

**BASUTOLAND, BECHUANALAND PRO-
TECTORATE, SWAZILAND.**

**HIGH COMMISSIONER'S NOTICE
No. 199 of 1942.**

**REGULATIONS FOR THE CONTROL OF
BUILDING.**

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 regulations set forth in the Annexure hereto relating to the control of building in Basutoland, the Bechuanaland Protectorate and Swaziland.

By Command of His Excellency
the High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary

High Commissioner's Office,
Pretoria, 8th August, 1942.

ANNEXURE.

1. In these regulations and in any Notice thereunder, unless inconsistent with the context—

“ Controller ” shall mean the Director of Public Works;

“ building ” shall mean any building or structure and shall include any electric light, electric power, gas, water, drainage or sewerage installations therein or leading thereto;

“ utility service ” shall mean any electric light, electric power, gas, water, drainage or sewerage work, installation or undertaking established by or under the control of any public utility authority as defined;

“ public utility authority ” shall mean any local or statutory authority, company, firm or person providing for public requirements in connection with transport, electric light, electric power, gas, water, drainage, sewerage or similar services;

“ cost ” shall mean the total cost, including labour and materials, of the erection, alteration, addition or repair of any building or utility service payable therefor by the owner of such building or such utility service or by the person on whose instructions the work is undertaken;

“ authorised officer ” shall mean an officer authorised by the Controller to act on his behalf.

2. The Controller may—

(a) exercise the powers conferred on him by these regulations and may appoint a Deputy Controller and such other persons as he may consider necessary to assist him in the exercise of those powers, and may assign to the Deputy Controller and to any such other person such of his powers as he may deem fit;

(b) constitute such councils, boards or committees as he may deem necessary to advise and assist him in the performance of his functions under these regulations. Members of such councils, boards or committees shall hold office for such periods and on such conditions as the Resident Commissioner may determine.

3. The Controller may from time to time by Notice in the *Gazette* or in writing—

(a) prohibit, regulate or control the demolition of any building or any utility service;

(b) prohibit, regulate or control the erection of any building or utility service or the alteration, repair or addition to any existing building or utility service;

(c) prohibit, regulate or control the completion of any building or utility service in the course of progress.

4. The Controller may by Notice in the *Gazette* impose such fee as he may deem necessary in respect of any application for and/or the issue of any permit in connection with the demolition, erection, alteration, repair or addition to any building or utility service. Such fee in respect of applications for permits shall not exceed the sum of £1 (one pound) for each application, and such fee in respect of the issue of permits shall not exceed £2 (two pounds) for every £1,000 (one thousand pounds) or portion thereof of the cost of such building or utility service.

5. Any company, firm or person shall—

(a) at the request of any officer duly authorised in writing by the Controller or by any person to whom powers have been assigned under section 2 (a), produce to the said officer any plan, specification, bill or schedule of quantities, book or document which relates to any building or utility service and permit the said officer to make a copy thereof or to take an extract therefrom, and shall furnish the said officer

with such other information (whether written or oral) relating to such building or utility service as the said officer may require;

- (b) permit the said officer to enter upon any premises upon which operations are being conducted in connection with any building or utility service or where he suspects, on reasonable grounds, that such operations are being conducted.

6. Any person who—

- (a) contravenes or fails to comply with any of the provisions of any Notice issued under regulation 3; or
- (b) fails within a reasonable time to comply with an order, request or demand of the Controller or any officer duly authorised by him; or
- (c) knowingly furnishes to the Controller or any officer duly authorised by him any incorrect or incomplete information; or
- (d) hinders any duly authorised officer in the performance of his duties or in the exercise of his powers;

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.

7. Any person who discloses, except to the Controller, or to any person whose duty it is to deal with the subject-matter of the disclosure, or when required to do so as a witness in a court of law, or for the purpose of these regulations, any information concerning any person or business, which he acquired in the performance of his duties or in the exercise of his powers under these regulations, shall be guilty of an offence and liable on conviction to a fine not exceeding fifty pounds.

8. These regulations shall apply to any person in the service of the Government in any of its Departments.

9. Notwithstanding anything contained in any Notice published in terms of these regulations, the Controller may in his discretion grant exemption from the whole or any of the provisions therein contained.