

# BECHUANALAND PROTECTORATE.

No. 20 of 1920.

[Promulgated 4th June, 1920.]

## PROCLAMATION

BY HIS EXCELLENCY THE HIGH COMMISSIONER

Entitled the Bechuanaland Protectorate Customs Proposed Duties Procedure Amendment Proclamation, 1920.

Whereas it is desirable to amend in certain respects the Bechuanaland Protectorate Customs Proposed Duties Procedure Proclamation 1914 as amended by Proclamation No. 29 of 1914 and to make further provision with regard to matters dealt with in the Bechuanaland Protectorate Spirits and Beer Proposed Duties Procedure Proclamation 1914;

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

1. Section *two* of the Bechuanaland Protectorate Customs Proposed Duties Procedure Proclamation 1914 shall be and is hereby amended by the addition thereto of the following provisions as sub-sections (2), (3), (4), (5) and (6), the existing provisions of the section being regarded as sub-section (1):—

- (2) Whenever a notice is given as described in section *one* of the Bechuanaland Protectorate Spirits and Beer Proposed Duties Procedure Proclamation 1914 of a resolution or resolutions whereby it is proposed to affirm the expediency of imposing an excise duty or of increasing the rate of excise duty already payable on spirits manufactured in the Union or whenever a notice is given as described in sub-section (1) of this section of a resolution or resolutions whereby it is proposed to affirm the expediency of increasing the rates of customs duty payable upon spirits imported, for use as beverages, into the Union, any such spirits in the custody, control or possession of dealers in the Bechuanaland Protectorate though imported into the territory prior to the date of such notice or notices, shall, notwithstanding that they have passed out of the control of the customs department, become liable to such further customs duty in addition to any such duty already paid thereon as may be required to make the total duty payable thereon equal to the increased rates of excise or customs duty, as the case may be, provided in the notice or notices of resolution.
- (3) Every dealer shall, within fourteen days of a demand made by or on behalf of the Director of Customs, render, in the form prescribed by the said Director, to the proper officer of customs a correct return of the stocks of spirit so imported which are in his custody, control or possession, including any spirits in transit to him on the date of the notice or notices of proposal to increase the rates of duty; and every dealer, together with a surety approved by the proper officer of customs, shall immediately enter into a bond conditioned for the payment on demand of the difference between the duty originally paid and such increased duty as may afterwards be imposed by law as herein after set forth.
- (4) Any dealer who fails to comply with the provisions of sub-section (3) shall be guilty of an offence and liable on conviction to a fine not exceeding five hundred pounds and any spirits found in the custody, control or possession of the person so convicted may be forfeited.
- (5) In the application of sub-sections (2), (3) and (4) of this section to section *one* of Proclamation No. 29 of 1914 the words "clearance or delivery of the article at such increased duty" as used in that section shall be deemed to refer also to spirits which, having passed out of the control of the customs department before the notice or notices of the proposed increase of duty, are still in the custody, control or possession of dealers.

(6) For the purposes of the preceding sub-sections "dealer" means any person who sells spirits whether by wholesale or retail.

2. This Proclamation, which may be cited as the Bechuanaland Protectorate Customs Proposed Duties Procedure Amendment Proclamation 1920, shall be read as one with the Bechuanaland Protectorate Customs Proposed Duties Procedure Proclamation 1914 and any amendment thereof 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 Capetown this Twenty-seventh day of May One Thousand Nine hundred and Twenty.

BUXTON,  
High Commissioner.

By Command of His Excellency the  
High Commissioner.

H. J. STANLEY,  
Imperial Secretary.