

BASUTOLAND, BECHUANALAND
PROTECTORATE, SWAZILAND.

HIGH COMMISSIONER'S NOTICE
No. 110 of 1943.

CONTROL OF USED MOTOR VEHICLES.

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 regulations relating to the acquisition and disposal of used motor vehicles in Basutoland, the Bechuanaland Protectorate and Swaziland:—

1. In these regulations—

- (a) "used motor vehicle" means any passenger car, van, truck, chassis or any other road vehicle propelled by means of an internal combustion engine which was registered or licensed prior to the date of publication of this Notice in the *Gazette*, but shall not include a tractor, trailer, steam wagon or steam truck, motor boat, motor cycle with or without sidecar;
- (b) "dealer" means any company, firm or person whose business or part of whose business it is to buy, sell or otherwise deal in motor vehicles;
- (c) "owner" means any company, firm or person being the registered owner at the date of this Notice of a used motor vehicle;
- (d) "Controller" means the Government Secretary or such other officer as the Resident Commissioner may appoint.

2. As from the date of publication of this Notice in the *Gazette*, no person shall acquire a used motor vehicle from a dealer or owner except upon the authority of a permit issued to such person by the Controller or by an officer duly authorised to act on his behalf.

3. No permit will be issued unless—

- (a) the person intending to acquire a used motor vehicle has completed an application in the form U.M.V. 3 as set forth in Annexure "A" to this Notice;
- (b) in every case in which it is intended to acquire a used motor vehicle because of the proposed sale, trade-in or disposal of a used motor vehicle of which the applicant is the owner, the applicant has attached to his application a certificate in the form U.M.V. 4 as set forth in Annexure "B" to this Notice, which must be completed and certified as correct by a dealer and shall indicate as accurately as possible the

condition of the used motor vehicle which the applicant proposes to sell, trade-in or dispose of and to replace.

4. All applications for permits shall be transmitted to the Controller.

5. Every person to whom the Controller has granted a permit to acquire a used motor vehicle in terms of this Notice shall surrender such permit to the dealer or owner from whom he acquires the said used motor vehicle when he takes delivery of it and such dealer or owner shall endorse thereon the engine number, chassis number and the registered number of the vehicle and shall thereafter transmit such permit to the Controller. No permit issued under these regulations shall be transferable from the person to whom it was granted to any other person and it shall be valid for a period of twenty-eight days only reckoned from the date of issue thereof.

6. No registering or licensing authority shall register or licence a used motor vehicle in the name of any person other than the owner thereof unless the person applying for registration or licence has produced a permit issued in terms of this Notice authorising the acquisition of the vehicle sought to be registered or licensed.

7. Notwithstanding anything to the contrary in these regulations it shall not be necessary for a dealer to obtain a permit to acquire a used motor vehicle from the owner thereof except a vehicle which was acquired by the owner on the authority of a permit issued under High Commissioner's Notice No. 138 of 1942, the disposal of which is controlled by regulation 11A of the said Notice as amended by High Commissioner's Notice No. 278 of 1942.

8. (a) Every dealer shall, within a period of ten days from the date of publication of this Notice in the *Gazette*, render a return to the Controller of the following information in respect of used motor vehicles held in stock by him at the date of this Notice:—

- (i) The number of such motor vehicles held in stock by him;
- (ii) The make, model and year of manufacture of every such used motor vehicle.

(b) Thereafter every dealer shall render a return not later than one week after the end of each and every calendar month of the following information in respect of used motor vehicles held in stock by him:—

- (i) The number of such used motor vehicles held in stock by him at the end of every calendar month;
- (ii) The make, model and year of manufacture of every such used motor vehicle.

By Command of His Excellency
the High Commissioner.

H. E. PRIESTMAN,

Administrative Secretary.

High Commissioner's Office,
Pretoria, 21st May, 1943.

ANNEXURE "A".

CONTROLLER OF MOTOR VEHICLES.

APPLICATION FOR A PERMIT TO ACQUIRE A USED MOTOR VEHICLE.

1. Applicant's name.....
2. Address
3. Give particulars of used motor vehicle:
 - Type (e.g., car, truck, etc.)
 - Make
 - Year of manufacture
 - Model
 - Engine No.....
 - Chassis No.....
 - Sale Price, £.....
4. Name and address of supplier.....
5. State the reason for acquiring a used motor vehicle
6. (a) State whether motor vehicle is to be used for private purposes. If so, state estimated monthly mileage.....
- (b) State whether motor vehicle is to be used for business purposes. If so, state the nature of the business and estimated monthly mileage
- 7.* If used motor vehicle is in replacement of another motor vehicle state in respect of the latter motor vehicle:
 - Type.....
 - Make.....
 - Model
 - Year of manufacture.....
 - Registration number.....
 - Date on which first licensed in your name
 - Mileage performed to date.....
 - Purpose for which it was used.....
 - Condition of vehicle.....

* NOTE.—If this paragraph applies, the applicant must attach a certificate (Form U.M.V. 4) duly completed in terms of paragraph 3 (b) of the Notice.

DECLARATION.

I, hereby make oath and say declare that the information given in this application is true and correct in all respects.

Date.....

Place.....

Sworn before me at.....
Declared this..... day of.....
194.....

The deponent has acknowledged that he/she knows and understands the contents of this affidavit/declaration which was sworn to/affirmed before me.

Justice of the Peace, or Commissioner of Oaths.
1s. Revenue Stamp.

Form U.M.V. 4.

ANNEXURE " B ".

CONTROLLER OF MOTOR VEHICLES.
CERTIFICATE BY PROSPECTIVE SELLER OR
SUPPLIER REGARDING CONDITION OF
USED VEHICLE WHICH IS BEING SOLD,
TRADED-IN OR OTHERWISE DISPOSED
OF.

1. Description of used vehicle :

- (a) Type (e.g., truck, car, etc.).....
- (b) Make.....
- (c) Model
- (d) Registration No.
- (e) Engine No.....
- (f) Chassis No.....
- (g) Mileage performed to date.....

2. State condition of :

- (a) Engine (describe any faults).....
- (b) Transmission
- (c) Steering mechanism
- (d) Any other fault or defect affecting road-worthiness of the vehicle.....
- (e) Estimated cost of repairs to make the vehicle serviceable, £.....

I (name).....
(address)

(occupation)

hereby certify that I have examined the above-mentioned motor vehicle and I have satisfied myself that the condition of this vehicle renders it unserviceable for further use by the applicant.

I further certify that the information given in paragraphs 1 and 2 is true and correct.

(Signed)

(Proprietor or Manager).....

Date.....

Place.....

[NOTE.—This certificate must be attached to the application form (U.M.V. 3).]