

BASUTOLAND, SWAZILAND.

HIGH COMMISSIONER'S NOTICE
No. 236 OF 1949.

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), and section *one* of the Swaziland Emergency Powers (Defence) Proclamation, 1939 (No. 37 of 1939), His Excellency the High Commissioner has been pleased to make the following regulations:—

(1) No person other than a wholesale distributor, a reseller, a commercial user or a bona fide farmer shall accept delivery of more than two gallons of petrol otherwise than direct into a tank which forms a normal part of a motor vehicle.

(2) No person other than a wholesale distributor, a reseller, a commercial user, or a bona fide farmer, shall have in his possession any quantity of petrol in excess of two gallons in containers other than a tank which forms a normal part of a motor vehicle: Provided that the prohibition contained in this regulation shall not apply in respect of petrol which at the date of publication of this notice is possessed by any person and is contained in a container other than the tank which forms a normal part of a motor vehicle, if such person has within fourteen days after that date in writing advised the Controller of the quantity of petrol so possessed by him.

(3) Subject to the provisions of regulation (4) of this notice no reseller or commercial user shall, at any time, acquire a quantity of petrol exceeding the difference between the quantity held in stock by him on the date of acquisition and one-third of the quantity purchased by him from wholesale distributors during the period 26th May, 1949, to 25th August, 1949.

(4) Any person who commenced operations as a reseller or a commercial user on or after the 26th May, 1949, may acquire petrol from wholesale distributors in such quantities and on such conditions as the Controller may determine.

(5) Any bona fide farmer who comes into possession of petrol shall store such petrol in a tank which forms a normal part of a motor vehicle; provided that not more than a quantity of petrol representing his requirements for agricultural purposes for one month as at the date of acquisition of such petrol may be stored in other containers.

(6) 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.

(7) Any Court before which any person is charged with contravening or failing to comply with these regulations may in addition to any punishment specified in regulation 6 hereof, order that any petrol found in the possession of such person in contravention of these regulations shall be confiscated.

(8) The Controller may by order in writing and subject to such terms and conditions as he may impose exempt any person or persons from any of these regulations.

(9) In this notice unless inconsistent with the context "bona fide farmer" means any person who conducts farming operations and uses petrol for the operation of petrol-driven agricultural machinery or for the propulsion of motor vehicles essentially required for his farming operations; "commercial user" means any person other than a wholesale distributor, a reseller or a bona fide farmer who operates a petrol pump by arrangement with a wholesale distributor and who obtains petrol direct from such wholesale distributor in terms of the custom of the petrol trade; "Controller" means the Government Secretary who may delegate all or any of his powers; "motor vehicle" means a road vehicle of any description which uses petrol as a fuel; "petrol" includes a mixture of petrol and any other substance which can be used as a fuel for internal combustion engines; "reseller" means any person who sells petrol by retail in the course of or as part of any business carried on by him; "wholesale distributor" means any person who carries on the business of selling petrol in bulk.

(10) This notice will come into operation on the date of publication in the *Gazette*.

By Command of His Excellency
the High Commissioner.

W. A. W. CLARK,
Chief Secretary.

High Commissioner's Office,
Pretoria, 31st October, 1949.