

BASUTOLAND, BECHUANALAND
PROTECTORATE, SWAZILAND.

HIGH COMMISSIONER'S NOTICE
No. 238 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 Exportation and Importation Restriction Proclamation, 1941 (No. 4 of 1941), the Bechuanaland Protectorate Exportation and Importation Restriction Proclamation, 1939 (No. 41 of 1939) and the Swaziland Exportation and Importation Restriction Proclamation, 1939 (No. 46 of 1939), His Excellency the High Commissioner has been pleased to order as follows:—

1. In these regulations—

“bona fide gift” means a gift for which no charge has been or is to be made, sent to the addressee for his personal use or for the use of his family and certified by the addressee to be a bona fide gift;

“Customs Proclamation” means, as the case may be, the Basutoland Customs Proclamation, 1944 (No. 46 of 1944), the Bechuanaland Protectorate Customs Proclamation, 1944 (No. 51 of 1944) or the Swaziland Customs Proclamation, 1944 (No. 49 of 1944), as amended;

“European non-sterling countries” mean countries within the continent of Europe (excluding sterling countries), together with their possessions and dependencies in Africa;

“goods” mean all articles, wares, merchandise, animals, matters or things;

“notices” mean, as the case may be, the import control notices published for Basutoland in High Commissioner's Notice No. 280 of 1948, as amended by High Commissioner's Notice No. 63 of 1949, for the Bechuanaland Protectorate High Commissioner's Notice No. 282 of 1948, as amended by High Commissioner's Notice No. 64 of 1949, and for Swaziland High Commissioner's Notice No. 284 of 1948, as amended by High Commissioner's Notice No. 65 of 1949;

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“other non-sterling countries” mean countries not falling within the definition of “sterling countries” and “European non-sterling countries” and includes Canada;

“Resident Commissioner” means the Resident Commissioner of Basutoland, the Bechuanaland Protectorate or Swaziland as the case may be;

“sterling countries” mean the British Commonwealth of Nations (excluding Canada) and includes any territory in respect of which a mandate on behalf of the League of Nations is being exercised by the Government of the United Kingdom or of any other Dominion, any British Protectorate or protected state, Iraq, Iceland and Burma;

“territories” mean the territories of Basutoland, the Bechuanaland Protectorate and Swaziland;

“Union” means the Union of South Africa and includes the Mandated Territory of South West Africa.

2. These regulations shall not affect the provisions of the notices except as hereinafter provided.

3. The Resident Commissioner may order any person who manufactures or deals in any goods or handles any goods in the course of his business or trade, to furnish him with any information whatsoever available to that person, relating to the importation, exportation, manufacture, supply or storage of such goods.

4. As from the 1st December, 1949, no goods may be imported into the territories in terms of the Customs Proclamation, from any source except under the authority of an import permit issued by the Resident Commissioner or his nominee, provided that—

- (i) no import permit issued in terms of these regulations shall be regarded as authorising the importation of any of the goods listed in Schedules A and B of the notices, unless such goods are specifically described in such import permit in the manner indicated in the said Schedules A and B;
- (ii) no import permit in terms of these regulations shall be required for the importation of—
 - (a) goods in transit through the territories;
 - (b) goods shipped from sterling countries on or before 13th June, 1949 (date of shipment to be substantiated by on board bill of lading made out in the name of the ship discharging the goods at Union ports or Delagoa Bay and/or postal receipts);
 - (c) goods imported into the territories from European and other non-sterling countries after 30th June, 1949, payment for which has been arranged under credits established, amounts allocated, or forward contracts entered into

prior to that date by virtue of quotas established in terms of the provisions of the Exchange Quota Regulations contained in High Commissioner's Notice No. 97 of 1949, provided the importer surrenders to the Customs Authorities at the port of entry a signed certificate from his bankers in the following form:—

“This is to certify that the cost of the goods described herein was debited to an available exchange quota prior to 30th June, 1949”;

- (d) goods, being household or personal effects, imported by any person who arrives or has arrived in the territories for a temporary period or to settle therein if the said person has used such goods prior to their importation;
- (e) goods being a bona fide gift as defined in regulation 1 hereon not exceeding 11 lb. in weight or £5 in value;
- (f) samples of no commercial value;
- (g) goods imported from the Union, Southern Rhodesia or Northern Rhodesia, if such goods were grown, produced or manufactured in the countries mentioned;
- (h) goods imported for repair or processing in the territories and return, provided ownership remains vested in the original sender;
- (i) empty containers, including bags, which originally contained goods exported from the territories and returned, free of charge, to the original exporter in the territories;
- (j) goods, the property of a resident of the territories returning to the territories and required for his personal use or for the use of his family, provided the total value thereof does not exceed £15;
- (k) books, printed, and printed music, newspapers and periodicals (not being magazine and periodical publications mentioned in Item Ex 284 of Schedule B to the Notices) imported direct by firms or private persons for their own use and not for resale.

5. The Resident Commissioner may—

- (i) from time to time prescribe or determine the form of any application, permit or import document necessary or required in terms of these regulations;
- (ii) prescribe the conditions for the issue of such permit or import document;

- (iii) refuse to issue an import permit or other document;
- (iv) at any time and without notice cancel any import permit or other document issued by him or his nominee;
- (v) limit the period of validity of any import permit or other document issued by him or by his nominee.

6. Subject to the provisions of regulation 5 (i) hereof, applications to import goods, other than goods referred to in Schedules A and B of the Notices, shall not be required.

By Command of His Excellency
the High Commissioner.

W. A. W. CLARK,
Chief Secretary.

High Commissioner's Office,
Pretoria, 7th November, 1949.