

# BECHUANALAND PROTECTORATE.

No. 7 OF 1946.

(Promulgated 22nd February, 1946.)

## PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER

Entitled the Bechuanaland Protectorate Uranium and Thorium Control Proclamation, 1946.

Whereas it is expedient to make provision for controlling the search for, disposal and export of uranium, thorium and allied natural substances in the Bechuanaland Protectorate.

Now therefore under and by virtue of the powers in me vested I do hereby declare, proclaim and make known as follows:—

1. In this Proclamation "uranium" and "thorium" include all natural substances, chemical compounds and physical combinations of which the element uranium or the element thorium is, or such other substance as the High Commissioner may from time to time by Notice in the *Gazette* declare to be, a constituent.

Interpretation.

2. Subject to any authority which may be granted by the Resident Commissioner under this Proclamation, the Crown shall be vested with the sole right—

Rights over uranium and thorium vested in the Crown.

(a) to search or prospect for, mine or dispose of any uranium or thorium, or, by any chemical or metallurgical process, to extract or isolate any uranium or thorium from any substance whatsoever; and

(b) to export any uranium or thorium from the Territory.

3. (1) No person shall, without the written authority of the Resident Commissioner—

Written authority required for search, disposal or export.

(a) search or prospect for or mine or dispose of any uranium or thorium referred to in the Schedule to this Proclamation, or by any chemical or metallurgical process extract or isolate uranium or thorium from any substances whatsoever;

(b) export any uranium or thorium referred to in the Schedule, from the territory.

(2) An authority under sub-section (1) may be granted subject to such conditions as the Resident Commissioner may deem fit to impose.

Power to prohibit search or export.

4. If in any circumstances in which the provisions of sub-section (1) of section *three* do not apply, the Resident Commissioner is satisfied that any person—

(a) is searching or prospecting for, or is mining or is about to search or prospect for or to mine, uranium or thorium or any substance from which uranium or thorium may be extracted or isolated; or

(b) has uranium or thorium or any such substance as is mentioned in paragraph (a) in his possession or custody for the purpose of exporting it,

he may by notice under his hand prohibit such person, either unconditionally or subject to such conditions as he may deem fit to impose, from searching or prospecting for or mining uranium, thorium or the substance in question, or from exporting uranium, thorium or such substance, as the case may be.

Power to enter and make tests, etc.

5. It shall be lawful for any officer of the public service authorised thereto in writing by the Resident Commissioner to enter upon any land or premises whatsoever, and there to make such observations and tests and to extract and remove such samples as he may deem necessary for the purpose of determining the presence or otherwise of uranium or thorium.

Discoveries of uranium or thorium to be reported.

6. Every person who has before or after the commencement of this Proclamation, whether in the course of scientific investigation, prospecting or mining, or of carrying out any chemical or metallurgical process, or of any other activity whatsoever, discovered that uranium or thorium occurs at any place in the Territory, shall, forthwith on the commencement of this Proclamation or on making the discovery as the case may be, report the occurrence by notice in writing (which shall specify the ore, the place of its occurrence and the date of the discovery) to the Resident Commissioner.

Offences and penalties.

7. Any person who—

(a) obstructs any person referred to in section *five* in the performance of his functions under that section, or fails to comply with the provisions of section *six*; or

(b) fails to comply with or contravenes the provisions of section *three*, or any prohibition under section *four*, or any condition imposed under section *three* or *four*,

shall be guilty of an offence and liable on conviction—

(i) in the case of an offence referred to in paragraph (a), to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding twelve months; and

(ii) in the case of an offence referred to in paragraph (b), to a fine not exceeding one thousand five hundred pounds or to imprisonment for a period not exceeding seven years, or to both such fine and imprisonment.

8. This Proclamation may be cited as the <sup>Short title.</sup> Bechuanaland Protectorate Uranium and Thorium Control Proclamation, 1946.

GOD SAVE THE KING.

Given under my Hand and Seal at Cape Town this Fourteenth day of February One thousand Nine hundred and Forty-six.

E. BARING,  
High Commissioner.

By Command of His Excellency  
the High Commissioner.

H. E. PRIESTMAN,  
Administrative Secretary.

#### SCHEDULE.

Autunite, allanite, betafite, carnotite, curite, euxenite, fergusonite, gummite, metatorbernite, monazite, pitchblende, samarskite, soddite (or soddyite), thorianite, thorite, thorium, torbernite, tyuyamunite, uraninite, uranium, uranophane, uraconite (or uranochre), xenotime.

*Repealed by  
Proc 68/48*