

BASUTOLAND.

HIGH COMMISSIONER'S NOTICE  
No. 158 of 1947.

It is hereby notified for general information that, under and by virtue of the powers vested in him by section *three* of the Basutoland Wheat Control Proclamation, 1942 (No. 26 of 1942), His Excellency the High Commissioner has been pleased to substitute the subjoined regulations for those contained in High Commissioner's Notice No. 173 of 1942, which is hereby cancelled.

By Command of His Excellency  
the High Commissioner.

H. E. PRIESTMAN,  
Administrative Secretary.

High Commissioner's Office,  
Pretoria, 28th July, 1947.

REGULATIONS TO PROVIDE FOR THE PROPER  
CLEANING AND GRADING OF WHEAT  
EXPORTED FROM BASUTOLAND.

1. Whenever it is decided by the Resident Commissioner that a wheat cleaning plant is required at any port of exit, he shall cause a notice to be published in not less than two newspapers circulating in the Territory setting forth the particulars and conditions of such plant and inviting applications for the erection and management of such plant. Such notice shall also be published for a period of one calendar month on the notice board at the office of the District Officer or Assistant District Officer in charge of the district in which such plant will be situated. Applications for the erection of such plant and any protests against the erection of such plant must be submitted direct, under sealed cover, and addressed to the "Wheat Cleaning Plant Tender Board, Maseru, Basutoland", within the period notified in the notice inviting such applications. All such applications must be accompanied by a satisfactory guarantee of financial stability to the amount of £5,000 for trading account.

The provisions of this regulation shall not be deemed to apply to any person who, at the date of publication of the aforesaid notice, had already received permission to erect a wheat cleaning plant at the port of

exit concerned, but, in all other respects, the provisions of these regulations shall apply to such person notwithstanding such prior permission.

2. The Chairman and members of the Wheat Cleaning Plant Tender Board (hereinafter referred to as "the Tender Board") shall be appointed by the Resident Commissioner in writing, and the Tender Board shall consider all such applications and protests as may be submitted to it. The Resident Commissioner may at any time vary the membership of the Committee, as he may consider necessary, by appointing additional members or by replacing existing members by others.

3. The Tender Board appointed under the preceding regulation shall submit its recommendations to the Resident Commissioner for approval, and such approval, if given, shall be final.

4. The Resident Commissioner shall in writing authorise any approved tenderer to erect a wheat cleaning plant at the appropriate port of exit.

5. The successful applicant shall erect or cause to be erected the specified plant within such period as may be laid down by the Tender Board, not being less than six months from the date of acceptance of his tender.

6. The type and capacity of the plant and any buildings to be erected shall be approved by the Resident Commissioner.

7. The successful applicant shall employ a grader who is certificated in accordance with the Union Wheat Industry Control Board Regulations. Such a grader is hereinafter referred to as a "plant grader".

8. In the event of a dispute arising between any owner of wheat and the plant grader with regard to the grades assigned by the grader to the wheat submitted by any such owner to him for cleaning and grading, the decision of a Basutoland Government Grader appointed by the Director of Livestock and Agricultural Services shall be final.

9. (1) It shall be compulsory for a plant owner to accept from any owner any quantity of wheat for cleaning and grading amounting to ten full bags of 200 lb. weight each, or any greater quantity, but he may accept at his discretion any lesser quantity: Provided that the plant owner shall have the right to refuse to accept wheat containing moisture in excess of thirteen per cent., or wheat containing foreign matter in excess of twenty per cent., or any other wheat defined as under grade in the Union Wheat Industry Control Board Regulations, or unless the wheat is contained in new  $2\frac{1}{2}$ -lb. "A" twill grain bags.

(2) Wheat containing foreign matter in excess of four per cent. shall not be exported through any of the ports of exit at which a wheat cleaning plant is in operation.

10. (1) Whenever a plant owner accepts wheat he shall deal with it in terms of the conditions laid down in whichever of the following paragraphs is specified in writing by the owner of such wheat:—

(a) He shall receive wheat, weigh it and send the owner a receipt for the quantity and weight received. He shall then clean and grade the wheat and take it over, paying cash for it in accordance with the prevailing value for the grade or grades as determined by the plant grader. The price paid per grade shall be in accordance with the nett basic price laid down for wheat in the Union of South Africa by the Union Wheat Industry Control Board, less transport charges, if any, to the nearest rail-head. The charge for this service shall be 1s. per bag; or

(b) he shall clean it and grade it and despatch it in accordance with the instructions of the owner. The charge for this service shall be 1s. per bag; or

(c) he shall receive wheat, grade it before cleaning and pay cash for it in accordance with the prevailing value according to the grade or grades determined by the plant grader, less 4d. per bag for grading, less road transport charges, if any, to rail-head; or

(d) he shall receive and grade wheat and if the plant grader finds the wheat to contain four per cent. or less of foreign matter he shall dispatch the wheat in accordance with the owner's instructions. The charge for this service shall be 6d. per bag; or

(e) where the wheat cleaning plant is not situated on rail, he shall inspect and grade the wheat on the vehicle on which it is being transported. If the wheat is found to contain four per cent. or less of foreign matter the owner shall be permitted to export the wheat after grading only. The charge for this service shall be 3d. per bag.

(2) The plant owner shall accept no responsibility in regard to the grade or grades as ascertained under conditions (d) and (e) of paragraph (1) of this regulation.

(3) As long as the regulations in regard to the control of bags remain in force, the plant owner may, if necessary, re-bag all wheat in new bags. Where wheat is accepted for export under paragraph (1) (c) of this regulation and requires re-bagging, the charge for this service shall be 4d. per bag, plus the cost of the new bag.

11. All reasonable care shall be taken by the plant owner to prevent damage to wheat while it is in his possession, and he shall take out a floating policy of insurance to cover damage or loss in respect of such wheat from fire and theft.

12. All screenings obtained in cleaning operations shall be the property of the owner of the wheat. Any grain bags which become surplus as a result of the cleaning operations shall be the property of the wheat owner.

13. Export returns of all wheat dispatched to a destination outside the borders of the Territory by a plant owner, whether on his own behalf or otherwise, shall be furnished to the Administrative Officer in charge of the district or sub-district where such plant is situate, and to the Director of Livestock and Agricultural Services. Such returns of wheat exported shall include all transactions for the quarters ended 31st March, 30th June, 30th September and 31st December, shall be on the form prescribed in the Second Schedule to these regulations, and shall be dispatched to the office of the Administrative Officer concerned and to the Director of Livestock and Agricultural Services not later than the last day of the month next succeeding the end of the quarter.

14. Subject to the provisions of regulation 9, all wheat sent to a plant owner shall be received by him and entries shall be made in a suitable record book showing date received, weight received, grade or grades, and all other trading records and transactions in connection therewith. This book, together with a supporting letter or voucher from owners, shall be open to inspection by any Government officer nominated by the Resident Commissioner for this duty.

15. All wheat received by the plant owner shall be dealt with as far as possible in the order received.

16. From and after the commencement of these regulations no person shall export any wheat through the ports of exit mentioned in the First Schedule to these regulations unless such wheat is accompanied by a certificate from a plant grader certifying that it has been tested by him and passed as suitable for export in terms of regulation 9 (2). The First Schedule may be amended from time to time by the Resident Commissioner by notice in the *Gazette*.

17. Any person contravening any of these regulations shall be guilty of an offence and shall be liable on conviction to a fine not exceeding twenty pounds.

18. These regulations shall have force and take effect from the date of publication in the *Gazette*.

