

BASUTOLAND, BECHUANALAND
PROTECTORATE, SWAZILAND.
HIGH COMMISSIONER'S NOTICE
No. 30 of 1943.

CONTROL OF RUBBER.

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 subjoined regulations relating to the control of rubber in Basutoland, the Bechuanaland Protectorate and Swaziland.

By Command of His Excellency
the High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary.

High Commissioner's Office,
Cape Town, 5th February, 1943.

REGULATIONS.

1. High Commissioner's Notice No. 44 of 1942, as amended by High Commissioner's Notices Nos. 57 of 1942, 79 of 1942, 103 of 1942, 171 of 1942, 201 of 1942 and 311 of 1942, is hereby revoked, and regulations 2 to 15 hereof are substituted therefor.

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

“ rubber tyre ” means the outer cover of a pneumatic tyre, which in its existing condition is serviceable or is capable of being rendered serviceable for the purpose for which it was originally designed, by repair or other reconditioning;

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

“ District Controller ” means and includes any officer appointed to be a District Controller of Petrol under the provisions of High Commissioner's Notice No. 19 of 1942;

“ retreader ” means any person who carries on the business of retreading, remoulding, recapping, resoling or other type of rebuilding of the tread of an outer cover of a pneumatic tyre;

“ retread ” means the carrying out of any of the above processes;

“ commercial vehicle ” means any bus, lorry, truck, van and such other vehicles as the Controller may from time to time include in this category.

3. No person shall sell or supply any rubber tyre or retread a tyre, and no person shall acquire a rubber tyre or obtain the retreading of a tyre, except on the authority of a permit duly completed and signed by the Controller, a District Controller or other duly authorised representative of the Controller in the form Rubber 4 attached hereto:

Provided that this prohibition shall not apply in the case of—

- (a) the sale or supply by wholesale dealers in and manufacturers of rubber tyres to any person carrying on the business of assembling new commercial motor vehicles, and for the sole purpose of completing the assembly of such commercial motor vehicles;
- (b) the sale or supply of rubber tyres for pedal cycles, infant perambulators, invalid chairs and such other vehicles as the Controller may from time to time determine;
- (c) the sale or supply of rubber tyres or the retreading of tyres which is specially permitted by the Controller in terms of regulation 10 hereof;
- (d) the sale or disposal of rubber tyres to any person in possession of a special authority to purchase rubber tyres issued by a District Controller;
- (e) the sale or transfer of any tyre in terms of any condition imposed in any permit by virtue of regulation 7 hereof:

Provided further that no person shall acquire more than one serviceable rubber tyre in excess of the number of running wheels (i.e., excluding spare wheels) of his vehicle, except as may be provided in the conditions of a special permit issued under regulation 10 hereof.

4. No person shall fit any rubber tyre by way of original equipment to any vehicle or assembly, except as provided in regulation 3 (a) hereof, unless an application for a permit has been made to the Controller, and a permit duly completed and signed by the Controller or his duly authorised representative has been received by such applicant.

5. Applications for permits other than for original equipment in terms of regulation 3 hereof must be submitted to the District Controller of the district in which an applicant resides in the form Rubber 3 attached hereto. A fee of 6d. in uncanceled revenue stamps must accompany each application. A separate application must be made in respect of the tyres required for each vehicle. The revenue stamps accompanying an application will be returned to the applicant who is not granted a permit.

Applicants, in addition to completing form Rubber 3, shall supply the Controller or a District Controller with such additional information as may be called for.

NOTE.—The necessary forms are obtainable at all District Controllers' offices.

6. An applicant must complete the application form and a qualified dealer shall certify in terms of item 10 of the said form before the application is submitted by the applicant, by hand or by post, to a District Controller. These conditions may be modified to meet any special circumstances prevailing in a particular district at the discretion of a District Controller, acting under the direction of the Controller.

7. An applicant may be granted a permit to—

- (a) purchase a new rubber tyre or tyres of specified size and grade;
- (b) enable the applicant to have one or more of his tyre casings retreaded or otherwise reconditioned;
- (c) purchase retreads, recaps or remoulds in the quantity and size stated;
- (d) purchase used rubber tyres in the quantity and size stated;
- (e) fit to a vehicle specified rubber tyres in the applicant's possession.

Conditions of the issue of any permit may include—

- (i) that the rubber tyres specified in the permit must be fitted to a particular vehicle, and also that such tyres may not be disposed of except under the authority of a permit issued by the Controller or a District Controller, even if such tyres have been fitted to a vehicle, wheel, rim or other article;
- (ii) that in the event of rubber tyres being supplied in terms of (a), (c) and (d) above, the tyres removed from the permit holder's vehicle are to be traded in and delivered to the supplier;
- (iii) any other conditions the insertion of which may be specially authorised by the Controller.

8. Permits, if granted, will be delivered by the District Controller to the applicant or supplier, who must surrender the permit to the seller or supplier or retreader, as the case may be, before the completion of the transaction. Permits must be endorsed by the seller or supplier or retreader, quoting serial numbers of the tyres supplied or retreaded or otherwise reconditioned and of the tyres handed in, and must then be returned to the Controller.

9. A permit granted under regulation 3 hereof shall be valid only for a period of 30 days from the date of issue and shall not be transferable.

10. Notwithstanding the provisions of these regulations, the Controller may, in his discretion and subject to such conditions as he may impose (including the payment of fees), issue special permits to any person or body operating vehicles for national, public or business purposes.

11. No person who has made application for a special permit in terms of regulation 10 hereof shall thereafter make application in respect of any vehicle mentioned in such permit to the Controller or a District Controller for a permit in terms of regulation 3 hereof, unless and until his application in terms of regulation 10 hereof is refused.

12. No holder of a special permit in terms of regulation 10 hereof shall make application in respect of any vehicle mentioned in such permit to a District Controller for any permit, nor shall any District Controller issue any permit to such holder.

13. (a) If an applicant for a permit furnishes any false information in connection with any application, the Controller or a District Controller may refuse such application and any future application made by or on behalf of the person appearing on the application form as the registered owner.

(b) If a seller or supplier of rubber tyres or qualified dealer mentioned in regulation 6 hereof furnishes any false information in connection with any application or permit, the Controller may prohibit the future acquisition of tyres and/or camelback by such seller or supplier or qualified dealer aforesaid, and may also, by notice in writing, prohibit such person from executing any permit which may be tendered after the date of such written notice.

14. Every retreader shall render a monthly return to the Controller, giving full particulars of the following information or such other information as the Controller may, by notice in writing, require—

- (a) the number of retreaded tyres sold during the month;
- (b) the number of tyres retreaded on behalf of customers, distinguishing between tyres retreaded under ordinary permits and tyres retreaded under special permits granted in terms of regulation 10 hereof.

Returns must be rendered in respect of every calendar month and must reach the Controller on or before the 7th day of the month following that in respect of which the return is made.

15. Any person who contravenes or fails to comply with any provision of these regulations, or who knowingly furnishes any incorrect or incomplete information, 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.

16. High Commissioner's Notice No. 79 of 1942, as amended by High Commissioner's Notice No. 201 of 1942, is hereby revoked.

17. High Commissioner's Notice No. 210 of 1942, as amended by High Commissioner's Notice No. 256 of 1942, is hereby amended by inserting the following paragraph (d) immediately after paragraph (c) of the proviso to regulation 2 of the said Notice:—

“(d) the fitment and use of scrap rubber tyres on animal-drawn vehicles.”

RUBBER 3.

CONTROL OF RUBBER.

APPLICATION FOR PERMIT FOR TYRES.

1. Applicant's Name.....
2. Residential Address.....
3. Business Address.....
4. Business, profession or occupation and, if employed, name and address of employer and nature of employment.....
5. Description of vehicle in respect of which application is made:
 - Registration No..... Type..... Make.....
 - Date of acquisition of vehicle.....
 - Registered Owner.....
 - Average petrol ration for last 3 months..... miles.
 - Year of manufacture..... Total mileage done.....miles.
6. (a) What other vehicles of any type do you possess, control or have the use of?.....
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- (b) What other vehicles are owned or possessed by other members of your household or firm?.....
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- Give Registration Numbers in all cases.....
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7. State precisely the purposes for which the vehicle described in 5 above is to be used, *giving average monthly mileage under each heading of use.* (For example: business, pleasure, travelling from residence to business, etc.).....
8. Give reasons why the continued use of this vehicle is essential in the Public Interest.....

9. Declaration by Applicant:—

- (a) I hereby declare that I do not own, possess or control any serviceable tyres other than those specified in paragraphs 9 (c) (v) and 10 hereof.
- (b) If a permit is granted to me subject to any conditions specified thereon I will observe those conditions.
- (c) I hereby apply for permission to—
 - (i) Purchase.....new tyres, size.....
 - (ii) Retread.....of my own tyres specified below.
 - (iii) Purchase.....new retreads, recaps or remoulds, size.....by.....
 - (iv) Purchase.....used tyres, size.....
 - (v) Fit to the vehicle specified in 5 above the following tyres which I have in my possession: Quantity.....
Size.....
- (d) I understand that the issue of a permit to me conveys no guarantee or undertaking that the tyres in the permit, or any other tyres of that size, are procurable.
- (e) I declare that I have not previously been refused tyres by a Controller of Rubber in any district. (Strike out if not applicable.)
- (f) I declare the above information to be correct in all particulars and attach the certificate of a qualified dealer in regard to the present condition of my tyres.

Date.....
(Applicant's Signature.)

10. I,, of....., have examined the tyres belonging to the above applicant on vehicle No..... and certify their condition to be as follows:—

Tyre Position.	Size.	Serial Number.	State if Previously Retreaded.	Estimate of Unused Mileage.	State if Retreadable. (See Note below.)
Front, Left.....					
Front, Right.....					
Rear, Left (Inner)..					
Rear, Left (Outer).					
Rear, Right (Inner)					
Rear, Right (Outer)					
Spare.....					

SPECIAL REPORT.—Here indicate anything in regard to the above tyres not covered by above schedule:—

NOTE.—If tyres are at present retreadable they should be conserved as any permit issued will specify that these particular tyres are to be retreaded.

Date.....
Signature of Dealer.....

CERTIFICATE AS TO ESSENTIALITY.

Where the applicant's claim to be considered as essential is based on services being rendered to any Government, Provincial or Municipal department, the following certificate is required from a responsible official of such department:—

I,, of..... Department of.....certify that the above applicant is a Contractor to/employed by/ assisting this Department as follows:—

I consider the probable duration of such services to be.....months and recommend in the interests of Defence/maintenance of essential services that his motor vehicle be maintained in service.

Date..... Signed.....

RUBBER 4.

PERMIT FOR TYRES.

Permission is hereby granted to..... of.....to—

- (a) purchase.....new tyres, size.....by.....
(b) retread.....of his own casings;
(c) purchase.....retreads, recaps or remoulds, size.....by.....
(d) purchase.....used tyres, size.....by.....
(e) fit to the vehicle specified below the following tyres already in his possession:

Conditions of issue:—

- (i) The tyres specified above are to be fitted to vehicle No..... and may not be disposed of except under the authority of a permit issued by me.
(ii) In the case of tyres supplied under (a), (c) and (d) the tyres removed from the holder's motor vehicle are to be retained by the person supplying the tyres authorised hereunder and in the case of (e) to be disposed of to an authorised dealer.
(iii) This permit is valid for 30 days from date of issue and is not transferable.
(iv) Special conditions.....

District Controller of Rubber.

Date Stamp.

CERTIFICATE BY SUPPLIER OR RETREADER.

I have in terms of the above permit supplied or retreaded the undermentioned tyres, and have received from the holder the undermentioned casings (give Serial Nos.):—

New Tyres Supplied.	Holder's Tyres Retreaded.	Retreads or Remoulds Supplied.	Used Casings Supplied.	Casings Received from Holder.

Date

Signature of Supplier.