



Gedruis deur Uitvoerende Raad	Approved in Executive Council
Minute No. 2253	
25-2-1944	
<i>D. J. van der Merwe</i>	
Klerk van die Uitvoerende Raad	Clerk of the Executive Council

Prime Minister's Office,
CAPE TOWN.

Kantoor van die Eerste Minister,

29 JAN 1944

MINUTE NO.

MINISTERS have the honour to inform His Excellency the Officer Administering the Government that at a recent informal conference in London between Representatives of the Governments of the Union of South Africa, the United Kingdom, the United States of America, Canada, Australia, New Zealand and Norway, it was resolved to effect certain amendments of a technical nature to the provisions of the International Whaling Agreement of June 8th, 1937.

Ministers have been informed that it has now been found necessary for the Governments who were represented at the Conference to sign formal documents in the nature of a Final Act and a Protocol embodying the resolutions adopted.

Ministers have been informed, furthermore, that the Final Act and the Protocol will contain the following provisions :-

FINAL ACT.

1. An introduction giving the dates of the meetings which were held in London for the purpose of discussing the proposed amendments to the 1937 Agreement as well as the names of the countries represented and those of the delegates, together with an explanation of the objects of, and the proceedings at these discussions.
2. A recommendation that the Protocol should be signed by those Governments who are both parties to and signatories of the 1937 Agreement, and should be brought into force on the earliest possible occasion.
3. A recommendation that, pending the coming into force of the Protocol, the Governments represented at the Conference should take the necessary administrative steps to enforce the provisions thereof forthwith.

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4. A recommendation that the maintenance of limitations on the number of whales to be caught south of 40 degrees during any season, is essential to the preservation of stocks and should be continued after the first season referred to in the Protocol.

5. A recommendation that copies of the Final Act are to be communicated to the London Representative of the Danish Government.

PROTOCOL.

1. (a) Preamble.

(b) (i) An article extending the period fixed in Article 7 of the 1937 Agreement for the first season that whaling operations are resumed to cover the period 24th November to 24th March;

(ii) an article providing that each Government who is a party to the Agreement, shall notify the United Kingdom Government when ships under its jurisdiction engage in whaling operations, and that the United Kingdom Government shall notify the other parties to the Agreement of any notices so received.

2. An article prohibiting the catch of Humpbacks south of 40 degrees.

3. (i) and (ii) Articles providing that during the first season the catch of Baleen Whales is to be limited to 16,000 Blue Whale units calculated on the basis of two fins or two-and-a-half Humpbacks or six seis equal to one Blue Whale.

(iii) An article stipulating that the United Kingdom Government shall arrange with the Governments who have given notice of operations under paragraph 1(b)(ii) above for the introduction of measures to ensure that the provisions thereof are observed.

4. An article stipulating that if no agreement is signed between the Governments concerned, none of the provisions of this Protocol shall operate during the first season.

5. An article to the effect that instruments of ratification are to be deposited with the United Kingdom Government.

6. An article stating that the Protocol will be open to accession by the Governments who are parties to the 1937 Agreement but who are not signatories of the Protocol.

7. An article providing that -

- (a) The United Kingdom Government are to notify the Governments, who are parties to the 1937 Agreement, of ratifications of and accessions to the Protocol.
- (b) The Protocol is to come into force when ratifications or accessions have been received on behalf of all the Governments who are parties to the 1937 Agreement.
- (c) The ratification or accession of a Government who is a signatory but not a party to the 1937 Agreement is to be effective only when the Government concerned becomes a party to the 1937 Agreement by ratification.

Ministers have the honour to recommend that His Excellency the Officer Administering the Government may be pleased to approve of the signature, on behalf of the Union of South Africa, of the Final Act and the Protocol, and that the Union's High Commissioner in London and the Union's Senior Trade Commissioner in London be authorised to sign the Protocol on behalf of the Union Government.

Ministers have the honour to recommend, furthermore, that the Senior Trade Commissioner for the Union of South Africa in London be authorised to sign the Final Act on behalf of the Union Government.

W. J. van der Merwe

K. J. de Wet

Approved in anticipation of the next meeting of the Executive Council.	By voorbaat goedkeuring in afwachting van die volgende vergadering van die Uitvoerende Raad.
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29 JAN 1944