

BASUTOLAND, BECHUANALAND PRO-  
TECTORATE, SWAZILAND.

HIGH COMMISSIONER'S NOTICE  
No. 14 of 1947.

CONTROL OF JUTE GOODS.

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 bags or goods of jute or hessian in Basutoland, the Bechuanaland Protectorate and Swaziland (each of which is hereinafter respectively referred to as "the Territory").

High Commissioner's Notice No. 229 of 1946 is cancelled.

By Command of His Excellency  
the High Commissioner.

H. E. PRIESTMAN,  
Administrative Secretary.

High Commissioner's Office,  
Cape Town, 11th January, 1947.

PART I.—GENERAL.

1. In these regulations the following word and expressions have the meanings assigned to them unless the context otherwise requires—

"Controller of Jute Goods" (hereinafter called the Controller) means the Government Secretary or such other officer as the Resident Commissioner may appoint;

"bag" means any container, whether new or secondhand, made of jute, coarse cotton or other fibre and suitable as a container for the conveyance of grain or grain products, wool, fruit, vegetables, fertilizer or coal, including paper-lined sacks made of paper and jute or fibre material, but shall not include open mesh pockets of size 13 inches by 32 inches;

"jute goods" means jute products, whether in the piece or manufactured; sewing and binding twine; and includes any bags as above defined; but excludes packing and wrapping material whilst goods are actually contained, packed or wrapped therein;

"jute products" means jute, whether in the piece or manufactured; bags, woolpacks and pockets, whether new or second-hand made from

jute, cotton, linen or any other fibre and suitable as containers for the conveyance of grain or grain products, wool, fruit, vegetables, fertilizers or coal; sewing and binding twine; paper lined jute or fibre material;

“ fertilizer ” means any fertilizer other than manure.

“ High Commission Territories ” means the Territories of Basutoland, the Bechuanaland Protectorate and Swaziland.

2. The following Notices are cancelled:—

High Commissioner's Notices No. 145 of 1942, No. 340 of 1942, No. 111 of 1946 and No. 188 of 1946.

3. Notwithstanding anything contained in High Commissioner's Notices Nos. 223, 224 and 225 of 1941 no jute products may be imported into the Territory from whatever source unless the importation of such goods is authorised by an import permit issued by the Controller.

(Applications for import permits must be made on the form prescribed by the Notices mentioned in regulation 3, subject to a stamp fee of 2s. 6d. for each application).

4. Notwithstanding anything contained in High Commissioner's Notices Nos. 249, 250 and 251 of 1942, as amended, no jute products and no goods contained, packed or wrapped in any jute product may be exported from the Territory (except to the Union or another High Commission Territory) unless the exportation of such goods is authorised by an export permit issued by the Controller: Save that no export permit will be required for the export to Southern Rhodesia or any other adjoining country of empty jute bags originally imported as containers of goods from Southern Rhodesia or such other country.

(Applications for export permits must be submitted to the Controller on the form prescribed by the Notices mentioned in Regulation 4, subject to a stamp fee of 2s. 6d. for each application).

## PART II.—STOCK RETURNS OF DEALERS IN JUTE.

2. (1) Every person who owns, has power to dispose of, or is in possession or control of, or whose business wholly or in part is the manufacture, sale or use of jute goods, shall render a return of his stocks of jute goods as at 31st August, 1946, and thereafter at the end of every calendar month commencing with September, 1946, a monthly return of stocks, receipts and/or production, sales and/or disposal of jute goods during the month in the form set out in Schedule “ A ” hereto. Such returns shall reach the Controller on or before the 7th day following the month in respect of which the return is rendered.

(NOTE.—Receipts and dealings in jute goods *ex* ship or *ex* store, whether received into store or not, must be included.)

(2) Any person who possesses, controls, manufactures or sells jute goods at more than one place or premises, shall render the returns required by sub-regulation (1) of this regulation in respect of each such place or premises unless otherwise authorised by the Controller.

(3) The provisions of this regulation shall not apply to—

(a) *bona fide* farmers holding jute goods in excess of six months' requirements for their own use;

(b) any person for any period during which he holds, possesses or is in control of jute goods not exceeding in quantity ten units of woolpacks or fifty units of other bags; or five hundred yards of jute material; or one hundred pounds weight of jute or binding twines; or one hundred yards length of jute sash cord or jute webbing.

#### PART III.—TRADING IN JUTE.

3. (1) (a) Subject to the provisions of these regulations no person shall sell or otherwise dispose of or buy or otherwise acquire bags, except under a written authority issued by the Controller and upon conditions specified therein.

(b) If any person has purchased bags prior to 20th September, 1946, he shall not accept delivery of the bags after that date except on the written authority of the Controller.

(c) If any person has sold bags prior to 20th September, 1946, but not delivered them he shall not deliver the bags but shall give all particulars of the sale to the Controller, who shall then in writing direct in what manner the bags shall be disposed of.

(2) Any person who wishes to buy bags shall complete an application form in duplicate as set out in Schedule " B " hereto, which he shall hand over to the person from whom he wishes to buy the bags. The seller, if he is able to supply the bags, shall transmit both forms to the Controller, duly completed with statements thereon that he can supply the bags from stock.

(3) (a) This regulation shall not apply to bags acquired *bona fide* when purchasing goods in bags.

(b) Notwithstanding anything in regulation 3 (1), the Controller may authorise the purchase of bags without a permit under such conditions as he thinks fit.

4. (1) No person shall sell or otherwise dispose of jute material of any kind in excess of 1,000 linear yards during any one calendar year except under a written authority issued by the Controller and upon conditions specified therein.

(2) No person shall use any jute material for the purpose of manufacturing articles therefrom or for any other purpose if such involves the consumption of more than 1,000 linear yards of such jute material during any one calendar year, except upon a written authority issued by the Controller and upon conditions specified therein.

(3) Any person who wishes to purchase jute material from any other person shall complete the application form in duplicate set out in Schedule "C" of the Annexure hereto, which he shall hand over to the person from whom he wishes to purchase the material. The seller, if he is able to supply the material, shall transmit both forms to the Controller, duly completed, with statements thereon that he can supply the material from stock.

#### PART IV.—CONSERVATION OF JUTE.

5. (1) No person shall—

(a) destroy or cause or permit the destruction of or otherwise render useless any bags other than Grade 6 bags;

(b) waste or cause, or permit the wastage of, or act in a manner calculated to result in the wastage of, or fail to take all reasonable precautions to prevent the wastage of jute goods;

(c) use or permit the use of, or fail to take all reasonable precautions to prevent the use of jute goods for a purpose or in a manner contrary to the provisions of these regulations;

(d) wrap or pack any commodity in more than one bag except upon the written authority of the Controller;

(e) store or stack bottles, coal, coke or wood in bags;

(f) store or stack any other commodity in bags unless such bags are adequately protected against rain and sun.

(2) No person (hereinafter referred to as "the supplier") shall sell, supply or otherwise dispose of to any other person any commodity contained in bags (except lime, cement and fertilizer), unless prior to or at the time of delivery the person so supplied gives to the supplier and the supplier takes a like quantity of bags of like size or a quantity of bags that together have the same total capacity as the bags received from the supplier, for which the supplier shall pay according to grade and size to the person supplied the price prescribed by law or such lower price as the parties may agree upon;

Provided that the purchaser may tender and the supplier shall accept, in lieu of empty bags, coupons in accordance with any scheme for the conservation of jute goods published in the *Gazette*.

(2) No person (hereinafter referred to as "the supplier") shall sell, supply or otherwise dispose of to any other person any commodity contained in bags (except lime, cement and fertilizer), unless prior to or at the time of delivery the person so supplied gives to the supplier and the supplier takes a like quantity of bags of like size or a quantity of bags that together have the same total capacity as the bags received from the supplier, for which the supplier shall pay according to grade and size to the person supplied the maximum price prescribed by law or such lower price as the parties may agree upon.

(3) Where an agent receives from his principal commodities for sale contained in bags he shall immediately upon the conclusion of the sale despatch to his principal the bags which he has obtained in terms of regulation 5 (2), and debit his principal with the amount he paid for the bags.

(4) Regulation 5 (2) shall not apply to a person who sells manure, coal, coke or wood contained in bags if he dumps the contents at some place indicated by the buyer and retains the bags.

6. (1) Any person who acquires bags containing lime, cement or fertilizer from a supplier other than a manufacturer of the said goods, shall return the said bags within thirty days of receipt thereof to the supplier of such lime, cement or fertilizer, and the supplier shall pay such person for the bags on the basis of payment set out in regulation 5 (2).

(2) Any person who acquires bags containing lime, cement or fertilizer from a manufacturer of the said goods shall return the said bags to the manufacturer within forty-five days of receipt thereof, and the manufacturer shall pay such person for the bags on the basis of payment set out in regulation 5 (2).

The person who so acquires bags from a manufacturer shall at any time when required furnish the manufacturer with information concerning the places to which he despatched the bags received from the manufacturer.

(3) Any manufacturer who sells or otherwise disposes of bags containing lime, cement or fertilizer to any person shall take steps to recover such bags within forty-five days of delivery to such person and shall report to the Controller any failure to effect recovery.

7. The Controller may grant to any person exemption from the provisions of any one or more of these regulations.





SCHEDULE "B".

APPLICATION FOR A PERMIT TO PURCHASE BAGS.

To be submitted in duplicate to the Controller of Jute Goods, through the person from whom the bags are to be purchased, after being completed in every respect.  
Name and address of person or firm making this application.....

Name and address of person or firm from whom the bags are to be purchased.....

(a) Number of bags now applied for and description thereof.....

(b) Purpose for which required.....

(c) Number of bags of whatever type or size sold and delivered by applicant during the calendar year, previous to the making of this application  
said calendar year.....; number of bags utilised by him for the purposes of his business, other than for sale, during the

(d) Number of bags on hand as at 31st December last.....

(e) Number of bags sold and delivered and/or used (specify which) during the current year to date of this application.....

(f) Number of bags purchased and received during the current year to date of this application. Purchased.....Received.....

(g) Number of bags on hand at date of this application and place or places where held.....

(h) Number of bags for which at date of this application, unexecuted orders are held.....

I, the undersigned, do hereby declare that the information given herein is true and correct to the best of my knowledge and belief, and further declare that the bags now in my possession and any other bags allotted to me as the result of this application, will not be sold or delivered without the requisite permit, to any other person.

Witness:  
Signed.....

Address.....

Signed by Buyer.....

Occupation.....

Date.....

I/We certify that I/we can supply the above quantity of bags from stock.

Supplier's signature.....

Date.....

SCHEDULE "C".

APPLICATION FOR A PERMIT TO OBTAIN JUTE MATERIAL.

To be submitted in duplicate, after having been completed in every respect, to the Controller of Jute Goods, through the person from whom the bales of jute are to be purchased.

Name and address of person or firm making this application.....

Name and address of person or firm from whom the bales of material are to be purchased.....

(a) Number of bales now applied for, stating weight and width of material.....

Purpose for which required.....

(b) Number of such bales sold and delivered by applicant during the calendar year, previous to the making of this application.....

or number of such bales utilised by him for the purpose of his business other than for resale, during the said calendar year.....

(c) Number of bales on hand as at 31st December last.....

(d) Number of bales sold and delivered and/or used (specify which) during the current year to date of this application. Purchased..... Received.....

(e) Number of bales purchased and received during the current year to date of this application.....

(f) Number of bales on hand at date of this application and place or places where held.....

(g) Number of bales for which at date of this application unexecuted orders are held.....

I, the undersigned, do hereby declare that the information given herein is true and correct to the best of my knowledge and belief and I further declare that the bales of jute material now in my possession and any other bales of such material allotted to me as the result of this application will not be sold or delivered, without the requisite permit, to any other person.

Witness:

Signed.....

Address.....

Signed.....

Occupation.....

Date.....

I/We certify that I/we can supply the above Jute Material from stock.

Supplier's signature.....

Date.....