

BASUTOLAND, BECHUANALAND
PROTECTORATE, SWAZILAND.

HIGH COMMISSIONER'S NOTICE
No. 190 of 1943.

CONTROL OF OIL.

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. 35 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 sale and use of lubricating oil in Basutoland, the Bechuanaland Protectorate and Swaziland:—

1. The regulations published under High Commissioner's Notices No. 135 of 1942, No. 167 of 1942, No. 205 of 1942, No. 339 of 1942 and No. 19 of 1943 are hereby cancelled, and the regulations appearing in this Notice are substituted therefor.

2. In these regulations, unless inconsistent with the context—

“ Controller ” means the Government Secretary or such other officer as the Resident Commissioner may appoint;

“ engine oil ” means any new or reconditioned oil for engine lubrication of a road motor vehicle;

“ lubricant ” means any petroleum substance (other than petrol and any other substance suitable for use as fuel in an internal combustion engine), which is capable of being used for the purpose of lubricating, and includes process oils, greases and insulating oils;

“ normal requirements for one month ” means the average monthly requirements during the preceding six months, except in such cases as are determined by seasonal requirements, such as ploughing and harvesting, in which cases immediate future requirements shall form the basis of assessment;

“ reseller ” means any person who sells lubricants by retail;

“ wholesaler ” means any wholesale distributor of lubricants, and includes manufacturer.

3. (1) As from the date of publication of this Notice in the *Gazette*, no person shall purchase any lubricant in quantities greater than his normal requirements for one month, nor shall such person be holding or have on order at the time of purchase more than two months' normal requirements.

(2) No wholesaler shall supply any person with any lubricant except upon a written declaration by the person supplied in the form set out in Annexure "A" to these regulations.

The wholesaler shall in every case of supply under this regulation endorse on the declaration the quantity of lubricant so supplied.

4. (1) No reseller shall supply any person with lubricant for use in any stationary internal combustion engine or any agricultural tractor engine, or for the lubrication of any industrial, agricultural or other machinery, except upon the person supplied furnishing the reseller with a written declaration in the form set out in Annexure "A" to these regulations.

(2) The reseller shall endorse on such declaration the quantity of lubricant so supplied, and shall forward to the Controller, not later than seven days after the end of each calendar month, all such declarations lodged with him during that month.

5. (1) No reseller shall supply any engine oil for the lubrication of the engine of a road motor vehicle unless such motor vehicle is fully licensed and unless such oil is poured direct into the sump of such engine or into the petrol tank of such vehicle.

Provided, however, that in the Bechuanaland Protectorate a reseller may supply not more than one gallon of engine oil in a separate container.

(2) In all cases where the sump of the engine of such a road motor vehicle is drained, the drained oil shall be retained and stored by the reseller:

Provided that a person whose main occupation is farming may retain the oil drained from the sump of the engine of his road motor vehicle upon his lodging with the reseller a declaration in the form of Annexure "B" to these regulations.

6. No person shall use any lubricant obtained by him under these regulations for any purpose other than that stated in the declaration made by him in terms of regulation 3 or 4.

7. (1) The full name and address of the declarant shall appear in every declaration required by these regulations.

(2) Declarations made in terms of regulations 3 and 5 and all records required to be maintained in terms of these regulations shall be kept on the business premises of the supplier and shall be available for inspection by an inspector authorised by the Controller.

Such declarations and records shall not be removed from the said premises or destroyed without the written permission of the Controller.

8. These regulations shall not apply to the Government.

9. The Controller may in his discretion grant exemption to any person from the whole or any of the provisions of these regulations.

10. Any person who contravenes or fails to comply with any provision of these regulations, or who knowingly furnishes any incorrect or incomplete information, or who hinders an inspector or other authorised officer in the performance of his duties or 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.

By Command of His Excellency
the High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary

High Commissioner's Office,
Pretoria, 24th August, 1943.

ANNEXURE " A ".

IMPORTANT.—The declaration in this form must be correctly completed and submitted with every *order for lubricants*

To.....
(Supplier)

In requesting the supply of (specify your order here):—

Quantity and Packing. Name of Product. Grade.

I/We.....

.....declare that my/our
(Full name and address in block letters)

stocks are less than two months normal requirements and that my/our stocks and requirements of the lubricants ordered hereby are as follows:—

Ordered Product and Stocks on Hand. Normal Monthly Requirements.

I/We further declare that the *lubricants* ordered are for:—

(A) * Resale.

(B) * Own use in.....

* Delete whichever inapplicable.

(Signature).....

Dated at..... this..... day of
..... 194....

FOR COMPLETION BY SUPPLIER.

The following goods have been supplied against the above declaration:—

(Signature).....

Date..... 194....

ANNEXURE " B "

I,.....
(Full name and address in block letters)

having purchased from.....
(Name and address of reseller)

the quantity of lubricant detailed hereunder for the lubrication of the engine of the road motor vehicle herein described, do declare that my main occupation is farming and that the oil which has now been drained from the sump of the said engine is to be used by me exclusively for agricultural purposes.

Quantity of lubricant supplied.....

Registered No. and description of road motor vehicle.....

(Signature).....

Dated at..... this..... day of
..... 194....