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All Proclamations, Government and General Notices, published for the first time, are indicated by a * in the left-hand upper corner.

PROCLAMATIONS

BY HIS EXCELLENCY THE RIGHT HONOURABLE SIR JOHANNES WILHELMUS WESSELS, A MEMBER OF HIS MAJESTY'S MOST HONOURABLE PRIVY COUNCIL, OFFICER ADMINISTERING THE GOVERNMENT OF THE UNION OF SOUTH AFRICA.

* No. 240, 1935.]

Whereas it is deemed expedient to take further measures in fulfilment of the obligations incumbent on the Union in virtue of Article 16 of the Covenant of the League of Nations. Now therefore, under and by virtue of the powers vested in the Governor-General and at present exercised by me, under section one of the Treaty of Peace and South West Africa Mandate Act, 1919 (Act No. 49 of 1919), I do hereby declare, proclaim and make known as follows:—

1. (1) As from the eighteenth day of November, 1935, the importation into the Union of all goods (other than gold or silver, bullion and coin), consigned from, or grown, produced or manufactured in, Italy or Italian possessions, from whatever place arriving, is hereby prohibited;

Provided that, subject to the production of such evidence as the Commissioner of Customs may require for ensuring that the provisions of this section are not evaded, this section shall not apply—

- (a) to goods which had, before the date aforesaid, left the place from which they were last consigned; or
- (b) to goods imported for exportation after transit through the Union or by way of transhipment; or
- (c) to goods bought and paid for in full on or before the date of this proclamation; or
- (d) to goods being the bona fide personal belongings of travellers from Italy or Italian possessions; or
- (e) to books, newspapers, periodicals, maps, cartographical productions and printed or engraved music.

(2) If at any time a question arises under this section whether any goods have been consigned from Italian territory or were grown, produced or manufactured in Italian territory, it shall be lawful for the Commissioner of Customs to require the importer to furnish to him in such form as he may direct proof in respect of the country from which the goods were consigned and in which the goods were grown, produced or manufactured, and unless proof is furnished to the satisfaction of the Commissioner of Customs that the goods were consigned from, and grown, produced or manufactured in some country other than Italian territory, the goods shall be deemed to be goods consigned from, or grown, produced or manufactured in, Italian territory.

Alle Proklamasies, Goewerments- en Algemene Kennisgewings, wat vir die eerste maal gepubliseer word, is in die linkerboek met 'n * gemerk.

PROKLAMASIES

VAN SY EKSELLENSIE DIE HOOGEDELAGBARE SIR JOHANNES WILHELMUS WESSELS, LID VAN DIE MEES EERVOLLE GEHEIME RAAD VAN SY MAJESTEIT, AMPTENAAR BELAS MET DIE UITOEFENING VAN DIE UITVOERENDE GESAG VAN DIE UNIE VAN SUID-AFRIKA.

* No. 240, 1935.]

Nademaal dit dienstig geag word om verdere maatreëls te tref ter vervulling van die verpligtings wat op die Unie rus kragtens Artikel 16 van die Statuut van die Volkebond;

Daarom is dit dat ek, kragtens die bevoegdhede verleen aan die Goewerneur-generaal, en tans deur my uitgeoefen, onder artikel een van die „Vredesverdrag en Zuid West Afrika Mandaat Wet“ van 1919 (No. 49 van 1919) hierby verklaar, proklameer en bekendmaak as volg:

1. (1) Van die agtende November 1935 word die invoer in die Unie van Suid-Afrika van alle goedere (behalwe staafgoud of staafsilwer en munte), versend van, of gekweek, geproduceer of vervaardig in, Italiaanse besittings van watter plek dit ook aangevoer word, hierby verbied;

Met dien verstande dat, onderworpe aan die verskaffing van sodanige bewys as wat die Kommissaris van Doeane mag eis ten einde te verseker dat die bepalings van hierdie artikel nie onduik word nie, hierdie artikel nie van toepassing sal wees nie op:

- (a) goedere wat voor die vermelde datum die plek verlaat het waarvan hulle die laaste verstuur is; of
- (b) goedere wat ingevoer is vir uitvoer na deurvoer deur die Unie of wyse van oorlading; of
- (c) goedere wat gekoop en ten volle betaal is op of voor die datum van hierdie Proklamasie; of
- (d) goedere wat bona fide deel uitmaak van die persoonlike uitrusting van reisigers komende van Italië of 'n Italiaanse besitting; of
- (e) boeke, nuusblaale, tydskrifte, kaarte, kartografiese voortbrengsels en gedrukte of graverde musiek.

(2) Indien ten eniger tyd die vraag ontstaan, onder hierdie artikel, of goedere verstuur is van, of gekweek, geproduceer, of vervaardig is in, Italiaanse gebied, kan die Kommissaris van Doeane van die invoerder vereis dat hy aan hom in dié vorm deur hom aangegee, bewys lewer van watter land die goedere verstuur is en in watter land die goedere gekweek, geproduceer of vervaardig is en tensy tot genoë van die Kommissaris van Doeane bewys word dat die goed versend is van, en gekweek, geproduceer of vervaardig is in, een of ander land wat geen Italiaanse gebied is nie, word aangeneem dat die goedere verstuur is van, of gekweek, geproduceer of vervaardig is in, Italiaanse gebied.

2. Goods grown or produced in Italy or Italian possessions which have been subjected to some process in another country, and goods manufactured partly in Italy or Italian possessions and partly in another country, shall be deemed to fall within the scope of the above prohibition unless it is proved to the satisfaction of the Commissioner of Customs that twenty-five per cent. or more of the value of the goods at the time when they left the place from which they were last consigned is attributable to processes undergone since the goods last left Italy or Italian possessions.

3. For the purposes of this Proclamation the Mandated Territory of South West Africa shall be deemed to form part of the Union.

GOD SAVE THE KING.

Given under my Hand and the Great Seal of the Union of South Africa at Pretoria on this the Fourteenth day of November One thousand Nine hundred and Thirty-five.

J. W. WESSELS.
Officer Administering the Government.

By Command of His Excellency the Officer Administering the Government-in-Council.

J. B. M. HERTZOG.

* No. 241, 1935.]

Whereas it is deemed expedient to take further measures in fulfilment of the obligations incumbent on the Union under Article 16 of the Covenant of the League of Nations.

Now therefore, under and by virtue of the powers vested in the Governor-General and at present exercised by me, under section *one* of the Treaty of Peace and South West Africa Mandate Act, 1919 (Act No. 49 of 1919), I do hereby declare, proclaim and make known as follows:—

1. The provisions of sections *one*, *three* and *four* of Proclamation No. 219 of the thirtieth day of October, 1935, issued by the Officer Administering the Government of the Union, shall also apply to the exportation and re-exportation from the Union of the following goods, to wit—

- (a) horses, mules, donkeys, camels and all other transport animals;
- (b) rubber, raw, latex, raw crêpe, waste and reclaimed;
- (c) bauxite, aluminium and alumina (aluminium oxide), iron ore and scrap iron; chromium, manganese, nickel, titanium, tungsten, vanadium, their ores and ferro alloys; ferro-molybdenum, ferro-silicon, ferro-silico-manganese and ferro-silico-manganese-aluminium; tin and tin ore, inclusive of all crude forms of the minerals and metals enumerated above and of their ores, scrap and alloys;

as though they were arms, munitions or implements of war enumerated in the Schedule to that Proclamation:

Provided that, subject to the production of such evidence as the Commissioner of Customs may require for ensuring that the provisions of this section are not evaded, this section shall not apply to goods of any of the descriptions set out above which are exported after transit through the Union or by way of transhipment.

2. Goods of the descriptions set out in section *one* of this Proclamation which are en route at the time this Proclamation comes into force shall be excepted from its operation.

3. (1) No goods of the descriptions set out in section *one* of this Proclamation shall be laden for export unless a bill of entry has first been delivered to the proper officer of customs.

(2) The exporter of any goods the exportation of which from the Union to Italy or an Italian possession was, at the time of the exportation thereof, prohibited by this Proclamation or by any other Proclamation issued under the powers vested in the Governor-General by section *one* of the Treaty of Peace and South West Africa Mandate Act, 1919 (Act No. 49 of 1919), may be required by the Commissioner of Customs to produce evidence to his satisfaction that the goods have not reached Italian territory; and if he fails to produce such evidence he shall be liable to a penalty of treble the value of the goods or of a sum not exceeding three hundred pounds, at the election of the Commissioner, to be recovered under the provisions of Chapter VIII of the Customs Management Act, 1913 (Act No. 9 of 1913), unless he proves that he did not consent to or connive at the goods reaching such territory and took all reasonable steps to ensure that the final destination of the goods was that specified in the customs documents relating to the shipment thereof.

(3) If the Commissioner of Customs has reason to suspect that any declaration made in the course of making entry before lading by any person in connection with the exportation of any goods of any description set out in section *one* of this Proclamation is untrue in any material particular, the Commissioner may cause the goods to be detained pending the production to him of proof to his satisfaction of the truth of the declaration, and if such proof is not produced to him within a period fixed by him, the goods shall be seized as forfeited and be dealt with under the provisions of Chapter VIII of the Customs Management Act, 1913 (Act No. 9 of 1913).

2. Goedere gekweek of geproduseer in Italië of Italiaanse besittings wat een of ander bewerking in 'n ander land ondergaan het en goedere wat gedeeltelik in Italië of in Italiaanse besittings en gedeeltelik in 'n ander land vervaardig is, word geag om onder die voormalde verbod te val, tensy dit tot die genoë van die Kommissaris van Doeane bewys dat vyf-en-twintig persent of meer van die waarde daarvan, op die moment dat die goedere die plek verlaat het vanwaar dit die laaste versend is, toe te skryf is aan bewerking wat die goed ondergaan het sedert dit die laaste keer Italië of Italiaanse besittings verlaat het.

3. By die toepassing van hierdie Proklamasie sluit die Unie die Mandaatgebied Suidwes-Afrika in.

GOD BEHOEDE DIE KONING.

Gegee onder my Hand en die Grootseël van die Unie van Suid-Afrika te Pretoria, op hede die Veertiende dag van November Eenduisend Negehonderd Vyf-en-dertig.

J. W. WESSELS,

Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag.

Op Las van Sy Eksellensie die Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag-in-rade.

J. B. M. HERTZOG.

* No. 241, 1935.]

Nademaal dit dienstig geag word om verdere maatreëls te tref ter vervulling van die verpligtings wat op die Unie rus onder Artikel 16 van die Volkebondstatuut;

Daarom is dit dat ek, kragtens die bevoegdhede verleen aan die Goewerneur-generaal, en tans deur my uitgeoefen, onder artikel *een* van die "Vredesverdrag en Zuid West Afrika Mandaat Wet, 1919" (Wet No. 49 van 1919) hierby verklaar, proklameer en bekendmaak as volg:—

1. Artikels *een*, *drie* en *vier* van Proklamasie No. 219 van die dertigste dag van Oktober 1935, uitgevaardig deur die Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag van die Unie is ook van toepassing op die uitvoer en heruitvoer uit die Unie van die volgende goedere naamlik—

- (a) perde, muile, donkies, kamele en alle andere trekdiere;
- (b) rubber, ruwe, lateks, ruwe crêpe, afval en herwonne; en
- (c) bauksiet, aluminium en alumina (aluminiumoksied), ystererts en ysterafval; chroom, mangaan, nikkel, titaan, wolfram, vanadium, hul ertse en yster-allooi; ferro-molibdeen, ferro-silium, ferro-silicium-mangaan, en ferro-silicium-mangaanaluminium; tin en tinerts met inbegrip van alle ruwe vorme van die mineraale en metale hierbo vermeld en van hul ertse, afval en allooi;

asof hulle wapens, ammunisie, of oorlogstuig is vermeld in die Bylae van daardie Proklamasie:

Met dien verstande dat, onderworpe aan die lewering van sodanige bewys as die Kommissaris van Doeane mag eis ten einde te verseker dat die bepaling van hierdie artikel nie onduik word nie, hierdie artikel nie van toepassing sal wees nie op die goedere hierbo omskrywe wat na deurvoer deur die Unie of by wyse van oorlading uitgevoer word.

2. Goedere omskrywe in artikel *een* van hierdie Proklamasie wat op pad is op die moment dat hierdie Proklamasie in werking tree val nie daaronder nie.

3. (1) Geen goedere omskrywe in artikel *een* van hierdie Proklamasie word vir uitvoer gelaaie nie voordat 'n inklaarsbrief aangelever is aan die aangewese doeanebeampte.

(2) Van die uitvoerder van goedere, die uitvoer waarvan uit die Unie na Italië of 'n Italiaanse besitting ten tyde van die uitvoer deur hierdie Proklamasie, of 'n ander Proklamasie, uitgevaardig kragtens die bevoegdhede van die Goewerneur-generaal onder artikel *een* van die "Vredesverdrag en Zuid West Afrika Mandaat Wet, 1919" (Wet No. 49 van 1919), verbode was, kan die Kommissaris van Doeane eis om, tot sy genoë, te bewys dat die goedere nie Italiaanse gebied bereik het nie; en indien hy in gebreke bly om sodanige bewys te lever is hy onderhewig, ter keuse van die Kommissaris, aan 'n boete van driemaal die waarde van die goedere of van 'n som wat drie honderd pond nie te bowe gaan nie, verhaalbaar ooreenkomsdig Hoofstuk VIII van die "Wet op het Beheer van de Doeane, 1913" (Wet No. 9 van 1913), tensy hy bewys dat hy nie daarin toegestem of oogluikend toegelaat het dat die goedere daardie gebied bereik nie en dat hy alle redelike stappe gedoen het om te verseker dat die goedere ten slotte afgelaai sou word op die plek vermeld in die doeane-papiere wat betrekking het op die verskoping daarvan.

(3) Indien die Kommissaris van Doeane rede het om te veronderstel dat 'n verklaring, wat in die loop van inklaring vóór lading gemaak is deur 'n persoon in verband met die uitvoer van goedere soos omskrywe in artikel *een* van hierdie Proklamasie, onwaar is ten opsigte van 'n materiële besonderheid, mag die Kommissaris die goedere laat terughou totdat aan hom voldoende bewys van die juistheid van die verklaring gelewer is en indien hierdie bewys nie aan hom gelewer word nie binne 'n termyn deur hom gestel, word die goedere as verbeurd in beslag geneem en behandel ooreenkomsdig Hoofstuk VIII van die "Wet op het Beheer van de Doeane, 1913" (Wet No. 9 van 1913).

4. Sub-section (ii) of section two of the said Proclamation No. 219 of the thirtieth day of October, is hereby deleted and the following sub-section substituted therefor:—

“The provisions of sub-section (i) shall not apply to payments made to any institution which is certified by the Secretary for Finance to have a humanitarian or religious object”.

5. For the purposes of this Proclamation the Union includes the Mandated Territory of South West Africa.

6. This Proclamation shall come into operation on the eighteenth day of November, 1935.

GOD SAVE THE KING.

Given under my Hand and the Great Seal of the Union of South Africa at Pretoria on this the Fourteenth day of November One thousand Nine hundred and Thirty-five.

J. W. WESSELS,
Officer Administering the Government.

By Command of His Excellency the Officer Administering the Government-in-Council.

J. B. M. HERTZOG.

4. Subartikel (ii) van artikel twee van voormalde Proklamasie No. 219 van 1935 word hierby geskrap en die volgende subartikel daarvoor in die plek gestel:—

„Subartikel (i) is nie op betalings wat gemaak word aan 'n instelling wat volgens 'n verklaring van die Sekretaris van Finansies 'n mensliewende of godsdienstige doel het, van toepassing nie.”

5. By die toepassing van hierdie Proklamasie sluit die Unie die Mandaatgebied Suidwes-Afrika in.

6. Hierdie Proklamasie tree in werking op die agtiende dag van November 1935.

GOD BEHOEDE DIE KONING.

Gegee onder my Hand en die Grootseël van die Unie van Suid-Afrika te Pretoria, op hede die Veertiende dag van November Eenduisend Negehonderd Vyf-en-dertig.

J. W. WESSELS,
Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag.

Op Las van Sy Eksellensie die Amptenaar Belas met die Uitoefening van die Uitvoerende Gesag-in-rade.

J. B. M. HERTZOG.