



46

Prime Minister's Office,

Kantoor van die Eerste Minister,

CAPE TOWN.

|                                   |                                   |
|-----------------------------------|-----------------------------------|
| Gedigeur deur<br>Uitvoerende Raad | Approved in<br>Executive Council  |
| Minute No. 704                    |                                   |
| - 7 - 3 - 1950                    |                                   |
| <i>[Signature]</i>                | Clerk of the<br>Executive Council |

8-2-1950

MINUTE NO. ...

MINISTERS have the honour to inform His Excellency the Governor-General that the International Whaling Agreement entered into at Washington on 2nd December, 1946, to which the Union is a signatory, has recently been amended to provide for the commencement and closing of the Antarctic whaling season seven days later than before and to restrict the operation of land whaling stations and whale catchers attached thereto to a fixed period of six months in any year in stead of any continuous period of six months in any year as previously provided.

MINISTERS have the honour to state that these amendments require to be incorporated in the Union's regulations, issued under the Sea Fisheries Act, 1940 (Act No.10 of 1940), dealing with the protection of whales.

MINISTERS have the honour to state further that since the original regulations have been amended on several occasions, it is deemed advisable to issue a Proclamation consolidating all the existing provisions and incorporating the amendments now to be effected.

MINISTERS accordingly have the honour to recommend that His Excellency may be pleased, under and by virtue of the powers vested in him by Section four of the Sea Fisheries Act, 1940 (Act No.10 of 1940), to approve of the accompanying draft Proclamation in English and Afrikaans.

*[Handwritten mark]*

D.F. Malan

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| Approved in anticipation of the next meeting of the Executive Council. | By voorbaat goedgekeur in afwagting van die volgende vergadering van die Uitvoerende Raad. |
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*[Handwritten signature]*

- 8 FEB 1950

*[Handwritten mark]*



47

PROCLAMATION

BY HIS EXCELLENCY THE RIGHT HONOURABLE GIDEON BRAND VAN ZYL, A MEMBER OF HIS MAJESTY'S MOST HONOURABLE PRIVY COUNCIL, DOCTOR OF LAWS, GOVERNOR-GENERAL OF THE UNION OF SOUTH AFRICA.

No. .... 1950.

SEA FISHERIES ACT, 1940.

Under and by virtue of the powers vested in me by section four of the Sea Fisheries Act, 1940 (Act No. 10 of 1940), I hereby declare -

1. that except during the period the twenty-second day of December in any year to the seventh day of April in the following year, both days inclusive, no person shall use a factory ship or whale catcher attached thereto for the purpose of taking or treating baleen whales in any waters south of 40° south latitude: Provided that the treatment of such whales which have been taken during the said period may be completed after the end of the said period;
2. that no factory ship which has during any such period been used for the purpose of treating baleen whales south of 40° south latitude shall be used for that purpose elsewhere within a period of twelve months from the end of that period;
3. that no person shall -
  - (a) use a land station or whale catcher attached thereto for the purpose of taking or treating baleen whales in any area or in any waters except during the period 1st May to 31st October in each year: Provided that the treatment of such whales which have been taken during the said period may be completed after the end of the said period;

(b) /.....

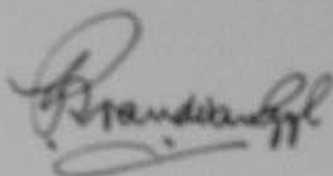
- (b) use a factory ship or a whale catcher attached thereto for the purpose of taking or treating baleen whales in any of the following areas, viz.-
- (i) in the waters north of 66° north latitude, except that from 150° east longitude eastwards as far as 140° west longitude the taking or killing of such whales by such ship or catcher shall be permitted between 66° north latitude and 72° north latitude;
  - (ii) in the atlantic Ocean and its dependent waters north of 40° south latitude;
  - (iii) in the Pacific Ocean and its dependent waters east of 150° west longitude between 40° south latitude and 35° north latitude;
  - (iv) in the Pacific Ocean and its dependent waters west of 150° west longitude between 40° south latitude and 20° north latitude;
  - (v) in the Indian Ocean and its dependent waters north of 40° south latitude;
  - (vi) in the waters south of 40° south latitude from 70° west longitude westward as far as 160° west longitude;
4. that no person shall capture, take or kill grey whales and/or right whales;
5. in this Proclamation -

"baleen whale" means any whale other than a "toothed whale";  
"grey whale" means any whale known by the name of grey whale, California grey, devil fish, hard head, mussel digger, grey back, rip sack (Rhachianectes glaucus);  
"right whale" means any whale known by the name of Atlantic right whale, Arctic right whale, Biscayan right whale, bowhead, great polar whale, Greenland right whale, Greenland whale, Nordkaper, North Atlantic right whale, North Cape whale, Pacific right whale, pigmy right whale, Southern pigmy right whale or Southern right whale (Balaena mysticetus).

Proclamation No. 216 of 1946, as amended by proclamations Nos. 343 of 1947, 31 of 1948, 60 of 1948, 276 of 1948 and 61 of 1949, is hereby repealed.

GOD SAVE THE KING.

Given under my Hand and Great Seal at *OTTAWA*.....  
on this ...*THIRTY*..... day of ...*SEPTEMBER*.... One Thousand  
Nine Hundred and Fifty.



GOVERNOR-GENERAL.  
By Command of His Excellency the Governor-  
General-in-Council.





50

PROKLAMASIE

VAN SY EKSELLENSIE DIE HOOGEDELE GIDEON  
BRAND VAN ZYL, LID VAN DIE MEES EERVOLLE  
GEHEIME RAAD VAN SY MAJESTEIT, DOKTOR IN  
DIE REGTE, GOEWERNEUR-GENERAAL VAN DIE  
UNIE VAN SUID-APRIKA.

No. .... 1950.

WET OP SEEVISSERYE, 1940.

Kragtens die bevoegdheid my verleen by artikel  
vier van die Wet op Seevisserye, 1940 (Wet No. 10 van 1940)  
verklaar ek hierby -

1. dat met uitsondering van die tydperk tussen die twee-en-  
tuintigste dag van Desember in enige jaar en die sewende dag  
van April in die daaropvolgende jaar, beide dae ingereken,  
niemand 'n fabriekskip of 'n walvisvanger daaraan verbonde  
met die doel om baleinwalvisse in waters ten suide van 40°  
suiderbreedte te vang of te bewerk, mag gebruik nie: Met  
dien verstande dat die bewerking van die walvisse gedurende  
voornoemde tydperk gevang, na afloop van voornoemde tydperk  
voltooi kan word;
2. dat geen fabriekskip wat gedurende enige sodanige tydperk  
gebruik is om baleinwalvisse ten suide van 40° suiderbreedte  
te bewerk, binne twaalf maande na afloop van sodanige tydperk  
elders vir die doel gebruik mag word nie;
3. dat niemand -
  - (a) 'n landstasie of 'n walvisvanger daaraan verbonde  
vir die doel mag gebruik om in enige gebied of  
in enige waters met uitsondering van die tydperk  
1 Mei tot 31 Oktober van elke jaar, baleinwalvisse  
te vang en te bewerk nie: Met dien verstande dat  
die bewerking van sulke walvisse gedurende

voornoemde /.....

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voornoemde tydperk gevang, na afloop van voornoemde tydperk voltooi kan word;

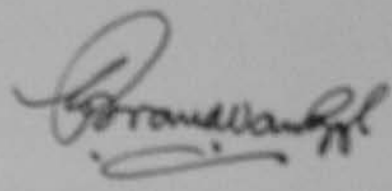
- (b) 'n fabriekskip of 'n walvisvanger daaraan verbonde mag gebruik vir die doel om baleinwalvisse in enigeen van die volgende gebiede te vang of te bewerk nie, naamlik:-
- (i) in waters ten noord van 66° noorderbreedte, behalwe dat die vang en doodmaak van sulke walvisse deur so 'n skip of walvisvanger van 150° oosterlengte ooswaarts tot by 140° westerlengte tussen 66° noorderbreedte en 72° noorderbreedte toegelaat word;
  - (ii) in die Atlantiese Oseaan en sy bywaters ten noord van 40° suiderbreedte;
  - (iii) in die Stille Oseaan en sy bywaters ten ooste van 150° westerlengte tussen 40° suiderbreedte en 35° noorderbreedte;
  - (iv) in die Stille Oseaan en sy bywaters ten weste van 150° westerlengte tussen 40° suiderbreedte en 20° noorderbreedte;
  - (v) in die Indiese Oseaan en sy bywaters ten noorde van 40° suiderbreedte;
  - (vi) in die waters suid van 40° suiderbreedte tussen 70° westerlengte weswaarts tot by 160° westerlengte;
4. dat niemand vaalwalvisse en/of gladde of eintlike walvisse mag vang of doodmaak nie;
5. in hierdie Proklamasie beteken -

"baleinwalvis" enige walvis uitgesonderd 'n tandwalvis;  
"vaalwalvis" enige walvis bekend as "grey whale",  
"California grey", "devil fish", "hard head", "mussel digger", "grey back", "rip sack" (Rhachianectes glaucus);  
"gladde of eintlike walvis" enige walvis bekend as "Atlantic right whale", "Arctic right whale", "Biscayan right whale", "bowhead", "great polar whale", Groenlandse gladde of eintlike walvis, Groenlandse walvis, Noordkaper, "North Atlantic right whale", "North Cape whale", "Pacific right whale", dwergwalvis, "Southern pigmy right whale" of "Southern right whale" (Balaena mysticetus).

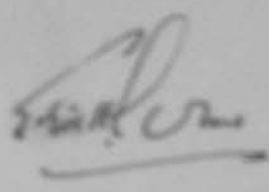
Proklamasie No. 216 van 1946, soos gewysig by Proklamasie Nos. 343 van 1947, 31 van 1948, 60 van 1948, 276 van 1948 en 61 van 1949, word hierby herroep.

GOD BEHOEDE DIE KONING.

Gegee onder my Hand en Grootseël te .KAAFFSTAD.....  
op hede die ..1852..... dag van ..Februarie..... Een-  
duisend Negehonderd en Vyftig.



GOEWERNER-GENERAAL.  
Op las van Sy Eksellensie die Goeverneur-  
generaal-in-rade.



24  
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27  
28