

**BASUTOLAND, BECHUANALAND
PROTECTORATE, SWAZILAND.
HIGH COMMISSIONER'S NOTICE
No. 166 of 1942.**

RATIONING OF PETROL.

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 following amendments in the Petrol Control Regulations, 1942, published under High Commissioner's Notice No. 19 of 1942:—

1. Regulation 4 is hereby amended by the addition at the end of sub-regulation (1) of the words—

“and if any person has in his possession or under his control more petrol than he will, in the opinion of the Controller, need for his own use, or in connection with his business during a reasonable period, or has in his possession any petrol, which in the opinion of the Controller is required in the national interest for use in any industry or trade or for the maintenance of essential services, the Controller may order such person to deliver a stated quantity of such petrol to a person named in the order upon payment by the last-mentioned person to the first-mentioned person of a price to be determined by the Controller.”

2. Regulation 6 is hereby amended by the addition of the following paragraph to sub-regulation (1) thereof:—

“(b) to any person in lieu of valid petrol ration coupons, representing a particular quantity of petrol, if the person issuing the permit is satisfied that it is impracticable or uneconomical for the applicant to obtain the said quantity of petrol in the manner provided in paragraphs (a), (b) and (c) of regulation 8.”

3. Regulation 8 is hereby amended—

(a) by the deletion of the existing paragraph (a) and the substitution therefor of the following new paragraph:—

“(a) the person to be supplied has delivered to the prospective supplier a set or folder containing petrol ration coupons representing a quantity of petrol not less than the quantity to be supplied, and the prospective supplier or his servant has himself, before supplying such petrol detached from the folder, coupons representing the quantity of petrol to be supplied.”

(b) by the deletion of the existing paragraph (d) and the substitution therefor of the following new paragraph:—

“(d) the person to be supplied has delivered to the prospective supplier a special petrol permit issued in terms of regulation 6 and the petrol is supplied in accordance with that permit.”

4. Regulation 9 is hereby amended—

(a) by the insertion after the word “quantity” where it last occurs in paragraph (a) of the words “to be”; and

(b) by the addition of the following new paragraph:—

“(c) except on the express authorisation of the Controller and subject to the provisions of sub-regulation (2) of regulation 4, surrender petrol ration coupons or special petrol permits acquired by him in exchange for petrol, to any person other than a wholesale distributor, or transfer petrol in his possession to any person except in terms of regulation 8.”

5. Regulation 11 is hereby amended by the deletion of the words “lorries, buses or”

6. Regulation 12 is hereby amended—

(a) by the deletion of the words “lorry, bus or” and

(b) by the insertion of the following sub-regulation, the existing regulation becoming sub-regulation (1):—

“(2) No person shall use or permit to be used any petrol obtained by him under the authority of petrol ration coupons issued in terms of sub-regulation (1) for any purpose other than a purpose for which such petrol ration coupons were issued.”

7. The following new regulation is hereby added after regulation 12:—

“12A. If any person has been supplied by a wholesale distributor with petrol in containers which are the property of the wholesale distributor, the wholesale distributor shall not, without the approval of the Controller, supply any further quantity of petrol to such person until such person has returned to the wholesale distributor or his agent all such containers in his possession or a number of such containers of a total capacity equivalent to such further quantities of petrol to be supplied.”

8. Regulation 13 is hereby deleted and the following regulation is substituted therefor:—

“13. The Resident Commissioner may by Notice in the *Gazette*—

(a) impose a fee not exceeding three pence upon each issue of petrol ration coupons

made during the period in each month notified to the public by the Controller as the period during which application for petrol ration coupons may be made to persons mentioned in sub-regulation (1) of regulation 5, and upon each issue of special petrol permits; and

- (b) impose a fee not exceeding five shillings upon each issue of petrol ration coupons made at any time other than during the said period."

9. The following new regulation is hereby added after regulation 13:—

" 13A. The Controller may, from time to time, by means of a notice published or conveyed in any manner which he deems most suitable to inform those for whom the notice is intended, either throughout the Territory or in any defined area or throughout the Territory with the exception of any defined area, prescribe the hours during which petrol may be supplied by any dealer in petrol to any person or class of persons determined by the Controller."

10. Regulation 14 is hereby amended—

- (a) by the insertion after the word "altered" where it last occurs in sub-regulation (1) of the words "or who transfers any petrol ration coupon or special petrol permit except to a reseller or to a wholesale distributor,";
- (b) by the insertion after the word "provision" where it last occurs in sub-regulation (3) of the words "or with any notice under regulation 13A";
- (c) by the addition of the following new sub-regulations:—

" (4) Any person who under these regulations knowingly furnishes the Controller, an inspector or any person acting on behalf of the Controller with any incorrect or incomplete information shall be guilty of an offence.

(5) Any person other than a reseller or a wholesale distributor who is found in possession of any quantity of petrol in excess of one gallon in containers other than the tank which is the normal part of a motor vehicle shall be guilty of an offence, unless such petrol was supplied to him on the authority of a special petrol permit referred to in sub-regulation (1) of regulation 6 authorising such possession, or unless it is so held by him with the written approval of the Controller and it is used by such person in accordance with such conditions as the Controller may impose in granting such approval

(6) Any person who uses or permits to be used petrol, which has been supplied to him on an authorisation referred to in regulation 10 by a wholesale distributor, for any purpose other than a purpose specified in such authorisation or who disposes of such petrol to any other person, shall be guilty of an offence.

(7) Any person who uses a petrol container which is the property of a wholesale distributor for any purpose other than the storage or conveyance of petrol shall be guilty of an offence."

11. The following new regulations are hereby added after regulation 15:—

" 15A. If in any proceedings against a reseller on a charge of having contravened paragraph (a) of regulation 8 it is proved that at the time stated in the charge, he ought, if regard is had to the petrol ration coupons and special petrol permits which he has produced with reference to any period stated in the charge, to have been in possession of a greater quantity of petrol than the quantity of which he was then in possession, such reseller shall, except in so far as the contrary is proved, be presumed to have supplied, in contravention of the said paragraph, a quantity of petrol equal to the difference between the quantity which ought at that time so to have been in his possession and the quantity which was at that time actually in his possession.

15B. The Controller may by Notice in the *Gazette* make rules, not inconsistent with these regulations, for the control or regulation of the supply, acquisition or use of petrol, and may by such rules impose penalties not exceeding a fine of twenty-five pounds or imprisonment for a period of three months for a contravention thereof or failure to comply therewith."

12. The following new regulation is hereby added after regulation 17:—

" 18. These regulations shall apply to any person in his capacity as a servant of the Government in any of its Departments."

By Command of His Excellency
the High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary

High Commissioner's Office,
Pretoria, 15th July, 1942.