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In reply please quote

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

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

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

75 PARLEMENTSTRAAT,
75 PARLIAMENT STREET,

KAAPSTAD
CAPETOWN

21 APR 1949 193

DEPT. OF EXTERNAL AFFAIRS
RECEIVED
22-4-1949
ONTVANG
CAPE TOWN/KAAPSTAD
DEPT. VAN BUITELANDSE SAKE

THE SECRETARY FOR EXTERNAL AFFAIRS: PRETORIA.

INTERNATIONAL CONVENTION FOR THE REGULATION
OF WHALING.

With reference to your endorsement No. P.M. 70/7 of the 12th February, 1949, on a letter No. 12 dated the 3rd idem, which was received from the Commonwealth Relations Office, London, I have to inform you that the Government have decided that the Union Government should be represented at the first meeting of the International Whaling Commission to be held in London on the 30th May next, by Mr. Leif Egeland.

In regard to the proposed agenda submitted, I shall be glad if the following could be brought to the notice of Mr. Egeland:-

ITEM X: The present method of submission, collection and co-ordination of statistics through the International Bureau for Whaling Statistics at Sandjeford, Norway, is satisfactory, but I consider that after the statistics have been collected they should be made available to the signatory countries of the Whaling Agreement as soon as possible so as to permit of their being studied with a view to assessing whether certain species of whales are being caught in greater quantities yearly as compared with other species.

ITEM XI: Steps should be taken to acquaint all signatory countries, and especially those which have whaling interests in the Antarctic, with the programmes of scientific research. This is a matter which should be dealt with by the Scientific and Technical Committees appointed under Item VIII.

ITEM XII: Although it is advisable for the Commission to keep close relationship with FAO or other specialised agencies of the United Nations, nevertheless it is desirable for the Commission to retain its independence and individuality as it is dealing exclusively with a well-organised industry. Any matters which FAO or UN wish to raise should be submitted to the Commission which should have the final say in all matters appertaining to the whaling industry in all its phases.

SECRETARY FOR COMMERCE AND INDUSTRIES.

N.N.

AIR MAIL.
LUGPOS.



UNION OF SOUTH AFRICA.
UNIE VAN SUID-AFRIKA.

P.M. 70/7.

DEPARTMENT OF EXTERNAL AFFAIRS.
DEPARTEMENT VAN BUITELANDSE SAKE.

CAPE TOWN.

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

International Convention for the Regulation of
Whaling.

With reference to letter No. 12 of 3rd February, 1949, received from the Secretary of State for Commonwealth Relations, in regard to the International Convention for the Regulation of Whaling, it would be appreciated if you could arrange to attend the first meeting of the International Whaling Commission to be held in London on 30th May, as the representative of the Union Government.

Regarding the draft agenda submitted under cover of the letter referred to, I wish to bring the following to your attention:

ITEM X: The present method of submission, collection and co-ordination of statistics through the International Bureau for Whaling Statistics at Sandjeford, Norway, is satisfactory, but it is considered that after the statistics have been collected they should be made available to the signatory countries of the Whaling Agreement as soon as possible so as to permit of their being studied with a view to assessing whether certain species of whales are being caught in greater quantities yearly as compared with other species.

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ACTING SECRETARY FOR EXTERNAL AFFAIRS.

Mr. Janne. Pl. see attached
Memorandum to H.C. London - have you
any comments especially in regard
to Item XI.

RJ. 5/14.

Mr. Jones.

No comments - thanks.

Mr. [unclear]

RJ 4/5

Mr. de [unclear]

We had a telegram
from Iceland suggesting von Borch
and [unclear] should attend - we had
better keep this open until that is
settled RJ 4/5

Regarding the draft agenda submitted under cover of
the letter referred to, I wish to bring the following to your
attention:

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co-ordination of statistics through the International Bureau
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the Commission which should have the final say in all matters
appertaining to the whaling industry in all its phases.

ACTING SECRETARY FOR EXTERNAL AFFAIRS.

RECEIVED
3-5-1949
DEPT. OF EXTERNAL AFFAIRS
CAPE TOWN

Received 2.5.1949.

CODE TELEGRAM.

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

1st May, 1949.

No. 157.

INTERNATIONAL WHALING COMMISSION.

Your telegram No. 188 and Secro's telegram No. 12 and despatch No. 4/12 of February 3rd.

Following from Egeland for Minister of Finance: Minister Louw, on his way to U.M.O., intimated that I would be asked to represent the Union at the first meeting of above-mentioned Commission called for May 30th. Enquiries, however, indicate that Commission will be technical and that its members will be mainly highly placed officials and experts corresponding in status to delegates who attended conferences held in London in 1944 and 1945. For example, British Fisheries Secretary will represent the United Kingdom, assisted by whaling expert(s), and will most probably be elected Chairman. Australia will be represented by Director of Fisheries and the United States by an officer of the State Department, Commerce Division, assisted by whaling expert. In the circumstances it would appear preferable that the Union be represented by an official rather than by me. If you concur in this I would recommend that, in view of technical character of Commission and following Australia's example, Director of Fisheries be delegated to represent the Union, failing whom, van der Post, who has attended past whaling conferences.

*Mr Jones
why is Min Finance?
the take up with C O I*

M
8/5

Mr L... M 3/5-

P. 15

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Mr Jones
Mr Louw
es
8/5

aan betrekking heeft met overlegging
Mr Jones
to be sent with C. N. 3/5

Mr Louw

DESIEN DEUR DIE ^{beste} EERSTE MINISTER
28

DEPARTMENT OF STATE
WASHINGTON

March 29, 1949.

Excellency:

I have the honor to inform Your Excellency in reply to the inquiry made in your note of October 15, 1948, to which reference was made in the Department's note of November 26, 1948, that the Government of the United States of America cannot agree to the reservation which the Government of Denmark desires to make in ratifying the International Convention for the Regulation of Whaling as this reservation would constitute an amendment of the Schedule attached to the Convention and is therefore a matter which should be considered by the International Whaling Commission when it is established.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

DEAN RUSK

His Excellency

Henrik de Kauffmann,

Ambassador of Denmark.

EMBASSY OF THE UNION OF SOUTH AFRICA
AMBASSADE VAN DIE UNIE VAN SUID AFRIKA
WASHINGTON 8, D. C.

8th March, 1949.

The Ambassador of the Union of South Africa
presents his compliments to the Honourable the
Secretary of State and, in reference to the Depart-
ment's note of the 8th December, 1948, has the
honour to state that, as the factory ships operating
under the jurisdiction of the Danish Government
will be moving entirely within Danish territorial
waters, including the territorial waters of the
Faroe Islands and Greenland, ratification of the
International Convention for the Regulation of
Whaling by Denmark with the proposed reservation
is acceptable to the Government of the Union of
South Africa.

For the Secretary of State:

DEAN RUSK

The Honourable the Secretary of State,

Department of State,

Washington, D.C.

NORWEGIAN EMBASSY
WASHINGTON 7, D.C.

EMBASSY OF THE UNION OF SOUTH AFRICA
WASHINGTON 7, D.C.

March 9, 1949

The Ambassador of Norway presents his compliments to His Excellency the Secretary of State and, in reply to the Secretary's circular note of December 8, 1948 relating to a reservation made by the Government of Denmark with respect to the International Convention for the Regulation of Whaling, has the honor to advise that it is the view of the Norwegian Government that the proposal put forward by the Government of Denmark raises a question of such a nature that it should be submitted for the consideration of the International Whaling Commission. A ratification with the afore mentioned reservation is therefore not acceptable to the Norwegian Government.

Washington, March 9, 1949.

No.: 80

KFK/1JR

Honorable the Secretary of State,

Department of State,

Washington, D.C.

The Ambassador of New Zealand presents his compliments to the Secretary of State and has the honour to make further reference to the Secretary of State's note dated 8 December 1948 transmitting a copy of a note dated 15 October 1948 containing an enquiry from the Ambassador of Denmark whether it would be agreeable to the Governments concerned for Denmark to ratify the International Convention for the Regulation of Whaling, signed at Washington on 2 December 1946, with the reservation proposed in the Ambassador's note.

Advice has now been received from the New Zealand Government that they have no objection to the proposed reservation and would be agreeable for Denmark to ratify the Convention subject to that reservation.

New Zealand Embassy,
Washington, D.C.

31 March 1949

60/X/49

agrément à la demande du Gouvernement danois relative à
cette réserve./.

L'Ambassade saisit l'occasion de la présente
note pour renouveler au Département d'Etat les assurances
de sa très haute considération.

The Department is glad to advise that it has received
information from the Embassy of Denmark which
it would be agreeable to the Department to support the
request to verify the International Convention for the
Protection of Children, signed at Geneva on 25 November 1924,
and the reservation attached to the Convention's text.

While the Department has received from the Embassy
information that the text of the Convention is the original
instrument and would be agreeable to the Department to verify
the Convention subject to that reservation.

Very Respectfully,

Washington, D.C.

21 April 1941

W.C.W.

Ambassade de France
aux Etats-Unis

GB/PH

NO 107

Washington, le 16 mars 1949.

L'Ambassade de France aux Etats-Unis présente ses compliments au Département d'Etat et a l'honneur de se référer à la note du Département d'Etat, en date du 8 décembre 1948, relative à une demande posée par l'Ambassade du Danemark au sujet de la Convention Internationale pour la réglementation de la chasse à la baleine.

Par cette note, en date du 15 octobre 1948, l'Ambassade du Danemark faisait savoir que le Gouvernement danois désirait ratifier la Convention Internationale sur la chasse à la baleine, sous condition d'une réserve relative à des droits spéciaux similaires à ceux que l'Australie et la France se sont réservés par rapport aux dispositions du Paragraphe 17 de l'annexe à la Convention.

L'Ambassade de France a l'honneur de faire savoir au Département d'Etat que le Gouvernement français donne son

.../

Département d'Etat,
Washington, D. C.

AUSTRALIAN ENLIGHTENMENT

WASHINGTON, D. C.

expressing the views of the Government of the United States

17th March, 1949.

of America with respect to the reservation which Denmark

desires to make in ratifying the aforementioned convention.

The Secretary of State would be grateful if each Chief

of Mission would forward this information to his Government.

in refer to the note of the Secretary of State dated

26th December, 1948, regarding the Convention for the Regulation

of Shipping.

Mr. Malik has the honor to advise the Secretary of

State that the reservation proposed by the Government of

Denmark with respect to the Convention is acceptable to the

Australian Government. The Australian Government, however,

considers that it would be desirable for the Government of

Denmark to state more specifically the proposed scope of

operation and to indicate whether or not existing operations

Enclosures:

One copy enclosed in three copies.

Copy of each of the
notes listed above.

Department of State,

Washington, April 11, 1949.

Department of the United States

The Secretary of State presents his compliments to Their Excellencies and Messieurs the Chiefs of Mission of the signatory and adhering governments to the International Convention for the Regulation of Whaling signed at Washington under date of December 2, 1946 and, referring to the Department's circular notes dated December 8, 1948 and March 8, 1949 regarding the reservation which the Government of Denmark desires to make in ratifying the convention, has the honor to transmit herewith copies of notes received from the Ambassador of Australia, the Ambassador of the French Republic, the Ambassador of New Zealand, the Ambassador of Norway, and the Ambassador of the Union of South Africa, dated March 15, 16, 31, 9, and 8, 1949, respectively, expressing the views of their respective governments concerning the reservation proposed by Denmark.

The Secretary of State also encloses a copy of a note dated March 29, 1949 sent to the Ambassador of Denmark

Washington, April 11, 1949

expressing



AIR MAIL

67.
MAIL IN CAPE TOWN

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PM 7/7

EMBASSY OF THE UNION OF SOUTH AFRICA
AMBASSADE VAN DIE UNIE VAN SUID AFRIKA
WASHINGTON 8, D. C.

DEPT. OF EXTERNAL AFFAIRS
REGISTRY
RECORDED *Schedule*
PLACED ON FILE

20th April, 1949.

RECEIVED
ONTVANG
CAPE TOWN/WIKARABSTAD
DEPT. VAN BUITELANDSE SAKE

THE SECRETARY FOR EXTERNAL AFFAIRS,

INTERNATIONAL CONVENTION FOR THE REGULATION
OF WHALING

In further reference to our evenly-numbered minute of the 29th December, 1948, and subsequent correspondence, I am directed to enclose a copy of a Department of State note dated the 11th April, 1949, transmitting copies of notes expressing the views of the Governments of the Union of South Africa, Australia, France, New Zealand, Norway and the United States of America concerning the reservation proposed by Denmark.

M. M. M. M.
SECRETARY OF EMBASSY

Passed to *Commerce & Industries*
of the U. S. DEPARTMENT OF COMMERCE
for INFORMATION
DISPOSAL

Date *7/5/49* Initials *Stg*

note dated March 29, 1949 sent to the Ambassador of Denmark

Washington, April 13, 1949

expressing

RECEIVED IN CAPE TOWN

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249 70/7

EMBASSY OF THE UNION OF SOUTH AFRICA
AMBASSADE VAN DIE UNIE VAN SUID AFRIKA
WASHINGTON D.C.

Received 7.5.49.

PRIORITY CODE TELEGRAM.

FROM: Secretary of State for Commonwealth Relations,
London.
TO: Minister of External Affairs, Cape Town.

6th May, 1949.

Addressed to Ottawa No. 22, Canberra No. 59, Primus
Cape Town No. 16.

My telegrams of the 22nd April No. 16,
March 18th No. 32, March 18th No. 12.

INTERNATIONAL WHALING COMMISSION.

Glad to learn urgently whether you would
approve issue of invitation to Supreme Commander
for Allied Powers in Tokyo to be represented at
Commission meeting by observer who could give Com-
mission an account of Japanese whaling.

2. This enquiry is being made at the request
of S.C.A.P., who has so far been told merely that
no invitation can be issued without the consent of
a majority of the Contracting Governments.

Denmark, Norway and the United States of
America concerning the reservation proposed by Denmark.

SECRETARY OF EMBASSY

[Faint signature and stamp]

Received 7.5.49.

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a majority of the Contracting Governments.

Mr Jones
M
7/5
Mr. de Villiers
M 7/5
W.

Pm 7097

DEPT. OF EXTERNAL AFFAIRS
RECEIVED
- 7-5-1949
ONTVANG
CAPE TOWN/KAAPSTAD
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Received 7.5.49.

PRIORITY CODE TELEGRAM.

FROM: Secretary of State for Commonwealth Relations,
London.

TO: Minister of External affairs, Cape Town.

5th May, 1949.

Addressed to Ottawa No. 22, Canberra No. 99, Prins
Cape Town No. 16.

By telegrams of the 22nd April No. 16,
March 15th No. 32, March 15th No. 12.

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of S.C.A.P., who has so far been told merely that
no invitation can be issued without the consent of
a majority of the Contracting Governments.

*Reply sent today
H.L.
10/5*

Passed to *Commerce + Industries*
 Urgent CONSIDERATION
 for INFORMATION
 DISPOSED:
 Date *7/5/49* Initials *H.L.*

10/5

DEPT. OF EXTERNAL AFFAIRS
RECEIVED
11-5-1949

P.M. 70/7

PRIORITY CODE TELEGRAM.

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

10th May, 1949.

No. 246.

INTERNATIONAL WHALING COMMISSION.

Please inform Secro, referring to his telegram No. 16, that Union Government approve issue of invitation to Supreme Commander for Allied Powers in Tokyo to be represented by observers at forthcoming meeting of Commission.

Passed to Commerce + Industries
for CONSIDERATION
INFORMATION
DISPOSAL
Date 11/5/49 Initials H.S.

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*Reply sent today
H.S.
10/5*

Passed to Commerce + Industries
for CONSIDERATION
INFORMATION
DISPOSAL
Date 7/5/49 Initials H.S.

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33. The veterinary surgeon shall have power to revoke or cancel any certificate issued by him in respect of whalemeat or whalemeat products where he is of the opinion that there has been any infringement of the provisions of this memorandum subsequent to certification or he finds on inspection that the whalemeat or whalemeat products have become contaminated or otherwise unfit for human consumption.

34. Where it appears to the veterinary surgeon that emergency conditions or, in agreement with the person in charge of the floating factory, auxiliary vessel or land station, experimental conditions make it necessary to vary any of the provisions of this memorandum and that the public health will not thereby be endangered he may issue a veterinary certificate in respect of whalemeat or whalemeat products produced otherwise than in accordance with the provisions of this memorandum provided that—

- (a) the whalemeat and whalemeat products so produced are clearly marked so that they can be identified, and
- (b) the circumstances and the manner in which the provisions of this memorandum have been varied are recorded by the veterinary surgeon and, in due course, reported to the Minister of Food.

MINISTRY OF FOOD,
WHITEHALL, S.W.1.

October, 1948.

Town.

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30. No whalemeat and no whalemeat product shall be certified unless all the processes of the production of the whalemeat or whalemeat product, including the processes of preparation, classification, cooling, freezing, packing, marking, storage and transport, have been carried out to the satisfaction of the veterinary surgeon.

31. The decision of the veterinary surgeon as to the fitness for human consumption of any whalemeat (including whalemeat to be used for the production of whalemeat products) and as regards the standard of hygiene which shall be necessary or sufficient for compliance with the provisions of this memorandum shall be final.

32. The veterinary surgeon shall issue a certificate in the following terms :

*" The Food and Drugs (Whalemeat) Regulations, 1949
Veterinary Certificate*

Pursuant to the above Regulations, I being a competent authority for the purpose of the said Regulations, hereby certify that the whalemeat and the whalemeat products on board the ship/floating factory (except as scheduled overleaf) have been produced on the floating factory or on an auxiliary vessel based on that floating factory or on the land station at and have been derived from whales inspected and passed as fit for human consumption in accordance with criteria satisfactory to the Minister of Food and that the said whalemeat and whalemeat products have been prepared, classified, packed, marked, stored and transported in accordance with conditions satisfactory to the Minister.

Signed
Veterinary Surgeon.

Date

Schedule

The certificate overleaf does not apply to the whalemeat or whalemeat products listed below—

Commodity	Markings (if any)	Location on Ship	Quantities or number of packages

Signed
Veterinary Surgeon.

Date

Section B. Method of Examination

Subsection I. General Principles

Viscera

23. So far as may be required in the judgment of the veterinary surgeon but subject to the provisions of paragraph 25, all whale carcasses and all accessible viscera, organs and lymphatic glands shall be examined.

Carcase

24. The carcass shall be examined for (i) condition of nutrition, (ii) evidence of bruising, haemorrhage, or discolouration, (iii) local or general dropsy (oedema), (iv) bone swelling or deformities of bone or joints or swelling or other abnormality in the musculature, (v) in the case of a carcass which has been bled, the efficiency of the bleeding.

25. The serous membranes (pleura and peritoneum) shall be examined in every case.

Subsection II. Instruction as to action to be taken in event of evidence of disease being found

26. The entire carcass and all the organs shall be condemned as unfit for human consumption if it is unwholesome or if evidence of any of the following conditions is found:—

- (1) Anaemia (if pronounced).
- (2) Bruising, general, extensive and severe, with or without gangrene.
- (3) Parasitism, if generalised in the meat substance.
- (4) Decomposition, general.
- (5) Dropsy, general.
- (6) Emaciation, general.
- (7) Fever, acute.
- (8) Jaundice.
- (9) Malignant neoplasms.
- (10) Mammitis, acute septic.
- (11) Melanosis, generalised—or any generalised pigmentation.
- (12) Metritis, acute, septic.
- (13) Uraemia, or carcasses having a urinous odour.
- (14) Pericarditis, septic.
- (15) Pneumonia, gangrenous.
- (16) Pyaemia.
- (17) Septicaemia or septic intoxication.

27. The entire carcass and all the organs of an unborn whale shall be condemned as unfit for human consumption.

28. If evidence of disease not enumerated in paragraph 26 is found, the organs or portion of the carcass affected by the disease, and the organs or portions contiguous thereto, shall be condemned.

PART VII

Conditions for the issue of a Veterinary Certificate

29. No whalemeat shall be certified unless it has been deemed to be fit for human consumption in accordance with the provisions of Part VI of this memorandum; no whalemeat product shall be certified unless it has been prepared from whalemeat deemed to be fit for human consumption in accordance with Part VI of this memorandum.

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May, 1949.

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PART V

Classification and Marking

18. Whalemeat intended for sale for human consumption shall be classified by the owners as suitable for sale either as—

- (a) butchers' meat, or
- (b) for manufacturing purposes,

in accordance with instructions issued by the owners and approved by the Minister of Food and each package of such whalemeat shall be marked in accordance with the same instructions.

19. All whalemeat or whalemeat products which are *unfit* for sale for human consumption shall at all times be sufficiently segregated from any other whalemeat and whalemeat products.

PART VI

Criteria of Whalemeat Inspection

Section A. General Provisions

20. No whalemeat shall be deemed to be fit for human consumption or for the production of any whalemeat product for human consumption unless—

- (a) the interval between the time at which the whale was killed and the time of removal of the meat from the carcass does not exceed—
 - (i) in respect of a whale which has been effectively bled and slit within half an hour of death—15 hours,
 - (ii) in respect of any other whale—10 hours;

Provided that subject to compliance with the provisions of sub-paragraphs 20 (b) or (c) below the interval of time may be increased in favourable circumstances at the discretion of the veterinary surgeon whose decision shall be final;

- (b) in respect of a whale which has been effectively bled and slit within half an hour of death, the whalemeat is reduced throughout to a temperature not exceeding 60° F. within 20 hours after the time of death of the whale and the freezing process is commenced within 25 hours after the time of death of the whale;
- (c) in respect of a whale not effectively bled and slit within half an hour of death, the whalemeat is reduced throughout to a temperature not exceeding 60° F. within 15 hours after the time of death of the whale and the freezing process is commenced within 20 hours after the time of death of the whale.

21. Subject to the provisions of this memorandum the carcass and organs of a whale which, in the opinion of the veterinary surgeon, are free from disease and contamination and are wholesome and well nourished shall be passed as fit for human consumption.

22. Subject to the provisions of this memorandum, when all condemned portions have been removed from a carcass under the supervision of and to the satisfaction of the veterinary surgeon in accordance with paragraph 28 of this memorandum the remainder of the carcass shall be passed as fit for human consumption.

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7. Whalemeat shall not, without the consent of the veterinary surgeon, be transferred from one vessel to another by towing through the sea.

8. All equipment and utensils used in connection with the production of whalemeat or whalemeat products intended for sale for human consumption shall be cleansed and suitably disinfected and shall be maintained in a cleanly condition to the satisfaction of the veterinary surgeon.

9. No apparatus, utensil or container which has been permitted to come into contact with any whalemeat or whalemeat product unfit for human consumption shall be used for any purpose in connection with the production of whalemeat or whalemeat products intended for sale for human consumption unless such apparatus, utensil or container has first been cleansed and suitably disinfected to the satisfaction of the veterinary surgeon.

10. There shall be provided a plentiful supply of clean water (fresh or salt) both hot and cold so that it may be possible for all whalemeat and whalemeat products intended for sale for human consumption to be produced under hygienic conditions.

11. Artificial light, as nearly as possible resembling daylight, shall be provided during the hours of darkness to enable the veterinary surgeon or the meat inspector to judge the meat by colour and texture.

12. Adequate precautions to the satisfaction of the veterinary surgeon shall be taken against infestation by rodents and other vermin of whalemeat or whalemeat products whether or not intended for human consumption, and of any deck, room, hold, container, apparatus, utensil or packing material used in the production of such whalemeat or whalemeat products.

13. Every person engaged in the cutting of whalemeat after it has been removed from the carcass and every person engaged in or about any place used for the classification, cooling, freezing, packing, marking or storage of whalemeat or whalemeat products intended for sale for human consumption shall, while so occupied, wear a clean and washable overall.

PART IV

Transport, Packing and Storage

14. During the transfer of any frozen whalemeat intended for sale for human consumption from any place to any other place, and in particular from one vessel to another, the whalemeat shall not be allowed to thaw.

15. On removal from the freezing room and before storage in a refrigerated hold or chamber, all whalemeat passed by the veterinary surgeon or a meat inspector as fit for human consumption shall be packed in clean new material of a kind and type approved by the Minister of Food.

16. Refrigerated holds and chambers in which it is intended to store frozen whalemeat intended for sale for human consumption shall be thoroughly cleansed and cooled to a temperature not exceeding 14° F. before storage and shall be dunnaged so that air may circulate freely and no package of meat come into contact with the floor; such holds and chambers containing frozen whalemeat intended for sale for human consumption shall be kept at as low a temperature as possible during storage and discharge operations.

17. During loading and unloading of whalemeat intended for sale for human consumption running boards shall be laid over all working tiers. All men in the holds shall be provided with clean covering for their boots, such covering to be made of close texture canvas or hessian or other suitable material which can, and shall, be kept clean by washing.

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WHALEMEAT INSPECTION

MEMORANDUM on a SYSTEM OF INSPECTION AND HYGIENE OF WHALEMEAT PRODUCTION

[Enclosed with a circular letter issued to Local Authorities and to Port Health Authorities by the Minister of Food (Circular MF 1/49)]

PART I

Facilities for Inspection

1. A veterinary surgeon and two meat inspectors appointed and paid by the Minister of Food shall be included by the owners in the ship's company of each floating factory and in the personnel of each land station in which whalemeat or whalemeat products intended for sale for human consumption in the United Kingdom are produced.

2.—(1) The veterinary surgeon appointed to a floating factory shall have the status of a senior officer of the ship and the meat inspectors shall have the status of junior officers and the owners shall provide for the accommodation, messing, etc., of these officers accordingly. The veterinary surgeon and the meat inspectors shall be subject to the orders of the Master of the ship as regards ship's discipline and navigational matters.

(2) Similar status and facilities shall be accorded by the owners to the veterinary surgeon and the meat inspectors appointed to a land station.

(3) In the interpretation and execution of the provisions of this memorandum the veterinary surgeon shall be responsible to the Minister of Food and the meat inspectors shall act under the direction of and be responsible to the veterinary surgeon.

3. The Master or person in charge of a floating factory or auxiliary vessel or land station shall grant adequate facilities and access to all parts of the said factory, vessel or station and shall provide all necessary information to the veterinary surgeon and to the meat inspectors to enable them to discharge their duties.

PART II

Pre-Factory Treatment

4. No whale carcass shall be inflated otherwise than with clean air.

5. Means shall be adopted by the owners to mark each whale carcass in such manner as to enable the veterinary surgeon readily to ascertain the date and time of death and the *post-mortem* treatment of the whale.

PART III

Factory Hygiene

6. The decks, rooms and other parts of any floating factory, auxiliary vessel or land station on or in which whalemeat or whalemeat products intended for sale for human consumption are prepared, classified, cooled, frozen, packed, marked, stored or transported shall be kept clean to the satisfaction of the veterinary surgeon who shall have regard to the nature of the operations carried on therein.

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EXPLANATORY NOTE

(This Note is not part of the Regulations but is intended to indicate their general purport.)

These Regulations prohibit the importation into England and Wales of whalemeat and whalemeat products intended for sale for human consumption unless accompanied by a "veterinary certificate", certifying that the whalemeat, including that used in the manufacture of whalemeat products, has been inspected and was produced in accordance with criteria and conditions satisfactory to the Minister of Food; the Regulations also include provisions for securing whalemeat against contamination in shops and on stalls, during transport and from handling in wholesale markets, cold stores and elsewhere. The Regulations are to be executed and enforced by port health authorities and by local authorities.

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1949

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(c) shall cause all trimmings, refuse and rubbish to be placed in properly covered receptacles kept for the purpose apart from the whalemeat intended for sale.

PART V.

Transport and Handling

12.—(1) Every person who conveys or causes to be conveyed any whalemeat in a vehicle—

(a) shall cause to be kept clean the inside and covering of the vehicle, the receptacles in which the whalemeat is placed, and such parts of any slings or other implements or apparatus used for loading or unloading as come into contact with the whalemeat or its covering; and

(b) if the vehicle is open at the top, back or sides or if any other commodity is being conveyed therein, shall cause the whalemeat to be adequately protected by means of a clean cloth or other suitable material;

(c) shall not permit any live animal to be conveyed in the vehicle at the same time as any whalemeat.

(2) A person engaged in the handling or transport of any whalemeat—

(a) shall not permit any part of the whalemeat to come into contact with the ground; and

(b) shall take such other precautions as are reasonably necessary to prevent the exposure of the whalemeat to contamination.

(3) Every person who employs a person to carry whalemeat in or about a market or other place in which whalemeat is sold by wholesale or in or about any place wholly or mainly used for the storage of whalemeat before it is distributed to retailers, shall cause such person while so occupied to wear, and every person while so occupied shall wear, a clean and washable head covering and overall.

(4) This regulation shall not apply to any whalemeat which is packed in hampers or strongly constructed and impervious cases or is adequately wrapped in jute or some other stout fabric.

PART VI

Penalties

13. Any person guilty of an offence against these regulations shall be liable, in the case of a first offence, to a fine not exceeding £20 and in the case of a subsequent offence to a fine not exceeding £100 or to imprisonment for a term not exceeding three months or to both such a fine and such imprisonment.

PART VII

Commencement and Citation

14. These regulations shall come into operation on the twentieth day of March, 1949, and may be cited as the Food and Drugs (Whalemeat) Regulations, 1949.

Given under the respective Official Seals of the Minister of Food and the Minister of Health this eighth day of March, nineteen hundred and forty-nine.

(L.S.)

John Strachey,
Minister of Food.

(L.S.)

A. Bevan,
Minister of Health.

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May, 1949.

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(2) Where on such application the justice is satisfied that the oversea food does not comprise any uncertificated whalemeat or whalemeat product he shall order the rescission of the notice prohibiting the removal thereof.

(3) The justice shall in every order made in pursuance of this regulation set forth the description of and such other details as will suffice to identify the oversea food to which it relates, together with the name, description and address of the importer, and shall specify in every order made under subparagraph (2) of this regulation the oversea food as respects which he is satisfied that it does not comprise any uncertificated whalemeat or whalemeat product; and he shall forthwith furnish the authority with a copy of the order.

9. Where, in pursuance of these regulations, any oversea food is destroyed or otherwise disposed of under the supervision of an authorised officer, the authority, before the destruction or other disposal of the same, shall cause the description of and such other details as will suffice to identify the food to be duly recorded and shall keep the record in their custody for a period of not less than twelve months.

PART III

Stalls

10. A person selling whalemeat or exposing or offering whalemeat for sale from any stall—

- (a) shall keep his name and address legibly painted or inscribed on such stall in some conspicuous position;
- (b) shall cause such stall (if not placed in an enclosed and covered market place) to be suitably covered over and to be screened at the sides and back thereof in such a manner as to prevent mud, filth or other contaminating substance being splashed or blown from the ground upon any whalemeat on the stall;
- (c) shall cause every counter, slab, vessel or other article on or in which any whalemeat is placed for sale and all knives and other implements used in connection with the whalemeat to be thoroughly cleansed after use and to be kept at all times in a cleanly condition;
- (d) shall take all such steps as may be reasonably necessary to guard against the contamination of the whalemeat by flies;
- (e) shall not place or cause to be placed any whalemeat on or within eighteen inches of the ground or floor, unless the whalemeat is placed in a closed cupboard or other adequately protected place not less than nine inches from the ground or floor;
- (f) shall cause all trimmings, refuse and rubbish to be placed in properly covered receptacles kept for the purpose apart from any whalemeat intended for sale.

PART IV

Shops, Stores, etc.

11. The occupier of any room in which whalemeat is prepared for sale or offered or exposed for sale or deposited for the purpose of sale or of preparation for sale—

- (a) shall take all such steps as may be reasonably necessary to guard against the contamination of the whalemeat therein by flies and shall cause the whalemeat to be so placed as to prevent mud, filth or other contaminating substance being splashed or blown thereon;
- (b) shall cause every counter, slab, vessel or other article on or in which any whalemeat is placed for sale and all knives and other implements used in connection with the whalemeat to be thoroughly cleansed after use and to be kept at all times in a cleanly condition;

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PART II

Importation, Examination and Sampling

4. No person shall import into England or Wales for sale for human consumption any whalemeat or whalemeat product without a veterinary certificate.

5.—(1) Where it appears to an officer of Customs and Excise to be desirable that any oversea food should be examined with a view to ascertaining whether it comprises any uncertificated whalemeat or whalemeat product, or for any other purpose of these regulations and such officer of Customs and Excise has informed the authority, an authorised officer shall forthwith examine such food and may procure samples thereof.

(2) If upon examination of any oversea food the authorised officer is of opinion that it comprises any uncertificated whalemeat or whalemeat product he shall by a notice in writing forbid its removal for any purpose other than its exportation; and shall send a copy of such notice to the officer of Customs and Excise and to the authority.

6. Where in pursuance of regulation 5 hereof an authorised officer has given a notice forbidding the removal of any oversea food such food shall not be removed by any person contrary to the terms of the notice except with the express permission of the officer by whom the notice was given.

7.—(1) The authority, within twelve hours after the receipt of a copy of a notice given in pursuance of regulation 5 of these regulations with respect to any oversea food, shall give to the importer notice in writing that, unless, within the time specified in the notice, not being less than twelve hours after the receipt thereof, he gives a written undertaking—

- (a) to export the food at his own expense; or
- (b) otherwise to dispose of it so as to satisfy an authorised officer that it will not be used for human consumption; or
- (c) to prove in proceedings before a justice that it does not comprise any uncertificated whalemeat or whalemeat product;

it shall be destroyed under the supervision of an authorised officer.

(2) If within the time specified in the notice, the authority have not received any such undertaking as aforesaid or if within that time they have received any undertaking in accordance with sub-paragraphs (a) or (b) of paragraph (1) of this regulation and within seven days after the receipt thereof the importer fails to comply therewith, the authority may cause the food to be destroyed or disposed of under the supervision of an authorised officer by such means and in such a manner as to prevent its being used for human consumption.

(3) Where in pursuance of this regulation the importer has given an undertaking in accordance with sub-paragraph (c) of paragraph (1) of this regulation, the authority shall within twenty-four hours after the receipt of the undertaking take steps to obtain the decision of a justice with respect thereto.

8.—(1) Where in pursuance of regulation 7 hereof an application is made to a justice in respect of any oversea food and the justice is satisfied that it comprises any uncertificated whalemeat or whalemeat product, he shall condemn that food and order it to be destroyed or disposed of under the supervision of an authorised officer by such means and in such a manner as to prevent its being used for human consumption.

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"officer of Customs and Excise" includes any person acting under the authority of the Commissioners of H.M. Customs and Excise;

"oversea" means brought from a place elsewhere than in the British Islands;

"room" includes a shop or cellar or any other part of a building, and a shed, store or outbuilding or any part thereof;

"stall" includes any stall, barrow or vehicle from which whalemeat or any whalemeat product is offered for sale in a street or other open space or in any market place;

"uncertificated whalemeat or whalemeat product" means any whalemeat or whalemeat product imported into England or Wales for human consumption without a veterinary certificate;

"vehicle" includes a railway or other van or waggon and a ship or barge but does not include any separate compartment thereof in which whalemeat or any whalemeat product is not being conveyed;

"veterinary certificate" means (a) a certificate given by a competent authority which relates to, or (b) a label, mark, stamp or other voucher which is affixed by a competent authority to, any oversea whalemeat or whalemeat product or to a package containing any such whalemeat or whalemeat product and which is for the time being recognised by the Minister as certifying—

(i) that the whalemeat to which it relates or the whalemeat from which the whalemeat product to which it relates was prepared, was derived from whales inspected post-mortem and passed as fit for human consumption in accordance with criteria satisfactory to the Minister; and

(ii) that all necessary precautions for the prevention of danger to public health were taken in the preparation, classification, packing, marking, storing and transporting of the whalemeat or whalemeat product in accordance with conditions satisfactory to the Minister;

"whalemeat" means the flesh or other part of a whale edible as human food;

"whalemeat product" means any product used or prepared for human consumption which is prepared from whalemeat whether with or without another ingredient, but does not include whale-oil, whale liver oil, whalemeat extract, vitamin concentrates or pharmaceutical products.

(2) The recognition of a veterinary certificate for the purpose of these regulations shall be effected by means of a notice published in the London Gazette which shall specify the conditions (if any) subject to which the certificate is recognised by the Minister and any such notice may be varied or revoked by a subsequent notice published in the London Gazette.

(3) The Interpretation Act, 1889, applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

2. Nothing in these regulations shall apply so as to interfere with the operation or effect of any other Food Regulations for the time being in force made under or having effect as if made under the Act.

3. The local authority shall enforce and execute these regulations in their district.

Provided that a port health authority shall be the authority for enforcing and executing Parts II and V of the regulations in their district.

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1949 No. 404

FOOD AND DRUGS, ENGLAND

The Food and Drugs (Whalemeat) Regulations, 1949

Made - - - - -	8th March, 1949
Laid before Parliament	9th March, 1949
Coming into Operation	20th March, 1949

In exercise of the powers conferred upon them by sections 8 and 92 of the Food and Drugs Act, 1938(a) and by the Transfer of Functions (Food and Drugs) Order, 1948(b) and of all other powers them enabling, the Minister of Food and the Minister of Health hereby jointly make the following regulations:—

PART I

General

I.—(1) In these regulations unless the context otherwise requires—

“the Minister” means the Minister of Food;

“the Act” means the Food and Drugs Act, 1938;

“authority” means an authority charged with the duty of enforcing and executing these regulations;

“authorised officer” means, as respects any authority, the medical officer of health, sanitary inspector, or any other officer of the authority, being a member of the Royal College of Veterinary Surgeons, authorised by the authority in writing either generally or specially to act in the enforcement and execution of these regulations;

“British Islands” means the United Kingdom, the Channel Islands and the Isle of Man;

“competent authority” means (a) a person appointed as such by the Minister for the purpose of these regulations and (b) any authority having power under the laws in force in any country to examine articles of food and to certify as to their fitness for human consumption;

“district” in relation to an authority means the area for which the authority acts;

“export” means remove to a place not in the British Islands;

“importer” in relation to any whalemeat or whalemeat product includes any person who, whether as owner, consignor, consignee, agent or broker, is in possession of or is in any way entitled to the custody or control of the whalemeat or whalemeat product; and “import” shall be construed accordingly;

“justice” means justice of the peace;

“local authority” means the council of a borough or urban or rural district and includes the Common Council of the City of London and the council of a metropolitan borough;

(a) 1 & 2 Geo. 6. c. 56.

(b) S.I. 1948 No. 107.

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Communications should be addressed to
THE SECRETARY.

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



Reference 65/214

OFFICE OF THE HIGH COMMISSIONER FOR THE
UNION OF SOUTH AFRICA,
Trafalgar Square,
LONDON, W.C.2

DEPT. OF EXTERNAL AFFAIRS
REGISTRY
3-5-1949
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PLACED ON FILE
The Secretary for External Affairs

DEPT. OF EXTERNAL AFFAIRS
RECEIVED
6-5-1949
CAPE TOWN
DEPT. VAN DER BIJL

7 APR 1949

Inspection of Whalemeat.

With reference to your minute PM.70/7 of 7th
December, 1948, I attach, for your information,
copies of regulations and an administrative
memorandum containing the criteria of inspection
and conditions to be observed in dealing with whale-
meat, by companies registered in the United Kingdom.

Passed to Comm. & Indus.
for CONSIDERATION
INFORMATION
DISPOSAL
Date 11/5/49 Initials AG

[Signature]
Secretary and
Deputy High Commissioner.

justice means justice or the peace;
"local authority" means the council of a borough or urban or rural
district and includes the Common Council of the City of London and
the council of a metropolitan borough;

(a) 1 & 2 Geo. 6. c. 56. (b) S.I. 1948 No. 107.

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(c) Travelling and expenses of Staff.

(d) Rent, Telephone, Stationery, Postage, Lighting, Heating, Cleaning, Minor Office Equipment, etc.

It is estimated that the total expenditure in the first year should not exceed £1,200.

7. It is proposed that the expenses of the Commission for its first year should be shared equally between the participating Governments, and that in the first instance a contribution of £100 should be paid by each on the basis of the estimated expenditure of £1,200 mentioned above. The following Governments have ratified or adhered to the Convention:- Australia, Canada, France, Iceland, the Netherlands, Norway, Panama, South Africa, Sweden, Union of Soviet Socialist Republics, the United Kingdom, and the United States of America.

8. At the close of the first year of the operations of the Commission the Ministry of Agriculture and Fisheries will furnish an account of the expenditure actually incurred on behalf of the Commission and the following year's contributions shall be adjusted by the Commission so as to provide for the repayment to the Ministry of any expenses in excess of £1,200 which may have been incurred in the first year (or, alternatively, the refund by the Ministry of any saving on such expenses) and also to provide for the estimated expenditure in the following year.

INTERNATIONAL WHALING COMMISSION

NOTE ON FINANCE

1. The constitution of the International Whaling Commission is provided for by Article III of the 1946 Convention. That Article does not however make any provision for the financing of the Commission although it does provide that the expenses of each Member of the Commission and experts accompanying him shall be paid by his Government.

2. It must be assumed therefore, by inference, that the costs of the Commission will be met out of contributions made by the Governments which have ratified or adhered to the Convention.

3. The British Government is charged with the duty of convening the first meeting of the Commission (Convention Article III (7)).

4. The powers and duties of the Commission are set out in Articles IV, V, VI and VII of the Convention and are considerable. Attention is drawn to the provisions of Article III (6) and (7) which places an obligation on the British Government to initiate consultation among contracting governments as to whether the Commission shall be brought within the framework of a specialised agency related to the United Nations. This has to be done within two years after the coming into force of the Convention before the 10th November, 1950. In view of this it seems desirable that the staff and organisation of the Commission should be kept as small as possible.

5. On the assumption that the office of the Commission is located in London, it is contemplated that two rooms, adjacent to the offices of the Fisheries Department, would suffice. For some time it will probably not be necessary to have more than a part time Secretary and Assistant Secretary, with one part time stenographer. It is suggested that during the first year the financial and accounting aspects of the Commission's operations should be handled by the Ministry of Agriculture and Fisheries. This would obviate the necessity for setting up a separate accounting staff during the initial period.

6. For the present the financial requirements can be enumerated under the following heads:-

(a) Preliminary expenses

(b) Salaries of Secretary, Assistant Secretary and Stenographer
(all part time)

- (12) Organisation of research and expenditure.
- (13) Publications.
- (14) Consideration of information submitted regarding infractions, penalties, regulations, legislation.
- (15) Any other business.

(Note Any recommendation made in respect of items (1) to (9) above could not come into operation before 1st July, 1949 (See Article X(5) of the Convention).

The recommendations of the Scientific Committee will come before the Commission at its second meeting in this session, when they will also have to consider the following further matters.

XII. Future relationship of the Commission with F.A.O. or other specialised agency of the United Nations.

(Note It might be considered whether F.A.O. should be invited to regard the Commission as a body working in close touch with that organisation, F.A.O. being at liberty to send an observer to all future meetings of the Commission.

XIII. Consideration of arrangements governing the period during which both the 1937 Agreement and the Washington Convention are both in operation.

(Note Under the terms of these arrangements, no provision is made for the automatic revocation of an earlier agreement when a later convention comes into force.

- (c) Receive and circulate notifications of intentions of various countries to operate factory ships South of 40° South latitude.
- (d) Receive weekly blue whale unit catch reports from factory ships operating south of 40° South latitude.
- (e) Decide, on the basis of data received, on the date when the 16,000 blue whale unit limit will be reached and inform the Governments accordingly.

(Note All these matters might continue to be dealt with by the Committee for International Whaling Statistics at Oslo except items (b) and (c) which may have to be dealt with by the Commission.

XI. Scientific matters.

(Note It is suggested that these matters should be referred to a Scientific Committee of the Commission who would make recommendations to the Commission. The matters to be considered by such a Committee might be as follows:-

Agenda for Scientific Committee.

- (1) Review of 16,000 blue whale unit quota in respect of
 - (a) Factory ships.
 - (b) Land stations (e.g. whether the quota should be imposed in respect of these.)
- (2) Review of Whaling seasons.
 - (a) In Antarctic, for factory ships and land stations.
 - (b) For factory ships and land stations elsewhere.
- (3) Review of prohibition on the taking of humpbacks south of 40 degrees South latitude by factory ships. Consideration of imposing a catch limitation as an overall figure or by areas.
- (4) Review of land station operations with a view to imposing further regulations; operations of factory ships in territorial waters.
- (5) Limitation of number of catchers (or horsepower thereof) for factory ship or land station.
- (6) Limitation of the catches of factory ships and land stations not operating in the Antarctic.
- (7) Review of necessity for further protection of blue whales.
- (8) Review of sanctuary areas, permanent, temporary and/or rotational.
- (9) Review of sperm whaling operations and consideration of further regulation.
- (10) Consideration of catch results of Antarctic season 1948/49.
- (11) Creation of additional technical Committees to consider specific problems.

INTERNATIONAL WHALING COMMISSION
PROPOSED AGENDA FOR THE FIRST MEETING

- I. Welcome by the United Kingdom Delegate to Members of the Commission.
- II. Approval of proposed Agenda.
- III. Election of Chairman and Vice Chairman.
(Note It is suggested that these elections might be made by the Commission as a whole in view of the small number of members constituting it, and not referred to a sub-committee for recommendations).
- IV. Selection of the permanent Headquarters of the Commission.
(Note It is not intended that all future meetings of the Commission or any sub-committees of it that may be decided upon, should of necessity always be held at the Headquarters of the Commission).
- V. Administration:-
(a) Appointment of the Secretary of the Commission.
(b) Provision of offices and staff.
(c) Costs of the Central Office and staff e.g. salaries, stationery, printing, etc. - how these should be met.
(d) Expenditure on Research (Reports Scientific Committee).
(e) Arrangements for circulation of reports and other information.
(f) Procedure for dealing with Finance.
- VI. Future Meetings of the Commission - frequency and location.
- VII. Procedure for taking action at and between meetings of the Commission.
- VIII. Appointment of Committees e.g. Scientific, Technical, Statistical, Procedure, and Finance.
(Note Each Committee appoints its own Chairman. The Scientific Committee might consist of one delegate or expert from each member country).
- IX. Rules of procedure.
(Note It is suggested that a small committee of the Commission should be set up to examine a draft set of rules which will be circulated before the meeting),
- X. Arrangements for the submission, collection and co-ordination of statistics. Decision on matters left open at Washington Convention regarding Authorities which should be appointed to:-
(a) Receive the statistical information on whaling operations.
(b) Receive the annual biological and scientific reports.

MEETINGS

ARTICLE XIII The Commission shall meet at least once a year. Meetings shall be held at such place as the Commission may think fit. Attendance by a majority of the members of the Commission shall constitute a quorum.

In the event of five members of the Commission sending to the Secretary an application in writing for the summoning of a special meeting of the Commission or of any of its committees, the Secretary shall forthwith proceed to convene the meeting at such date and upon such date as may be determined by the Chairman.

COMMITTEES

ARTICLE XIV The Commission shall establish a Finance Committee and such Committees as it may consider to be required from time to time, and the Secretary shall furnish a Secretary to each such Committee.

The Finance Committee shall advise the Commission on expenditure, staff questions and such other matters as the Commission may refer to it from time to time.

LANGUAGE OF THE COMMISSION

ARTICLE XV English shall be the official and working language of the Commission.

MINUTES OF MEETINGS

ARTICLE XVI Minutes of the meetings of the Commission and its committees shall be recorded in such form as the Commission may decide and shall be circulated to members and experts and advisors.

CORRESPONDENCE

ARTICLE XVII On all matters pertaining to its business the Secretary may communicate direct with the members of the Commission.

VICE CHAIRMAN

ARTICLE IX The Commission shall elect a Vice Chairman who shall preside at plenary meetings and other meetings of the Commission in the absence of the Chairman, and who may on those occasions exercise the powers and duties prescribed for the Chairman. The terms of office of the Vice Chairman, and his eligibility for re-election shall be the same as those prescribed for the Chairman.

SECRETARY

ARTICLE X The Commission shall appoint a Secretary and such staff as they may think desirable, and shall fix the rate of their remuneration and travelling expenses.

ARTICLE XI The duties of the Secretary shall be:-

- (a) to assume responsibility, under the general authority of the Permanent Chairman for the calling, operation, and management of all meetings of the Commission, and the preparation of the necessary agenda;
- (b) to organise and direct the office of the Commission and the staff engaged therein;
- (c) to receive, distribute and deal with the official correspondence of the Commission in conformity with its resolutions subject to the specific directions of the Chairman;
- (d) to prepare the Minutes of the meetings of the Commission and its committees; and
- (e) to perform such other functions as may be assigned to him by the Commission or by the Chairman.

OFFICES

ARTICLE XII The offices of the Commission shall be located
in

PERMANENT CHAIRMAN

ARTICLE VII The Permanent Chairman of the Conference shall be elected by an absolute majority of the Members of the Commission present at the first session. He shall be appointed for a period of three years and shall be eligible for re-election for one further period of three years. Any Chairman who has served for a period of six years shall not be eligible for re-election until a further period of three years has elapsed.

ARTICLE VIII The duties of the Permanent Chairman shall be

- (a) to preside at all meetings of the Commission;
- (b) to decide all questions of order raised at meetings of the Commission, subject to any member of the Commission, having the right to request that any ruling by the Chairman shall be submitted to the Commission for decision by a majority vote;
- (c) to call for votes and to announce the result of the vote to the Commission;
- (d) to determine and transmit the order of business to the Secretary in advance of each plenary session and of each meeting of any committee appointed by the Commission.
- (e) to prescribe all necessary measures for the maintenance of order and compliance with the rules of procedure; and
- (f) generally to make such decisions and give such directions to the Secretary as will ensure, especially in the interval between the meetings of the Commission, that the business of the Commission is carried out efficiently.

INTERNATIONAL WHALING COMMISSION

DRAFT RULES OF PROCEDURE

REPRESENTATION AND VOTING

ARTICLE I A Government which has ratified or adhered to the International Convention for the Regulation of Whaling, 1946, shall have the right to appoint to the Commission one member who may be accompanied by one or more experts and advisors.

ARTICLE II Each country shall furnish the name of its representative and the names of such experts and advisors as may be accompanying him to the Government of the United Kingdom.

ARTICLE III Any Government which has signed the Convention of 1946 but has not ratified it, may send a representative or representatives to attend the first session of the Commission as observers. At subsequent meetings the attendance of such representatives shall be subject to the approval of the Commission.

ARTICLE IV Each member of the Commission shall have the right to vote at plenary sessions of the Commission. Experts and advisors may address plenary sessions of the Commission but shall not be entitled to vote. They may vote at the meetings of any committee to which they have been appointed.

ARTICLE V Where a vote is taken on any matter before the Commission a simple majority of those voting shall be decisive. At meetings of committees appointed by the Commission a simple majority vote shall be decisive, but the committee shall report to the Commission all cases in which a decision has been arrived at as a result of the vote.

PERSONNEL

TEMPORARY CHAIRMAN

ARTICLE VI The member of the Commission nominated by the Government of the United Kingdom of Great Britain and Northern Ireland shall preside as temporary Chairman at the opening session of the Commission and shall so continue until a Permanent Chairman is elected.

CAPE TOWN.

Minute No.

17
2, 1946,

MINISTERS have the honour to refer to Executive Council Minute No. 2027 dated the 20th May, 1946, approving of the ratification and signature on behalf of the Union Government of the International Convention for the Regulation of Whaling concluded in Washington on the 2nd December, 1946;

MINISTERS have the honour to inform His Excellency the Governor-General that the aforesaid Convention having been ratified by the requisite number of countries, became operative with effect from the 10th November, 1946;

MINISTERS have the honour to state further that it was intended that the aforesaid Convention would constitute a complete replacement of the Agreement for the Regulation of Whaling signed in London on the 8th June, 1937, as amended by the Protocol signed in London on the 24th June, 1938, and that, after entry into force of the Convention, the contracting parties would withdraw from the replaced Agreement and Protocol in terms of article 21 of the Agreement for the Regulation of Whaling signed in London on the 8th June, 1937.

MINISTERS, accordingly, have the honour to recommend that, as the major whaling countries have already withdrawn from the replaced Agreement and Protocol, His Excellency the Governor-General may be pleased to approve of the withdrawal by the Union Government from the Agreement for the Regulation of Whaling signed in London on the 8th June, 1937, and from the Protocol for the Regulation of Whaling signed in London on the 24th June, 1938, and that a suitable notice of withdrawal be communicated to the United Kingdom Government.

At meetings of committees appointed by the Commission a simple majority vote shall be decisive, but the committee shall report to the Commission all cases in which a decision has been arrived at as a result of the vote.

APPROVED IN ANTICIPATION
OF THE NEXT MEETING OF THE
EXECUTIVE COUNCIL.

22.4.49

(S63) G. BRAND VAN ZYL

TEMPORARY CHAIRMAN

ARTICLE VI The member of the Commission nominated by the Government of the United Kingdom of Great Britain and Northern Ireland shall preside as temporary Chairman at the opening session of the Commission and shall sit with the Chairman if the latter is absent.

Telegrams Address
Telegraphic Address

"NYWERCOM"

Telephone
3-1651

Adressor asb. alle briewe aan die
Sekretaris.

All communications to be addressed
to the Secretary.

Verwys in antwoord asb. as
In reply please quote

404/60

No. H.N.
No. C.I

28-4-1949



UNIE VAN SUID-AFRIKA. UNION OF SOUTH AFRICA

DEPT. OF EXTERNAL AFFAIRS
RECEIVED
M. 2/5
28-4-1949
DEPT. VAN BUITENLANDSE SAKE

DEPARTEMENT VAN HANDEL EN NYWERHEID,
DEPARTMENT OF COMMERCE AND INDUSTRIES,
SENTRAAALSTRAAT 216,
216 CENTRAL STREET.

PRETORIA, 28-4-1949

THE SECRETARY FOR EXTERNAL AFFAIRS: PRETORIA.

INTERNATIONAL CONVENTION FOR THE REGULATION
OF WHALING, 1946.

Further to my evennumbered minute of the 2nd March, 1948, on the abovementioned subject (your papers P.M.70/7 refer), I wish to inform you that, having regard to the fact that the Norwegian Government, the United Kingdom Government and other Contracting Parties have since followed the lead given by the United States Government in the matter of the withdrawal from the Agreement for the Regulation of Whaling of 1937 and from the Protocol for the Regulation of Whaling 1938, it has been decided on reconsideration that similar action should be taken by the Union Government without any further delay.

....

2. I accordingly attach for your information and records, a copy of an Executive Council Minute approved in anticipation of the next meeting of the Executive Council and signed by His Excellency the Governor-General on the 22nd instant, authorising the withdrawal by the Union Government from the Agreement and Protocol referred to above.

3. It will be appreciated if you will now arrange for a suitable notice of withdrawal to be communicated to the United Kingdom Government and furnish this Department with a copy thereof.

J. A. ...
SECRETARY FOR COMMERCE AND INDUSTRIES.

Handwritten signature
[P. 2/6]

DR.

PERSONNEL

TEMPORARY CHAIRMAN

ARTICLE VI The member of the Commission nominated by the Government of the United Kingdom of Great Britain and Northern Ireland shall preside as temporary Chairman at the opening session of the Commission and shall so continue until a permanent Chairman is elected.

cfm 12/5/49

DEPT. OF EXTERNAL AFFAIRS
RECEIVED
12-5-1949.
ONTVANG
CAPE TOWN/KRABSTAD
DEPT. VAN BUITENLANDS ZAKEN
GOED TELEGRAM

Received 12.5.49

FROM: Secretary of State for Commonwealth Relations,
London.
TO: Minister of External Affairs, Cape Town.

11th May, 1949.

INTERNATIONAL COMMISSION FOR THE REGULATION
No. 17.

My telegram of 18th March No. 12.

Further to my telegram of the 18th March 1949, on the subject of the INTERNATIONAL WHALING COMMISSION, I wish to inform you that it is confirmed that first meeting of Commission will be held in London beginning May 30th next, and lasting about 10 days. The Union Government is invited to be represented at this meeting by one voting member of Commission, together with such decided experts and advisers as it may desire. Grateful if you would inform me by telegram of their names.

2. This invitation is being extended to the Governments of Canada, The Commonwealth of Australia, the Union of South Africa, France, Iceland, the Netherlands, Norway, Panama, Soviet Union, Sweden and the United States all of which have ratified or acceded to the Convention. An invitation to be represented at the meeting by an observer without voting rights is being extended to the Governments of New Guinea, the Argentine, Brazil (Y), Chile, Denmark and Peru all of which signed but have not yet ratified the Convention, and to the United Nations Food and Agriculture Organization.

In Order
SECRETARY FOR COMMERCE AND INDUSTRIES.

Passed to *Comm. & Indus.*
for CONSIDERATION
INFORMATION
DISPOSAL
Date *12/5/49* Initials *AG*