

BASUTOLAND, BECHUANALAND
PROTECTORATE, SWAZILAND.
HIGH COMMISSIONER'S NOTICE
No. 144 of 1942.

CONTROL OF AGRICULTURAL MACHINERY
AND IMPLEMENTS, IRRIGATION MA-
CHINERY, TRACTORS AND SMALL
ENGINES.

It is hereby notified for general information that under and by virtue of the powers vested in him by section *one* of the Basutoland Emergency Powers (Defence) Proclamation, 1939 (No. 35 of 1939), section *one* of the Bechuanaland Protectorate Emergency Powers (Defence) Proclamation, 1939 (No. 36 of 1939), and section *one* of the Swaziland Emergency Powers (Defence) Proclamation, 1939 (No. 37 of 1939), respectively, His Excellency the High Commissioner has been pleased to make the subjoined regulations relating to the control of agricultural machinery and implements, irrigation machinery, tractors and small engines in Basutoland, the Bechuanaland Protectorate, and Swaziland (each of which is hereinafter respectively referred to as "the Territory").

By Command of His Excellency
the High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary.

High Commissioner's Office,
Pretoria, 20th June, 1942.

REGULATIONS.

1. *Stock Census*.—Every person who owns or has in his possession or under his control for the purpose of sale or other disposal any article mentioned in Schedule A hereto, shall, not later than the 15th July, 1942, render to the Controller a return in the Form A.M. 1 prescribed in Schedule B hereto, showing in respect of each such article the number of such articles sold or otherwise disposed of by him during the calendar year 1941 and the number of such articles held in stock by him on the 30th June, 1942:

Provided that no such return shall be required to be rendered by any person who so owns or has in his possession or under his control for the purpose of sale or other disposal any of the said articles if the total sales value thereof is less than £500.

2. (a) Every person who is required to render to the Controller any return prescribed in regulation 1 shall, in respect of every calendar month commencing after the 31st May, 1942, render to the Controller a written statement showing in respect of each article mentioned in the aforesaid Schedule A the number of such articles acquired, the persons from whom such articles were acquired and the number of such

articles disposed of by him and the person to whom such articles were so disposed of during that calendar month, and indicating in each case whether any such articles so acquired or disposed of have been received or delivered, as the case may be:

Provided that no such return shall be required to be rendered in respect of the articles mentioned in Part III of Schedule A hereto which have been disposed of to *bona fide* farmers.

(b) Every person holding stocks of the aforesaid articles at more than one place shall render separate returns as aforesaid in respect of such stocks held at each such place.

(c) Any statement required to be rendered in terms of paragraph (a) of this regulation shall be lodged with the Controller not later than the 15th day of the calendar month immediately following that to which such statement relates.

3. (a) *Disposal to Persons for Their Own Use of Articles in Part I of Schedule A.*—No person shall sell or otherwise dispose of any article mentioned in Part I of Schedule A hereto which has not previously been used to any other person for his own use, except under the authority of and subject to the conditions set forth in a permit issued by the Controller or a person empowered by him to act on his behalf, and no such permit shall be issued to any *bona fide* farmer except on application in Form A.M. 2 prescribed in Schedule B hereto, or to any person other than a *bona fide* farmer unless, together with any other relevant information which the Controller may require of him, full details are furnished as to the purpose for which and the place at which the article in respect of which such permit is desired will be used.

(b) *Disposal to Persons for Their Own Use of Articles in Part II of Schedule A.*—No person shall sell or otherwise dispose of any article mentioned in Part II of Schedule A hereto which has not previously been used—

- (i) to any *bona fide* farmer for his own use except on completion by such farmer of the Form A.M. 2 prescribed in Schedule B hereto, which form when duly completed by both such farmer and the person disposing of the said article, shall, within seven days after the completion of the sale be forwarded to the Controller by the seller;
- (ii) to any person other than a *bona fide* farmer for his own use, except with the written consent of the Controller, or of a person empowered by him, and no such consent will be given unless full details, together with any other relevant information which the Controller may require, are furnished as to the purpose for which the said article is required and the place where it is to be used.

(c) *Disposal, for Purposes of Resale, to Persons of Articles in Parts I, II, and Items 1 to 12, inclusive, of Part III of Schedule A.*—No person shall sell or otherwise dispose of any article mentioned in Part I or Part II or any of the items 1 to 12, inclusive, of Part III of Schedule A hereto which has not previously been used, to any person for the purpose of resale, except under the authority of and subject to the conditions set forth in a permit issued by the Controller or a person empowered by him to act on his behalf.

Application for such permit shall be made by the seller in writing to the Controller and no such application will be considered unless the following information is furnished, which must be certified as true and correct, viz. :—

(i) *By the person desiring to dispose of the article—*

- (a) name and address of person requiring article in question;
- (b) stocks on hand of the article in question;
- (c) stocks on hand of similar articles;
- (d) stocks on indent of article in question and when expected to arrive;
- (e) sales commitments of article in question;
- (f) sales of article in question and of similar articles during the previous calendar year to the person requiring same for resale.

(ii) *By the person desiring to acquire the article—*

- (a) name and address of person from whom the article is to be acquired;
- (b) stocks on hand of the article in question;
- (c) stocks on hand of similar articles;
- (d) stocks on order of the article and of similar articles from other suppliers;
- (e) district in which the article in question is to be sold;
- (f) sales of article in question and of similar articles during each of the last three previous calendar years;
- (g) names and addresses of suppliers who supplied articles in question previously.

(iii) Any other relevant information which the Controller may require from either the person desiring to dispose of the article or from the person desiring to acquire such article in respect of which permission for disposal is sought.

NOTE.—By "similar articles" is meant articles which could be used for the same purpose as the article in respect of which the application is made.

Information along the lines called for above may be rendered to the Controller separately by the person desiring to dispose of the article in question and by the person desiring to acquire such article.

4. Every person carrying on business in the Territory whose business or part of whose business it is to manufacture either in whole or in part any article mentioned in Schedule A hereto shall, not later than the 15th July, 1942, render to the Controller the following information concerning his business under the following heads:—

- (a) Full name or style of business.
- (b) Address.
- (c) Details, in terms of quantity and weight, of normal production capacity of plant per month of each type of article produced with the present plant and equipment.
- (d) The possibility of increasing within three months the present production capacity of plant and the extent of such possible increase.
- (e) A statement of any factors or difficulties mitigating against an increase in the present rate of production.

5. Notwithstanding anything contained in these regulations, the Controller in his discretion may grant an exemption from all or any of the provisions thereof to any person in respect of any of the articles referred to in Schedule A hereto.

6. Application forms, A.M. 2, may be obtained from the Controller.

7. In these regulations "Controller" means the Government Secretary or such other officer as the Resident Commissioner may appoint.

8. Any person who contravenes or fails to comply with any provision of these regulations, or who knowingly furnishes any incorrect or incomplete information, shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred pounds or to imprisonment for a period not exceeding one year, or to both such fine and imprisonment.

9. These regulations shall come into operation on the date of publication thereof in the *Gazette*:

Provided that the provisions of paragraph (b) of regulation 3 shall come into operation on the 16th day of July, 1942, and the provisions of paragraph (c) of regulation 3 shall come into operation on the 1st day of August, 1942.

SCHEDULE A.

PART I.

1. Tractors of all kinds (indicate in returns drawbar horse-power and whether fitted with pneumatic tyres or steel rims or whether crawler type, and whether primarily designed for farm work or for some other purpose).

2. Engines of a horse-power not exceeding 20 brake horse-power (indicate in returns the make, brake horse-power and type of fuel for which designed and purpose for which designed or fitted).

3. *Water Pumping Plant* (indicate in returns for each of these the make and size or capacity):—

- (a) Windmill heads;
- (b) windmill towers;
- (c) borehole turbines;
- (d) power working heads;
- (e) centrifugal pumps;
- (f) power-operated reciprocating pumps.

PART II.

1. *Mouldboard Ploughs, Animal-draught*:—

- (a) 2-furrow;
- (b) 3-furrow;
- (c) 4-furrow;
- (d) other.*

2. *Mouldboard Ploughs, Tractor-draught*:—

- (a) 2-furrow;
- (b) 3-furrow;
- (c) 4-furrow;
- (d) 5-furrow;
- (e) 6-furrow.

(Indicate in returns for each of the sub-items in items 1 and 2 of Part II whether the plough is designed to use a cast iron, flat steel or angle steel share.)

3. *Disc Ploughs, Animal-draught*:—

- (a) 1-furrow;
- (b) 2-furrow;
- (c) 3-furrow;
- (d) 4-furrow;
- (e) other.*

4. *Disc Ploughs, Tractor-draught*:—

- (a) 2-furrow;
- (b) 3-furrow;
- (c) 4-furrow;
- (d) 5-furrow;
- (e) 6-furrow.

5. *Disc Harrows (other than one-way disc harrows), Animal-draught*:—

- (a) 6 feet width;
- (b) 7 feet width;
- (c) 8 feet width;
- (d) 9 feet width;
- (e) 10 feet width;
- (f) 12 feet width;
- (g) other.*

6. *Disc Harrows (other than one-way disc harrows)**

7. *One-way Disc Harrows and Tiller Combines*:—

- (a) 4 feet width;
- (b) 6 feet width;
- (c) 8½ feet width;
- (d) other.*

8. *Combine Harvesters.**
9. *Grain Binders, Animal-draught.**
10. *Grain Binders, Tractor-draught.**
11. *Power Threshing Machines and Power Shellers, including Pea and Bean Shellers and Peanut Pickers.**
12. *Mowers, Animal-draught:--*
 - (a) 3 feet 6 inches width of cut;
 - (b) 4 feet 6 inches width of cut;
 - (c) other.*
13. *Mowers, Tractor-draught:--*
 - (a) 6 feet width of cut;
 - (b) other.*
14. *Hay Rakes (specify in returns whether animal or tractor draught):--*
 - (a) 8 feet width;
 - (b) 10 feet width;
 - (c) other.*
15. *Hay Presses, except Hand-operated Hay Presses.**
16. *Hammer Mills.**
17. *Power Grinders and Crushers.**
18. *Root Cutters or Pulpers.**
19. *Planters:--*
 - (a) 2 or more rows with fertiliser attachment.*
 - (b) 2 or more rows without fertiliser attachment.*
20. *Seed Drills.**
21. *Tractor Cultivators.**
22. *Potato Diggers.**
23. *Potato Planters.*
24. *Dam Scrapers with capacity not exceeding 2 cub. yds.**
25. *Incubators and Brooders.**
26. *Power Sprayers.**

PART III.

1. *Single-furrow Ploughs.**
2. *Hillside Ploughs.**
3. *Ridging Ploughs.**
4. *Cultivators and Scufflers not Tractor-cultivators.**
5. *Zig-Zag Harrows:--*
 - (a) 2-section;
 - (b) 3-section;
 - (c) 4-section;
 - (d) 5-section;
 - (e) other.*
6. *Springtooth Harrows:*
 - (a) 2-section;
 - (b) 3-section;
 - (c) other.*
7. *Plough Shares, Angle:--*
 - (a) Solid steel (to be specified according to size, mark and make in the returns);
 - (b) soft centre (to be specified according to size, mark and make in the returns).

8. *Plough Shares, Flat* (to be specified according to size, mark and make in the returns).
9. *Discs for Disc Ploughs, Disc Harrows and One-way Discs.**
10. *Mouldboards* (size and type to be specified in return).
11. *Separators.**
12. *Hand Pumps for Pumping Water.**
13. *Fertiliser Distributors, Animal-draught.**
14. *Fertiliser Distributors, Tractor-draught.**
15. *Winnowers.*
16. *Hay Presses, Hand-operated.*
17. *Planters, One-row.**

Units of different sizes and types or makes to be specified and numbers given separately in the returns in respect of articles asterisked.

SCHEDULE B.

Form A.M. 1.

To the Government Secretary.

I/We.....
(Name of person or firm)

address.....
carrying on business as.....

(State here whether merchant, manufacturer, wholesaler, importer, etc.)

hereby submit the following information as required in regulation 1 of High Commissioner's Notice No. 144 of 1942:--

Article in Schedule A.	Sub-classification and Description of such Article.	Stock at 30th June, 1942. (Number.)	Total Sales in Calendar Year 1941. (Number.)

I..... of
(State capacity)

hereby declare that the information given in this form is, to the best of my knowledge, true and correct.

.....
(Signature.)

Date.....

Form A.M. 2.

APPLICATION BY A FARMER TO PURCHASE AN AGRICULTURAL IMPLEMENT OR MACHINE.

(NOTE:--The completion of this form is not necessary for the purchase of all implements, and farmers should ascertain whether the article applied for is a controlled one before completing the form.)

1. Name of applicant.....
2. Farm (name and number).....
3. District.....
4. Postal address.....
5. (a) Size of farm.....(morgen), and
(b) area under cultivation.....
(morgen) of farm where implement or machine is to be used.

6. Machine or implement required.....
7. Number of similar machines or implements on above-named farm.....
8. Is implement or machine required for replacing an existing one or to increase production?.....
9. If for replacement, state why existing one cannot be repaired or reconditioned.....
10. If to increase production, state what product and to what extent it is planned to increase production.....

I do hereby solemnly affirm and declare that the information supplied above is true and correct and that the implement or machine applied for will be used immediately by me solely for agricultural production on the farm described above.

.....
Signature of Applicant.

The Declarant has acknowledged that he knows and understands the contents of this Declaration.

Sworn to before me at.....this
.....day of.....19.....

.....
Justice of Peace/
Commissioner of Oaths.

Supplementary Statement to be completed by Seller and returned to the Controller within seven days after sale.

I certify that I, the undersigned, have sold and delivered on behalf of.....

(Name of firm)

the following unused goods (state number and description).....
.....to the above applicant

Date of sale.....

Date of delivery.....

Station to which railed or to be railed.....

.....
Signature.

.....
Designation.