



PM 107/5 (a)

C.I. L.
P.M. 107/5.
404/80

UNIE VAN SUIDAFRIKA — UNION OF SOUTH AFRICA.

TELEGRAM.

DEPARTMENT VAN HANDELS EN NYWERHEID,
DEPARTMENT OF COMMERCE AND INDUSTRIES,
IMPALAARSDIENST,
IMPALA HOUSE,
101, SCHOENHAAR STRAAT,
PRETORIA.

FROM: Secretary for External Affairs, Pretoria.
TO: High Commissioner, London.

10th October, 1939.

The Secretary for External Affairs,
PRETORIA.

No. 420 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 late Antarctic Whaling season 1939/40 by two or three weeks. Please ascertain and advise by cable British and Norwegian attitude and proposals in this regard.

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.

Caligaris cont. P.M. 107/37
E. Shuman

SECRETARY FOR COMMERCE AND INDUSTRIES.

Handwritten notes and signatures at the bottom of the page.

11/10/39
P.M. 107/5.

TELEGRAM.

FROM: Secretary for External Affairs, Pretoria.

TO: High Commissioner, London.

10th October, 1939.

No. 420 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 1939/40 by two or three weeks. Please ascertain and advise by cable British and Norwegian attitude and proposals in this regard.

Presently 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 telegram, as per the attached draft, to be dispatched to the High Commissioner, London, requesting him to initiate the necessary enquiries.

P.M. 107/5.

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P.M. 107/5. (over)

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Passed to *Commerce and Industries*

REGISTRATION
for REGISTRATION
SEAL

Date *12/10/39* Initials *gvo.*

This minute no. *404/60* of *7th* October, 1939, refers.

P. 25/10/39.



TELEGRAM.

P.M. 107/5. (on)

FROM: High Commissioner, London.

TO: Secretary for External Affairs, Pretoria.

28th October, 1939.

FROM: Secretary for External Affairs, Pretoria.

TO: High Commissioner, London.

10th October, 1939.

No. 513. Your telegram 10th

October, No. 420. In view of the fact that,

No. 420 in view of existing abnormal conditions owing to the war, British and Norwegian whaling companies will in any case not be able to get to the whaling grounds by the opening date they are anticipate opening date Antarctic Whaling season 1939/40 by two or three weeks. Please ascertain from this the British Foreign Office sees great difficulty in approaching other foreign countries and proposals in this regard. Urgent necessity. Union Whaling Company desires to anticipate opening date Antarctic Whaling season 1939/40 by two or three weeks. Please ascertain from this the British Foreign Office sees great difficulty in approaching other foreign countries and proposals in this regard. concerned with such a proposal at the present juncture. Understood, however, the practicability being explored of extending the end of the season by two to three weeks.

Passed to *Commerce and Industries*

SECTION
for INFORMATION

3 OCT 1939
24/10/39

This minute is. Resolved of 24th October, 1939, after

P. 25/10/39.



TELEGRAM.

P.S. 197/3. (44)

FROM: High Commissioner, London.

TO: Secretary for External Affairs, Pretoria.

28th October, 1939.

FROM: Secretary for External Affairs, Pretoria.

TO: High Commissioner, London.

10th October, 1939.

No. 513. Your telegram 10th

October, No. 420. In view of the fact that, owing to the war, British and Norwegian whaling companies will in any case not be able to get to the whaling grounds by the opening date they are very adverse to a proposal of this kind. Apart from this the British Foreign Office sees great difficulty in approaching other foreign countries concerned with such a proposal at the present juncture. Understood, however, the practicability being explored of extending the end of the season by two to three weeks.

Handwritten note: Forwarded via Pretoria

Handwritten note: 1939

Handwritten note: The above is the subject of 5th article, 1939, report

Handwritten note: P. 207/11

TELEGRAM.

FROM: High Commissioner, London,

TO: Secretary for External Affairs, Pretoria.

28th October, 1939.

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107/5
/an

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FROM: High Commissioner, London.
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To Commerce & Industries
B.F.

Passed to Commerce & Industries
CONSIDERATION
for INFORMATION
DISPOSAL
Date 30/10/39 Initials [Signature]

Aci

107/5
/a

TELEGRAM.

FROM: The High Commissioner, London.

TO: The Secretary for External Affairs, Pretoria.

25th November, 1939. Pretoria.

25th October, 1939.

No. 542. Reference to the recommendations of the last International Whaling Conference that the catching of hump-back whales should be prohibited, the Minister for Norway has informed me that the Norwegian authorities have included in their Whaling Regulations for the forthcoming season a stipulation containing such clauses. They feel, however, unable to enforce this prohibition on Norwegian whaling expeditions unless other participating nations take similar steps and make the prohibition of general application. It is understood that the Japanese have declared themselves willing to respect such prohibition on the same conditions as Norway. Apparently, therefore, the final decision now rests with the Union to which a special appeal is made to co-operate especially in view of the fact that such action on our part would at least bring the Japanese into line in regard to International co-operation on the question of whaling. I personally strongly endorse this appeal for our contribution towards the protection of the whaling stocks. Please telegraph reply as early as possible as the Norwegian authorities must finalise their regulations before their boats arrive at the fishing grounds.

A. C.

March 17/30

TELEGRAM.

FROM: The High Commissioner, London.
TO: The Secretary for External Affairs, Victoria.

25th November, 1930



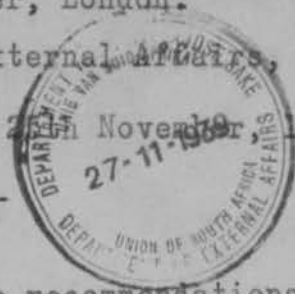
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107/5

TELEGRAM.

FROM: The High Commissioner, London.

TO: The Secretary for External Affairs, Pretoria.



27th November, 1939.

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*Mr Jones,
M. wishes to Min of Commerce
about it MB 27/11/39*

*Mr Jones, please
PLB 27/1/39 Dur 107/5
Secy
Min. of Commerce to*

FROM: The

See this and see me

TO: The

Chief Justice

Pretoria.

1939.



No. 542.

Internati

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he catching of
hump-back whales should be prohibited, the Minister for
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their boats arrive at the fishing grounds.

*Mr Jones,
Min. wishes to Min of Commerce
about it. PLB 27/1/39*

P.M. 107/5

Pretoria.

PRETORIA,

- 1 DEC 1939

Die Privaatsekretaris van die
Minister van Handel en Nywerheid,
PRETORIA.

The Norwegian authorities
have notified that the Norwegian authorities
are unable to enforce their Whaling Regulations for the
upcoming season. Walvisvangs. Regulations containing such
provisions. They feel, however, unable to enforce this
prohibition on Norwegian Whaling operations unless
Ek stuur u hiermee vir die sandag van
u Minister afskrifte van 'n telegram van die Hoë
Kommissaris, Londen, insake walvisvangs in die
Suidpool-gebiede. Japanese have declared themselves
willing to accept General Smuts sal dit op prys stel
as Hnr. Stuttaford die saak met hom sal kom bespreek.
made to co-operate especially in view of the fact
that no action on our part would at last. ^{P.R. COOPER}
WAARN. SEKRETARIS VAN BUITELANDSE SAKE.
specifies on the question of whaling. I personally
strongly endorse this appeal for our contribution
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telegram reply as early as possible as the Norwegian
authorities must finalise their regulations before
their boats arrive at the fishing grounds.

P.R. COOPER

file

*20 Jan 1940
Mr. Smuts to Mr. Stuttaford
about 10/12/39*

P.M. 107/5

TELEGRAM.

FROM: High Commissioner, London.
TO: Secretary for External Affairs, Pretoria.
5th December, 1939.

Die Privatelektorat van die
Minister van Binnelandske Sake.

No. 555. My telegram No. 542 of
the 25th November. Hump-back whales. Reply
urgently required.

Die Minister van Binnelandske Sake
het ontvang 'n afskrif van 'n telegram van die Hoof
Kantoor, Londen, in verband met die
Wêreld-oorlog.
Gedurende die tydperk van die oorlog
het die Britse regering 'n verbod op die
handel in walrus-ivore ingestel. Hierdie
verbod het betrekking op alle walrus-ivore
wat vervaardig is na die 1ste Januarie 1918.
Die verbod het betrekking op alle walrus-ivore
wat vervaardig is na die 1ste Januarie 1918.
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107/5



TELEGRAM.

FROM: High Commissioner, London.

TO: Secretary for External Affairs, Pretoria.

5th December, 1939.

No. 555. My telegram No. 542 of the 25th November.* Hump-back whales. Reply urgently required.

Passed to Commerce & Industries for urgent consideration.

6 DEC 1939

** Forwarded 1/12/39*

TELEGRAM.

FROM: Secretary for External Affairs, Pretoria.

TO: High Commissioner, London.

FROM: High Commissioner, London. 9th December, 1939.

TO: Secretary for External Affairs, Pretoria.

9th December, 1939.

No. 506. Position represented re whaling fully recognised but there is at present no statutory power under which Government can take necessary steps to ratify international agreement. Government intends taking steps to secure legal powers next session of Parliament commencing January and if relative bill passes will ratify agreement without delay. In meantime making every endeavour to persuade whaling interests concerned to observe conditions international agreement.

*Forward to Prime Minister
for urgent consideration.*

6 DEC 1939

4. forwarded 1/12/39

TELEGRAM.

FROM: Secretary for External Affairs, Pretoria.

TO: High Commissioner, London.

9th December, 1939.

No. 506. Position represented re whaling fully recognised but there is at present no statutory power under which Government can take necessary steps to ratify international agreement. Government intends taking steps to secure legal powers next session of Parliament commencing January and if relative bill passes will ratify agreement without delay. In meantime making every endeavour to persuade whaling interests concerned to observe conditions international agreement.

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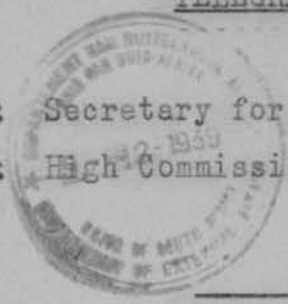
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Am. 107/5

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FROM: Secretary for External Affairs, Pretoria.
TO: High Commissioner, London.



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Copy to C.A.

Gestuur aan *Gerwoging vir informasie ahangende*

Datum *12/12/39* Paraaf *[Signature]*

Tele. Address "NYWERCOM."
Tele. adres



MINIE

Min 107/5
C.I. 1. (20)

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,
IMPALA HOUSE,
IMPALAGEBOU,
COR. SCHOEMAN AND PRINSLOO STREETS,
H/V SCHOEMAN- EN PRINSLOOSTRAAT,

PRETORIA 9-12-1939 19

THE SECRETARY FOR EXTERNAL AFFAIRS : PRETORIA.

WHALING - TAKING OF HUMPBACK WHALES.

With reference to your minute No. P.M. 107/5 of the 1st instant, addressed to the Private Secretary to the Minister of Commerce and Industries relative to a telegram received from the Union High Commissioner London, on the above subject, I append a draft cable for despatch to London setting out the Union's position in the matter:-

"Position represented re whaling fully recognised but there is at present no statutory power under which Government can take necessary steps to ratify International Agreement stop Government intends taking steps to secure legal powers next Session of Parliament commencing January and if relative Bill passes will ratify agreement without delay stop In meantime making every endeavour to persuade whaling interests concerned to observe conditions International Agreement."

This minute serves to confirm my telephonic request to an Officer of your Department this morning to despatch the telegram quoted above.

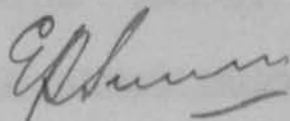
Telegrams sent already
File 12/12
R.H.

[Signature]

SECRETARY FOR COMMERCE AND INDUSTRIES.

request was made, but the Company has since arranged for a radio message to be transmitted to the expedition by the Naval Control Service, to refrain from taking humpback whales.

4. It will be appreciated if the Union High Commissioner, London, can be advised of the measure of co-operation on the part of the Union whaling interests concerned.



SECRETARY FOR COMMERCE AND INDUSTRIES.

MCM

Telegraphic Address "NYWERCOM,"
Teleaddress

G.P.-S.4



Mr 107/5
(21)

G.I.I.

All communications to be addressed
to the Secretary.

Adressee 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,
IMPALA HOUSE,
IMPALAGEBOU,
COR. SCHOEMAN AND PRINSLOO STREETS,
H/V SCHOEMAN- EN PRINSLOOSTRAAT,

PRETORIA 3-1-1940 19.....

THE SECRETARY FOR EXTERNAL AFFAIRS : PRETORIA.

Whaling : Taking of Humpback Whales.

With further reference to your minute No.P.M. 107/5 of the 1st ultimo, addressed to the Private Secretary to the Minister of Commerce and Industries, relative to a telegram received from the Union High Commissioner, London, on the above subject, I have to inform you that the two whaling companies in the Union have been requested to take the necessary steps to ensure that no humpback whales are taken by their respective expeditions.

2. In response to this appeal Messrs. Irvin and Johnson (S.A.) Ltd., instructed the Catch-Leader of their expedition, prior to his departure for the Antarctic, to observe strictly the prohibition respecting the taking of humpback whales.

3. The expedition of the Union Whaling Co., Ltd., had already left for the Antarctic when the Department's

request

UNION OF SOU Kindly inform the Norwegian Minister in London of the extent to which the Union whaling interests concerned are co-operating in this matter.

R. Jones

ACTG. SECRETARY FOR EXTERNAL AFFAIRS.

With further reference to your minute No. 218, 10/17 of the 1st inst., addressed to the Private Secretary of the Minister of Commerce and Industries, relative to a telegram received from the Union High Commissioner, London, on the above subject, I have to inform you that the two whaling companies in the Union have been requested to take the necessary steps to ensure that no trawling vessels are taken by RJ/WK. respective expeditions.

In response to this appeal Messrs. Smith and Johnson (S.M. & J.), instructed the local leader of their expedition, prior to his departure for the arctic, to ensure strictly the prohibition respecting the taking of trawling vessels.

The expedition of the Union Whaling Co., Ltd., has already left for the arctic when the Department's

P.M. 107/5.

BY AIR MAIL

PRETORIA,

28 JAN 1940

The High Commissioner for
the Union of South Africa,
LONDON, W.C. 2.

WHALING : TAKING OF HUMPBACK WHALES.

With reference to my telegram No. 506 dated 9th December, 1939, in regard to the above subject, I have to inform you that the two whaling companies in the Union have been requested to take the necessary steps to ensure that no humpback whales are taken by their respective expeditions.

In response to this appeal Messrs. Irvin and Johnson (S.A.) Ltd., instructed the Catch-Leader of their expedition, prior to his departure for the Antarctic, to observe strictly the prohibition respecting the taking of humpback whales.

The expedition of the Union Whaling Company, Limited, had already left for the Antarctic when the Department's request was made, but the Company has since arranged for a radio message to be transmitted to the expedition by the Naval Control Service, to refrain from taking humpback whales.

Kindly.....

P.N. 100/B.

TELEGRAM.

FROM: The Secretary of State for Dominion Affairs,
London.

TO: The Minister of External Affairs, Pretoria.

6th January, 1940.

Circular No. 1. My despatch No. 74 of December 22nd. Should be glad to be informed by telegram whether the Union Government are prepared to instruct whaling expeditions to refrain from catching hump-back whales on the understanding referred to in the despatch under reference.

With reference to my telegram No. 506 dated 7th December, 1939, in regard to the above subject, I have to inform you that the two whaling companies in the Union have been requested to take the necessary steps to ensure that no humpback whales are taken by their respective expeditions.

In response to this appeal Messrs. Irvin and James (S.A.) Ltd., instructed the Catch-Leader of their expedition, prior to his departure for the Antarctic, to observe strictly the prohibition respecting the taking of humpback whales.

The expedition of the Union Whaling Company, Limited, had already left for the Antarctic when the Department's request was made, but the Company has since arranged for a radio message to be transmitted to the expedition by the Naval Control Service, to refrain from taking humpback whales.

TELEGRAM.

FROM: The Secretary of State for Dominion Affairs,
London.

TO: The Minister of External Affairs, Pretoria.

6th January, 1940.

Circular No. 1. My despatch No. 74
of December 22nd. Should be glad to be informed
by telegram whether the Union Government are pre-
pared to instruct whaling expeditions to refrain
from catching hump-back whales on the understanding
referred to in the despatch under reference.

Jan 07/5

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FROM: The Secretary of State for Dominion Affairs,
London.

TO: The Minister of External Affairs, Pretoria.

6th January, 1940.

Mag air
Informing air
8-8/1/39

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by telegram whether the Union Government are pre-
pared to instruct whaling expeditions to refrain
from catching hump-back whales on the understanding
referred to in the despatch under reference.

Gestuur aan... H+N.
vle informatie
Gandelin

Datum. 6/1/40 Paraat. [Signature]

TELEGRAM.

FROM: The Secretary of State for Dominion Affairs,
London.

TO: The Minister of External Affairs, Pretoria.

5th January, 1940.

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referred to in the despatch under reference.

Jan 10/5

TELEGRAM.

FROM: Secretary for External Affairs, Pretoria.

TO: High Commissioner, London.

8th January, 1940.

No. P. 1. Reference telegram 74

No. 1 dated 6th January from Secretary of State for Dominion Affairs despatch No. 74 referred to therein not yet received. The two whaling Companies in the Union have been requested to ensure that no humpback whales are taken by their expeditions. Irvin and Johnson have instructed their expedition accordingly and Union Whaling Company are sending radio message to their expedition in the Antarctic.

*Can Pretoria ah
Dues.
12/1*

PM 107/5

TELEGRAM.

FROM: Secretary for External Affairs, Pretoria.

TO: High Commissioner, London.

8th January, 1940.

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*copy of the with
telegram no. 1 for
with information to Comd. for
information Kt. 81*

Gestuur aan A 9 N.
vir informasie
Datum 8/1/40 1940 Paraaf [Signature]

*file
Kv*

11/10/75

TELEGRAM

to provide for a compensating extension of the present season, this has proved impossible, for technical reasons. We are therefore informing our expeditions that they may fish for a period of three months from the time when they begin their operations in the Antarctic, which will in practice equalise the position as between them and other expeditions, while it will not infringe the principle of the Agreement that the season shall be limited to three months for the purpose of preserving the stock of whales.

I am writing in similar terms to the United States Chargé d' Affaires and the Norwegian Minister, while the South African Government are being approached through the Dominions Office.

(Signed) LAURENCE COLLIER.

C O P Y

FOREIGN OFFICE, S.W.1.

No. N. 7053/337/63.

14th December, 1939.

My dear Ambassador,

You will remember that at the informal conference held last summer to discuss questions arising out of the International Whaling Agreement, it was decided that the prohibition on the catching of humpback whales should be extended for a further year by means of an additional protocol to the Agreement. In present circumstances, of course, it is impossible to adopt this procedure; but His Majesty's Government feel that it is none the less desirable that the prohibition should be observed during this season, and, as I think you know, this view is also held by the Norwegian Government. I have therefore been asked to suggest that the governments of countries from which expeditions are actually proceeding to the whaling grounds for this season, viz. Japan, the United States of America and South Africa, as well as this country and Norway, should come to an informal understanding to instruct these expeditions to refrain from catching humpbacks. His Majesty's Government, for their part, are prepared to issue such instructions to British expeditions if similar instructions are issued by the other governments concerned; and I shall be glad to learn whether similar instructions will be issued by the Japanese Government on the same condition.

I venture to take this opportunity to mention another matter connected with the Whaling Agreement. As you know, the British expeditions sent out this year have been prevented by the circumstances prevailing at the outbreak of war from arriving at the whaling grounds on time; and, though we have tried to secure an amendment of the Agreement

His Excellency

to

Mr. Mamoru Shigemitsu.

28.

Per 407/5

UNION OF SOUTH AFRICA

NO. 74



Downing Street,

22 December, 1939.

Sir,

I have the honour to transmit to you, to be laid before His Majesty's Government in the Union of South Africa, the accompanying copy of a semi-official letter regarding the prohibition of the catching of humpback whales addressed by His Majesty's Government in the United Kingdom to the Japanese Ambassador. Similar letters have been addressed to the Norwegian Minister and the Chargé d'Affaires of the United States.

14.12.39.

2. I should be obliged if you would inform me whether His Majesty's Government in the Union of South Africa would be prepared, on the understanding mentioned in the letter to Mr. Shigemitsu, to issue instructions to whaling expeditions proceeding from the territories under their control to refrain from catching humpbacks.

I have the honour to be,

Sir,

Your most obedient,
humble servant,

Anthony Eden

*C of I.
+ enclose "see on
above No. P. dated
01/1/40 to
London. High Com.*

Gestuur 4211

[Handwritten signature]

12/1/40

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

147/1

TRANSLATION
of
INSTRUCTIONS GIVEN TO :-
JAPANESE WHALING EXPEDITIONS.

The Japanese Government formally declared their intention to adhere to the Agreement for the Regulation of Whaling of 1937 and to the Protocol of 1938 before the commencement of the present season, and they have been preparing necessary internal legislation in accordance with these Conventions. However, in view of the fact that a drastic change has been witnessed in the circumstances regarding whaling after the outbreak of war in Europe, they have decided to postpone their adhesion until the time when normal conditions will prevail. Nevertheless, the Japanese Government have not the slightest intention of changing their attitude as regards their adhesion to the Conventions, and they are determined to co-operate with other Governments for the protection of whales. The Japanese interests concerned shall, therefore, strictly observe the stipulations in the existing Conventions in the present season.

Public servant,

Patryk Egan

ultimately to bring in Japan. We shall accordingly be grateful for any information you may have, or may receive as to the passage of the proposed legislation.

Yours sincerely,

(Sgd) R.A. WISKMAN.

[Faint, mostly illegible text, likely bleed-through from the reverse side of the page.]

20th February, 1940.

Dear du Toit,

We have, from time to time, corresponded with the High Commissioner's Office on the subject of the International Whaling Agreement 1937 and Protocol 1938, particularly with regard to the question of the ratification of the Agreement by the Union of South Africa.

We appreciate, of course, the constitutional and other difficulties which have hitherto stood in the way of such ratification, but we gather that a Bill was to have been introduced into the Parliament of the Union of South Africa during this session, which, if passed, would have enabled the South African Government to proceed with the ratification.

As you no doubt know, the Japanese Government recently announced, through their Ambassador in London, their intention to postpone their formal adhesion to the Whaling Agreement and Protocol "until normal conditions regarding international whaling shall again prevail", but, at the same time, they have given a general undertaking that they will abide by the terms of the Agreement, and have issued instructions to Japanese whaling expeditions in terms of the enclosed translation.

Although there has been general disappointment over the decision of the Japanese Government, their expressed intention to observe the spirit of the Agreement and Protocol has been welcomed. In this connection it would give great satisfaction were the Union Government to find themselves in a position to proceed with the ratification of the Agreement and Protocol at an early date, as this would undoubtedly make it easier

F.J. DU TOIT, ESQ.

COPY/JC

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

19/88.

29th February, 1940.

AIR MAIL.

THE SECRETARY FOR EXTERNAL AFFAIRS,
CAPE TOWN.

International Whaling Agreement.

With further reference to previous correspondence on the above subject, I now beg to enclose, for your information, a copy of a letter received from the Dominions Office, together with the enclosure referred to therein.

The contents of the letter speak for themselves, and the High Commissioner would appreciate it if this matter could be brought to the notice of the Ministers concerned in the hope that the enabling legislation will be passed without fail during the present session of Parliament.

(Sgd.) F.J. du Toit

SECRETARY.

TRANSLATION
of
INSTRUCTIONS GIVEN TO:-
JAPANESE WHALING EXPEDITIONS

The Japanese Government formally declared their intention to adhere to the Agreement for the Regulation of Whaling of 1937 and to the Protocol of 1938 before the commencement of the present season, and they have been preparing necessary internal legislation in accordance with these Conventions. However, in view of the fact that a drastic change has been witnessed in the circumstances regarding whaling after the outbreak of war in Europe, they have decided to postpone their adhesion until the time when normal conditions will prevail. Nevertheless, the Japanese Government have not the slightest intention of changing their attitude as regards their adhesion to the Conventions, and they are determined to co-operate with other Governments for the protection of whales. The Japanese interests concerned shall, therefore, strictly observe the stipulations in the existing Conventions in the present season.

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Yours sincerely,

Ernest R. A. WISEMAN,

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W.3/246.

20. February, 1940.

Dear du Toit,

We have, from time to time, corresponded with the High Commissioner's Office on the subject of the International Whaling Agreement 1937 and Protocol 1938, particularly with regard to the question of the ratification of the Agreement by the Union of South Africa.

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regarding

F. J. DU TOIT, ESQ.

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Graphic Address -
15, LESQUARE, LONDON

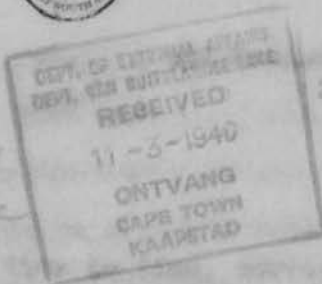


SOUTH AFRICA HOUSE,
TRAFALGAR SQUARE,
LONDON, W.C.2

Reference No. 19/38.

AM 10/1/40
(File in Pta)

AIR MAIL.



29th February, 1940.

*4/50ists: 3 Copies of this letter
& enclosures, please*

G. J. ...

The Secretary for External Affairs,
CAPE TOWN.

particularly with regard to the question of the
ratification of the Agreement by the Union of South Africa
in respect of which, of course, the constitutional and
other difficulties which have hitherto stood in the way
of such ratification, but we believe that a Bill has to

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information, a copy of a letter received from the Dominions
Office, together with the enclosure referred to therein.

The contents of the letter speak for themselves,
and the High Commissioner would appreciate it if this
matter could be brought to the notice of the Ministers
concerned in the hope that the enabling legislation will
be passed without fail during the present session of
Parliament.

P. J. ...

J. H. ...
Secretary.

D. 13/4/40

(1) Copy to ...

(2) To Pta.

Passed to... *Commerce & Industries*

CONSIDERATION
for INFORMATION
PURSUANT

Date *12/2/40* Initials *[Signature]*

Telegraphic Address } "NYWERCOM."
Telegramadres }



PH 107/5.
C.I. 11. *File in Pto*
All communications to be addressed
to the Secretary.

Adressee asb. alle briewe aan die
Sekretaris.

In reply please quote
Verwys in antwoord asb. na

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

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

DEPT. OF EXTERNAL AFFAIRS
DEPT. VAN BUITENLANDSE SAKKE

RECEIVED

15-3-1940

ONTVANG
CAPE TOWN
KAAPSTAD

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

GOVERNMENT BUILDING, PARLIAMENT STREET,
GOEWERMENTSGEBOU, PARLEMENTSTRAAT.

CAPE TOWN, 15-3-1940 193
KAAPSTAD,

THE SECRETARY FOR EXTERNAL AFFAIRS : CAPE TOWN.

International Whaling Agreement.

With reference to your endorsement No. P.M. 107/5 of the 13th instant covering a copy of a minute and annexure, on the above subject, received from the Secretary, Office of the Union High Commissioner, London, I beg to inform you that the matter has been brought to the notice of the Honourable the Minister of Commerce and Industries.

2. As you are, no doubt, aware the Sea Fisheries Bill, which will enable the Union Government to give practical effect to the International Agreement for the Regulation of Whaling, has been read a first time in the House of Assembly during the present Session of Parliament.

SECRETARY FOR COMMERCE AND INDUSTRIES.

LEH/

*Pto
to prepare
to telegram
Rt.*

P.M. 107/5.



UNION OF SOUTH AFRICA - UNIE VAN SUID-AFRIKA
RECEIVED
15-3-1940

PRETORIA,

20 MAR 1940

DIE SEKRETARIS VAN HANDEL & NYWERHEID,
K A A P S T A D.

Walviskonvensie van Londen.

Ek erken die ontvangs van u diensbrief No. H.N. 404/60 van 15 deser, en vermoed dat u hierdie Departement te syner tyd daarvan in kennis sal stel dat met die ratifikasie van bogenoemde Konvensie 'n aanvang kan gemaak word.

F. DU PLESSIS

SEKRETARIS VAN BUITELANDSE SAKE.

16/6
25/5
15/6/40
A.O.T.

FduP/WK.

[Handwritten notes and signatures]

Geagte Dr. Botha,

Kemkeena wa nou net by
my en by het my gevra of ek w
in nota sou stuur om te herinner aan
die korrespondensie wat hy verlede jaar
net ons gehad het m.a.w. die betragting
van die Internasionale Walvisvangs Ooreenkoms
(Whaling Agreement.) Hy se dat die Visserij
wet nou deen is en dat hy aanneem
dat ons nou tot betragting sal kan
oorgaan. Ek het hom gesê dat ons in
die saak met wag op Standel & Nywekeis
maar dat ek w daarvan sal laat weet.

Vriendelike salu,

P. du Toit. 16/4/40.

Mrs Fida Plessis,
Laat iemand a.b. of
hierdie saak ingaan
PDB 20/4/40

M. van Hoogenhout,
a.b.
Jan 23/4/40

Amstelredamsche Nieuwsbrief
dat ons net op Standel en
Nywekeis wag alvorens ons
die Ooreenkoms ratifiseer - per
ons brief dd. 20/3/40 aan hulle.

Jan 24/40

situation and the need for assuring adequate supplies of
whale oil.

E. Hoover

SECRETARY FOR COMMERCE AND INDUSTRIES.

3. In the expectation that the Agreement and the Protocol were about to be ratified by the Union Government, Messrs. Union Whaling Company, Limited, Durban, have submitted representations to show that the adoption of the terms of the Agreement and the Protocol, without reservation, would seriously affect their industry.

4. The Company is particularly concerned at the prospect of being prohibited from carrying on pelagic whaling in the Indian Ocean, South of the Equator and North of 40 degrees South, and has asked for exemption until the termination of hostilities.

5. A further request submitted by the Company is that, under present conditions, it be permitted to operate its factory ship "Uniwaleco" as a land station in the Atlantic Ocean, North of 40 degrees South latitude.

6. The Company, in submitting these representations, emphasizes that six whale-catchers have been requisitioned by the Defence Authorities and that there is a possibility that more catchers may have to be released. It is pointed out, moreover, that the normal total production of whale oil by the Company amounts to only 5 per cent. of the total world production.

7. In all the circumstances it is felt that the question of ratification by the Union Government should be held in abeyance pending further information on the issues raised in paragraph 2.

8. I shall be glad, therefore, if ^{you would} (the Union High Commissioner, London, can be requested to) bring to the notice of the United Kingdom Government the tenor of the representations received from the Union Whaling Company, Limited, and (to) ascertain to what extent, if any, relaxation of the provisions of the Agreement or the Protocol is contemplated, regard being had to the present international situation.....

Telegramsadres | "NYWERCOM,"
Telegraphic Address



H.I.I.
Z.
96.

Adresser 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

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, 27-6-1940 19.....

THE SECRETARY FOR EXTERNAL AFFAIRS ; PRETORIA.

RATIFICATION OF THE INTERNATIONAL AGREE-
MENT FOR THE REGULATION OF WHALING.

With further reference to your endorsement No. P.M.107/5 of the 13th March last covering a copy of a minute and annexure, on the above subject, received from the Secretary, Office of the Union High Commissioner, London, I have to inform you that with the enactment of the Sea Fisheries Act, 1940, it is now possible to give consideration to the question of ratifying the International Agreement for the Regulation of Whaling, 1937, and the Protocol of 1938.

2. Whilst the Union Government is in a position to ratify the Agreement and the Protocol and to take the necessary steps for the application of the provisions thereof, the question has arisen whether, in view of the present international situation, there is not likely to be some relaxation of the provisions of the Agreement and the Protocol. Moreover, it is not known whether the terms of the Agreement and the Protocol are, under present-day conditions, likely to be adhered to in their entirety by the Signatory Countries.

3.

being had to the present international situation and the need for assuring adequate supplies of whale oil.

DEPARTMENT OF EXTERNAL AFFAIRS
 DEPT. OF EXTERNAL AFFAIRS
 100 KING STREET WEST
 TORONTO, ONT. CANADA

P. R. BOWEN

RJ/cdv

SECRETARY FOR EXTERNAL AFFAIRS.

RATIFICATION OF THE INTERNATIONAL AGREEMENT FOR THE REGULATION OF WHALING.

With further reference to your endorsement No. P.A. 10078 of the 13th March covering a copy of a minute and annexure, on the above subject, received from the Secretary, Office of the Union High Commissioner, London, I have to inform you that with the enactment of the Sea Fisheries Act, 1946, it is now possible to give consideration to the question of ratifying the International Agreement for the Regulation of Whaling, 1937, and the Protocol of 1938.

2. Whilst the Union Government is in a position to ratify the Agreement and the Protocol and to take the necessary steps for the application of the provisions thereof, the question has arisen whether, in view of the present international situation, there is not likely to be some relaxation of the provisions of the Agreement and the Protocol. However, it is not known whether the terms of the Agreement and the Protocol are, under present-day conditions, likely to be adhered to in their entirety by the

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8. I shall be glad, therefore, if you would bring to the notice of the United Kingdom Government the tenor of the representations received from the Union Whaling Company, Limited, and ascertain to what extent, if any, relaxation of the provisions of the Agreement or the Protocol is contemplated, regard

P.M. 107/5.

Gestuur aan *Handel & Nywerheid*

van saligheids

PRETORIA,

Datum *4/7/40* Paraat *lf*

3 JUL 1940

The High Commissioner,
for the Union of South Africa,
LONDON.

Ratification of the International
Agreement for the Regulation of
Whaling.

With reference to your Minute No. 19/88 dated 29th February, 1940, I have to inform you that with the enactment of the Sea Fisheries Act, 1940, it is now possible to give consideration to the question of ratifying the International Agreement for the Regulation of Whaling, 1937, and the Protocol of 1938.

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file

76 107/5

OP-33

UNION OF SOUTH AFRICA.
Circular despatch D. No. 120



Dominions Office,
Downing Street,
16 July, 1940.

Sir,

With reference to my circular despatch B. No.66 of August 4th, 1939, I have the honour to state that the instrument of ratification by the Government of Eire of the Protocol signed in London on June 24th, 1938, amending the International Agreement of June 8th, 1937, for the Regulation of Whaling, was deposited with His Majesty's Government in the United Kingdom on June 20th, 1940.

I have the honour to be,

Sir,

Your most obedient,

humble servant,

Caldecote.

Copy to Lord & note on inset. Ratification by Eire duly indexed S.H.

THE MINISTER OF EXTERNAL AFFAIRS,
UNION OF SOUTH AFRICA.

H. H. Meyer

12 AUG 18/40

S.H.

76 107/5

IMPORTANT TELEGRAM.

FROM: High Commissioner, London.

TO: Secretary for External Affairs, Pretoria.

21st October, 1940.

Sir,

With reference to my circular despatch B. No. 66 of No. 744.

August 4th, 1939, I have the honour to state that the

Your despatch of the 3rd July, P.M.107/5.

of satisfaction by the Government of Siro of

United Kingdom Government understand that two British

whaling expeditions proceeding to the Antarctic next

Autumn and believe two Norwegian expeditions also,

No information of the intentions of other countries

except to assume that Japan will send an expedition

and the United States of America possibly one.

While Japan postponed ratification of the internation-

al Agreement until the end of the war, the United

Kingdom Government hope that Japan will adhere

as before, to the main provisions of the Agreement.

In view of the unwillingness of Norway and the

United States of America to countenance any departure

from the strict terms of the Agreement, no doubt they

will abide by the Agreement which course the United

Kingdom Government state it should obviously also

follow, and accordingly hope that the non-taking of

humpback whales which at the 1939 Conference was

proposed to be continued until September 30th, 1940,

should now be further continued until September 30th,

1941. The United Kingdom Government have now asked

the United States of America, Japan and Norway to

instruct their expeditions to refrain from taking

humpback whales during the ensuing season and to

enquire whether the Union Government are prepared to

take similar action. See your telegram of the 8th

January, 1940, P.1. Please reply urgently.

2-11-40
C.M.