence, permit, certificate or other document for the issue of which provision is made in this Proclamation, or forges any licence, permit, certificate or other document issued under this Proclamation;
- (c) resists or hinders any person in the performance of any duty under this Proclamation;
- (d) contravenes or fails to comply with any provision of any notice issued under section *nine* or of any direction under section *ten*;
- (e) sells or supplies ammunition to any native who has not been authorised by any such permit as aforesaid to receive same;
- (f) sells or supplies to any native a larger quantity of ammunition than such native has by such permit been authorised to receive;
- (g) wilfully and knowingly endorses on any such permit as aforesaid a smaller quantity of ammunition than he has actually sold or supplied to the grantee of such permit;
- (h) neglects or refuses to endorse on any such permit as aforesaid the amount and description of ammunition sold by him to the grantee of such permit;
- (i) neglects or fails to make any such entries as aforesaid in any book or register which by this Proclamation he is required to keep;
- (j) delivers or causes to be delivered to the District Commissioner any such return or accounts as are mentioned in sub-section (7) of section *thirteen* which is, to his knowledge, false in any material particular;
- (k) sells or supplies any ammunition to any native whom he knows not to be the grantee of the permit produced to him;
- (l) being a licensed dealer, neglects or fails to deliver or cause to be delivered within the first fourteen days of any month to the District Commissioner having jurisdiction over the place where such licensed dealer resides such a return or account as is mentioned in sub-section (7) of section *thirteen* of the sales or supplies of ammunition to natives by him during the last preceding month;
- (m) contravenes or fails to comply with any provision of this Proclamation for which a penalty is not otherwise prescribed,

shall be guilty of an offence and liable upon conviction as follows:—

- (i) In the case of an offence mentioned in paragraph (a), (b), (c), (d), (e), (f), (g), (i), (j), (k) or (m), to a fine not exceeding two hundred pounds or to imprisonment with or without hard labour for any period not exceeding two years, or to both such fine and imprisonment;
- (ii) in the case of an offence mentioned in paragraph (h) or (l), to a fine not exceeding fifty pounds and in default of payment to imprisonment with or without hard labour for any period not exceeding six months.

25. The High Commissioner may make ^{Regula-} regulations, not inconsistent with this ^{tions} Proclamation—

- (a) prescribing the forms of and the particulars to be stated or recorded in certificates, licences, permits, registers, statements and returns mentioned in this Proclamation;
- (b) providing for the keeping of any such register, the issue of any such certificate, licence or permit, and the rendering of any such return;
- (c) providing for the landing and transportation of arms or ammunition;
- (d) providing for the storage of arms or ammunition in the possession of licensed dealers or taken possession of or deposited for safe custody under section *ten*;
- (e) generally for the carrying out of the provisions of this Proclamation.

26. In this Proclamation, unless inconsis- ^{Interpreta-} tent with the context— ^{tion of} ^{terms.}

“ammunition” means any cartridge or percussion cap designed for use in the discharge of an arm, and includes gunpowder;

“arm” means any breech-loading firearm or part thereof other than a cannon, machine gun or machine rifle, and includes any instrument capable of

being used for propelling any substance or article, which the Resident Commissioner has, by Notice in the *Gazette*, declared to be an arm for the purposes of this Proclamation, but does not include any antique or obsolete firearm kept as a curiosity or ornament;

“ Chief ” means the Chief over any tribal area who has been recognised in that capacity by the High Commissioner and confirmed therein by the Secretary of State, and includes an Acting Chief;

“ deal ”, in relation to arms or ammunition, includes the acceptance of an arm or ammunition as security for the fulfilment of an obligation if the person accepting the arm or ammunition does so in the course of his or his employer’s business;

“ dealer’s licence ” means a licence issued in accordance with this Proclamation to deal in arms and ammunition;

“ District Commissioner ” includes an Assistant District Commissioner;

“ licensed dealer ” means a person licensed in accordance with this Proclamation to deal in arms and ammunition;

“ native ” means any aboriginal native belonging to any tribe of Africa and includes half castes and all persons of mixed race living as members of any native community, tribe, kraal or location;

“ possession ” includes “ custody ”; and “ possess ” shall be construed accordingly;

“ prescribed ” means prescribed by regulation under section *twenty-five*;

“ tribal area ” means any reserve defined in Proclamations No. 9 of 1899, No. 55 of 1908, No. 28 of 1909, No. 2 of 1911, No. 31 of 1933, No. 44 of 1933, or any other area which has been or may hereafter be defined by law as such reserve, and includes the area known as the Barolong Farms as described in Schedule B of Proclamation No. 1 of 1896.

Repeal
of laws.

27. The laws specified in the Second Schedule to this Proclamation are hereby repealed to the extent set out in the fourth column of that Schedule.

28. This Proclamation may be cited as the ^{Short title} Bechuanaland Protectorate Arms and ^{and com-} Ammu- ^{mencement.} nition Proclamation, 1940, 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 Cape Town this Fifteenth day of April One thousand Nine hundred and Forty.

E. J. HARDING,
High Commissioner.

By Command of His Excellency
the High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary.

FIRST SCHEDULE.

ARTICLE 6.

The High Contracting Parties undertake, each as far as the territory under its jurisdiction is concerned, to prohibit the importation of the arms and ammunition specified in Articles 1 and 2 into the following territorial areas, and also to prevent their importation and transportation in the maritime zone defined below:

1. The whole of the continent of Africa with the exception of Algeria, Libya and the Union of South Africa.

Within this area are included all islands situated within a hundred nautical miles of the coast, together with Prince's Island, St. Thomas Island, and the Islands of Annobon and Socotra.

2. Transcaucasia, Persia, Gwadar, the Arabian Peninsula, and such continental parts of Asia as were included in the Turkish Empire on August 4th, 1914.

3. A maritime zone, including the Red Sea, the Gulf of Aden, the Persian Gulf and the Sea of Oman, and bounded by a line drawn from Cape Guardafui, following the latitude of that Cape to its intersection with longitude 57° east of Greenwich, and proceeding thence direct to the eastern frontier of Persia in the Gulf of Oman.

Special licences for the import of arms or ammunition into the areas defined above may be issued. In the African area they shall be subject to the regulations specified in Articles 7 and 8 or to any local

regulations of a stricter nature which may be in force. In the other areas specified in the present Article, these licences shall be subject to similar regulations put into effect by the Governments exercising authority there.

ARTICLE 7.

Arms and ammunition imported under special licence into the prohibited areas shall be admitted only at ports designated for this purpose by the Authorities of the State, Colony, Protectorate, or territory under mandate concerned.

Such arms and ammunition must be deposited by the importer at his own risk and expense in a public warehouse under the exclusive custody and permanent control of the Authority and of its agents, of whom one at least must be a civil official or a military officer. No arms or ammunition shall be deposited or withdrawn without the previous authorisation of the Administration of the State, Colony, Protectorate, or territory under mandate, unless the arms and ammunition to be deposited or withdrawn are intended for the forces of the Government or the defence of the national territory.

The withdrawal of arms or ammunition deposited in these warehouses shall be authorised only in the following cases:—

1. For despatch to places designated by the Government where the inhabitants are allowed to possess arms, under the control and responsibility of the local Authorities, for the purpose of defence against robbers or rebels.

2. For despatch to places designated by the Government as warehouses and placed under the supervision and responsibility of the local Authorities.

3. For individuals who can show that they require them for their legitimate personal use.

ARTICLE 8.

In the prohibited areas specified in Article 6, trade in arms and ammunition shall be placed under the control of officials of the Government and shall be subject to the following regulations:—

1. No person may keep a warehouse for arms or ammunition without a licence.

2. Any person licensed to keep a warehouse for arms and ammunition must reserve for that special purpose enclosed premises having only one entry, provided with two locks, one of which can be opened only by the officers of the Government.

The person in charge of a warehouse shall be responsible for all arms or ammunition deposited therein and must account for them on demand. For this purpose all deposits or withdrawals shall be entered in a special register, numbered and initialed. Each entry shall be supported by references to the official documents authorising such deposits or withdrawals.

3. No transport of arms or ammunition shall take place without a special licence.

4. No withdrawal from a private warehouse shall take place except under licence issued by the local Authority on an application stating the purpose for which the arms or ammunition are required, and supported by a licence to carry arms or by a special permit for the purchase of ammunition. Every arm shall be registered and stamped; the Authority in charge of the control shall enter on the licence to carry arms the mark stamped on the weapon.

5. No one shall without authority transfer to another person either by gift or for any consideration any weapon or ammunition which he is licensed to possess.

SECOND SCHEDULE.

Territory.	No. and Year of Law.	Long or Short Title or Subject of Law.	Extent of Repeal.
Cape of Good Hope	Ordinance No. 7 of 1834	Trade in Gunpowder	So much as is unrepealed.
"	Ordinance No. 2 of 1853	Gunpowder and Firearms	" "
"	Act No. 14 of 1857	Gunpowder and Firearms	" "
"	Act No. 28 of 1864	Gunpowder and Firearms	The whole.
"	Act No. 11 of 1875	The Gunpowder and Firearms Amendment Act, 1875	"
"	Act No. 13 of 1877	The Gunpowder and Firearms Act, 1877	So much as is unrepealed.
"	Act No. 13 of 1878	The Peace Preservation Act, 1878	The whole.
"	Act No. 4 of 1879	The Peace Preservation Amendment Act, 1879	"
"	Act No. 20 of 1884	The Stamp and Office Fees Act, 1884	So much of the Act and Tariff 15 of Schedule 2 thereof as relates to licences for dealing in gunpowder

Territory.	No. and Year of Law.	Long or Short Title or Subject of Law.	Extent of Repeal.
Cape of Good Hope	Act No. 38 of 1887	The Stamp Acts Amendment Act, 1887	So much of the Act and the Second Schedule thereof as refers to dealers in gun-powder.
Bechuana-land Protectorate	Proclamation of 10th June, 1891, as amended by Proclamations Nos. 5 of 1909 and 8 of 1911	—	Sections 37, 38 and 40 and the Schedule.
"	Proclamation of 12th December, 1892, as amended by Proclamations Nos. 12 of 1898, 23 of 1914, 44 of 1919, 48 of 1927, 23 of 1931, and 52 of 1932	—	The whole.
"	Proclamation of 15th November, 1893, as amended by Proclamations Nos. 33 of 1907 and 23 of 1914	—	"
"	Proclamation No. 2 of 1934	—	"