

## CHAPTER 50:02

### HIDE AND SKIN TRADE

#### ARRANGEMENT OF SECTIONS

##### SECTION

#### PART I

##### SHORT TITLE, APPLICATION AND INTERPRETATION

1. Short title and application
2. Interpretation

#### PART II

##### BUYER'S LICENCE

3. Restriction on purchase of hides and skins
4. Application for, issue of and validity of buyer's licence
5. Conditions attached to buyer's licence
6. Cancellation or suspension of buyer's licence

#### PART III

##### EXPORT OF HIDES AND SKINS

7. Restriction on export of hides and skins
8. Export under licence
9. Application for, issue of, power to refuse and validity of exporter's licence
10. Conditions attached to exporter's licence
11. Cancellation or suspension of exporter's licence
12. Proviso

#### PART IV

##### REGISTRATION OF PREMISES

13. Premises used for drying to be registered
14. Validity of registration certificate

#### PART V

##### APPEALS

15. Appeal from decision of licensing officer or inspector and of Director

#### PART VI

##### POWERS OF INSPECTION, SEARCH AND SEIZURE

16. Powers of inspection, search and seizure

#### PART VII

##### MISCELLANEOUS

17. Separate licence required for each premises
18. Reference of dispute as to grading

#### PART VIII

##### OFFENCES

19. Licensee not to store hides and skins on unlicensed premises
20. Offence to buy, etc., certain dried hides
21. Miscellaneous offences and penalty

PART IX

RULES

22. Power to make Rules

23 of 1954

1 of 1963

G.N. 22/1963

1/1965

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An Act to provide for the regulation of the trade in hides and skins

[1ST JANUARY 1955]

PART I

SHORT TITLE, APPLICATION AND INTERPRETATION

[Ch5002s1]1. Short title and application

(1) This Act may be cited as the Hide and Skin Trade Act.

(2) So much of the provisions of this Act as relate to dealing in hides and skins and to licences authorizing such dealing shall extend only to such areas and such classes of hides and skins as the Minister may from time to time, by notice published in the Gazette, appoint.

[Ch5002s2]2. Interpretation

In this Act, unless the context otherwise requires—

“buyer” means any person who buys, sells or otherwise deals in hides and skins;

“buyer’s licence” means a licence issued under section 4;

“Director” means the Director of Animal Health and Industry and includes the Deputy Director of Animal Health and Industry;

“export” means export from Malawi;

“exporter” means any person duly authorized under this Act to export hides or skins or hides and skins;

“exporter’s licence” means a licence issued under section 9;

“game animal” bears the same meaning in this Act as it bears in the Game Act; Cap. 66:03

“green hide” or “green skin” means a hide or skin which is not partly nor wholly dried, salted or tanned;

“hide” means the hide of a bovine animal;

“inspector” means any person authorized in writing by the Minister to act as an inspector for the purposes of this Act;

“licensing officer” means any person authorized in writing by the Minister to issue buyer’s licences under this Act;

“preparation” includes the processes of cleansing, fleshing, salting or drying and the expressions “prepared” and “prepare” shall be construed accordingly;

“skin” means the skin of a pig, sheep or goat or of any game animal.

## PART II

### BUYER’S LICENCE

#### [Ch5002s3]3. Restriction on purchase of hides and skins

(1) No person shall, whether on his own account or on behalf of any other person, buy for the purpose of resale or tanning in Malawi, or for export, any hide or skin unless he is in possession of a valid buyer’s licence in the prescribed form issued to him by a licensing officer:

Provided that the Minister may, by notice published in the Gazette, exempt any person or class of persons from this section.

(2) Any person who contravenes this section shall be guilty of an offence.

#### [Ch5002s4]4. Application for, issue of and validity of buyer’s licence

(1) Any person who wishes to obtain or renew a buyer’s licence shall apply therefor, in the prescribed manner, to a licensing officer.

(2) The licensing officer may, upon receiving any such application, if he is satisfied that the applicant possesses a sufficient knowledge of the hide and skin trade and is capable of complying with the prescribed conditions, issue the applicant with a buyer’s licence or a renewal thereof on payment of the prescribed fee. Every such licence shall specify the premises, the area and the markets to which it relates and shall be valid only in respect of such premises, area and markets.

(3) A licensing officer shall not issue a buyer's licence unless—

(a) an inspector has certified that the premises in respect of which an applicant has applied for such licence are suitable, having regard to the volume and nature of the trade which may reasonably be expected in such premises and having regard also to the District in which they are situated;

(b) a medical officer of health for the area concerned, or some person authorized by him in writing in that behalf has certified that such premises are, having regard to the interests of public health, suitable for the purpose for which the licence is required.

(4) A buyer's licence shall, unless previously cancelled or suspended under section 6, remain in force until the 31st December of the year in respect of which it was issued.

[Ch5002s5]5. Conditions attached to buyer's licence

(1) In addition to any conditions which may be prescribed, it shall be a condition of every buyer's licence that the licensee shall—

(a) buy and sell each hide by grade as well as by weight;

(b) buy and sell each skin by grade as well as by the piece or weight;

(c) carry out the grading of the hides and skins at the time of purchase to the satisfaction of an inspector;

(d) display at the premises to which his licence relates, in the prescribed manner, the prices which he offers;

(e) not buy hides and skins at lower prices than those displayed in the prescribed manner;

(f) buy hides and skins for cash on delivery;

(g) keep proper books in English or Chinyanja in the manner prescribed:

Provided that paragraphs (e) and (f) shall not apply to purchases from the holder of a buyer's licence.

(2) The Minister may, by notice published in the Gazette, prescribe the minimum price payable for hides and skins.

(3) Any person who contravenes any of the conditions of a buyer's licence or who buys hides or skins at a price below the minimum price fixed under subsection (2) shall be guilty of an offence.

[Ch5002s6]6. Cancellation or suspension of buyer's licence

(1) A licensing officer may cancel or suspend a buyer's licence for such period as he deems fit if he is satisfied that the licensee—

- (a) has been convicted of an offence against any of the provisions of this Act; or
- (b) has committed a breach of any of the conditions of his licence; or
- (c) has been convicted, either in Malawi or elsewhere, of any offence involving fraud or dishonesty, or is an undischarged bankrupt.

(2) When any person is notified that his buyer's licence has been cancelled or suspended he shall forthwith surrender such licence to the licensing officer of the area in which it was issued and, if any such person fails, without lawful excuse, so to surrender such licence, he shall be guilty of an offence.

### PART III

#### EXPORT OF HIDES AND SKINS

##### [Ch5002s7]7. Restriction on export of hides and skins

- (1) No hide or skin may be exported except through a prescribed port or exit point.
- (2) Any person who contravenes, or attempts to contravene, this section, shall be guilty of an offence.

##### [Ch5002s8]8. Export under licence

- (1) No person shall export any hide or skin unless he is in possession of a valid exporter's licence in the prescribed form issued to him by the Director.
- (2) Any person who contravenes, or attempts to contravene, this section, shall be guilty of an offence.

##### [Ch5002s9]9. Application for, issue of, power to refuse and validity of exporter's licence

(1) Any person who wishes to obtain or renew an exporter's licence shall apply therefor, in the prescribed manner, to the Director and, on payment of the prescribed fee, the Director may, subject to the general or special directions of the Minister, issue to the applicant an exporter's licence or a renewal thereof. Every such licence shall specify the premises to which it relates.

(2) The Director may, subject to the general or special directions of the Minister, refuse to issue an exporter's licence if—

- (a) in his opinion, the applicant has insufficient resources, or inadequate facilities, or he or the staff employed by him lack the technical knowledge, to enable him to engage in trading in hides and skins for export in the manner required by this Act; or
- (b) the premises on which the applicant proposes to carry on his business do not conform with the requirements of any Act; or

(c) the applicant has, within the five years immediately preceding the date of his application been convicted of an offence against this Act; or

(d) the applicant has, within the five years immediately preceding his application, been convicted, either in Malawi or elsewhere, of any offence involving fraud or dishonesty, or is an undischarged bankrupt or is, in the case of a corporation or firm, in liquidation.

For the purposes of paragraphs (c) and (d), “applicant” includes, in the case of a corporation or firm, any director or partner of such corporation or firm and its local manager.

(3) The Director shall not issue an exporter’s licence unless—

(a) an inspector has certified that the premises in respect of which an applicant has applied for such licence are suitable, having regard to the volume and nature of the trade which may reasonably be expected in such premises and having regard also to the District in which they are situate;

(b) a medical officer of health for the area concerned, or some person authorized by him in writing in that behalf has certified that such premises are, having regard to the interest of public health, suitable for the purpose for which the licence is required.

(4) An exporter’s licence shall, unless previously cancelled or suspended under section 11, remain in force until the 31st December of the year in which it is issued.

[Ch5002s10]10. Conditions attached to exporter’s licence

(1) In addition to any conditions which may be prescribed, it shall be a condition of every exporter’s licence that the licensee shall—

(a) equip and maintain his premises to the satisfaction of the Minister;

(b) carry out grading of hides and skins to the satisfaction of the Minister;

(c) keep proper books in English or Chinyanja in the manner prescribed.

(2) Any person who contravenes any of the conditions of an exporter’s licence shall be guilty of an offence.

[Ch5002s11]11. Cancellation or suspension of exporter’s licence

The Minister may cancel, or suspend for such period as he deems fit, an exporter’s licence if he is satisfied that the licensee—

(a) has been convicted of an offence against any of the provisions of this Act; or

(b) has committed a breach of any of the conditions of his licence; or

(c) has been convicted, either in Malawi or elsewhere, of an offence involving fraud or dishonesty, or is an undischarged bankrupt.

[Ch5002s12]12. Proviso

(1) Provided that nothing in this Part shall preclude the Minister, at his discretion and upon payment of such fee as he shall consider reasonable, from granting to any person an exclusive licence to export hides and skins and from attaching to such licence such conditions as he may consider necessary or expedient. An exclusive licence shall be valid for such period as may be specified therein and may be granted either in respect of the whole of Malawi or of any part of Malawi.

(2) No such licence shall be granted before the expiration of a period of not less than three months following the publication in the Gazette and in a newspaper circulating in Malawi of a notice declaring the intention of the Minister to grant such a licence.

PART IV

REGISTRATION OF PREMISES

[Ch5002s13]13. Premises used for drying to be registered

(1) No premises may be used for the purposes of shade or suspension-drying until they have been approved as suitable for such purpose by an inspector who, if he approves, shall, upon payment of the prescribed fee, issue the owner or occupier with a registration certificate in respect of such premises, in the prescribed form:

Provided that this subsection shall not apply to any premises or class of premises as the Minister may, by notice published in the Gazette, exempt therefrom.

(2) An inspector may with the consent in writing of the Minister—

(a) refuse to approve premises if, in his opinion, they are unsuitable for the purpose, or the owner or occupier or the persons employed therein are not capable of satisfactorily preparing hides and skins in the prescribed manner;

(b) cancel or suspend the registration certificate of any registered premises if, in his opinion and after having given fourteen days' notice in writing to the owner or occupier of such premises, hides and skins are not being prepared, dried or stored therein in a satisfactory manner.

(3) Any person who uses premises in contravention of subsection (1) shall be guilty of an offence.

[Ch5002s14]14. Validity of registration certificate

A registration certificate shall, unless cancelled or suspended under section 13, remain in force until the 31st December of the year in which it was issued.

PART V

APPEALS

[Ch5002s15]15. Appeal from decision of licensing officer or inspector and of Director

Any person aggrieved by the refusal of a licensing officer to issue or renew a licence under section 4, or by the decision of a licensing officer under section 6, or of an inspector under section 13 (1), may in writing require such licensing officer or inspector, as the case may be, to supply to him in writing the reasons for his decision and such person may, within fourteen days after the date upon which he receives such reasons, appeal in the prescribed manner to the Director.

## PART VI

### POWERS OF INSPECTION, SEARCH AND SEIZURE

[Ch5002s16]16. Powers of inspection, search and seizure

(1) Any inspector or any other person authorized in writing for the purpose by the Minister may, at all reasonable times, upon producing the written authority of the Minister in that behalf enter any premises in which any buyer or exporter carries on, or in which any inspector or other authorized person suspects him of carrying on, his business, or any premises registered under Part IV, or reasonably suspected by any inspector or other authorized person of being used for the purpose of preparing hides or skins, for the purpose of ascertaining whether the provisions of this Act, or the conditions of any licence, are being observed, and may inspect any hides or skins found on such premises and may take any such hides or skins as samples for the purpose of instituting any proceedings under this Act.

(2) Any person authorized in writing for the purpose by the Minister, if he has reasonable cause to believe that any offence has been committed against this Act in respect of any hides or skins, may take possession of such hides or skins or, by order in writing, require the person in possession of such hides or skins to retain them in his possession pending the order of the Minister.

(3) Any police officer of or above the rank of assistant inspector, or any other police officer authorized in writing in that behalf by an administrative officer, may stop and examine any vehicle carrying, or reasonably suspected by him to be carrying, hides or skins, and may stop any person carrying, or reasonably suspected by him to be carrying, hides or skins, and may inspect any hides or skins found in such vehicle or in the possession of such person.

(4) Any person who wilfully obstructs or interferes with any inspector, police officer or other person in the exercise of his powers under this section shall be guilty of an offence.

## PART VII

### MISCELLANEOUS

[Ch5002s17]17. Separate licence required for each premises

A separate buyer's or exporter's licence shall be required in respect of each set of premises owned or occupied by a licensee.

[Ch5002s18]18. Reference of dispute as to grading

Where the person who produces any hide or skin for sale to a buyer is dissatisfied with the buyer's grading thereof, the dispute may, with the consent of both parties thereto, be referred to a person authorized in writing for the purpose by the Minister. The decision of such person shall be final and binding on both parties, and the buyer shall, if he buys such hide or skin, pay the price appropriate to the grade fixed by such person.

PART VIII

OFFENCES

[Ch5002s19]19. Licensee not to store hides and skins on unlicensed premises

(1) No holder of a buyer's licence shall store any hides or skins except on the premises to which his licence relates.

(2) Any person who contravenes subsection (1) shall be guilty of an offence.

[Ch5002s20]20. Offence to buy, etc., certain dried hides

(1) No person shall sell or offer to sell, and no holder of a buyer's licence or exporter's licence shall be in possession of, purchase, sell or offer to sell any dried hide which is smeared with blood, dung or any foreign substance, or which is not completely dried and in a fit condition for storage.

(2) Any person who contravenes subsection (1) shall be guilty of an offence.

[Ch5002s21]21. Miscellaneous offences and penalty

(1) Any person who for the purposes of sale—

(a) treats any hide or skin with any substance not specified by the Minister by notice published in the Gazette;

(b) treats or prepares any sun-dried hide or skin with the object of selling it as a shade or suspension-dried hide or skin;

(c) without the permission of an inspector, soaks, immerses, or in any other way applies liquid, other than liquid for the control of parasites, to any hide or skin which has been partially or wholly dried;

(d) without the consent of the Minister or of an inspector authorized for that purpose by him, removes, alters or defaces any mark or label made on or attached to any hide or skin in pursuance of this Act,

shall be guilty of an offence:

Provided that nothing contained in paragraphs (a), (c) and (d) shall apply to hides used for making harness for yoke oxen, or for making thongs for securing domestic animals or for other domestic purposes.

(2) Any person who, in any application for a licence required under this Act, makes a statement which is, to his knowledge, untrue, or makes such statement recklessly, without caring whether it be true or false, shall be guilty of an offence.

(3) Any person who is guilty of an offence against any of the provisions of this Act shall be liable to a fine of £100 and to imprisonment for six months.

## PART IX

### RULES

#### [Ch5002s22]22. Power to make Rules

The Minister may make Rules generally for the purpose of improving the quality of hides or skins produced, prepared, sold in, or exported from, Malawi and, without prejudice to the generality of the foregoing, for all or any of the following purposes—

- (a) prescribing the conditions to be attached to any licence or certificate to be issued under this Act;
- (b) requiring returns to be made by buyers and exporters and prescribing the persons to whom, and the forms in which, such returns shall be made;
- (c) regulating the branding, grading and classification of hides and skins and defining the grades and classes thereof;
- (d) regulating the manner and method of marking or labelling hides or skins for export, for denoting the grade, type and District of origin of such hides or skins;
- (e) prohibiting or controlling the movement of hides and skins—
  - (i) from one part of Malawi to any other part of Malawi; or
  - (ii) from any part of Malawi to any part of Southern Rhodesia, Zambia, Tanzania or Mozambique; or
  - (iii) into Malawi; or
  - (iv) from any neighbouring territory through Malawi to any port or exit point;
- (f) prohibiting, regulating and controlling the offering for sale or the buying or the export of any kind of hide or skin, or any hide or skin not prepared in a prescribed manner or which is not in a

prescribed condition, or which has been so mutilated by brand marks or in any other way as to render it, in the opinion of a prescribed person, unfit or unsuitable for sale, purchase or export;

- (g) prescribing the conditions under which a person may deal in green hides and skins;
- (h) regulating the prices to be paid to producers for the various grades and types of hides and skins;
- (i) regulating the relationship between the prices to be paid for various grades of hides and skins;
- (j) regulating and controlling the methods of slaughter of animals from which hides or skins are to be removed;
- (k) regulating and controlling the methods which may or may not be used in preparing hides and skins;
- (l) prescribing the methods to be employed when removing a hide or skin from an animal;
- (m) defining the meaning of shade or suspension-dried hides or skins;
- (n) prescribing the method to be employed for the protection, preservation and treatment of hides and skins, with the object of preserving them or improving their general quality, either before or after they are dried;
- (o) requiring buyers and exporters in specified areas to—
  - (i) keep registers;
  - (ii) preserve such registers for a period of not less than two years from the date of the last entry therein;
  - (iii) produce such registers for inspection when called upon to do so by an inspector;
- (p) prescribing the ports or exit points from which the export of hides and skins shall be permitted;
- (q) prescribing the methods to be employed for the marking or labelling of shade and suspension-dried hides or skins with the registered number of the premises in which they were dried;
- (r) prescribing anything required under this Act to be prescribed;
- (s) generally for the better carrying out of this Act.

#### SUBSIDIARY LEGISLATION

#### APPLICATION OF ACT

under s. 1 (2)

G.N. 198/1954

The provisions of the Act which relate to dealing in hides and skins and to licences authorizing such dealing have been declared to extend to all classes of hides and skins throughout Malawi.

## HIDES AND SKIN TRADE RULES

under s. 22

G.N. 108/1954

7/1955

205/1958

22/1963

81/1963

### 1. Citation

These Rules may be cited as the Hide and Skin Trade Rules, and shall come into force upon such date as the Minister may appoint by notice published in the Gazette\*;

Provided that the Minister may bring these Rules generally or any specified Rules into force either in relation to the whole of, any part of or any place in Malawi.

### 2. Interpretation

In these Rules, unless the context otherwise requires—

“buyer” means the holder of a buyer’s licence issued under the Act;

“completely dried” means a suspension or ground dried hide or skin which when protected from rain and freely suspended under an impervious roof for 24 hours will not lose more than 3 per cent of its weight at the time of suspension by evaporation of water;

“flaying” means the opening of and the separating of the hide or skin from its body attachments;

“flaying knife” means a cutting implement with a curved blade not less than 5 inches long and sharpened on the curved edge with the blade curved upwards from the handle and ending in a rounded or blunted extremity;

“pickling” means removing the hair or wool from a hide or skin and preserving its pelt by treatment with a solution of acid and salt;

“prepared” means prepared in the manner prescribed by these Rules;

“preserving” means treating a hide or skin chemically or physically in order to render it less putrescible;

“processing” means subjecting a prepared or preserved hide or skin to any mechanical or chemical treatment preliminary to, or including, tanning;

“protected” means protected from insect damage in the manner prescribed by these Rules;

“slaughtering knife” means a long, pointed, sharp implement 8 inches to 20 inches in length;

“suspension dried hide or skin” means a hide or skin which has been treated in the manner prescribed in rule 19;

“tanning” means treating a hide or skin in order to convert its substance into leather.

## BUYERS

### 3. Application for buyer’s licence

(1) Every application for a buyer’s licence shall be made to the licensing officer of the area in which applicants’ premises are situate, and shall be in the English language and in the form set out in the First Schedule.

(2) Every application shall be accompanied by the prescribed fee and by four unmounted photographs of the head and shoulders of the applicant which shall be approximately 2 1/2 inches by 2 inches in size. One photograph shall be signed on the back thereof by the applicant, whose signature shall be attested by a person of standing known to the licensing officer and considered by him to be a reputable person.

(3) The fee for a buyer’s licence shall be 10s.

(4) Every buyer’s licence shall be issued to the buyer in duplicate. One copy shall be in the form set out in the Second Schedule and one copy in the form set out in the Third Schedule.

### 4. Renewal of buyer’s licence

An application for the renewal of a buyer’s licence shall be in writing and shall be accompanied by the prescribed fee for such licence and by the licence in the form set out in the Second Schedule.

### 5. Notice of prices

(1) Every buyer shall display prominently at the premises to which his licence relates a notice specifying clearly the prices which he offers for each grade of suspension dried or ground dried hides and skins. Such notice shall be in the form set out in the Fourth Schedule.

(2) The words and figures shall be clearly displayed in English words and Arabic numerals of not less than one inch in height.

#### 6. Additional conditions for buyer's licence

In addition to the conditions prescribed by section 5 of the Act it shall be a condition of every buyer's licence that the licensee or, if he is an employee, his employer shall—

(a) equip and maintain the premises to which his licence relates to the satisfaction of an inspector and ensure that such premises conform with the requirements of every relevant Act;

(b) provide and maintain in such premises the following facilities, material and equipment for marking hides and skins—

(i) such light, natural or artificial, as will permit a clear and detailed observation of the hides and skins;

(ii) a smooth, level surface measuring at least 3 feet square made of cement, wood or metal on which hides or skins should be placed for marking;

(iii) a sufficient supply of marking equipment together with provision for its safe custody. If branding irons are used for marking, these shall be of a type approved by the Director, shall be unworn and undamaged, and shall be kept in safe custody when not in use;

(c) store hides and skins in a manner and place which will keep them free from avoidable damage;

(d) maintain in such premises suitable facilities for weighing hides and skins;

(e) to the satisfaction of the Minister, employ in the premises to which his licence relates persons sufficient in number and ability to carry out adequately the work of a buyer, including grading, and to keep the books of such buyer in the prescribed manner. Such books shall include a register containing a record of every transaction carried out by such buyer and shall be kept in the form set out in the Fifth Schedule:

Provided that where the Minister is satisfied that any buyer keeps books in a manner sufficient to enable an inspector to obtain the information provided for in the Fifth Schedule he may exempt such buyer from keeping such register in the form set out in such Schedule.

#### 7. Display of licence

It shall be a further condition of every buyer's licence that the buyer shall display the copy of his licence in the form set out in the Second Schedule in a prominent place on the premises to which such

licence relates, and carry and display on his person the copy of his licence in the form set out in the Third Schedule together with a copy of the prices displayed under rule 5.

## EXPORTERS

### 8. Application for exporter's licence

(1) Every application for an exporter's licence shall be in the form set out in the Sixth Schedule and shall be made to the Director.

(2) Every application shall be accompanied by the prescribed fee.

(3) If the applicant is a corporation, the application shall be made by the managing director or by the secretary or by the local representative duly authorized in writing by such corporation to make the same. The names of all the directors of such corporation shall be stated in the application.

(4) If the applicant is a firm, the application shall be made by one of the partners or by the local representative duly authorized in writing to do so. The names of all the partners of the firm shall be stated in the application.

(5) It shall be a condition of every exporter's licence issued to a corporation or firm that any change in, or addition to, the directors of a company or the partners of a firm shall be notified as soon as may be to the Director.

(6) The fee for an exporter's licence shall be £12.

(7) Every exporter's licence shall be in the form set out in the Seventh Schedule.

### 9. Conditions on exporter's licence

In addition to the conditions prescribed in section 10 of the Act, the following conditions shall be attached to every exporter's licence—

(a) every warehouse, shed, godown or other premises used by an exporter for preparing, protecting, sorting or otherwise treating hides and skins shall—

(i) have floors of reasonably impervious material;

(ii) have a watertight roof;

(iii) be of such size as will provide adequate space for the proper handling of the hides and skins normally passing through the building;

(iv) have the facilities, materials and equipment for marking hides and skins prescribed in rule 6 (b);

(v) have the facilities, materials and equipment for protecting hides or skins in the manner prescribed in rule 21;

- (vi) conform with the requirements of any other relevant Act;
- (b) every exporter shall, when the nature of his business requires the maintenance of a baling press—
  - (i) keep every baling press used by him for baling hides or skins in good and proper condition;
  - (ii) use a baling press capable of compressing one ton of hides or skins into a space not greater than 75 cubic feet;
  - (iii) take all the necessary precautions to prevent such hides or skins from damage during transit and to prevent any cutting, tearing, cracking or staining of such hides or skins during the process of baling, or thereafter;
- (c) every exporter's books shall include a register containing a record of every transaction carried out by him relating to the purchase, sale and export of hides and skins and shall be in the form set out in the Fifth Schedule:

Provided that where the Director is satisfied that any exporter keeps books in a manner sufficient to enable an inspector to obtain the information provided for in the Fifth Schedule he may exempt such exporter from keeping such register in the form set out in such Schedule.

#### 10. Requirement of export certificate

(1) No exporter shall export any consignment of hides or skins unless such consignment is accompanied by an export certificate certifying that the hides or skins contained in such consignment have been prepared or otherwise conform with the Act. Such certificate shall be in the form set out in the Eighth Schedule and shall be stamped and initialled by an inspector.

(2) No such certificate shall be stamped or initialled by an inspector if, upon examination of at least 5 per cent of each consignment, he is satisfied that—

- (a) the bales are not clearly labelled with the shipper's marks duly registered with the Director;
- (b) the hides or skins are not branded in the prescribed manner;
- (c) the hides or skins are not prepared, protected, completely dried and otherwise in a fit condition for export;
- (d) the hides or skins are not correctly classified either as ground dried, suspension dried, dry salted or wet salted;
- (e) any cess or export tax payable under any law for the time being in force in Malawi has not been paid.

11. Exit points for export

(1) No person may—

(a) export or attempt to export any hides or skins except through the exit points of Nsanje, Dedza, Chitipa, Mwanza, Mchinji or Nkhata Bay.

(b) buy or export any skin under eight ounces in weight.

(2) Any person contravening subrule (1) shall be guilty of an offence.

BUYERS AND EXPORTERS

12. Storage of hides and skins

In addition to the conditions prescribed by the Act, it shall be a further condition of every buyer's licence and also of every exporter's licence that in every warehouse, shed, godown or other premises used by a buyer or exporter, the base of every stack or pile of loose hides or skins shall be at a reasonable height above the level of the floor.

13. Application for transfer of licence

(1) An application for the transfer of a buyer's licence or exporter's licence from the premises, District or markets to which such licence relates to any other premises, District or markets, shall be made in the form set out in the Tenth Schedule and shall be accompanied by such licence.

(2) An application for the transfer of a buyer's licence shall be made to the licensing officer of the area in which the new premises are situate and an application for the transfer of an exporter's licence shall be made to the Director.

(3) A buyer's licence or exporter's licence may be transferred to new premises, a new District or new markets, as the case may be, once only during the period in which it is valid unless the written consent of the Director to a further transfer shall first be had and obtained.

14. Register of licences

It shall be the duty of every licensing officer, in respect of buyer's licences issued by him, and of the Director in respect of licences issued by him, to keep a register of such licences. Such register shall contain particulars of the name of the licensee, the area for which the licence is issued, the premises to which the licence relates and the number of the licence.

15. Retention of books

Every buyer and exporter shall retain the books kept by him under the Act for a period of not less than two years from the date of the last entry therein and shall produce such books at all reasonable times when called upon to do so by an inspector.

## REGISTRATION OF PREMISES

### 16. Application and fee

(1) Every application for the issue of a registration certificate under section 13 of the Act shall be made in writing to an inspector and shall be accompanied by the prescribed fee.

(2) The fee for such certificate shall be 2s. 6d. and such certificate shall be in the form set out in the Ninth Schedule.

## PREPARATION

### 17. Method of slaughter

(1) The slaughter of every animal from which hides or skins are to be removed shall be carried out in the following manner—

(a) every animal shall be rested during the twelve hours preceding slaughter and shall be supplied with drinking water, but no animal shall be fed during such period of twelve hours;

(b) slaughter shall take place between sunrise and the hour of nine o'clock in the forenoon or at such other times as may be approved by the Minister; animals shall either be slaughtered in an abattoir, if such is available, or, if none is available, shall be cast and tied in a humane manner on a clean piece of ground in which a groove six inches deep and ten inches wide has been dug, and over which a hoist has been erected;

(c) animals shall be dispatched by use of a humane killer, or, if none is available, by one stroke of a slaughtering knife across the throat as near the head as possible;

(d) after dispatch, the dewlap shall be cut vertically and the carcass shall be hoisted by the hind legs, and shall be lowered after bleeding is completed and before cutting of the hide or skin or flaying is commenced.

(2) Every person who, for the purposes of removing a hide or skin therefrom, shall slaughter an animal in contravention of subrule (1) shall be guilty of an offence.

### 18. Flaying, cleaning and trimming

(1) The following methods shall be employed for flaying, cleaning and trimming a hide or skin—

(a) every hide or skin shall be opened by cutting with a sharp flaying knife—

(i) an incision through the hide or skin in a straight line along the centre of the belly, commencing from the middle line of the under side of the chin and finishing at the middle line of the under side of the anus;

(ii) incisions commencing from points at the centre of the inner side of either knee joint to points on either side of the centre line of the belly at the fore-end of the breast bone;

(iii) two incisions commencing from points at the centre of the back of each hock joint to points on either side of the centre line of the belly, not further from the anus than a point midway between the anus and the scrotum or udder;

(b) flaying shall be performed by cutting the connecting tissues between the hide and skin and the body with such knife or by separating such tissues from the body with the human hand or with a machine or blunt instrument in such manner as to leave the flesh side of the hide or skin as free as possible from fat, meat and from cuts or other injury;

(c) every hide or skin shall, immediately after it is flayed, be washed with water so as to free such hide or skin from blood, dung, dirt or other material, and such hide or skin shall then be placed on a smooth surface and all fat or meat shall be removed from it by such means as shall not cause injury to its flesh side;

(d) every completely dried hide or skin shall be trimmed by the removal of any portions which cover the head, the shanks below the knee and hock joints and that part of the tail which is more than eight inches from the junction of the tail with the hide or skin.

(2) Any person who shall flay, clean or trim a hide or skin in contravention of subrule (1) shall be guilty of an offence.

#### 19. Drying by suspension

(1) Where hides or skins are dried by suspension drying, the following methods shall be employed—

(a) after such hide or skin has been flayed and cleaned and within eight hours of its removal from the carcass, it shall be fleshed on a smooth surface with a flaying knife and shall be suspended for drying by—

(i) lacing such hide or skin to a frame of such dimensions that such hide or skin is freely suspended within its perimeter under light and even tension, so that no part of the hide or skin is in contact with any solid object other than that used for lacing it to the frame or distending the hump; or, subject to the approval of the Minister,

(ii) hanging such skin, flesh side uppermost, along the line of the backbone over a taut rope, wire or other method of support, and by using thin twigs or straws to open out any folds that may develop in any skin which is so suspended, and the sides of such skin shall hang over such ropes, wires or other method of support;

(b) such frame or rope, wire or other method of support shall be—

(i) placed or fixed inside a well-ventilated shed or verandah; or

(ii) fixed in the open, so that the plane of the hide or skin shall lie from east to west and so that in the case of such a frame the plane of the hide shall not vary more than 23 degrees from the vertical; or

(iii) raised horizontally off the ground to a height of not less than one foot;

(c) the surface of any hide or skin dried by the method prescribed in this rule shall, when suspended for drying, be separated from the surface of any other hide or skin by a free interval of not less than nine inches;

(d) no hide or skin when being dried by suspension drying shall be tied by hanging it over any support which is more than one quarter of an inch in width or diameter.

(2) Any person who shall dry any hide or skin by suspension drying in contravention of subrule (1) shall be guilty of an offence.

#### MISCELLANEOUS

##### 20. Identification marks

(1) The first buyer of a hide or skin shall identify every such hide or skin with the letter "N" and the letter or number or other symbols allocated by the Minister, by notice published in the Gazette, to the area in which the buyer's premises are situate.

(2) Such letters, numbers or other symbols shall be marked or branded on the hide or skin in such a way as to be readily decipherable and in a manner acceptable to the Minister, as notified by him from time to time by notice published in the Gazette.

(3) Such letters, numbers or symbols shall be marked or branded on the right fore shank. Each mark or brand shall be sited not more than one inch from the outer margin of each such shank:

Provided that—

(a) if any such fore shank is so mutilated that an alternative site is required for marking or branding, the left fore shank shall be used in the same manner;

(b) this paragraph shall apply only to the identification of dry hides and skins.

(4) No person shall mark or brand any hide or skin with the letters, numbers or symbols notified by the Director under subrule (1) unless such hide or skin shall have been prepared, protected or stored by a buyer in the premises to which his licence relates.

##### 21. Protection of hides and skins

Every buyer and exporter shall protect every hide and skin from insect damage in the case of prepared hides or skins as soon as may be after purchase, and in the case of green hides or skins as soon as may be after they have been prepared for sale, and, in any case, before such prepared hides or skins

are placed in contact with others stored in the premises to which his licence relates or in the curtilage thereof, by treating such hide or skin with one of the following preservatives, which shall be applied in the form of a liquid spray or as a powder, in a sufficient quantity, to both sides of such hide or skin—

Pyrethrum in powdered form,

D.D.T. (dichloro-diphenyl-trichlorethane) of not less than 4 per cent in powdered form,

Benzene hexachloride in powdered form, containing not less than 0.5 per cent of gamma isomer,

Sodium silico-fluoride in the form of a powder containing not less than 40 per cent of pure sodium silico-fluoride,

A solution containing not less than 0.15 per cent of arsenic calculated as arsenious oxide,

Any preparation containing one or more of these compounds:

Provided that where a preparation consists of a mixture of one or more of such compounds, they shall contain the minimum concentration required by this rule where such minimum is specified.

## 22. Transportation

Every buyer transporting completely dried hides or skins shall—

- (a) provide adequate covering against rain;
- (b) tie the hides or skins into firm bundles.

## 23. Protection against rubbing and dust

Every owner and every driver of a motor vehicle in which completely dried hides or skins are being carried shall ensure that the bundles of such hides or skins are stacked in the vehicle in such a manner as will prevent damage caused by rubbing, and shall provide reasonable protection against dust.

## 24. Treatment obligatory

(1) No prepared hide or skin shall be bought or sold or offered for sale, or exported or offered for export—

- (a) unless it has been treated in the manner prescribed in these Rules;
- (b) if it has been treated in such a manner as to cover up or disguise any cut, scratch, sore, brand mark, disease, lesion or other blemish:

Provided that nothing contained in this rule shall apply to hides for making harness for yoke oxen or for making thongs for securing domestic animals or for other domestic purposes.

(2) Any person who shall sell or offer for sale, export or offer for export any prepared hide or skin in contravention of subrule (1) shall be guilty of an offence.

#### IMPORT

#### 25. Persons who may import

(1) No person shall move hides or skins either from or into any area to which the provisions of the Act relating to the buying of hides and skins have been applied under section 1 (2) of the Act unless—

(a) he is a buyer or exporter or the holder of a registration certificate issued under section 13 of the Act; and

(b) each hide or skin is identified in the manner prescribed by rule 20.

(2) Any person who shall move any hides or skins in contravention of subrule (1) shall be guilty of an offence.

#### 26. Conditions for importing

(1) No hide or skin originating in any country outside Malawi may be imported by any person into Malawi unless such hide or skin—

(a) is consigned in transit to the exit points of Nsanje, Dedza, Chitipa, Mwanza, Mchinji or Nkhata Bay.

(b) is imported for preserving, processing, tanning or pickling, either for use in Malawi or for export:

Provided that if any hide or skin so imported is found to be unsuitable for preserving, processing, tanning or pickling it may be exported if, with the prior approval of an inspector, it has been branded with the letter "F" on the left fore shank.

(2) Any person who shall import any hide or skin into Malawi in contravention of subrule (1) shall be guilty of an offence.

#### PENALTY

#### 27. PENALTY

Any person convicted of an offence against these Rules shall be liable to a fine of £50 and to imprisonment for three months.

#### FIRST SCHEDULE r. 3 (1)

#### THE HIDE AND SKIN TRADE RULES

Application for a Buyer's Licence

To the Licensing Officer,.....Area.

I, the undersigned, hereby apply for a buyer's licence to be issued to me under the provisions of the Hide and Skin Trade Act. I enclose the prescribed fee of 10s. and four similar copies of my photograph. Full name of applicant .....

Does the applicant intend to buy hides or skins on his own behalf? .....

.....

If not, on whose behalf? .....

Name and address of employer or principal, if any .....

Address of applicant .....

Occupation of applicant .....

Address of the premises to which the licence will, if granted, relate .....

.....

Does the applicant hold, or has he held previously, a licence to buy hides and skins in Malawi or elsewhere? If yes, give number of licence, place and date of issue

.....

What previous experience of the hide and skin trade does the applicant possess?

.....

.....

.....

Has the applicant's knowledge of the trade been certified as being sufficient by an inspector?

.....

If yes, state place and date of examination by the inspector .....

Has the applicant been convicted, within the last five years, of an offence in Malawi or elsewhere?—

(a) against any provisions of the Hide and Skin Trade Act

..... Cap. 50:02

.....

or Agricultural and Livestock Marketing Act .....

Cap. 67:01

(b) involving fraud or dishonesty ..... and if so,  
when and by what court .....

Is the applicant an undischarged bankrupt? .....

I have read and understood the conditions laid down in the Hide and Skin Trade Act and in the  
Hide and Skin Trade Rules.

I declare the above particulars are correct and I am fully aware of the penalties which may be  
imposed should I be convicted of any untrue statement in this application.

Dated this ..... day of ....., 19.....

.....

Signature of applicant

The premises to which this application relates are suitable, having regard to the volume and  
nature of the hide and skin trade which may reasonably be expected in such premises and to the District  
in which they are situate.

.....

Inspector

The premises to which this application relates are, having regard to the interests of public  
health, suitable.

.....

Medical Officer of Health or

person authorized by him

NOTE.—The application should be submitted in duplicate, in English to the Licensing Officer of the area  
in which the premises are situated and must be in applicant’s own handwriting.

Copies of the Hide and Skin Trade Act and Rules thereunder may be purchased from the  
Government Printer.

SECOND SCHEDULE r. 3 (4), 4 and 7

THE HIDE AND SKIN TRADE RULES

Buyer’s Licence

Page 1

LICENCE No.....

..... is hereby licensed to buy hides and skins for the purposes set out in section 3 of the Act\* [on behalf of .....] in the ..... area. This licence is issued in respect of the following premises .....

.....

This licence is issued in respect of the following approved Hides and Skins Markets—

.....  
.....

Date .....

.....

Licensing Officer for ..... Area

(Photograph)

THIRD SCHEDULE r. 3 (4) and 7

Page 1

LICENCE FOLDER

No.....

THE HIDE AND SKIN TRADE RULES

Buyer's Licence

LICENCE No.....

.....is hereby licensed to buy hides and skins\* [on behalf of .....] in the ..... area.

This licence is issued in respect of the following premises.....

.....

This licence is issued in respect of the following approved Hides and Skins Markets—

.....  
.....  
.....

Date .....

.....

Licensing Officer for ..... Area

Page 2

(Photograph)

Pages 3 and 4

Annual Renewal

This licence is renewed until the 31st December, 19.....

This..... day of ....., 19.....

Date.....

Receipt No.....

Dated on.....†

.....

Licensing Officer for ..... Area

Transfer to other premises

(Rule 13)

This licence is hereby transferred to the following premises\*/area/ markets

.....

.....

Date.....

.....

Licensing Officer for ..... Area

FOURTH SCHEDULE r. 5(1)

NOTICE

I hereby offer the following prices for hides and skins.

Buyer

THE HIDE AND SKIN TRADE RULES

Hides per 1b.

Humped          Humpless

Green Suspension dried          Green Suspension dried

Grade I Sh.

Grade II Sh.

Grade III          Sh.

Grade IV          Sh.

Goat skins per piece          Sheep skins per piece

Green Suspension dried          Green Suspension dried

Grade I Sh.

Grade II Sh.

Grade III          Sh.

Grade IV          Sh.

FIFTH SCHEDULE rr. 6 and 9

THE HIDE AND SKIN TRADE RULES

Register

SUSPENSION DRIED          Hides or Skins          Cattle

Game

Sheep

Goats

Date of Purchase	District	Purchasing grade	No. of pieces	Purchasing	Amount paid
Date of sale	District	Selling grade	No. of pieces	Selling	Amount received
Weight Rate	Sh.	Pence	Weight Rate	Sh.	Pence

A separate form should be used for each class of Hide or Skin.

SIXTH SCHEDULE r. 8

THE HIDE AND TRADE RULES

Application for an Exporter's Licence

To the Director of Veterinary Services,

I, the undersigned, hereby apply for an exporter's licence to export hides and skins, and enclose the prescribed fee

of Sh. ....

Full name of applicant .....

Address of applicant .....

Nationality of applicant .....

Occupation of applicant .....

Address of premises to which the licence, if granted, will relate

.....

.....

Does the applicant hold, or has he held previously, an exporter's licence to export hides and skins in Malawi and, if yes, give the number of the licence and date of issue

.....

Has a licence to export hides and skins previously related to the premises to which the licence, if granted, will relate; if yes, give particulars of such licence

.....

What previous experience of the hide and skin trade does the applicant possess?

.....

What staff of selectors and supervisors will be employed and what previous experience of the hide and skin trade have they had? (Give their full names)

.....

.....

What is the floor of the premises? .....

State the number of presses in the premises, their type and capacity

.....

.....

Have the premises been condemned under any Act or By-law?

.....

.....

Has the applicant been convicted, within the last five years, of an offence in Malawi or elsewhere? .....

(a) against any of the provisions of the Hide and Skin Trade Act, or any Rules made thereunder .....

(b) involving fraud or dishonesty ..... and, if so, when and by what court? .....

Is the applicant an undischarged bankrupt, or in the case of a corporation or firm, in liquidation?

To be completed where the application is made on behalf of a corporation or firm—

What is the registered capital of the applicant? .....

I am the managing director/secretary/local manager/partner of the applicant corporation/firm.

The directors of the corporation/partners of the firm are

(Give names and addresses) .....

.....

.....

The corporation/firm is solvent.

I declare the above particulars are correct and I am fully aware of the penalties which may be imposed should I be convicted of any false statement in the above application.

Date.....

.....

Signature of applicant

The premises to which this application relates are suitable, having regard to the volume and nature of the hide and skin trade which may reasonably be expected in such premises and to the District in which they are situate.

.....

Inspector

The premises to which this application relates are suitable, having regard to the interests of public health.

.....

Medical Officer of Health or

person authorized by him

NOTE.—The application should be submitted in duplicate, in English, in the applicant’s own handwriting.

If the applicant is a corporation or firm the questions concerning convictions and bankruptcy should be answered with reference to every director of the corporation or partner of the firm, each director or partner, as the case may be, being an applicant for this purpose. In the case of a corporation the managing director/secretary or local representative, duly authorized to do so, should sign on behalf of the company; in the case of a firm a partner or local representative, duly authorized so to do, should sign on behalf of the firm.

Copies of the Hide and Skin Trade Act and Rules thereunder may be purchased from the Government Printer.

SEVENTH SCHEDULE r. 8

THE HIDE AND SKIN TRADE RULES

Exporter’s Licence

LICENCE No.....

..... is hereby licensed to export .....

This licence is issued in respect of the following premises .....

.....

Date .....

.....

Director of Veterinary Services

EIGHTH SCHEDULE r. 10

THE HIDE AND SKIN TRADE RULES

Export Certificate for Hides or Skins

CERTIFICATE NO. ....

I hereby certify that the under-mentioned bales of hides or parcels of skins have been prepared and otherwise conform to the provisions of the Hide and Skin Trade Act.

Suspension dried	Number of	Particulars—
If cattle, sheep, goats, etc.	F.O.B. value	Markings on bales or parcels in full
Bales hides	Parcels skins	

Date.....

.....

Exporter

NINTH SCHEDULE r. 16 (2)

THE HIDE AND SKIN TRADE RULES

Registration of Premises Certificate

The premises situate at.....and occupied by  
..... have been inspected by me and I hereby approve them as being suitable for the purpose of shade or suspension drying. I also certify that the owner/occupier\* of such premises and the persons employed therein are capable of satisfactorily preparing hides and skins in the prescribed manner. The premises have been given the following registered number

.....

.....

Inspector

TENTH SCHEDULE r. 13

THE HIDE AND SKIN TRADE RULES

Application for the Transfer of a Buyer's/Exporter's Licence from the Licensed Premises to any other Premises

To the.....,

I, ..... the holder of ..... Licence No .....issued at..... on the .....day of ..... , 19.....,in respect of the premises situated at ..... , hereby apply to have the above licence transferred so that it shall relate to the\* premises at..... or District of ..... or markets at ..... and declare that the previous licensed premises will not be used by me after ..... I further declare that no previous application for the transfer of ..... Licence No. .... has been made on my behalf.

Date.....

.....

Signature of applicant

COMMENCEMENT AND APPLICATION OF HIDE AND SKIN TRADE RULES

under r. 1 of the Rules

G.N. 192/1954

268/1970

The 1st January, 1955, has been appointed as the date on which the Hide and Skin Trade Rules shall come into force generally:

Provided that rules 17, 18, 19 and 24 of the Rules shall come into force only in relation to the places set out in the Schedule hereto.

SCHEDULE

A. SOUTHERN REGION

(1) Townships

Blantyre Municipal Abattoir

Limbe Municipal Abattoir

Naperi Private Abattoir

Zomba Town Abattoir

(2) Other Markets, including Rural Areas

Blantyre District

Lunzu

Lirangwe

Kanjedza

Kunthembwe

Mbhami

Chiradzulu District

Mombesi

Namadzi

Namitambo

Njuli

Fort Johnston District

Fort Johnston

Namweras

Ulongwe

Kasupe District

Balaka

Mlanje District

Lauderdale

Chonde

Thyolo District

Messrs. Conforzi Private Abattoir

Zomba District

Songani

Jali

Mtwiche

## B. CENTRAL REGION

(1) Townships

Lilongwe Municipal Abattoir

(2) Other Markets, including Rural Areas

Dedza District

Dedza

Mayani

Linthipe Bridge

Tete

Kafotokoza

Lilongwe District

Nsaru

Namitete

Mitundu

Nathenje

Nkhoma

Kasungu District

Kasungu

Ncheu District

Ncheu

Lizulu

Dowa District

Dowa

Nambuma

Mponela

Nkhota Kota District

Nkhota Kota

Ntchisi

### C. NORTHERN REGION

Markets

M'mbelwa

Karonga

Ekwendeni

Nkhata Bay

Mzuzu