

BASUTOLAND, BECHUANALAND
PROTECTORATE, SWAZILAND.

HIGH COMMISSIONER'S NOTICE
No. 218 of 1944.

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 Bechuanaaland 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 Bechuanaaland Protectorate and Swaziland, each of which is hereinafter respectively referred to as "the Territory".

By Command of His Excellency
the High Commissioner.

H. E. PRIESTMAN,
Administrative Secretary.

High Commissioner's Office,
Pretoria, 15th December, 1944.

CONSOLIDATED REGULATIONS.

PART I.

DEFINITIONS.

1. In these regulations—

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

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

"dealer" means any person engaged in the business of retail sale or supply of pneumatic tyres, and includes persons engaged in the business of selling new or used motor vehicles or axle and wheel assemblies and who carry stocks of pneumatic tyres for the purpose of fitting them to such vehicles or assemblies;

"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;

“ new tyre ” means an undamaged tyre which has not been used to the extent of more than 100 miles of travel;

“ person ” includes any company, firm or person;

“ qualified dealer ” means any person whose business or part of whose business it is to recondition or sell tyres;

“ retreader ” means any person whose business or part of whose business it is to retread, remould, recap, resole, or in any other manner rebuild the tread of an outer cover of a pneumatic tyre, and “ retread ” means the carrying out of any of the said processes;

“ scrap rubber ” means—

(a) solid and pneumatic tyres and tubes or portions thereof which in their existing condition are no longer serviceable as such, and which cannot be rendered serviceable for the purpose for which they were originally designed by repairing, retreading or reconditioning;

(b) tyre buffings and trimmings;

“ surplus tyres ” means tyres (as defined in this regulation) other than rubber tyres actually fitted to the running wheels of a vehicle or axle and wheel assembly as at the date hereof, plus one spare rubber tyre per vehicle (exclusive of axle and wheel assemblies);

“ tube ” means the inner tube of a pneumatic tyre;

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

“ vee driving belt ” means all belts of a “ vee ” construction employed in the driving of machines, known as industrial vee belts, fractional horsepower belts used for a similar purpose, refrigerator belts and belts used on domestic machines, including vacuum cleaners and washing machines.

PART II.

GENERAL.

2. Each and every regulation relating to the control of rubber, including amendments thereof, issued prior to the date of publication of these regulations in the *Gazette* is hereby cancelled, and these regulations are substituted therefor; save that any permit, exemption or authority granted by the Controller in respect of any of the aforesaid regulations and of effect at the

date of coming into force of these regulations, shall be deemed to have been granted under the corresponding provisions of these regulations.

3. (1) Notwithstanding anything contained in these regulations the Controller may in his discretion grant exemption to any person from all or any part of the provisions of these regulations.

(2) Whenever a permit may be issued by the Controller or a District Controller such permit may be issued by the duly authorised representative of the Controller or District Controller, as the case may be.

4. If any applicant knowingly furnishes any false or incomplete information in connection with any application for a permit, authority or exemption under the provisions of these regulations, the Controller may refuse not only such application but any future application by or on behalf of the same applicant.

PART III.

TYRES.

5. (1) No person who owns or has in his possession or control any surplus tyres shall as from the date of publication of these regulations destroy, dispose of or use any such tyres in any manner; save that—

(a) surplus tyres may be sold or disposed of in terms of these regulations governing the rate of disposal of rubber tyres, or to any person in possession of a special authority to purchase tyres issued by the Controller or a District Controller;

(b) surplus tyres may be used in terms of a permit granted by the Controller or a District Controller.

(2) Every person who owns or has in his possession or control any unused new or unused retreaded surplus tyres shall render a return to the District Controller of the District in which the tyres are stored or kept, within seven days of the date of publication of these regulations, *unless* such person has already rendered a return of such tyres in terms of High Commissioner's Notice No. 171 of 1942.

6. (1) Every dealer shall render to the Controller monthly returns of his stocks and sales of pneumatic tyres. Such returns shall be made in the form set out in the respective Forms T. 1 and T. 2 in the First Schedule to these regulations and each such return shall reach the Controller not later than the seventh day of the month following the month in respect of which such return is made.

Provided that any person who is engaged in the business of selling new or used motor vehicles or axle and wheel assemblies and who carries stocks of pneumatic tyres for the purpose of fitting them to

such vehicles or assemblies shall not include in such returns pneumatic tyres actually fitted by him to such vehicles or assemblies as at 3rd July, 1942.

(2) Every dealer shall maintain stock and sales records in such a manner as to enable him to furnish all the information called for in the said Forms T. 1 and T. 2.

(3) For the purposes of this regulation "pneumatic tyre" means the outer cover of a pneumatic tyre irrespective of its condition, but shall not include tyres for pedal cycles.

7. No person shall sell, let or otherwise supply to any other person any tyre, and no person shall acquire possession of any tyre by purchase, hire, gift or in any other manner whatsoever, except upon the authority of and subject to the conditions set forth in a permit issued by the Controller or a District Controller: Provided that the provisions of this regulation shall not apply in the case of—

(a) the sale or supply by a wholesale dealer in tyres or a manufacturer of tyres to any person who carries on the business of assembling new commercial motor vehicles, 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 any tyre which has been specially permitted by the Controller in terms of regulation 15 of these regulations;

(d) the sale or disposal of rubber tyres to any person in possession of a special authority to purchase rubber tyres issued by the Controller or a District Controller:

Provided further that no person shall acquire more than one serviceable tyre in excess of the number of running wheels (that is to say, excluding spare wheels) of his vehicle, except as may be provided in the conditions set forth in a special permit issued under regulation 15 of these regulations.

8. Save as is otherwise provided in paragraph (a) in the first proviso to regulation 7 of these regulations, no person shall fit any tyre to any vehicle or wheel assembly as original equipment thereof except upon the authority of and subject to the conditions set forth in a permit issued by the Controller.

9. (1) Every application for a permit to acquire or dispose of a tyre, other than application for original equipment in terms of regulation 8 of these regulations, shall be in writing in the form set out in Form "Rubber 3" in the First Schedule to these regulations and shall be submitted to the District Con-

troller of the district in which the applicant resides. A separate application shall be made in respect of the tyres required for each separate vehicle.

(2) In addition to completing the said Form "Rubber 3" every applicant shall furnish such additional information as the Controller or a District Controller may require.

(NOTE.—A fee of 6d. in uncanceled revenue stamps must accompany each application, which stamps will be returned to an applicant who is not granted a permit.)

10. Every applicant for a permit in terms of regulation 9 of these regulations shall, before submitting the application to the District Controller, cause the tyres on the vehicle in respect of which the application is made to be examined by a qualified dealer who shall certify in regard to the condition of such tyres as required in item 10 of the Form "Rubber 3".

11. The provisions of regulations 7, 8, 9 and 10 of these regulations may at the discretion of the Controller be modified by him so as to meet any special circumstances prevailing in a particular district.

12. (1) An applicant may be granted a permit to—

(a) purchase a new rubber tyre or tyres of specified size or grade;

(b) purchase retreads, recaps or remoulds in the quantity and size stated;

(c) purchase used rubber tyres in the quantity and size stated;

(d) fit to a vehicle specified rubber tyres in the applicant's possession.

Conditions of the issue of any permit may, *inter alia*, include—

(i) that the 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) any other conditions the insertion of which may be specially authorised by the Controller.

(2) No person who acquires possession of any tyre in terms of a permit issued under regulation 7 hereof shall dispose of such tyre in any manner whatever except under the authority of a permit issued by the Controller or a District Controller, even if such tyre has been fitted to a vehicle, wheel, rim or other article and whether such vehicle, wheel, rim or other article is or is not subsequently disposed of in any manner.

13. If a permit is granted in terms of these regulations and delivered by the District Controller to the applicant or supplier, such applicant or supplier shall

surrender such permit to the seller or supplier, as the case may be, before the completion of the transaction authorised by the permit. Every such permit shall be endorsed by the seller or supplier, as the case may be, quoting the serial numbers of the tyres supplied, and shall then be returned to the Controller.

14. A permit granted under regulation 7 of these regulations shall be valid only for a period of 30 days from the date of issue and shall not be transferable.

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

16. No person who has made application for a special permit in terms of regulation 15 of these regulations 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 7 of these regulations unless and until his application in terms of regulation 15 of these regulations has been refused.

17. No holder of a special permit in terms of regulation 15 of these regulations 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.

18. If any dealer, seller or supplier of rubber tyres furnishes any false information in connection with any application or permit in terms of these regulations, or contravenes any of the regulations relating to the control of rubber, or disregards any written notice addressed by the Controller or duly authorised representatives to such seller or supplier or qualified dealer, the Controller may prohibit the future acquisition of tyres and/or camelback by such seller or supplier or qualified dealer, and may also by notice in writing prohibit such person from executing any permit which may be tendered to him after the date of such written notice.

19. Every retreader shall render a monthly return to the Controller giving full details of the following information in the form set out in Forms 405 and 406, whichever is applicable, in the First Schedule to these regulations:—

(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 15 of these regulations;

(c) such other information as the Controller may require him to furnish.

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

PART IV.

RAW RUBBER.

ACQUISITION AND DISPOSAL OF RAW RUBBER.

20. (1) No person shall acquire or dispose of any raw or other cured or uncured rubber (including liquid latex but excluding rubber solution) required for any process or form of manufacture except upon the authority of and subject to the conditions set forth in a permit issued by the Controller.

(2) Every application for a permit in terms of sub-regulation (1) hereof shall be made by the person desiring to acquire the rubber and, except in the case of importation, the application shall be endorsed by the supplier of rubber with words indicating that he is able to supply such rubber to the applicant.

(3) Every applicant for a permit in terms of this regulation shall furnish the following information in writing:—

(a) Full details of all stock of all grades and classes of rubber held by the applicant at the date of application. Each grade and class of raw or other cured or uncured rubber required in the various processes of manufacture must be detailed and stocks must be expressed in pounds avoirdupois. Stocks of liquid latex must be expressed in imperial gallons and the dry rubber content must be stated;

(b) full details of the average monthly consumption during the years 1941, 1942 and 1943 of the various grades and classes of rubber in respect of each product or class of article manufactured by the applicant;

(c) the amount of rubber (detailed by grade and class) for which application is made. Full details of any outstanding, unfulfilled or undelivered orders of rubber must be furnished.

(4) Nothing contained in this regulation shall prohibit the importation by any person of any rubber or rubber products, on condition that such person immediately upon receipt of such rubber or rubber products furnishes the Controller with full details of such importation.

USE OF RUBBER IN MANUFACTURE.

21. (1) No person shall use any rubber in the manufacture of any article except upon the authority of and subject to the conditions set forth in a permit issued by the Controller.

(2) Every applicant for a permit in terms of sub-regulation (1) hereof shall furnish the following information in writing:—

(a) Full details of all stocks of all grades and classes of rubber held by the applicant at the date of application. Each grade and class of raw or other cured or uncured rubber including scrap rubber required in the various processes of manufacture must be detailed and stocks must be expressed in pounds avoirdupois. Stocks of liquid latex must be expressed in imperial gallons and the dry rubber content must be stated;

(b) full details of the average monthly consumption during each of the years 1941, 1942 and 1943 of the various grades and classes of rubber in respect of each product or class of article manufactured or processed by the applicant;

(c) the amount of each grade or class of rubber applied for in respect of each product or class of article to be manufactured or processed by the applicant;

(d) full details of the products or articles to be manufactured or processed, stating where possible the number and size of such products or articles and the purpose for which they are used;

(e) the number of such products or articles held in stock by the applicant at the date of application;

(f) the number of such articles or products manufactured by the applicant during each of the years 1941, 1942 and 1943;

(g) the period of the validity of the permit desired by the applicant.

22. Every person who owns or has power to dispose of or is in possession or control of any raw or other cured or uncured rubber shall render a monthly return to the Controller in the form set out in Form X Reference 407 and Form Y Reference 408 in the First Schedule to these regulations, which returns shall reach the Controller not later than the seventh day of the month following that in respect of which the returns are made: Provided that no returns need be rendered by persons whose total stocks of raw or other cured or uncured rubber do not exceed 100 pounds in weight, or whose stocks of liquid latex do not exceed 50 imperial gallons: Provided further that whenever the above return is made by an owner who is not in possession or control of the rubber included therein, no other person shall make a return in respect of the same rubber.

23. Every person who uses any raw or other cured or uncured rubber in any process of manufacture shall render a monthly return to the Controller in the form

set out in Form Z Reference 409 in the First Schedule to these regulations, which return shall reach the Controller not later than the seventh day of the month following that in respect of which the return is made.

24. No person shall use rubber in any form in the manufacture of any of the articles detailed in the Second Schedule to these regulations.

PART V.

FOOTWEAR.

25. No portion of any un compounded raw crepe rubber sheet or un compounded raw smoked rubber sheet shall be attached to any footwear.

26. No manufacturer of loose rubber soles, heels, tips, footwear sheeting or gum boots shall manufacture in any one month more than fifty per centum (50%) of the average monthly production of such manufacturer of soles, heels, tips, footwear sheeting or gum boots during the year 1941.

27. No manufacturer shall—

(a) manufacture any shoes with a canvas upper and a rubber sole and/or heel, or other shoes with a textile upper and rubber sole and/or heel, save with the written consent of the Controller;

(b) manufacture any moulded rubber soles, heels, tips and footwear sheeting in any colour other than black;

(c) use in the manufacture of moulded rubber soles, heels, tips, footwear sheeting and gum boots more raw rubber and reclaimed rubber in any one calendar month than is allocated to such manufacturer by the Controller.

PART VI.

BELTING.

28. (1) No person shall sell or supply any vee driving belt to any other person except upon the authority of and subject to the terms of a permit issued by the Controller.

(2) Applications for permits for the sale or supply of vee driving belts in terms of sub-regulation (1) hereof shall be made in writing by the prospective supplier and shall be in the form set out in Form A Reference 201 in the First Schedule to these regulations and shall be addressed to the Controller.

(3) Applications for permits for the sale or supply of vee driving belts for the purpose of keeping stocks of spares shall be made in the form set out in Form S Reference 210 in the First Schedule to these regulations.

Ref. 204.

APPLICATION TO PURCHASE MECHANICAL RUBBER GOODS, OTHER THAN BELTING.

Quantity Required.	Size.	STOCKS.			TOTAL PURCHASES.			Purpose for which Goods are Required.
		On Order.	In Hand.	1942.	1943.	1944.		

I/We declare that a duplicate or similar order for the above, either in whole or in part, has not been placed, and that I/we have not recently purchased similar quantities of the above sizes from any other source of supply.

Name of Consumer..... Business.....
 Address..... Date.....
 Signature of Consumer.....
 Name of Manufacturer.....
 Address.....

N.B.--The above information must be supplied with every individual order with precise details of the use to which the goods will be put. Endorsement by Manufacturer.

SECOND SCHEDULE.

1. Rubber floors.
2. Explosive boxes.
3. Wrist straps.
4. Shin pad straps.
5. Shin pad bands.
6. Cleats.
7. Bath plugs.
8. Door stops.
9. Chair feet.
10. Catapult elastic.
11. Lavatory seat stops.
12. Closet cones.
13. Table, bath, door and other mats, excepting mats the rubber content of which is comprised solely of "scrap" tyres, namely, tyres which are no longer repairable or serviceable as pneumatic tyres.
14. Universal joint discs for motor cars.
15. Flat fan belts for motor cars.
16. Tubing for motor car hand pumps.
17. Sweet and ice moulds.
18. Stationers' rubber bands.
19. Charging stick lips.
20. All types of rubber fittings used in the furniture trade.
21. Wringer rollers for washing machines and mangles.
22. Driving bands for vacuum and similar types of cleaners.
23. Tenniquoit rings.
24. Hockey stick rings.
25. Fishing rod butt ends.
26. Deck quoits.
27. All types of handle grips for sports accessories.
28. Golf tees.
29. Jukskei bats.
30. Dog balls and bones.
31. Glue bottle stoppers.
32. Hard rubber smoking pipe stems.

BECHUANALAND PROTECTORATE.
GOVERNMENT NOTICE No. 2 OF 1944.
SHOP HOURS.

It is hereby notified for general information that, in terms of sub-section (1) of section one of the Bechuanaland Protectorate Shop Hours Proclamation (No. 72 of 1941), His Honour, the Resident Commissioner, has been pleased to declare that the provisions of the said Proclamation shall apply to all shops in the Bechuanaland Protectorate except as specified in this notice, and to make the following provisions under the said Proclamation regarding hours of business in the districts and areas named:—

(1) *Lobatsi District.*

Hours of business for all shops except those at Pitsani, Molopo and Mabule:—

8 a.m. to 1 p.m. } On Mondays, Tuesdays, Wednesdays, Thursdays
2 p.m. to 5 p.m. } and Fridays.
8 a.m. to 1 p.m. } On Saturdays.

(2) *Ngwaketsi District.*

Hours of business for all shops except those at Kokong, Khakea, Kgoro, Machen and Digawana:—

(a) For the period 1st October to 31st March, inclusive:—
7.30 a.m. to 12.30 p.m. } On Mondays, Tuesdays, Wednesdays, Thursdays and Fridays.
2.00 p.m. to 5.00 p.m. }
7.30 a.m. to 12.30 p.m. } On Saturdays.

(b) For the period 1st April to 30th September, inclusive:—
8 a.m. to 1 p.m. } On Mondays, Tuesdays, Wednesdays, Thursdays and Fridays.
2 p.m. to 5 p.m. }
8 a.m. to 1 p.m. } On Saturdays.

(3) (a) *Gaberones District* (excluding the Bakgatla Reserve).

Hours of business:—
8 a.m. to 1 p.m. } On Mondays, Tuesdays, Wednesdays, Thursdays and Fridays.
2 p.m. to 5.30 p.m. }
8 a.m. to 1 p.m. } On Saturdays.

(b) *Bakgatla Reserve.*

Hours of business:—
7.30 a.m. to 12.30 p.m. } On Mondays, Tuesdays, Wednesdays, Thursdays and Fridays.
2.00 p.m. to 5.30 p.m. }
8.00 a.m. to 1 p.m. } On Saturdays.

(4) *Kweneng District.*

Hours of business for all shops except those at Lophephe and Letlakeng:—

(a) For the period 1st October to 31st March, inclusive:—
7 a.m. to 12 noon } On Mondays, Tuesdays, Wednesdays, Thursdays and Fridays.
2 p.m. to 5 p.m. }
7 a.m. to 12 noon } On Saturdays.

(b) For the period 1st April to 30th September, inclusive:—
8 a.m. to 1 p.m. } On Mondays, Tuesdays, Wednesdays, Thursdays and Fridays.
2 p.m. to 5.30 p.m. }
7 a.m. to 12 noon } On Saturdays.

(5) *Ngwato District.*

(a) Serowe, within a radius of two miles of the Chief's kgotla:—

(i) The provisions of section three (1) (a) in so far as they relate to Public Holidays shall not apply in this area.

(ii) Hours of business:—

7 a.m. to 8.30 a.m. } On Mondays, Tuesdays, Wednesdays,
9.30 a.m. to 1 p.m. } Thursdays and Fridays.
2.30 p.m. to 5 p.m. }
7 a.m. to 8.30 a.m. } On Saturdays.
9.30 a.m. to 1 p.m. }

(b) Palapye area, within a radius of one mile of the Post Office:—

Hours of business:—
7 a.m. to 8 a.m. } On Mondays, Tuesdays, Wednesdays, Thursdays and Fridays.
9 a.m. to 1 p.m. }
2.30 p.m. to 5 p.m. }
7 a.m. to 8 a.m. } On Saturdays.
9 a.m. to 1 p.m. }

(c) Mahalapye area, within a radius of one mile of the Post Office, and Palla Road Area, within a radius of one mile of Palla Road Railway Siding:—

Hours of business:—

(i) For the period 1st October to 31st March, inclusive:—

7 a.m. to 8 a.m.....	}	On Mondays, Tuesdays, Wednesdays, Thursdays and Fridays.
9 a.m. to 1 p.m.....		
3 p.m. to 5 p.m.....	}	On Saturdays.
7 a.m. to 8 a.m.....		
9 a.m. to 1 p.m.....		

(ii) For the period 1st April to 30th September, inclusive:—

7 a.m. to 8 a.m.....	}	On Mondays, Tuesdays, Wednesdays, Thursdays and Fridays.
9 a.m. to 1 p.m.....		
2.30 p.m. to 5 p.m.....	}	On Saturdays.
7 a.m. to 8 a.m.....		
9 a.m. to 1 p.m.....		

(6) Francistown District within a radius of one mile from the Post Office:—

Hours of business:—

8 a.m. to 1 p.m.....	}	On Mondays, Tuesdays, Wednesdays, Thursdays and Fridays.
2 p.m. to 5 p.m.....		
8 a.m. to 1 p.m.....		On Saturdays.

(7) Ngamiland, Ghanzi and Chobe Districts.

7.00 a.m. to 8.00 a.m..	}	On Mondays, Tuesdays, Wednesdays, Thursdays and Fridays.
9.00 a.m. to 1.00 p.m..		
2.30 p.m. to 5.00 p.m..	}	On Saturdays.
7.00 a.m. to 8.00 a.m..		
9.00 a.m. to 1.00 p.m..		

2. In terms of sub-section (1), section four of Proclamation No. 72 of 1941, the shops of butchers, poulterers, bakers fishmongers and icemongers throughout the Bechuanaland Protectorate, except where otherwise provided, shall be allowed to open on Public Holidays and Sundays from 7 a.m. to 9.30 a.m.

3. This notice shall take effect from 1st day of March, 1944.

G. E. NETTELTON,
for Resident Commissioner.

Resident Commissioner's Office,
Mafeking, 19th January, 1944.