

BECHUANALAND PROTECTORATE.

No. 18 of 1949.

(Promulgated 14th April, 1949.)

PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER
Entitled the Bechuanaland Protectorate Methylated
Spirit Proclamation, 1949.

Whereas it is expedient to make provision for restricting and regulating the keeping and selling of methylated spirit in the Bechuanaland Protectorate:

Now, therefore, under and by virtue of the powers in me vested I do hereby declare, proclaim and make known as follows:—

1. "Coloured person" means any person who is neither an European nor a Native nor an Indian. Definitions.

"Methylated Spirit" means—

(a) spirit denatured in accordance with the rules set out in the First Schedule of this Proclamation for the denaturation or methylation of spirit;

(b) any other denatured, medicated, perfumed or otherwise treated spirit which the High Commissioner may declare by notice in the *Gazette* to be methylated spirit for the purpose of this Proclamation.

"Native" means any aboriginal native belonging to any tribe of Africa and shall include persons of mixed races living as members of any native community, tribe or kraal or location in the Territory.

2. (1) No person shall supply methylated spirit to a native or coloured person, and no native or coloured person shall obtain in any manner whatever, or be in possession, of any methylated spirit, save as provided under sections *three* and *six* hereof. Restriction and Regulation.

(2) No person shall sell, or have in his possession for the purposes of sale, any methylated spirit unless he is the holder of a licence to deal in such spirit issued, or renewed annually, by the Resident Commissioner or by any person authorised by him. On the issue of any such licence and on every renewal thereof shall be paid the sum of

twenty shillings to be denoted by revenue stamps affixed to the licence and duly cancelled.

Exemptions.

3. The District Commissioner of any District may in his sole discretion by writing under his hand exempt any native or coloured person from the provisions of this Proclamation. Such exemption may be for any period not exceeding twelve months and may be subject to such conditions as the District Commissioner may think fit to impose. Such exemption shall be valid within the District for which it is issued and may at any time be withdrawn by the District Commissioner for good cause.

Records.

4. A licensed dealer in methylated spirit shall keep a stock book in the form set out in the Second Schedule to this Proclamation and shall conform with the directions set out in the said Schedule. Every such stock book shall at all reasonable times be accessible to any officer of Excise or member of the Police.

Containers.

5. Methylated spirit shall not be sold except in securely fastened containers, or in bottles which shall be of plain white glass, securely stoppered or corked. Such containers or bottles shall be legibly and conspicuously labelled "Methylated Spirit".

Delivery to servants.

6. On a written order dated and signed by the bona fide employer, and setting forth in legible characters, such employer's full name and address, a licensed dealer may deliver methylated spirit to any person to whom the supply thereof is prohibited, for conveyance to such employer who is not himself so prohibited. The licensed dealer, shall before acting upon any such order, satisfy himself that the order is genuine, that it is signed by a person to whom the supply of methylated spirit is not prohibited, and that it is dated upon the day upon which it is presented. It shall be the duty of the licensed dealer, on despatching any methylated spirit in terms of such order, to give to the messenger a dated return pass in the form set out in the Third Schedule to this Proclamation, directed to the person who sent the order and to keep a counterfoil of such return pass bearing a number corresponding with the number placed on the order by the licensed dealer. Every such order shall be filed for a period of three

months, and every such order and the counter-foil of the return pass shall be accessible to any officer of Excise or member of the Police.

7. Any Police Officer may at any time enter and search without a warrant the premises of any person licensed to deal in methylated spirit and inspect his stock of methylated spirit and his registers or records kept under the provisions of this Proclamation and may enter and search without a warrant the premises of any person whom he has reasonable cause to suspect of dealing in methylated spirit without a licence or of unlawfully keeping methylated spirit. Any such officer may upon premises so entered seize any methylated spirit kept in contravention of any provision of this Proclamation.

Powers of search and seizure.

8. Any person who contravenes the provisions of sections *two, four, five* or *six* of this Proclamation shall be guilty of an offence and on conviction shall be liable to a fine not exceeding one hundred pounds and in default of payment to imprisonment with or without hard labour for a period not exceeding one year.

Penalties.

9. On the conviction of any person for any offence against this Proclamation, the Court may in addition to any other penalty direct any licence held by such person under this Proclamation to be cancelled.

Court may order licence to be cancelled.

10. Any person who would have been liable under this Proclamation to any penalty for anything done or omitted if such thing had been done or omitted by him personally shall be liable to the same penalty if such thing has been done or omitted by his partner, agent or servant.

Responsibility for acts of partners, agents and servants.

11. This Proclamation may be cited as the *Bechuanaland Protectorate Methylated Spirit Proclamation, 1949* and shall have force and take effect from the date of its publication in the *Gazette*.

GOD SAVE THE KING.

Given under my Hand and Seal at Cape Town this Eighth day of April, One thousand Nine hundred and Forty-nine.

E. BARING,
High Commissioner.

By Command of His Excellency
the High Commissioner.

W. A. W. CLARK,
Chief Secretary.

FIRST SCHEDULE.

RULES FOR THE DENATURATION OR METHYLATION OF SPIRIT.

1. Only unsweetened and unflavoured spirits of a strength of fifty per centum overproof and upwards by Sikes's hydrometer shall be methylated.

2. The methylated spirit shall be prepared by the addition to the spirits referred to in Regulation 1 of crude methylic alcohol (crude wood naphtha) and pyridine bases, or alternatively of simonsen oil and pyridine bases, in the following proportions:—

(a) Spirits.....	95·0 gallons.
Crude methylic alcohol.....	3·5 gallons.
Pyridine bases.....	1·5 gallons.
	100· gallons.

Or

(b) Spirits.....	97·5 gallons.
Simonsen oil.....	1·0 gallons.
Pyridine bases.....	1·5 gallons.
	100· gallons.

Provided that, in the case of methylated spirit required for laboratory purposes, the pyridine bases may, on the special permission of the Director of Customs, be dispensed with.

3. The crude methylic alcohol shall not be less than sixty per centum overproof by Sikes's hydrometer, and the Simonsen oil must conform to the specification laid down by the Director of Customs.

4. In addition to the substances referred to in Regulation 2, the Director of Customs may require that a further substance or further substances shall be added to the methylated spirit.

SECOND SCHEDULE.

STOCK BOOK FOR METHYLATED SPIRIT.

Dr.

METHYLATED SPIRIT RECEIVED INTO STOCK.

Date	Person from whom Received.		Packages.		Gals.	This space must be reserved for exclusive use of Excise Officer.
	Name.	Address.	No.	Description.		
19....						

Cr.

METHYLATED SPIRIT SOLD OR REMOVED FROM STOCK.

Date	Person from whom Received.		Packages.		Gals.	This space must be reserved for exclusive use of Excise Officer.
	Name.	Address.	No.	Description.		
19....						

Every licensed dealer in methylated spirit shall enter in his Stock Book—

(a) on the debit side—

- (i) his stock of methylated spirit on hand on the 1st January, 1949, or, in the case of a business commenced after that date, his stock at the date of such commencement; and
- (ii) receipts into stock from any source;

(b) on the credit side all takings from such stock.

Every receipt into or taking from stock shall be entered in the stock book immediately upon the transaction taking place.

On the 31st March, 30th June, 30th September and 31st December in every year, every licensed dealer shall take an account of his stock and balance his stock book and shall enter on the debit side as the opening balance for the ensuing quarter, the closing balance on the credit side.

THIRD SCHEDULE.

Counterfoil.

BECHUANALAND PROTECTORATE METHYLATED SPIRIT
PROCLAMATION, 1949.

Return Pass Book. No.	Return Pass Book. No.
Pass (a).....	Pass (a).....
To (b).....	To (b).....
With (c).....	With (c).....
(Dealer's signature)	(Dealer's signature)
.....
Date.....	Date.....

(a) Name of Native or Coloured Person.

(b) Name and address of person who gave order.

(c) Quantity of methylated spirit supplied.