

BECHUANALAND PROTECTORATE.

HIGH COMMISSIONER'S NOTICE

No. 42 OF 1949.

It is hereby notified for general information that, under and by virtue of the powers in him vested by section *sixty-seven* of the Mines and Minerals Proclamation, 1932 (No. 33 of 1932), in the Bechuanaland Protectorate, His Excellency the High Commissioner has been pleased to order that:—

1. Before any person sinks, for the purpose of searching for or getting any minerals, a shaft or borehole intended to reach the depth of more than fifty feet below the surface or, having for this purpose sunk a shaft or borehole not intended to reach such depth, proceeds to sink it beyond such depth he shall give the Government Geologist notice in writing, of his intention to do so, and any person who for such a purpose sinks any such shaft or borehole shall keep a journal thereof, and shall retain for a period of not less than six months such specimens of strata passed through as may have been obtained in the sinking thereof: either as cores or fragments, and shall allow the Government Geologist or any officer appointed by him to have free access at all reasonable times to any such shaft, borehole, core or fragment, to inspect and take copies of the journals of such shafts and boreholes, to inspect all specimens so obtained and kept and to take representative specimens of any such cores or fragments.

2. If any person sinking any such shaft or borehole as aforesaid gives notice in writing to the Government Geologist requiring him to treat as confidential any copies of journals or specimens taken by him or an officer appointed by him, the Government Geologist shall not allow those copies or specimens to be published or shown to any person not being an officer of the Geological Department of the Bechuanaland Protectorate except with the consent of the person sinking such shaft or borehole.

Provided that if at any time the Government Geologist gives notice to any person from whom such consent is required that in his opinion the consent is being unreasonably withheld, then that person may, within three months after such notice has been given, appeal to the Resident Commissioner, but if at the expiration of that period no such appeal has been made, or if after hearing the appeal the Resident Commissioner does not make an

order restraining him from doing so, the Government Geologist may proceed as if such consent had been given.

3. The owner, agent or manager of any mine shall allow the Government Geologist or any officer appointed by him to have free access at all reasonable times to all underground workings and shall supply to the Government Geologist or any officer appointed by him such information or specimens of seams or strata sunk through or opened out at the mine as may be reasonably required by the Government Geologist.

4. If any person sinking any shaft or borehole, or the owner, agent or manager of any mine fails to comply with any obligation imposed on him under this notice, he shall be liable on conviction to the penalties prescribed in section *eighty-one*, subsection (1) (d), of Proclamation No. 33 of 1932 (Bechuanaland Protectorate Mines and Minerals Proclamation).

By Command of His Excellency
the High Commissioner.

W. A. W. CLARK,
Chief Secretary.

High Commissioner's Office,
Cape Town, 14th February, 1949.