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Government Notice

The following Government Notice is published for general information.

H. P. F. GOUS,

Acting Secretary for South West Africa.

Administrator's Office,
Windhoek.

Goewermentskennisgewing

Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer.

H. P. F. GOUS,

Waarnemende Sekretaris van Suidwes-Afrika.

Kantoor van die Administrateur,
Windhoek.

DEPARTEMENT VAN HANDEL

No. R. 149 25 Januarie 1974

WET OP DIE VERKRYGING VAN LANDSVOORRADE, 1970

REGULASIES MET BETREKKING TOT DIE BESKIKKING OOR OF DIE GEBRUIK VAN MOTORVOERTUIGBRANDSTOF

Ek, Gabriël Joseph Johannes Fourie Steyn, deur die Minister van Ekonomiese Sake ingevolge artikel 2 van die Wet op die Verkryging van Landsvoorrade, 1970 (Wet 89 van 1970), daartoe gemagtig, bepaal hierby ingevolge genoemde artikel, soos volg:

1. In hierdie regulasies, tensy uit die sinsverband anders blyk, beteken—

"brandstof", met betrekking tot 'n motorvoertuig, ook dieselolie, gas, petrol of enige ander stof wat geskik is vir gebruik as brandstof vir die werking van kompressie- of vonkontstekingsenjins;

"dieselolie" ook 'n mengsel van dieselolie met enige ander stof, wat as brandstof vir die werking van kompressieontstekingsenjins gebruik kan word;

"gas" vloeibare petroleumgas wat geskik is vir gebruik as brandstof vir die werking van vonkontstekingsenjins;

"groothandelverspreider" enigeen van die volgende maatskappye:

(a) B.P. Southern Africa (Pty) Ltd;
(b) Caltex Oil (South Africa) (Pty) Ltd;
(c) Esso Standard South Africa (Pty) Ltd;
(d) Mobil Oil Southern Africa (Pty) Ltd;
(e) Natal Cane By-Products Ltd;
(f) Shell Company of South-West Africa (Pty) Ltd;
(g) Shell South Africa (Pty) Ltd;
(h) Sonarep (South Africa) (Pty) Ltd;
(i) South African Torbanite Mining and Refining Company Ltd;
(j) Total South Africa (Pty) Ltd;
(k) Sasol Marketing Company Ltd;
(l) Trek-Petroleum (Pty) Ltd;

"herverkoper", met betrekking tot die verskaffing van petrol—

(a) 'n ander persoon as 'n massaverbruiker, wat volgens reëling met 'n groothandelverspreider 'n petrolpomp in bedryf het en wat petrol regstreeks van die

DEPARTMENT OF COMMERCE

No. R. 149 25 January 1974

NATIONAL SUPPLIES PROCUREMENT ACT, 1970

REGULATIONS RELATING TO THE DISPOSAL OR USE OF MOTOR VEHICLE FUEL

I, Gabriël Joseph Johannes Fourie Steyn, authorised thereto by the Minister of Economic Affairs in terms of section 2 of the National Supplies Procurement Act, 1970 (Act 89 of 1970), hereby in terms of the said section, prescribe as follows:

1. In these regulations, unless the context otherwise indicates—

"bulk consumer" means any person, other than a reseller, who receives supplies of petrol for his own consumption direct from a wholesale distributor;

"diesel oil" includes any mixture of diesel oil with any other substance, capable of being used as a fuel in the operation of compression ignition engines;

"fuel", in relation to a motor vehicle, includes diesel oil, gas, petrol or any other substance suitable for use as a fuel in the operation of compression and spark ignition engines;

"gas" means liquid petroleum gas suitable for use as a fuel in the operation of spark ignition engines;

"notice" means a notice under section 2 (b) of the National Supplies Procurement Act, 1970 (Act 89 of 1970);

"permit" means a permit on form H262 which a magistrate in the Department of Justice of the Republic, a magistrate in the Bantu homelands or a Bantu Affairs Commissioner is authorised in his discretion to issue and in terms of which authority is granted to any specified person to have in his possession or under his control a larger quantity of petrol than 10 litres in a container other than the tank of a motor vehicle or motor boat;

"petrol" includes any mixture of petrol with any other substance capable of being used as a fuel in the operation of spark ignition engines but does not include petrol for use in the operation of the engine of an aircraft or an aeroplane;

"reseller", in relation to the supply of petrol, means—

(a) any person, other than a bulk consumer, who by arrangement with a wholesale distributor operates a

groothandelverspreider bekom en dit in die loop van of as deel van die bedrywighede van 'n besigheid deur hom gedryf, verkoop; of

(b) 'n persoon, uitgesonderd 'n massaverbruiker, wat, ofskoon hy nie 'n petrolpomp in bedryf het nie, petrol regstreeks van 'n groothandelverspreider bekom en dit in die loop van of as deel van die bedrywighede van 'n besigheid deur hom gedryf, verkoop;

"kennisgewing" 'n kennisgewing kragtens artikel 2 (b) van die Wet op die Verkryging van Landsvoorrade, 1970 (Wet 89 van 1970);

"massaverbruiker" 'n ander persoon as 'n herverkoper wat voorrade petrol vir sy eie verbruik regstreeks van 'n groothandelverspreider ontvang;

"permit" 'n permit op Vorm H262 wat 'n landdros in die Departement van Justisie van die Republiek, 'n magistraat in die Bantoetuislande of 'n Bantoesake-kommissaris gemagtig is om na goeddunke uit te reik en waarkragtens magtiging aan 'n bepaalde persoon verleen word om in sy besit of onder sy beheer 'n groter hoeveelheid as 10 liter petrol in 'n ander houer te hê as in die tenk van 'n motorvoertuig of motorboot;

"petrol" ook 'n mengsel van petrol met enige ander stof, wat as brandstof vir die werking van vonkontstekingsenjins gebruik kan word maar nie petrol vir gebruik vir die werking van die enjin van 'n lugvaartuig of vliegtuig nie; en

"tenk", met betrekking tot 'n motorvoertuig of 'n motorboot, die tenk wat aan die motorvoertuig of motorboot aangebring is en wat—

(a) die oorspronklike tenk is wat die vervaardiger aan die motorvoertuig of motorboot aangebring het; of

(b) volgens die oorspronklike spesifikasie van die vervaardiger is; of

(c) by ontstentenis van sodanige spesifikasie, in die geval van 'n motorvoertuig gebou of aangepas uitsluitlik of hoofsaaklik vir die vervoer van persone en ontwerp met sitplekke vir hoogstens nege persone, nooit meer as 80 liter petrol en, in die geval van enige ander motorvoertuig of motorboot, nooit meer as 200 liter petrol, bevat nie.

2. (1) Behoudens enige voorwaarde opgelê by kennisgewing aan 'n herverkoper en behoudens die bepalings van subregulasies (2) en (3), mag geen herverkoper op 'n ander tyd as tussen 6-uur in die voormiddag en 6-uur in die namiddag vanaf Maandag tot en met Vrydag petrol verkoop of op enige ander wyse hoegenaamd daaroor beskik nie.

(2) Die bepalings van subregulasie (1) word nie so uitgelê as sou dit die verskaffing van petrol regstreeks in die tenk van 'n motorvoertuig verbied nie indien die petrol deur 'n herverkoper verskaf word—

(a) in 'n hoeveelheid van hoogstens 80 liter tussen 4- en 6-uur in die namiddag op 'n Saterdag aan die bestuurder van 'n taxi op sy spesiale skriftelike versoek afgelewer aan die herverkoper nie later as 6-uur in die namiddag op die voorafgaande Vrydag nie; of

(b) op 'n Saterdag of Sondag aan 'n verbruiker van petrol in een van die volgende kategorieë op sy spesiale versoek:

(i) 'n Geneesheer;
(ii) 'n ambulansdiens;
(iii) 'n bloedoortappingsdiens.

(3) Wanneer petrol kragtens subregulasie (2) verskaf word, moet die persoon wat die petrol ontvang, ten tyde van die verskaffing van die petrol self die datum van verskaffing, die registrasieletters en -nommer van die motorvoertuig in die tenk waarvan die petrol gelewer word, sy naam en adres en, in die geval van 'n bestuurder in subregulasie (2) (a) bedoel, ook die datum en nommer van die motortransportsertifikaat toegestaan kragtens die Motortransportwet, 1930 (Wet 39 van 1930), of, in die

petrol pump and who obtains petrol direct from a wholesale distributor and sells it in the course of or as part of the activities of a business carried on by him; or

(b) any person, excluding a bulk consumer, who, although he does not operate a petrol pump, obtains petrol direct from a wholesale distributor and sells it in the course of or as part of the activities of a business carried on by him;

"tank", in relation to a motor vehicle or a motor boat, means the tank which is fitted to the motor vehicle or motor boat and which—

(a) is the original tank fitted by the manufacturer to the motor vehicle or motor boat; or

(b) is in accordance with the original specification of the manufacturer; or

(c) in the absence of such specification, contains, in the case of a motor vehicle constructed or adapted solely or mainly for the carriage of persons and designed to seat not more than nine persons, never more than 80 litres petrol and, in the case of any other motor vehicle or motor boat, never more than 200 litres of petrol; and

"wholesale distributor" means any one of the following companies:

(a) B.P. Southern Africa (Pty) Ltd.
(b) Caltex Oil (South Africa) (Pty) Ltd.
(c) Esso Standard South Africa (Pty) Ltd.
(d) Mobil Oil Southern Africa (Pty) Ltd.
(e) Natal Cane By-Products Ltd.
(f) Shell Company of South-West Africa (Pty) Ltd.
(g) Shell South Africa (Pty) Ltd.
(h) Sonarep (South Africa) (Pty) Ltd.
(i) South African Torbanite Mining and Refining Company Ltd.
(j) Total South Africa (Pty) Ltd.
(k) Sasol Marketing Company Ltd.
(l) Trek-Petroleum (Pty) Ltd.

2. (1) Subject to any condition imposed by notice to a reseller and subject to the provisions of subregulations (2) and (3), no reseller shall sell or in any other way whatsoever dispose of petrol at any time other than between 6 o'clock in the forenoon and 6 o'clock in the afternoon from Monday to Friday, both days inclusive.

(2) The provisions of subregulation (1) shall not be construed as prohibiting the supply of petrol direct into the tank of a motor vehicle, if the petrol is supplied by a reseller—

(a) in a quantity of not more than 80 litres between 4 and 6 o'clock in the afternoon on a Saturday to the driver of a taxi at his special written request delivered to the reseller not later than 6 o'clock in the afternoon on the preceding Friday; or

(b) on a Saturday or Sunday to a consumer of petrol in one of the following categories at his special request:

(i) A medical practitioner;
(ii) an ambulance service;
(iii) a blood transfusion service.

(3) When petrol is supplied under subregulation (2), the person who receives the petrol shall, at the time of the supply of the petrol, himself record the date of supply, the registration letters and number of the motor vehicle in the tank of which the petrol is delivered, his name and address and, in the case of a driver referred to in subregulation 2 (a), also the date and number of the motor carrier certificate granted under the Motor Carrier Transportation Act, 1930 (Act 39 of 1930), or, in the case of

geval van 'n verbruiker in subregulasie (2) (b) bedoel, ook besonderhede van die reis waarvoor die petrol nodig is, in 'n boek aanteken wat deur die herverkoper verskaf en gehou moet word.

(4) Geen persoon mag valse of onjuiste inligting in 'n boek in subregulasie (3) bedoel, aanteken nie.

3. (1) Geen herverkoper mag petrol verskaf en geen persoon mag petrol van 'n herverkoper ontvang in 'n hoeveelheid van meer as 10 liter anders as regstreeks in die tenk van 'n motorvoertuig of motorboot nie, tensy sodanige persoon ten tyde van die ontvangs van die petrol in besit is van 'n permit ten opsigte van die hoeveelheid petrol wat verskaf word en sodanige permit aan die herverkoper toon.

(2) Geen groothandelverspreider mag petrol aan 'n massaverbruiker verskaf en geen massaverbruiker mag petrol van 'n groothandelverspreider ontvang in 'n hoeveelheid van meer as 10 liter anders as in 'n ondergrondse tenk nie, tensy die massaverbruiker ten tyde van die ontvangs van die petrol in besit is van 'n permit ten opsigte van die hoeveelheid petrol wat verskaf word en sodanige permit aan die groothandelverspreider toon.

(3) Behalwe op magtiging van 'n permit en behoudens enige voorwaarde opgelê by kennisgewing aan 'n verbruiker van petrol, mag geen persoon—

(a) in sy besit of onder sy beheer 'n groter hoeveelheid petrol as 10 liter in 'n ander houer of houers hê as in die tenk van 'n motorvoertuig of motorboot nie; of

(b) 'n motorvoertuig bestuur waarin daar meer as 10 liter petrol in 'n ander houer as die tenk van die motorvoertuig is nie: Met dien verstande dat geen permit vereis word nie ten opsigte van enige petrol in die besit of onder die beheer van—

(i) 'n raffinadery wat petrol produseer; of
(ii) 'n groothandelverspreider; of
(iii) 'n herverkoper; of
(iv) 'n massaverbruiker, as die petrol in 'n ondergrondse tenk is; of
(v) 'n karweier wat die petrol na 'n herverkoper of verbruiker vervoer.

(4) 'n Aansoek om 'n permit moet by 'n landdros in die Departement van Justisie van die Republiek, 'n magistraat in 'n Bantoetuisland, of 'n Bantoesakekommissaris ingedien word.

(5) Wanneer 'n persoon 'n aansoek kragtens subregulasie (4) indien—

(a) moet hy sodanige tersaaklike verklarings aflê as wat die betrokke landdros in die Departement van Justisie van die Republiek, of die betrokke magistraat in die Bantoetuisland of die betrokke Bantoesakekommissaris verlang; en

(b) mag hy geen valse of onjuiste verklarings in verband met sy aansoek aflê nie.

(6) 'n Permit onthef nie enige persoon van die nakoming van die vereistes van enige wet met betrekking tot die hantering en opberging van petrol op enige perseel nie.

4. (1) Behoudens enige voorwaarde opgelê by kennisgewing aan 'n verbruiker van gas, mag geen persoon gas gebruik om daarmee 'n motorvoertuig op 'n openbare pad, soos omskryf in 'n ordonnansie van die betrokke provinsie of die gebied Suidwes-Afrika waarkragtens padverkeer gereël word, aan te dryf nie, tensy die enjin van sodanige motorvoertuig, op die datum van inwerkingtreding van hierdie regulasie, vir die werking daarvan met gas ontwerp is en, sonder aanpassing, bestaan uit die oorspronklike soort enjin wat ten tye van vervaardiging aan die motorvoertuig aangebring is.

(2) Geen persoon mag brandstof in 'n motorvoertuig gebruik met die doel om sodanige voertuig op 'n pad aan te dryf teen 'n snelheid wat die maksimum snelheid oorskry wat by of kragtens 'n wet ten opsigte van bedoelde voertuig op die betrokke pad voorgeskryf is nie: Met dien verstande dat waar die maksimum snelheid aldus

a consumer referred to in subregulation 2 (b), also particulars of the journey for which the petrol is required, in a book which shall be provided and kept by the reseller.

(4) No person shall record false or incorrect information in a book referred to in subregulation (3).

3. (1) No reseller shall supply and no person shall receive petrol from a reseller in a quantity in excess of 10 litres other than direct into the tank of a motor vehicle or motor boat unless such person has in his possession and presents to the reseller at the time of the receipt of the petrol a permit in respect of the quantity of petrol supplied.

(2) No wholesale distributor shall supply to a bulk consumer and no bulk consumer shall receive petrol from a wholesale distributor in a quantity in excess of 10 litres other than in an underground tank unless the bulk consumer has in his possession and presents to the wholesale distributor at the time of the receipt of the petrol a permit in respect of the quantity of petrol supplied.

(3) Save on authority of a permit and subject to any condition imposed by notice to a consumer of petrol, no person shall—

(a) have in his possession or under his control a larger quantity of petrol than 10 litres in a container or containers other than in the tank of a motor vehicle or a motor boat; or

(b) drive a motor vehicle in which there is more than 10 litres of petrol in a container other than the tank of the motor vehicle: Provided that no permit shall be required in respect of any petrol in the possession or under the control of—

(i) a refinery which produces petrol; or
(ii) a wholesale distributor; or
(iii) a reseller; or
(iv) a bulk consumer, if the petrol is in an underground tank; or
(v) a cartage contractor who conveys the petrol to a reseller or consumer.

(4) An application for a permit shall be submitted to a magistrate in the Department of Justice of the Republic, a magistrate in the Bantu homelands or a Bantu Affairs Commissioner.

(5) When any person submits an application under subregulation (4)—

(a) he shall make such relevant statements as may be required by the magistrate in the Department of Justice of the Republic, the magistrate in the Bantu homeland or the Bantu Affairs Commissioner concerned; and

(b) he shall make no false or incorrect statements in connection with his application.

(6) A permit shall not absolve any person from compliance with the requirements of any law relating to the handling and storage of petrol on any premises.

4. (1) Subject to any condition imposed by notice to a consumer of gas, no person shall use gas to propel a motor vehicle along a public road, as defined in an ordinance of the province concerned or of the Territory of South-West Africa under which road traffic is regulated, unless the engine of such motor vehicle was, on the date of commencement of this regulation, designed to operate by means of gas and comprises, without modification, the original type of engine fitted to the motor vehicle at the time of manufacture.

(2) No person shall use fuel in a motor vehicle for the purpose of propelling such vehicle along any road at a speed exceeding the maximum speed prescribed by or under any law in respect of the said vehicle along the road in question: Provided that where the maximum speed

voorgeskryf 80 kilometer per uur te bowe gaan of waar geen maksimum snelheidsgrens ten opsigte van 'n pad voorgeskryf is nie, die snelheid waarteen die motorvoertuig op daardie pad aldus aangedryf mag word, nie 80 kilometer per uur mag oorskry nie.

5. Behalwe ooreenkomstig 'n vrystelling verleen en enige voorwaarde opgelê by kennisgewing aan 'n verbruiker van petrol of gas, mag geen persoon enige petrol of gas gebruik vir wedrenne of tydrenne met motors, motorfietse, motorbote of enige ander petrol- of gasaangedrewe masjiene of vir waterskidoeleindes nie.

6. Goewermentskennisgewings R. 2204 van 16 November 1973, R. 2203 van 30 November 1973 en R. 2492 van 21 Desember 1973 word hierby ingetrek.

G. J. J. F. STEYN, Kontroleur van Petroleumprodukte.

so prescribed exceeds 80 kilometres per hour or where no maximum speed limit is prescribed in respect of any road, the speed at which the motor vehicle may so be propelled along that road, shall not exceed 80 kilometres per hour.

5. Save in accordance with any exemption granted and any condition imposed by notice to a consumer of petrol or gas no person shall use any petrol or gas for racing or rallying with motor cars, motor cycles, motor boats or any other petrol-driven or gas-driven machine or for purposes of waterskiing.

6. Government Notices R. 2204 of 16 November 1973, R. 2303 of 20 November 1973 and R. 2492 of 21 December 1973 are hereby withdrawn.

G. J. J. F. STEYN, Controller of Petroleum Products.

Vorm/Form H262

DEPARTEMENT VAN HANDEL
DEPARTMENT OF COMMERCE

PERMIT OM 'N HOEVEELHEID PETROL VAN MEER AS 10 (TIEN) LITER TE BESIT OF IN SY BEHEER TE HÊ

PERMIT TO HAVE IN POSSESSION OR UNDER CONTROL A QUANTITY OF PETROL IN EXCESS OF 10 (TEN) LITRES

Naam/Name.....

Adres/Address.....

.....

Bogenoemde persoon word hierby ingevolge die regulasies kragtens die Wet op die Verkryging
The abovenamed person is hereby authorised, under the regulations issued in terms of the

van Landsvoorrade, 1970 (Wet 89 van 1970), met betrekking tot die beskikking oor of die gebruik
National Supplies Procurement Act, 1970 (Act 89 of 1970), relating to the disposal or use of petrol,

van petrol uitgereik, gemagtig om liter petrol wat hy in ander houers as die
to have in his possession or under his control.....litres of petrol which he may store in con-

tenk van 'n motorvoertuig opberg, in sy besit of in sy beheer te hê.
tainers other than the tank of a motor vehicle.

Hierdie permit is geldig tot (datum)
This permit is valid until (date).....

Hierdie permit stel nie die persoon aan wie dit uitgereik is van die nakoming van die vereistes
This permit does not absolve the person to whom it is issued from compliance with the require-

van enige wetsbepaling met betrekking tot die hantering en opberging van petrol op enige perseel vry nie.
ments of any provision of law relating to the handling and storage of petrol on any premises.

....
Datum/Date *Landdros/Bantoesakekommissaris*
Magistrate/Bantu Affairs Commissioner

INHOUD

No. *Bladsy*
Handel, Departement van
Goewermentskennisgewing
R. 149. Wet op die Verkryging van Landsvoorrade, 1970 62

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