

BECHUANALAND PROTECTORATE.
HIGH COMMISSIONER'S NOTICE
No. 153 of 1942.

DEFENCE (FINANCE) REGULATIONS.

It is hereby notified for general information that under and by virtue of the powers vested in him by section *one* of the Bechuanaland Protectorate Emergency Powers (Defence) Proclamation, 1939 (No. 36 of 1939), His Excellency the High Commissioner has been pleased to make the following further amendments to the Bechuanaland Protectorate Defence (Finance) Regulations, 1939, published under High Commissioner's Notice No. 235 of 1939, which regulations were amended as set forth in High Commissioner's Notices No. 137 of 1940, No. 227 of 1940, and No. 21 of 1942:—

1. Regulation 4 is hereby amended by—

(i) the insertion in paragraph (1), after subparagraph (a), of the following new subparagraph:—

“(a¹) send, consign or deliver any bank notes, gold, securities or foreign currency to any person for the purpose of taking, sending or transferring such bank notes, gold, securities or foreign currency out of the Territory or ”

(ii) the deletion of paragraph (2) and the substitution thereof of the following paragraph:—

“(2) Paragraph (1) of this regulation shall not prohibit the doing by a person authorised by the Resident Commissioner of anything within the scope of his authority ”

2. Regulation 4 C is hereby amended by—

(i) the insertion in paragraph (2), after subparagraph (b), of the following new subparagraph:—

“(c) any person who owes money to such a creditor but is not under a legal obligation to make a payment unless called upon by his creditor to do so shall forthwith report to the Resident Commissioner, in writing, the amount of his indebtedness to the said creditor and the conditions on which the amount will become payable. The Resident Commissioner may thereupon, if the amount is payable at call order him to pay the amount forthwith into a blocked account, or, if the amount is payable within a specified period after notice, order him to pay the amount into a blocked account within such period ”

(ii) the insertion after paragraph (7) of the following new paragraph:—

“(8) The Resident Commissioner may grant exemptions from the provisions of this Regulation and may authorise the refund to any person of moneys paid by him into a blocked account. To the extent of such refund no payment shall be deemed to have been made for the purposes of paragraph (5).”

3. Regulation 4 D is hereby deleted and the following regulation is substituted therefor:—

“4 D (1) Whenever a person has exported goods from the Territory to any country other than a country exempted in terms of paragraph (10) (a) of regulation 5, and has failed to sell such goods within six months from the date of export from the Territory, or within such shorter period as may have been determined in terms of paragraph (1) (a) (iii) of regulation 4 B, without having permission in terms of paragraph (1) of regulation 4 B aforesaid to export such goods without sale, or without payment within the period mentioned in paragraph (1) (a) (iii) aforesaid, then in such event such person shall within fourteen days from the date of expiry of the said period or within fourteen days after the date on which this regulation comes into force, whichever period is later in date, report in writing to the Resident Commissioner or to a person authorised by the Resident Commissioner that the said goods have not been sold, and the Resident Commissioner may thereupon order such person to assign to the Resident Commissioner his right to the said goods.

The sum payable as consideration for any assignment in terms of this Regulation shall be such sum as may be determined by or on behalf of the Resident Commissioner, but shall not be less than the amount realized by the Resident Commissioner after deduction of the cost of realization.

(2) After the date on which this Regulation comes into force, no person shall export any goods on conditions which would preclude him from giving effect to an order issued in terms of paragraph (1).”

4. Regulation 4 E is hereby amended by—

(i) the insertion in paragraph (1) after the words “said period of four months” of the words “or within fourteen days after the date on which this regulation comes into force, whichever period is later in date”;

(ii) the insertion in paragraph (2) before the words "No person" of the words "After the date on which this Regulation comes into force".

5. Regulation 5 is hereby amended by—

(i) the insertion after sub-paragraph (b) of paragraph (5) of the following new sub-paragraph:—

"(c) the contingency on which the right to receive payment as aforesaid is dependent (including the declaration of a dividend or profit by a company in which such a person has an interest) does not eventuate.";

(ii) the deletion of sub-paragraph (b) of paragraph (7) and by the deletion of the words "(b) or" in paragraph (8).

By Command of His Excellency
the High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary.

High Commissioner's Office,
Pretoria, 7th July, 1942.