

P.H. 107/5  
(File in P.H.)

TELEGRAM.

FROM: Te Water, London.

TO: Minister of External Affairs, Capetown.

24th March, 1939.



No. 330. Your letter No. P.M. 107/5 of the 21st February regarding whaling. May I enlist your Department's assistance to assure the introduction of the necessary legislation to permit of the protocol being ratified. Please refer to the consideration(s) advanced by me in letter of the 4th July, 1938. The Norwegian Government is becoming restive at the activity (ies) of the Factory Ship Uniwaleco whose plans indicate that the Company does not expect early ratification. The Company is now advertising for a doctor during its operations in the Indian Ocean this season. The Norwegian Minister has invited my personal intervention urging that non-ratification by the Union will, he confidently feels, lead to Japan and others refusing to take action and thus probably lead to the destruction of the Convention.

Our badlydamaged prestige was partially restored by my collaboration in the Conference's work last year. Surely the Government will not permit private Companies to override the more important consideration of policy.

na Pretoria arb.  
J.S. 29/3/39.

Gestuur aan Handel + Nywerheid  
corwoeing  
vir informasie  
afhandeling  
28/3/39  
Paraaf J.S.

1/2/3  
(12/2/3)

TELEGRAM.

TELEGRAM.

FROM: To Editor, London.

TO: FBOM: Secretary for External Affairs, Pretoria.

TO: High Commissioner, London.

27th March, 1939.

No. 330. Your letter No. 248, 1939 of the 24th  
February regarding No. 318. Reference your telegram  
No. 330 dated 24th March every effort being  
made to introduce enabling legislation this  
Session.

The Government is anxious to see the  
legislation developed in legislation relating to the activity  
(and) of the Government with reference to the above indicate  
that the Government has not signed any legislation.  
The Government is not prepared for a longer period its  
operations in the public sphere will remain. The  
Government has not signed any legislation in connection  
with the above mentioned legislation in the House of Commons  
regarding the above mentioned legislation and will continue to  
take action in the public sphere and to the satisfaction of  
the Government.

The Government's operations are partially restricted  
by its commitment to the Government's work last year.  
The Government will not permit private companies  
to exercise the same legislative jurisdiction of policy.

the letter of  
15/3/39

Secretary for External Affairs  
Pretoria  
28/3/39

PM 107/5



TELEGRAM.

FROM: Secretary for External Affairs, Pretoria.

TO: High Commissioner, London.

27th March, 1939.

No. 318. Reference your telegram No. 330 dated 24th March every effort being made to introduce enabling legislation this Session.

J.

~~Secretary for External Affairs~~  
Hans Nywenhuid  
25/3/39  
Persef. J.S.

No. Pretoria a.s.b.  
J.S. 27/3/39

According to a certificate issued in the Foreign Office, London, on the 29th of June, 1938, the Governments of Canada, Germany, United Kingdom of Great Britain and Northern Ireland, Erin, Mexico, New Zealand and Norway, declared to agree that the validity of the Whaling Agreement should be extended also after the 30th of June, 1938, according to Art. 21 of the Agreement.

By protocol of 24th June, 1938, signed during the whaling conference in London, certain modifications were introduced in the Agreement of 1937.

The Union of South Africa has not yet ratified the Agreement of 1937 wither the protocol of 1938, which according to its art. 10 ii came into force on the 30th of December, 1938, after having been ratified by the United Kingdom, Germany and Norway.

According to a letter from the High Commissioner of the Union in London to the Norwegian Minister there, it was not possible to pass the legislation necessary for the adoption of the Whaling Agreement during the session of Parliament in 1938, but that it is confidently expected that the requisite legislation will be introduced during the present session of Parliament.

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4/10/38

Ratification of Whaling Convention

Mr. Langel, the Norwegian Consul General called the meeting in  
connection with the ~~whaling~~ <sup>whaling</sup> convention and then his first  
would like to know whether the Union will pay to ratify the  
convention. They ~~do~~ know that the Union Whaling Co. is preparing an  
exportation fund for P.M. - the home owner, should a contract be  
the convention. It is a very important matter for Norway to have  
some - for this

According to a certificate issued in the Foreign Office, London, on the 29th of June 1938, the Governments of Canada, Germany, United Kingdom of Great Britain and Northern Ireland, Erin, Mexico, New Zealand and Norway, declared to agree that the validity of the Whaling Agreement should be extended also after the 30th of June 1938 according to Art. 21 of the Agreement.

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AIDE MEMOIRE.

Ratification of Whaling Convention.

Mr. Seippel, the Norwegian Consul-General, called this morning and in connection with the attached note handed in by him said that his Government would like to know when the Union Government is going to ratify the Convention. They knew that the Union Whaling Company are preparing an expedition for fishing in the Indian Ocean, which is contrary to the Convention. It is a very important matter for Norway to have exact information.

I told Mr. Seippel, after speaking to Mr. Smith, that, with a view to being in a position to ratify, it is the intention of the Department of Commerce to introduce legislation this session, which they expected would be passed this session. The Union Whaling Company has been informed of this intention and the Minister had warned them that the expedition they are now arranging was at their own risk.

C A P E T O W N,

30th March, 1939.

PM 107/5

Passed to..... Commerce & Industries

CONSIDERATION  
for INFORMATION  
DISPOSAL

Date 3/4/39 Initials J.S.

AIDE MEMOIRE.

Ratification of Whaling Convention.

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File

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C A P E T O W N,

30th March, 1939.

J.S.

*Mr. Jan  
 La 14 m. in  
 - from ...  
 J.S. 30/3/39  
 J.S. 31/3/39*



Plat 107/5  
121



passed to Commerce & Industries  
CONSIDERATION  
or \_\_\_\_\_

Pretoria, Union of South Africa.

April 8, 1939.

Date... 12/4/39 ... Initials... FS ...  
Sir:

I have the honor to acknowledge receipt of your letter of March 29, 1939, (P.M. 107/5), setting forth the penalties prescribed in Provincial Notices of the Cape Province and Natal for violations of the International Convention for the Regulation of Whaling of 1931, and desire to express my cordial appreciation for the despatch with which the desired information has been supplied.

3 29/4

I would be grateful if you could procure for the Legation three copies of Cape Provincial Notice No. 156 of November 1, 1935, and of Natal Provincial Notice No. 494 of November 28, 1935, as well as of the Ordinances under which these proclamations were issued, to be forwarded to my Government in Washington.

I have the honor to be, Sir,

Your obedient servant,

For the Minister:

*Francis B. Stevens*  
Francis B. Stevens  
Secretary of Legation

The Secretary for External Affairs,  
Department of External Affairs,  
P R E T O R I A.

Telegraphic Address "NYWERCOM."  
Telegramadres



Apr 10/5  
C.I. I.  
All communications to be addressed  
to the Secretary.  
Adresser asb. alle briewe aan die  
Sekretaris.

In reply please quote  
Verwys in antwoord asb. na

No. C.I. 404/60  
No. H.N.

UNION OF SOUTH AFRICA.—UNIE VAN SUID-AFRIKA.

DEPARTMENT OF COMMERCE AND INDUSTRIES,  
DEPARTEMENT VAN HANDEL EN NYWERHEID,

MUTUAL BUILDING, CHURCH SQUARE,  
MUTUALGEBOU, KERKPLEIN,

PRETORIA 17 APR 1939 19

THE SECRETARY FOR EXTERNAL AFFAIRS,  
PRETORIA.

Cape and Natal Provincial Ordinances  
and Notices.

In acknowledging the receipt of your endorsement, P.M. 107/5, dated the 12th instant, on a letter from the Secretary, Legation of the United States of America, I have to advise that this Department unfortunately has no spare copies of Cape Provincial Notice No. 156 of 1935 and Natal Provincial Notice No. 494 of 1935, or of the ordinances under which these notices were issued. I would suggest that you approach the Provincial Secretaries of the Cape Province and Natal in the matter.

*W.F. W. Mullen*

SECRETARY FOR COMMERCE AND INDUSTRIES.

EH.

P.M. 107/5

PRETORIA,  
18th April, 1939.

THE PROVINCIAL SECRETARY: CAPETOWN.

International Convention for the  
Regulation of Whaling 1931

I have to advise that a request has been received from the United States Legation, Pretoria, to be furnished with three copies of Cape Provincial Notice No. 156 of November 1, 1935, and of the Ordinances under which this Notice was issued.

The notice, I am informed, is the one promulgated with a view to giving legislative effect to the Union's ratification of the above Convention.

Unfortunately I have no copies available of the notice or of the relative ordinances, nor is the Department of Commerce and Industries in a position to assist me. I shall be grateful, therefore, if you could furnish me with the desired number of copies for transmission to the United States Government.

(sgd.) J.R. Jordaan

SECRETARY FOR EXTERNAL AFFAIRS.

P.M. 10.

PRETORIA,  
19th April, 1939

THE PROVINCIAL SECRETARY: PIETERMARITZBURG.

International Convention for the  
Regulation of Whaling 1931

I have to advise that a request has been received from the United States Legation, Pretoria, to be furnished with three copies of Natal Provincial Notice No. 494 of November 28, 1935, and of the Ordinances under which this Notice was issued.

The Notice, I am informed, is the one promulgated with a view to giving legislative effect to the Union's ratification of the above Convention.

Unfortunately I have no copies available of the notice or of the relative ordinances, nor is the Department of Commerce and Industries in a position to assist me. I shall be grateful, therefore, if you could furnish me with the desired number of copies for transmission to the United States Government.

*(sgd) J.R. Jordaan*

SECRETARY FOR EXTERNAL AFFAIRS.

P. S/S

Reference No. *235/1*

Geregistreeerde No.

V. 408.

In replying please quote the above number.

As u alreys hand heb bestaande

CAPE PROVINCIAL ADMINISTRATION  
ADMINISTRASIE

KAAPSE PROVINSIALE  
KAAPSTAD

27-4-1939

27-4-1939

P.M. 10.

Sir,  
MENEER,

I have the honour to acknowledge receipt of your letter of the 18/4/39 on the subject of

No. *PM 101/5* of the *18/4/39* on the subject of *International Convention for the Regulation of Whaling, 1931*

and to inform you that I am receiving a letter

receiving a letter

I have the honour to be, — Ek het die eer my te noem.

Sir,  
Your obedient Servant, — U dw. Dienaar,

THE PROVINCIAL SECRETARY: PIETERMARITZBURG.

International Convention for the Regulation of Whaling 1931

I have to advise that a request has been received from the United States Legation, Pretoria, to be furnished with three copies of Natal Provincial Notice No. 494 of November 28, 1935, and of the Ordinances under which this Notice was issued.

The Notice, I am informed, is the one promulgated with a view to giving legislative effect to the Union's ratification of the above Convention.

Unfortunately I have no copies available of the notice or of the relative ordinances, nor is the Department of Commerce and Industries in a position to assist me. I shall be grateful, therefore, if you could furnish me with the desired number of copies for transmission to the United States Government.

*P.S/S*  
*(sgd) J.R. Jordan*

SECRETARY FOR EXTERNAL AFFAIRS.

TELEGRAPHIC ADDRESS  
THE CHAMADRES:  
"NATALIA"

P.O. Box } 389.  
Postbus }  
PIETERMARITZBURG.



Provincial Secretary,  
Provinsiale Sekretaris,  
Natal.

25th April, 1939.

In your reply please quote  
Gedewe by antwoord aan  
te haal

No. 107/5  
5/499

26-4-1939

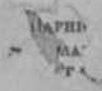
SECRETARY FOR EXTERNAL AFFAIRS.  
PRETORIA.

International Convention for the  
Regulation of Whaling 1931.

78/5  
With reference to your minute P.M. 107/5 of the  
19th instant, I have the honour to enclose herewith three  
copies of Provincial Notice 494, 1935. You will observe  
that this provision was operative up to the 31st March, 1936  
inclusive and I would state that no renewal has been gazetted.  
For your further information I would mention that under the  
Sea Fisheries Bill, which is now before Parliament, the control  
of whaling will become a matter for the Department of Commerce  
and Industries to deal with.

*L. L. L. L.*  
PROVINCIAL SECRETARY.

P.M. 107/5



UNION OF SOUTH AFRICA

Downing Street,

Circular despatch B. No. 35

27 April, 1939.

Sir,

With reference to my predecessor's Circular despatch B. No.10 of the 1st February, I have the honour to state that the instrument of ratification by the President of the United States of America of the Protocol signed in London on the 24th June, 1938, amending the International Agreement for the Regulation of Whaling signed in London on the 8th June, 1937, was deposited with His Majesty's Government in the United Kingdom on the 30th March, 1939.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

*Ratification has already been noted on index  
D.S. 4/5*

*Passed to Commerce & Industries  
5/1/39*

*J.W.H. Malpas.*

THE MINISTER OF EXTERNAL AFFAIRS,  
UNION OF SOUTH AFRICA.

P.M. 107/5

PRETORIA,

19 Mei 1939.

20 MAY 1939

DIE PROVINSIËLE SEKRETARIS: KAAPSTAD.

Internasionale Konvensie vir die  
Beheer van Walvissery, 1931.

Met verwysing na u diensbrief M.M. 235/1 van 24 April, verneem ek graag of u nou in staat is om my van drie eksemplare te voorsien van Kaap Provinsiale-kennisgewing No. 156 van 1 November <sup>1931</sup> en van die Ordinnansies waaronder die Kennisgewing uitgegee was.

(get.) J. A. Jordaan

SEKRETARIS VAN BUITELANDSE SAKE.

DS/CaV



TRANSCRIPT OF SECTION 6 OF THE FISHERIES ORDINANCE,  
NO. 30 OF 1920 (CAPE).

6. The Administrator may by Proclamation in the Gazette exercise all or any of the following powers in respect to any defined areas and/or in respect to any defined periods of time:

- (a) appoint close seasons for any kind of fish;
- (b) give special protection to any kinds of fish, fish food and spawn;
- (c) prohibit the capture, pursuit, catching, taking or disturbance of any kinds of fish; and
- (d) limit or restrict the method of capture of fish.

- (s) to provide for the disposal or sale of fish seized or forfeited under this Ordinance; and
- (t) generally for the better carrying out of the objects and purposes of this Ordinance.

TRANSCRIPT OF SECTION 5 OF THE FISHERIES ORDINANCE,  
NO. 30 OF 1920 (CAPE).

5. It shall be lawful for the Administrator to make regulations for all or any of the following purposes and to impose penalties for the contravention thereof :

- (a) the making and production of returns, daily or otherwise, with regard to the number and variety of fish taken in fishing boats or otherwise;
- (b) the protection of fish, fish food and spawn in the public rivers, streams and waters of the Province;
- (c) the duties to be performed by the officers appointed under this Ordinance;
- (d) all matters connected with or concerning the better regulation of the fisheries, or any class, group or portion thereof;
- (e) the closure or opening of any tidal or inland fisheries;
- (f) the supervision and protection thereof;
- (g) the determination of the weight or sizes of marketable fish;
- (h) the acclimatisation of fish;
- (i) the cultivation of fish;
- (j) the development of the fishing industry;
- (k) the exploration of offing ground suitable for trawling;
- (l) the licensing of nets and other contrivances and implements of fishing as regards any description of fish and the charging of fees therefor;
- (m) the character, meshes, dimensions and mode of hauling of nets, and the character, dimensions, form and construction of other contrivances and implements of fishing, either generally or in relation to any particular kinds of fish;
- (n) to declare unlawful such methods of capturing fish as may be deemed improper;
- (o) to define the method of measurement and determine protective measurements for fish and fry and shell fish;
- (p) to preserve and protect fisheries or portions thereof in respect of any fish contained therein against any unlawful fishing or prohibited methods of fishing, to determine measures for the protection of spawn, of fish in spawn, of fry and of shell fish, and of any fish during a close season, and generally all measures for preventing evasions or infringements of this Ordinance and the regulations;
- (q) to provide for the disposal of forfeited nets, boats, or other implements, and of nets, boats or any other implements, found in any waters without an owner or unclaimed;
- (r) to provide for the protection and regulation of boundary beacons, buoys, notices and notice boards, or other marks used or required in matters appertaining to fisheries;

In reply quote No. A.120/1/60

Postal Communications should

be addressed to

P.O. Box 659.



OFFICE OF THE ADMINISTRATOR,  
CAPE TOWN.

107/5

19-5-1939

INTERNATIONAL CONVENTION FOR THE REGULATION OF WHALING 1931.

The Secretary for External Affairs,  
PRETORIA.

1. With reference to your minute No. P.M.107/5 dated 21st April, 1939, I forward herewith, as requested, three copies of Cape Provincial Administration Proclamation No. 156 of 1935, dated 22nd October, 1935, and promulgated in the Official Gazette of the Province of the Cape of Good Hope dated 1st November, 1935.

2. It may be added that when the Fishing Regulations of this Administration were consolidated in 1936, the attached Regulation was re-promulgated as Regulation No. 51 of the Regulations promulgated under Proclamation No. 1 of 1936, dated 11th December, 1935.

3. The Regulation in question was promulgated under the provisions of sections 5 and 6 of the Fisheries Ordinance No. 30 of 1920. It is regretted, however, that no spare copies of the Fisheries Ordinance, No. 30 of 1920, are available for transmission to you, but transcripts of the sections referred to are attached.

4. It will be observed that there is no direct reference to whales in the sections in question, as the word "fish" for the purpose of the Fisheries Ordinance, No. 30 of 1920 (Cape) is defined in section 1 of that Ordinance as including whales.

*D. W. Webster*  
PROVINCIAL SECRETARY.

P.M. 107/5.

P R E T O R I A,

22 Mei, 1939.

DIE PROVINSIALE SEKRETARIS: PIETERMARITZBURG.

Internasionale Konvensie vir die  
Beheer van Walvisserij.

Met verwysing na u diensbrief No. 5/499 van 25 April sal ek bly wees as u my wil voorsien van 3 eksemplare van die "Nataalse Visserijen Ordonantie" No.11 van 1916, waaronder Proklamasie No.494 van 28 November 1935 uitgegee was.

Indien geen eksemplare van die Ordonnansie beskikbaar is nie, geliewe my getikte kopieë te verskaf van die betrokke seksies waarna in bogenoemde Proklamasie verwys word.

(get.) J. R. Jordaan

SEKRETARIS VAN BUITELANDSE SAKE.

DS/AJvZ

4. It will be observed that there is no direct reference to whales in the sections in question, as the word "fish" for the purpose of the Fisheries Ordinance, No. 30 of 1926 (Cape) is defined in section 1 of that Ordinance as including whales.

20/1  
Hok.

TELEGRAPHIC ADDRESS  
TELEGRAM ADDRESS:  
"NATALIA"

P.O. Box } 389  
POSTBUS }  
PIETERMARITZBURG.



Provincial Secretary,  
Provinsiale Sekretaris,  
Natal.

30-6-1939  
29 Mei 1939.

02/107/5  
In your reply please quote  
Geliewe by antwoord aan  
te haal

No. 6/499

DIE SEKRETARIS VAN BUITELANDSE SAKE,  
PRETORIA.

Internasionale Konvensie vir die Beheer  
van Walvisserij.

Met verwysing na u diensbrief P.M. 107/5 van  
die 22e deser, sluit ek hierby in drie eksemplare van  
die „Natalse Visserijen Ordonantie" No.11 van 1916.

*E. D. Davies*  
PROVINSIALE SEKRETARIS : NATAL.

It will be observed that the sections contain no direct reference to whales but the word "fish", for the purposes of the Ordinance, is defined in section 1 of the Ordinance as including whales.

It may be added that when the Fishing Regulations of the Cape Provincial Administration were consolidated in 1936, the regulation in question was re-promulgated as Regulation No.51 of the Regulations promulgated under Proclamation No.1 of 1936, dated 11th December, 1935.

I have the honour to be,

Sir,

Your obedient servant,

P. R. BOTHA

SECRETARY FOR EXTERNAL AFFAIRS.

P.M. 107/5.

PRETORIA,  
5th June, 1939.

Sir,

With reference to your letter of the 5th April, in regard to the application in the Union of the International Convention for the Regulation of Whaling of 1931, I have the honour to forward herewith as requested three copies of Natal Provincial Notice No. 494 of 28th November, 1935, and of Cape Provincial Notice No.156 of 22nd October 1935.

The Natal Provincial Notice was promulgated under the provisions of the Natal Fisheries Ordinance, No.11 of 1916, three copies of which are also enclosed. The notice was operative, you will observe, up to the 31st March, 1936.

The Cape Provincial Notice was promulgated under the provisions of Sections 5 and 6 of the Cape Fisheries Ordinance No. 30 of 1920. It is regretted that no spare copies of this Ordinance are available, but transcripts of the sections referred to are attached.

It...../

The Envoy Extraordinary and  
Minister Plenipotentiary of  
the United States of America,  
249 Jacob Mare Street,  
PRETORIA.



P.M. 107/5

DEPARTMENT OF EXTERNAL AFFAIRS,  
DEPARTEMENT VAN BUITELANDSE SAKE,

P R E T O R I A,

10 JUN 1939

THE SECRETARY FOR  
DIE SEKRETARIS VAN

Commerce & Industries

I forward herewith for your information  
Ek stuur u hiermee, vir u inligting,

copies of the following publications received  
eksemplare van die volgende publikasies ontvang

from the Dominions Office:  
van die Vrygewestekantoor.

*Treaty Series No 14 (1939)*

*Comes 1993*

*Protocol amending the International*

*Agreement of June 8 1937*

*for the REGULATION*

*OF WHALING*

*Copy in Library*

7  
SECRETARY FOR EXTERNAL AFFAIRS.  
SEKRETARIS VAN BUITELANDSE SAKE.

780  
LJK:dap



107/5  
121

Capetown, Union of South Africa.  
June 13, 1939.

Sir:

I have the honor to acknowledge with appreciation, the receipt of your letter of June 8, 1939 (reference P.M. 107/5) enclosing three copies each of the Natal Provincial Notice No. 494 of November 28, 1935; the Cape Province Notice No. 156 of October 22, 1935; the Natal Fisheries Ordinance No. 11 of 1916; and transcripts of the section of the Cape Fisheries Ordinance No. 30 of 1920, in compliance with my request of April 8, 1939.

I have the honor to be, Sir,

Your obedient servant,

  
L. J. Keena

The Secretary for External Affairs,  
Department of External Affairs,  
Union Buildings,  
PRETORIA.

1217/5

AIDE MÉMOIRE.

Herr Leitner, die Duitse Gesant, het die Sekretaris vanoggend kom sien en gevra vir inligting oor die Unie se toetreding tot die Walvis Konvensie van Londen.

Die posisie is dat hierdie saak by die Provinsiale Administrasies tuis behoort, maar hulle is nie by magte om 'n handeling met werking buite die Unie aan te gaan nie. Die Sentrale Regering sal dus die nodige stappe moet doen. Die Departement van Handel en Nywerheid sou wetgewing oor die saak indien maar tot dusver het dit nog nie geskied nie.

Ons moet Handel en Nywerheid vra hoe dit met die wetgewing staan.

K A A P S T A D,  
13 Junie 1939.

AIDE MÉMOIRE.

Herr Leitner, die Duitse Gesant, het die Sekretaris vanoggend kom sien en gevra vir inligting oor die Unie se toetreding tot die Walvis Konvensie van Londen.

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Die posisie is dat hierdie saak by die Provinsiale Administrasies tuishoort, maar hulle is nie by magte om 'n <sup>loop</sup>handeling met werking buite die Unie <sup>te maak nie.</sup> ~~aan te gaan nie.~~ Die Sentrale Regering sal dus die nodige stappe moet doen. Die Departement van Handel en Nywerheid sou wetgewing oor die saak indien maar tot dusver het dit nog nie geskied nie.

Ons moet Handel en Nywerheid vra hoe dit met die wetgewing staan.

*J.A.S.*

*G.T.*  
*W. - 14/6/39*  
*W. - 14/6/39*  
*W. - 14/6/39*

KAAPSTAD,  
13 Junie 1939.

*M. J. J. J.*  
*M.B. 20/6/39*

ALICE ...

PRETORIA,

22 JUN 1939

THE SECRETARY FOR COMMERCE & INDUSTRIES : PRETORIA.

International Convention for the Regulation of Whaling.

With reference to your minute No. C.I. 404/60 of February 23rd last and subsequent correspondence on the above subject, I should be grateful to learn what the present position is regarding the legislation which it was proposed to introduce during the last Session of Parliament with a view to enabling the Union to ratify the Whaling Convention of 1931 and the Protocol of 1938.

J.R.J.

SECRETARY FOR EXTERNAL AFFAIRS.

P. 3/7/39.  
3) via ...

JJ/WK.

MINUTE.



In reply please quote  
By beantwoording vermeld a.u.b.

No. 17.07.3971

UNION OF SOUTH AFRICA.—UNIE VAN SUID-AFRIKA.

OFFICE OF THE  
KANTOOR VAN DIE

*Administrateur*  
*Kaapstad*

17-6-1939

193

The  
Die

*Sekretaris van Buitelandse Sake,*

*Departement van Buitelandse Sake,*  
 *Pretoria.*

*Eksemplare: Proklamasie no. 136 van 1935.*

*Het verwysing na u brief no. P.M. 107/5-  
gedateer 20 Mei 1939, in verband met be-  
gewenste onderwerp, moet ek in woorde  
dat Proklamasie no. 136 van 1935 geskryf  
is en dat die regulasie in verband  
met die transaksie in die rang van  
wettige en soeken onder die  
regulasie afgehandig in gevolge Proklamasie  
no. 1 van 1936. (Hier regulasie no. 51.)*

*In hierdie verband moet ek  
in woorde dat hierdie administrasie  
met u klein aantal afskrifte van  
Proklamasie no. 1 van 1936 in sy besit  
het en dit is dus uit woorde  
om u afskrif daarvan, in u  
aansoek van te beg. (Afskrif aangeleg.)*

*W. Meyer*  
DIE PROVINSIALE SEKRETARIS

*H. B.*



Telegraphic Address "NYWERCOM."  
Telegramadres



12/107/5  
C.I. 1.  
All communications to be addressed  
to the Secretary.

Adresseer asb. alle briewe aan die  
Sekretaris.

In reply please quote  
Verwys in antwoord asb. na

No. C.I. 404/60  
No. H.N.



UNION OF SOUTH AFRICA.—UNIE VAN SUID-AFRIKA.

DEPARTMENT OF COMMERCE AND INDUSTRIES,  
DEPARTEMENT VAN HANDEL EN NYWERHEID,

MUTUAL BUILDING, CHURCH SQUARE,  
MUTUALGEBOU, KERKPLEIN,

PRETORIA 24 JUN 1939 19

THE SECRETARY FOR EXTERNAL AFFAIRS,  
PRETORIA.

Whaling Legislation.

With reference to your minute No. 107/5 of the 22nd instant, I have to inform you that it was proposed to obtain the necessary powers to control whaling activities under the Sea Fisheries Bill, which was introduced by the Minister on the 17th April last.

The Bill was referred to a Select Committee, for consideration and report, on the 19th April. The Committee reported to Parliament on the 1st instant, and submitted an amended Bill, which was read a first time the same day.

Before the second reading could be taken, however, the Prime Minister announced in the House on the 2nd instant the measures which were to be disposed of during the present Session. The Sea Fisheries Bill was not amongst those enumerated.

It will be clear from the above that the Department did everything within its power to expedite the passing of legislation whereunder the Union Government would be empowered to ratify the International Agreement for the Regulation of Whaling.

*W.F. Munnell*

SECRETARY FOR COMMERCE AND INDUSTRIES.

157/5  
C.L.L.

P.M. 107/5



UNION OF SOUTH AFRICA—UNIE VAN SUID-AFRIKA



DEPARTMENT OF COMMERCE AND INDUSTRY  
DEPARTMENT VAN HANDEL EN NYWERHEID

RECEIVED  
30 JUN 1939

THE SECRETARY The Secretary for External Affairs presents his compliments to the Envoy Extraordinary and Minister Plenipotentiary of the United States of America and with reference to his letter of the 8th June, relative to the application in the Union of the International Convention for the Regulation of Whaling of 1931, has the honour to forward herewith a copy of Cape of Good Hope Proclamation No. 1 of 1936, dated the 11th December, 1935, mention of which was made in the concluding paragraph of his letter under reference.

It is regretted that more than one copy of this Proclamation is not available.

PRETORIA,

It will be clear from the above that the Department did everything within its power to expedite the passing of legislation whereunder the Union Government would be empowered to ratify the International Agreement for the Regulation of Whaling.

*J. W. Malan*

SECRETARY FOR COMMERCE AND INDUSTRY

16  
27.1

is passed in the next session of Parliament.

I have the honour to be,

Sir,

Your obedient servant,

E. B. POTTER

SECRETARY FOR EXTERNAL AFFAIRS.

... the Secretary for External Affairs ...  
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P.M. 107/5

PRETORIA,

30 JUN 1939

Sir,

With reference to your interview with me of the 13th June in regard to the application in the Union of the International Agreement for the Regulation of Whaling of 1937 as amended by the Protocol signed in London on the 24th June, 1938, I have the honour to inform you that in the absence of legislation vesting the control of marine fisheries in the Central Government, it has not been possible for the Agreement to be ratified by the Union.

It was proposed to obtain the necessary powers to control whaling activities in waters adjacent to the Union under the Sea Fisheries Bill which was introduced by the Minister of Commerce and Industries on the 17th April last. The Bill was referred to a Select Committee for consideration and report and the Bill, as amended, was read a first time on the 1st June.

In spite of every endeavour, however, it was not found possible to dispose of the Bill before the close of session and it is therefore regretted that the ratification of the Agreement will have to be held over until the enabling legislation

is /....

*MS*  
The Envoy Extraordinary and  
Minister Plenipotentiary of  
the German Reich,  
696 Schoeman Street,  
PRETORIA.

*Ant*

P.M. 107/5

is passed in the next session of Parliament.

I have the honour to be,  
PRETORIA,

Your obedient servant,  
30 JUN 1938

Sir,

With reference to your interview with me of the 13th June in regard to the application in the Union of the International Agreement for the Regulation of Whaling of 1937 as amended by the Protocol signed in London on the 24th June, 1938, I have the honour to inform you that in the absence of legislation vesting the control of marine fisheries in the Central Government, it has not been possible for the Agreement to be ratified by the Union.

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is /....

*MO*  
The Envoy Extraordinary and  
Minister Plenipotentiary of  
the German Reich,  
696 Schoeman Street,  
PRETORIA.

*At 2/6*

meetings in the conference rooms of the Ministry of  
Agriculture and Fisheries at 10, Whitehall Place,  
concurrently with a meeting of inspectors appointed by  
the various signatory Governments, to consider points  
in which their practice differs and to make  
recommendations with a view to securing uniformity  
therein.

I am,

Sir,

Your most obedient servant,

Herbert C. W. DEBAND

It was not found possible to complete the Bill  
before the close of session and it is therefore  
regretted that the ratification of the Agreement will  
have to be held over until the enabling legislation

is /....

The <sup>10</sup> Navy Extraordinary and  
Minister Plenipotentiary of  
the German Reich,  
698 Schoonen Street,  
PASTORIA.

*Handwritten signature*

W3/222.

12 June, 1939.

Sir,

I am directed by Secretary Sir Thomas Inskip to refer to the letter from this department No. W3/219 of the 24th May regarding a meeting to be held in London on the 13th of June to consider questions connected with the International Agreement for the Regulation of Whaling, 1937, and the Protocol of 1938 amending that agreement.

2. It has since become apparent that the date originally chosen would not be convenient for the German representatives, and, as it is considered essential that the German Government should be represented at any meeting held, it has been decided to postpone the meetings until the 17th July, and following days if necessary. It is at present intended to hold the

meetings

THE SECRETARY,

OFFICE OF THE HIGH COMMISSIONER  
FOR THE UNION OF SOUTH AFRICA.

it was not found possible to dispose of the Bill before the close of session and it is therefore regretted that the ratification of the Agreement will have to be held over until the enabling legislation is /....

*mf*  
The Envoy Extraordinary and  
Minister Plenipotentiary of  
the German Reich,  
696 Schoeman Street,  
PRETORIA.

*A. J. ...*



107/5  
107

OFFICE OF THE HIGH COMMISSIONER FOR THE UNION OF SOUTH AFRICA

LONDON, W.C. 2

SUBJECT:- International Whaling Conference.

REFERENCE NUMBERS

THIS OFFICE

YOUR DEPARTMENT

No. 19/88 DATE 24th June, 1939

No. \_\_\_\_\_ DATE \_\_\_\_\_

2 copies for  
also of enclosure  
Ds

The Secretary for External Affairs,  
Pretoria.



I enclose, for your information, a copy of a letter dated the 12th June, received from the Dominions Office, with regard to a meeting to be held in London to consider questions connected with the International Agreement for the Regulation of Whaling, 1937, and the Protocol of 1938 amending that Agreement.

Passed to... Comms.....  
CO-OPERATION  
for I... ANTION  
DE... AL

Date 5/7/39..... J.S......

W. J. M. ...  
Secretary.

*[Handwritten mark]*

*[Handwritten checkmark]*



107/5

and that if they are accepted, such acceptance should be notified by a formal communication in each case.

I am,

Sir,

Your most obedient servant,

Herbert G. W. DIXON

The following is a list of the names of the persons who have been appointed to the various positions of the Board of Directors of the United States National Bank of Commerce, New York, for the term ending on the 31st day of December, 1911.

It is the policy of the Board to have a representation of the various interests of the community in the management of the bank, and to have a balance of the various interests represented. It is the policy of the Board to have a representation of the various interests of the community in the management of the bank, and to have a balance of the various interests represented.

Very respectfully,  
Herbert G. W. Dixon  
President

W 3/219.

*W* May, 1939.

Sir,

With reference to previous correspondence regarding the International Agreement for the Regulation of Whaling, 1937, and the Protocol amending that Agreement, 1938, I am directed by Secretary Sir Thomas Inskip to state that matters connected with this subject were discussed informally with representatives of the Governments of Germany, Japan, Norway and the United States of America on the 19th April.

2. It was agreed on that occasion that a further full conference of representatives of all the Governments concerned could not profitably be held this year, but that an exchange of views by representatives of the Governments of the countries principally concerned might lead to the acceptance by all the interested Governments of certain slight modifications of the Agreement and its administration which would benefit the whaling industry and help to conserve the stock of whales.

3.

THE SECRETARY,  
OFFICE OF THE HIGH COMMISSIONER  
FOR THE UNION OF SOUTH AFRICA.

*R* ✓



OFFICE OF THE HIGH COMMISSIONER FOR THE UNION OF SOUTH AFRICA

LONDON, W.C. 2

Jun 10/5  
(m)



SUBJECT International Whaling Conference.

REFERENCE NUMBERS

YOUR DEPARTMENT

THIS OFFICE

28th June, 1939

No. \_\_\_\_\_ DATE \_\_\_\_\_

No. 19/88 DATE \_\_\_\_\_

The Secretary for External Affairs,  
Pretoria.

Further to my minute N<sup>o</sup> 19/88 of the 24th instant I enclose a copy of a letter dated 24th May, 1939 received from the Dominions Office.

Reference to this letter is made in the letter enclosed with my minute referred to and it is regretted that owing to an oversight it was not forwarded with that minute.

*2 copies of minute  
• enclosed  
P.C.*

Passed to... *Commerce & Industries*

COOPERATION  
for INFORMATION  
BUREAU

*Unroyle*  
Secretary.

Date... *8/7/39* Initials... *P.C.*

F

*P*

✓



LEGATION OF THE  
UNITED STATES OF AMERICA

Capetown, Union of South Africa.

July 11, 1939

The American Minister presents his compliments to the Secretary for External Affairs and has the honor to acknowledge, with thanks, the copy of the Cape of Good Hope Proclamation No.1 of 1936 transmitted to him with the Secretary's letter of June 30, 1939.

AR

107/50  
(1001)



Telephone: WHITEHALL 4488.  
Telegraphic Address:—  
"OPPOSITELY, LESQUARE, LONDON."

SOUTH AFRICA HOUSE,  
TRAFALGAR SQUARE,  
LONDON, W. C. 2.

UNION OF SOUTH AFRICA.



28th July, 1939.

19/88.

The Secretary for External Affairs,  
P R E T O R I A .

I have the honour, by direction of the  
High Commissioner, to forward the enclosed Report by  
Mr. H. Neethling, Attaché, on the recent informal  
Whaling Conference in London. Mr. Neethling was  
present as observer.

A copy of the Report of the Conference as  
signed is also enclosed. Minutes of Proceedings and  
other documentation have been despatched by ocean mail.

P 21/8

*W. J. Parmenter*

POLITICAL SECRETARY.

COPY

Translation

Royal Resolution.

In conformity with the law regarding the capture of Baleen whales of 14th June 1935 and supplementary law of 16th July 1936, § 7, it is prescribed as valid from and including the 1938-39 whaling season and until further notice that:

A due of 50 øre per barrel (170 kilogrammes) shall be paid on all oil produced. The due is to be paid to the Ministry of Commerce at the conclusion of the season, at the latest by the 1st August. Of the due, 30 øre per barrel is to be allocated to the security fund referred to in the law.

5th May, 1939.

C O P Y

BRITISH LEGATION,

OSLO.

No. 223E.

8th July, 1939.

(94/11/39)

My Lord,

With reference to my despatch No. 331(E) of August 3rd 1936, I have the honour to forward herewith a translation and the Norwegian text of a Royal Resolution dated May 5th 1939 respecting the capture of Baleen Whales.

2. It will be observed that the duty has been reduced from 3 Kroner to 50 Ore a barrel, owing, doubtless, to falling prices and to the complaints of Norwegian producers.

3. The security fund referred to is for the benefit of the crews of whaling expeditions and employees of whaling companies.

4. I am sending a copy of this despatch to the Department of Overseas Trade.

I have etc.,

(Signed) CECIL DORMER.

The Right Honourable  
Viscount Halifax, K.G., G.C.S.I., G.C.I.E.,  
etc., etc., etc.

Plan 107/5



Telephone: WHITEHALL 4488.  
Telegraphic Address:—  
"OPPOSITELY, LESQUARE, LONDON."

SOUTH AFRICA HOUSE,  
TRAFALGAR SQUARE,  
LONDON, W. C. 2.

UNION OF SOUTH AFRICA.



19/88/1

1st August, 1939.

The Secretary for External Affairs,  
P r e t o r i a .

Whaling.

I am directed by the High Commissioner to  
submit, for your information, the attached minute,  
together with enclosure, received by the British Foreign  
Office from the British Minister at Oslo in regard to a  
Royal Resolution issued by the Norwegian Government  
respecting the capture of Baleen Whales.

2 copies of  
minute + enclosure per  
J.S.

Passed to... Commerce Industries

COMMUNICATION  
for INFORMATION  
DISPATCH

*J. H. Toit*  
Secretary.

Date... 12/8/39 .. Initials... J.S. ..

7 21/8 below .



Telegramadres | "NYWERCOM."  
Telegraphic Address



Adresseer asb. alle briewe aan die  
Sekretaris  
All communications to be addressed  
to the Secretary.

Verwys in antwoord asb. na  
in reply please quote

No. H.N.  
No. C.I.

404/60.

C.I. I.

UNIE VAN SUID-AFRIKA—UNION OF SOUTH AFRICA.

DEPARTEMENT VAN HANDEL EN NYWERHEID,  
DEPARTMENT OF COMMERCE AND INDUSTRIES,  
IMPALAGEBOU,  
IMPALA HOUSE,  
H/V SCHOEMAN- EN PRINSLOOSTRAAT,  
COR. SCHOEMAN AND PRINSLOO STREETS,

PRETORIA ..... 19 .....

4 AUG 1939

THE SECRETARY FOR EXTERNAL AFFAIRS,  
P R E T O R I A.



INFORMAL CONFERENCE ON WHALING.

I refer to your endorsements, P.M.107/5,  
of the 5th and 8th ultimo on copies of minutes No.19/88  
of the 24th and 28th June, 1939, from the Secretary,  
Office of the High Commissioner for the Union of South  
Africa, London, and have to enquire whether any  
resolutions were adopted by the abovementioned  
Conference. If so, I shall be pleased to receive  
copies of such resolutions.

SECRETARY FOR COMMERCE AND INDUSTRIES.

P.M. 107/5

reprographic

UNION OF SOUTH AFRICA.  
Circular despatch B. No. 66



Downing Street,  
4 August, 1939.

Sir,

With reference to my Circular despatch B. No.35 of the 27th April, I have the honour to inform you that the accession of the Danish Government to the International Agreement for the Regulation of Whaling, signed in London on the 8th June, 1937, as modified by the Protocol signed in London on the 24th June, 1938, has been received by His Majesty's Government in the United Kingdom and took effect, in accordance with Article 22 of the Agreement, on the 10th July, 1939.

I have the honour to be,

Sir,

Your most obedient,  
humble servant,

*John Duship.*

*Noted on index  
17/8  
D.S.*

Passed to..... Commerce & Industries  
CONSULTATION  
for.....  
18 AUG 18 1939  
D..... *pl*

THE MINISTER OF EXTERNAL AFFAIRS,  
UNION OF SOUTH AFRICA.

P.M. 107/5.

Downing Street,

4 August 1939

P R E T O R I A,

17 AUG 1939

THE SECRETARY FOR COMMERCE & INDUSTRIES.

Informal Conference on Whaling :  
London : July, 1939.

With reference to your minute No. 404/60 of the 14th August, I forward herewith a copy of a report submitted by Mr. H. Neethling, Attaché to the High Commissioner, London, who attended the above Conference as an observer.

A copy of the Report of the Conference as signed is also enclosed. Minutes of Proceedings and other documentation have been despatched from London by ocean mail, and will be forwarded to you as soon as received.

*forwarded  
21/8/39*

*7<sup>s</sup>*  
SECRETARY FOR EXTERNAL AFFAIRS.

DS/WK.

DRAFT CABLE.

Oppositely, London.

In view of existing abnormal conditions and fact that production of whale oil has become an urgent necessity, Union Whaling Company desires to anticipate opening date Antarctic Whaling season 1939/1940 by two or three weeks Stop. Please ascertain and advise by Cable British and Norwegian attitude and proposals in this regard.

---

BAH.

Telegramadres  
Telegraphic Address

"NYWERCOM."



- 9-10-1939

PM 107/5 (a)

C.I. 1.

Adressee asb. alle briewe aan die  
Sekretaris  
All communications to be addressed  
to the Secretary.

Verwys in antwoord asb. na  
In reply please quote

No. H.N. 404/60  
No. C.I.

UNIE VAN SUID-APRIKA — UNION OF SOUTH AFRICA.

DEPARTEMENT VAN HANDEL EN NYWERHEID,  
DEPARTMENT OF COMMERCE AND INDUSTRIES,  
IMPALAGEBOU,  
IMPALA HOUSE,  
H/V SCHOEMAN- EN PRINSLOOSTRAAT,  
COR. SCHOEMAN AND PRINSLOO STREETS,

PRETORIA ..... 19 .....

27 OCT 1939

*Morgan*

The Secretary for External Affairs,  
PRETORIA.

WHALING IN THE ANTARCTIC: 1939-40 SEASON.

I have to inform you that the Union Whaling Company, in view of existing abnormal conditions and the fact that the production of whale oil has become an urgent necessity, desires to commence whaling operations in the Antarctic two or three weeks before the date fixed by the International Whaling Agreement.

Personally I can see no justification for this departure from the terms of the Agreement, to which the Union is a signatory, even though it has not yet ratified it, but before deciding finally on the matter, I should like to know what the British and Norwegian proposals are in this connection.

I shall be glad, therefore, if you will cause a cablegram, as per the attached draft, to be dispatched to the High Commissioner, London, requesting him to institute the necessary enquiries.

....

*Telegram sent. R. 107/5/39*  
*[Signature]*

SECRETARY FOR COMMERCE AND INDUSTRIES.

BAH.

*File R. resubmit with copies of telegram R*