

applies, shall be used for the carriage of any goods to which Article 1 of this Order applies if those goods are being or have been exported from Southern Rhodesia in contravention of Article 2(1) of this Order.

(2) Without prejudice to the generality of Articles 3, 4 and 5 of this Order, no British ship and no aircraft, being a ship or aircraft to which this Article applies, shall be used for the carriage of any goods to which Article 3 or Article 4 or Article 5 of this Order applies if the carriage is, or forms part of, carriage from any place outside Southern Rhodesia to any destination therein.

(3) If any ship or aircraft is used in contravention of paragraph (1) of this Article—

(a) the owner and the master of the ship ; or

(b) the operator and the commander of the aircraft, as the case may be, shall be guilty of an offence against this Order unless he proves that he did not know and had no reason to suppose that the goods were being or had been exported from Southern Rhodesia in contravention of Article 2(1) of this Order.

(4) If any ship or aircraft is used in contravention of paragraph (2) of this Article—

(a) the owner and the master of the ship ; or

(b) the operator and the commander of the aircraft, as the case may be, shall be guilty of an offence against this Order unless he proves that he did not know and had no reason to suppose—

(i) that the carriage of the goods in question was, or formed part of, carriage from any place outside Southern Rhodesia to any destination therein ; or

(ii) that the goods in question were goods to which Article 3 or Article 4 or Article 5 of this Order applies.

(5) This Article applies to British ships registered in the United Kingdom or any other country or place to which the Southern Rhodesia Act 1965 extends and to aircraft so registered.

(6) Nothing in this Article shall be construed so as to prejudice any other provision of law prohibiting or restricting the use of ships or aircraft.

*Investigation, etc. of suspected British ships and aircraft*

8. (1) Where any authorised officer, that is to say, any such officer as it referred to in section 692(1) of the Merchant Shipping Act 1894 (1894 c. 60), has reason to suspect that any British ship registered in the United Kingdom or any other country or place to which the Southern Rhodesia Act 1965 extends has been or is being or is about to be used in contravention of paragraph (1) or paragraph (2) of Article 7 of this Order or in contravention of Article 2(1) of the Southern Rhodesia (Petroleum) Order 1965 (S.I. 1965/2140 (1965 III, p. 6287)), he may, (either alone or accompanied and assisted by persons under his authority) board the ship and search her and, for that purpose, may use or authorise the use of reasonable force, and he may request the master of the ship to furnish such information relating to the ship and her cargo and produce for his inspection such documents so relating and such cargo as he may specify ; and an authorised officer (either there and then or upon consideration of any information furnished or document or cargo produced in pursuance of such a request) may, in the case of a ship that is reasonably suspected of being or of being about to be used in contravention of Article 7(2) of this Order or in contravention of Article 2(1) of the Southern Rhodesia (Petroleum) Order 1965, exercise the following further powers with a view to the prevention of the commission (or the continued commission) of any such contravention or in order that enquiries into the matter may be pursued, that is to say, he may either direct the master to refrain, except with the consent of an authorised officer, from landing at any port specified by the officer any part of the ship's cargo that is so specified or request the master to take any one or more of the following steps:—

(a) to cause the ship not to proceed with the voyage on which she is then engaged or about to engage until the master is notified by any authorised officer that the ship may so proceed ;

(b) if the ship is then in a port in the United Kingdom or any other country or place to which the Southern Rhodesia Act 1965 extends, to cause her to remain there until the master is notified by any authorised officer that the ship may depart ;

(c) if the ship is then in any other place, to take her to any such port specified by the officer and

to cause her to remain there until the master is notified as mentioned in sub-paragraph (b) of this paragraph ; and

(d) to take her to any other destination that may be specified by the officer in agreement with the master ;

and the master shall comply with any such request or direction.

(2) Without prejudice to the provisions of paragraph (8) of this Article, where a master refuses or fails to comply with a request made under this Article that his ship shall or shall not proceed to or from any place or where an authorised officer otherwise has reason to suspect that such a request that has been so made may not be complied with, any such officer may take such steps as appear to him to be necessary to secure compliance with that request and, without prejudice to the generality of the foregoing, may for that purpose enter upon, or authorise entry upon, that ship and use, or authorise the use of, reasonable force.

(3) Where the Board of Trade or any person authorised by them for that purpose either generally or in a particular case or any officer of customs and excise has reason to suspect that any aircraft registered in the United Kingdom or any other country or place to which the Southern Rhodesia Act 1965 extends has been or is being or is about to be used in contravention of paragraph (1) or paragraph (2) of Article 7 of this Order or in contravention of Article 2(1) of the Southern Rhodesia (Petroleum) Order 1965, the Board or that authorised person or that officer may request the operator and the commander of the aircraft or either of them to furnish such information relating to the aircraft and its cargo and produce for their or his inspection such documents so relating and such cargo as they or he may specify, and that authorised person or that officer may (either alone or accompanied and assisted by persons under his authority) board the aircraft and search it and, for that purpose, may use or authorise the use of reasonable force ; and, if the aircraft is then in the United Kingdom, the Board or any such authorised person or any such officer (either there and then or upon consideration of any information furnished or document or cargo produced in pursuance of such a request) may further request the operator and the commander or either of them to cause the aircraft to remain in the United Kingdom until notified that the aircraft may depart ; and the operator and the commander shall comply with any such request.

(4) Without prejudice to the provisions of paragraph (8) of this Article, where the Board of Trade or any person authorised by them as aforesaid or any such officer as aforesaid has reason to suspect that any request that an aircraft should remain in the United Kingdom that has been made under paragraph (3) of this Article may not be complied with, the Board or that authorised person or that officer may take such steps as appear to them or him to be necessary to secure compliance with that request and, without prejudice to the generality of the foregoing, may for that purpose—

(a) enter, or authorise entry, upon any land and upon that aircraft ;

(b) detain, or authorise the detention of, that aircraft ; and

(c) use, or authorise the use of, reasonable force.

(5) A person authorised by or under the authority of the Board of Trade to exercise any power for the purposes of paragraph (3) or paragraph (4) of this Article shall, if requested to do so, produce evidence of his authority before exercising that power.

(6) No information furnished or document produced by any person in pursuance of a request made under this Article shall be disclosed except—

(a) with the consent of the person by whom the information was furnished or the document was produced ;

Provided that a person who has obtained information or is in possession of a document only in his capacity as servant or agent of another person may not give consent for the purposes of this subparagraph but such consent may instead be given by any person who is entitled to that information or to the possession of that document in his own right ; or

(b) to any person who would have been empowered under this Article to request that it be furnished or produced or to any person holding or acting