

**ARGENTINA, AUSTRALIA,
BRAZIL, CANADA, CHILE, etc.**

**International Convention for the Regulation of Whaling
(with annexed schedule). Signed at Washington, on
2 December 1946**

**Amendments to paragraphs 6, 7 (a) and 10 of the schedule
to the above-mentioned Convention. Adopted at the
first meeting of the International Whaling Commission,
held in London, 30 May-7 June 1949**

**Amendment to paragraph 17 of the schedule to the above-
mentioned Convention. Adopted at the first meeting
of the International Whaling Commission, held in
London, 30 May-7 June 1949**

**Amendments to paragraphs 6, 8 (c), 8 (d) and 8 (e) of the
schedule to the above-mentioned Convention. Adopted
at the second meeting of the International Whaling
Commission, held at Oslo in July 1950**

Official texts: English.

Registered by the United States of America on 4 March 1953.

No. 2124. INTERNATIONAL CONVENTION¹ FOR THE
REGULATION OF WHALING. SIGNED AT WASHING-
TON, ON 2 DECEMBER 1946

The Governments whose duly authorized representatives have subscribed hereto,

Recognizing the interest of the nations of the world in safeguarding for future generations the great natural resources represented by the whale stocks;

Considering that the history of whaling has seen overfishing of one area after another and of one species of whale after another to such a degree that it is essential to protect all species of whales from further overfishing;

Recognizing that the whale stocks are susceptible of natural increases if whaling is properly regulated, and that increases in the size of whale stocks will permit increases in the numbers of whales which may be captured without endangering these natural resources;

Recognizing that it is in the common interest to achieve the optimum level of whale stocks as rapidly as possible without causing wide-spread economic and nutritional distress;

Recognizing that in the course of achieving these objectives, whaling operations should be confined to those species best able to sustain exploitation in order to give an interval for recovery to certain species of whales now depleted in numbers;

Desiring to establish a system of international regulation for the whale fisheries to ensure proper and effective conservation and development of whale

¹ In accordance with article X, the Convention came into force on 10 November 1948 in respect of the following States on behalf of which the instruments of ratification or notifications of adherence (a) were received by the Government of the United States of America on the dates indicated :

Iceland	10 March	1947 (a)	Norway	3 March	1948
Australia	1 December	1947	Union of South Africa	5 May	1948
United Kingdom of Great Britain and Northern Ireland	17 June	1947	Union of Soviet Socialist Republics	11 September	1948
United States of America	18 July	1947	Panama	30 September	1948 (a)
			Netherlands	10 November	1948

It subsequently came into force on the dates indicated in respect of the following States upon the receipt by the Government of the United States of America of the respective instrument of ratification or notification of adherence (a) :

France	3 December	1948	New Zealand	2 August	1949
Sweden	28 January	1949 (a)	Brazil	9 May	1950
Canada	25 February	1949	Denmark	23 May	1950
Mexico	30 June	1949 (a)	Japan	21 April	1951 (a)

stocks on the basis of the principles embodied in the provisions of the International Agreement for the Regulation of Whaling signed in London on June 8, 1937¹ and the protocols to that Agreement signed in London on June 24, 1938² and November 26, 1945;³ and

Having decided to conclude a convention to provide for the proper conservation of whale stocks and thus make possible the orderly development of the whaling industry;

Have agreed as follows :

Article I

1. This Convention includes the Schedule attached thereto which forms an integral part thereof. All references to " Convention " shall be understood as including the said Schedule either in its present terms or as amended in accordance with the provisions of Article V.

2. This Convention applies to factory ships, land stations, and whale catchers under the jurisdiction of the Contracting Governments, and to all waters in which whaling is prosecuted by such factory ships, land stations, and whale catchers.

Article II

As used in this Convention

1. " factory ship " means a ship in which or on which whales are treated whether wholly or in part;

2. " land station " means a factory on the land at which whales are treated whether wholly or in part;

3. " whale catcher " means a ship used for the purpose of hunting, taking, towing, holding on to, or scouting for whales;

4. " Contracting Government " means any Government which has deposited an instrument of ratification or has given notice of adherence to this Convention.

Article III

1. The Contracting Governments agree to establish an International Whaling Commission, hereinafter referred to as the Commission, to be composed

¹ League of Nations, *Treaty Series*, Vol. CXC, p. 79; United Nations, *Treaty Series*, Vol. 32, p. 404, and Vol. 91, p. 388.

² League of Nations, *Treaty Series*, Vol. CXCVI, p. 131; United Nations, *Treaty Series*, Vol. 32, p. 405, and Vol. 92, p. 435.

³ United Nations, *Treaty Series*, Vol. 11, p. 43, and Vol. 32, p. 396.

of one member from each Contracting Government. Each member shall have one vote and may be accompanied by one or more experts and advisers.

2. The Commission shall elect from its own members a Chairman and Vice Chairman and shall determine its own Rules of Procedure. Decisions of the Commission shall be taken by a simple majority of those members voting except that a three-fourths majority of those members voting shall be required for action in pursuance of Article V. The Rules of Procedure may provide for decisions otherwise than at meetings of the Commission.

3. The Commission may appoint its own Secretary and staff.

4. The Commission may set up, from among its own members and experts or advisers, such committees as it considers desirable to perform such functions as it may authorize.

5. The expenses of each member of the Commission and of his experts and advisers shall be determined and paid by his own Government.

6. Recognizing that specialized agencies related to the United Nations will be concerned with the conservation and development of whale fisheries and the products arising therefrom and desiring to avoid duplication of functions, the Contracting Governments will consult among themselves within two years after the coming into force of this Convention to decide whether the Commission shall be brought within the framework of a specialized agency related to the United Nations.

7. In the meantime the Government of the United Kingdom of Great Britain and Northern Ireland shall arrange, in consultation with the other Contracting Governments, to convene the first meeting of the Commission, and shall initiate the consultation referred to in paragraph 6 above.

8. Subsequent meetings of the Commission shall be convened as the Commission may determine.

Article IV

1. The Commission may either in collaboration with or through independent agencies of the Contracting Governments or other public or private agencies, establishments, or organizations, or independently

(a) encourage, recommend, or if necessary, organize studies and investigations relating to whales and whaling;

- (b) collect and analyze statistical information concerning the current condition and trend of the whale stocks and the effects of whaling activities thereon;
- (c) study, appraise, and disseminate information concerning methods of maintaining and increasing the populations of whale stocks.

2. The Commission shall arrange for the publication of reports of its activities, and it may publish independently or in collaboration with the International Bureau for Whaling Statistics at Sandefjord in Norway and other organizations and agencies such reports as it deems appropriate, as well as statistical, scientific, and other pertinent information relating to whales and whaling.

Article V

1. The Commission may amend from time to time the provisions of the Schedule by adopting regulations with respect to the conservation and utilization of whale resources, fixing (a) protected and unprotected species; (b) open and closed seasons; (c) open and closed waters, including the designation of sanctuary areas; (d) size limits for each species; (e) time, methods, and intensity of whaling (including the maximum catch of whales to be taken in any one season); (f) types and specifications of gear and apparatus and appliances which may be used; (g) methods of measurement; and (h) catch returns and other statistical and biological records.

2. These amendments of the Schedule (a) shall be such as are necessary to carry out the objectives and purposes of this Convention and to provide for the conservation, development, and optimum utilization of the whale resources; (b) shall be based on scientific findings; (c) shall not involve restrictions on the number or nationality of factory ships or land stations, nor allocate specific quotas to any factory ship or land station or to any group of factory ships or land stations; and (d) shall take into consideration the interests of the consumers of whale products and the whaling industry.

3. Each of such amendments shall become effective with respect to the Contracting Governments ninety days following notification of the amendment by the Commission to each of the Contracting Governments, except that (a) if any Government presents to the Commission objection to any amendment prior to the expiration of this ninety-day period, the amendment shall not become effective with respect to any of the Governments for an additional ninety days; (b) thereupon, any other Contracting Government may present objection to the amendment at any time prior to the expiration of the additional ninety-day period, or before the expiration of thirty days from the date of

receipt of the last objection received during such additional ninety-day period, whichever date shall be the later; and (c) thereafter, the amendment shall become effective with respect to all Contracting Governments which have not presented objection but shall not become effective with respect to any Government which has so objected until such date as the objection is withdrawn. The Commission shall notify each Contracting Government immediately upon receipt of each objection and withdrawal and each Contracting Government shall acknowledge receipt of all notifications of amendments, objections, and withdrawals.

4. No amendments shall become effective before July 1, 1949.

Article VI

The Commission may from time to time make recommendations to any or all Contracting Governments on any matters which relate to whales or whaling and to the objectives and purposes of this Convention.

Article VII

The Contracting Governments shall ensure prompt transmission to the International Bureau for Whaling Statistics at Sandefjord in Norway, or to such other body as the Commission may designate, of notifications and statistical and other information required by this Convention in such form and manner as may be prescribed by the Commission.

Article VIII

1. Notwithstanding anything contained in this Convention, any Contracting Government may grant to any of its nationals a special permit authorizing that national to kill, take, and treat whales for purposes of scientific research subject to such restrictions as to number and subject to such other conditions as the Contracting Government thinks fit, and the killing, taking, and treating of whales in accordance with the provisions of this Article shall be exempt from the operation of this Convention. Each Contracting Government shall report at once to the Commission all such authorizations which it has granted. Each Contracting Government may at any time revoke any such special permit which it has granted.

2. Any whales taken under these special permits shall so far as practicable be processed and the proceeds shall be dealt with in accordance with directions issued by the Government by which the permit was granted.

3. Each Contracting Government shall transmit to such body as may be designated by the Commission, in so far as practicable, and at intervals of not more than one year, scientific information available to that Government with respect to whales and whaling, including the results of research conducted pursuant to paragraph 1 of this Article and to Article IV.

4. Recognizing that continuous collection and analysis of biological data in connection with the operations of factory ships and land stations are indispensable to sound and constructive management of the whale fisheries, the Contracting Governments will take all practicable measures to obtain such data.

Article IX

1. Each Contracting Government shall take appropriate measures to ensure the application of the provisions of this Convention and the punishment of infractions against the said provisions in operations carried out by persons or by vessels under its jurisdiction.

2. No bonus or other remuneration calculated with relation to the results of their work shall be paid to the gunners and crews of whale catchers in respect of any whales the taking of which is forbidden by this Convention.

3. Prosecution for infractions against or contraventions of this Convention shall be instituted by the Government having jurisdiction over the offense.

4. Each Contracting Government shall transmit to the Commission full details of each infraction of the provisions of this Convention by persons or vessels under the jurisdiction of that Government as reported by its inspectors. This information shall include a statement of measures taken for dealing with the infraction and of penalties imposed.

Article X

1. This Convention shall be ratified and the instruments of ratification shall be deposited with the Government of the United States of America.

2. Any Government which has not signed this Convention may adhere thereto after it enters into force by a notification in writing to the Government of the United States of America.

3. The Government of the United States of America shall inform all other signatory Governments and all adhering Governments of all ratifications deposited and adherences received.

4. This Convention shall, when instruments of ratification have been deposited by at least six signatory Governments, which shall include the Governments of the Netherlands, Norway, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, enter into force with respect to those Governments and shall enter into force with respect to each Government which subsequently ratifies or adheres on the date of the deposit of its instrument of ratification or the receipt of its notification of adherence.

5. The provisions of the Schedule shall not apply prior to July 1, 1948. Amendments to the Schedule adopted pursuant to Article V shall not apply prior to July 1, 1949.

Article XI

Any Contracting Government may withdraw from this Convention on June thirtieth of any year by giving notice on or before January first of the same year to the depositary Government, which upon receipt of such a notice shall at once communicate it to the other Contracting Governments. Any other Contracting Government may, in like manner, within one month of the receipt of a copy of such a notice from the depositary Government, give notice of withdrawal, so that the Convention shall cease to be in force on June thirtieth of the same year with respect to the Government giving such notice of withdrawal.

This Convention shall bear the date on which it is opened for signature and shall remain open for signature for a period of fourteen days thereafter.

IN WITNESS WHEREOF the undersigned, being duly authorized, have signed this Convention.

DONE in Washington this second day of December 1946, in the English language, the original of which shall be deposited in the archives of the Government of the United States of America. The Government of the United States of America shall transmit certified copies thereof to all the other signatory and adhering Governments.

For Argentina :

Pour l'Argentine :

O. IVANISSEVICH
J. M. MONETA
G. BROWN
Pedro H. BRUNO VIDELA

For Australia :

Pour l'Australie :

F. F. ANDERSON

For Brazil :

Pour le Brésil :

Paulo FRÓES DA CRUZ

For Canada :

Pour le Canada :

H. H. WRONG
Harry A. SCOTT

For Chile :

Pour le Chili :

Agustín R. EDWARDS

For Denmark :

Pour le Danemark :

P. F. ERICHSEN

For France :

Pour la France :

Francis LACOSTE

For the Netherlands :

Pour les Pays-Bas :

D. J. VAN DIJK

For New Zealand :

Pour la Nouvelle-Zélande :

G. R. POWLES

For Norway :

Pour la Norvège :

Birger BERGERSEN

For Peru :

Pour le Pérou :

C. ROTALDE

For the Union of Soviet Socialist Re-
publics :Pour l'Union des Républiques socia-
listes soviétiques :

A. BOGDANOV

E. NIKISHIN

For the United Kingdom of Great
Britain and Northern Ireland :Pour le Royaume-Uni de Grande-
Bretagne et d'Irlande du Nord :

A. T. A. DOBSON

John THOMSON

For the United States of America :

Pour les États-Unis d'Amérique :

Remington KELLOGG

Ira N. GABRIELSON

William E. S. FLORY

For the Union of South Africa :

Pour l'Union Sud-Africaine :

H. T. ANDREWS

SCHEDULE

1. (a) There shall be maintained on each factory ship at least two inspectors of whaling for the purpose of maintaining twenty-four hour inspection. These inspectors shall be appointed and paid by the Government having jurisdiction over the factory ship.

(b) Adequate inspection shall be maintained at each land station. The inspectors serving at each land station shall be appointed and paid by the Government having jurisdiction over the land station.

2. It is forbidden to take or kill gray whales or right whales, except when the meat and products of such whales are to be used exclusively for local consumption by the aborigines.

3. It is forbidden to take or kill calves or suckling whales or female whales which are accompanied by calves or suckling whales.

4. It is forbidden to 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 :

(a) in the waters north of 66° North Latitude except that from 150° East Longitude eastward as far as 140° West Longitude the taking or killing of baleen whales by a factory ship or whale catcher shall be permitted between 66° North Latitude and 72° North Latitude;

(b) in the Atlantic Ocean and its dependent waters north of 40° South Latitude;

(c) in the Pacific Ocean and its dependent waters east of 150° West Longitude between 40° South Latitude and 35° North Latitude;

(d) in the Pacific Ocean and its dependent waters west of 150° West Longitude between 40° South Latitude and 20° North Latitude;

(e) in the Indian Ocean and its dependent waters north of 40° South Latitude.

5. It is forbidden to use a factory ship or a whale catcher attached thereto for the purpose of taking or treating baleen whales in the waters south of 40° South Latitude from 70° West Longitude westward as far as 160° West Longitude.

6. It is forbidden to use a factory ship or a whale catcher attached thereto for the purpose of taking or treating humpback whales in any waters south of 40° South Latitude.

7. (a) It is forbidden to use a factory ship or a whale catcher attached thereto for the purpose of taking or treating baleen whales in any waters south of 40° South Latitude, except during the period from December 15 to April 1 following, both days inclusive.

(b) Notwithstanding the above prohibition of treatment during a closed season, the treatment of whales which have been taken during the open season may be completed after the end of the open season.

8. (a) The number of baleen whales taken during the open season caught in any waters south of 40° South Latitude by whale catchers attached to factory ships under the jurisdiction of the Contracting Governments shall not exceed sixteen thousand blue-whale units.

(b) For the purposes of subparagraph (a) of this paragraph, blue-whale units shall be calculated on the basis that one blue whale equals :

- (1) two fin whales or
- (2) two and a half humpback whales or
- (3) six sei whales.

(c) Notification shall be given in accordance with the provisions of Article VII of the Convention, within two days after the end of each calendar week, of data on the number of blue-whale units taken in any waters south of 40° South Latitude by all whale catchers attached to factory ships under the jurisdiction of each Contracting Government.

(d) If it should appear that the maximum catch of whales permitted by subparagraph (a) of this paragraph may be reached before April 1 of any year, the Commission, or such other body as the Commission may designate, shall determine, on the basis of the data provided, the date on which the maximum catch of whales shall be deemed to have been reached and shall notify each Contracting Government of that date not less than two weeks in advance thereof. The taking of baleen whales by whale catchers attached to factory ships shall be illegal in any waters south of 40° South Latitude after the date so determined.

(e) Notification shall be given in accordance with the provisions of Article VII of the Convention of each factory ship intending to engage in whaling operations in any waters south of 40° South Latitude.

9. It is forbidden to take or kill any blue, fin, sei, humpback, or sperm whales below the following lengths :

(a) blue whales	70 feet (21.3 meters)
(b) fin whales	55 feet (16.8 meters)
(c) sei whales	40 feet (12.2 meters)
(d) humpback whales	35 feet (10.7 meters)
(e) sperm whales	35 feet (10.7 meters)

except that blue whales of not less than 65 feet (19.8 meters), fin whales of not less than 50 feet (15.2 meters), and sei whales of not less than 35 feet (10.7 meters) in length may be taken for delivery to land stations provided that the meat of such whales is to be used for local consumption as human or animal food.

Whales must be measured when at rest on deck or platform, as accurately as possible by means of a steel tape measure fitted at the zero end with a spiked handle which can be stuck into the deck planking abreast of one end of the whale. The tape measure shall be stretched in a straight line parallel with the whale's body and read abreast the other end of the whale. The ends of the whale, for measurement purposes, shall be the point of the upper jaw and the notch between the tail flukes. Measurements, after being accurately read on the tape measure, shall be logged to the nearest foot : that is

to say, any whale between 75'6" and 76'6" shall be logged as 76', and any whale between 76'6" and 77'6" shall be logged as 77'. The measurement of any whale which falls on an exact half foot shall be logged at the next half foot, *e.g.* 76'6" precisely, shall be logged as 77'.

10. It is forbidden to use a land station or a whale catcher attached thereto for the purpose of taking or treating baleen whales in any area or in any waters for more than six months in any period of twelve months, such period of six months to be continuous.

11. It is forbidden to use a factory ship, which has been used during a season in any waters south of 40° South Latitude for the purpose of treating baleen whales, in any other area for the same purpose within a period of one year from the termination of that season.

12. (a) All whales taken shall be delivered to the factory ship or land station and all parts of such whales shall be processed by boiling or otherwise, except the internal organs, whale bone and flippers of all whales, the meat of sperm whales and of parts of whales intended for human food or feeding animals.

(b) Complete treatment of the carcasses of "Dauhval" and of whales used as fenders will not be required in cases where the meat or bone of such whales is in bad condition.

13. The taking of whales for delivery to a factory ship shall be so regulated or restricted by the master or person in charge of the factory ship that no whale carcass (except of a whale used as a fender) shall remain in the sea for a longer period than thirty-three hours from the time of killing to the time when it is taken up on to the deck of the factory ship for treatment. All whale catchers engaged in taking whales must report by radio to the factory ship the time when each whale is caught.

14. Gunners and crews of factory ships, land stations, and whale catchers shall be engaged on such terms that their remuneration shall depend to a considerable extent upon such factors as the species, size, and yield of whales taken, and not merely upon the number of the whales taken. No bonus or other remuneration shall be paid to the gunners or crews of whale catchers in respect of the taking of milk-filled or lactating whales.

15. Copies of all official laws and regulations relating to whales and whaling and changes in such laws and regulations shall be transmitted to the Commission.

16. Notification shall be given in accordance with the provisions of Article VII of the Convention with regard to all factory ships and land stations of statistical information (a) concerning the number of whales of each species taken, the number thereof

lost, and the number treated at each factory ship or land station, and (b) as to the aggregate amounts of oil of each grade and quantities of meal, fertilizer (guano), and other products derived from them, together with (c) particulars with respect to each whale treated in the factory ship or land station as to the date and approximate latitude and longitude of taking, the species and sex of the whale, its length and, if it contains a foetus, the length and sex, if ascertainable, of the foetus. The data referred to in (a) and (c) above shall be verified at the time of the tally and there shall also be notification to the Commission of any information which may be collected or obtained concerning the calving grounds and migration routes of whales.

In communicating this information there shall be specified :

- (a) the name and gross tonnage of each factory ship;
- (b) the number and aggregate gross tonnage of the whale catchers;
- (c) a list of the land stations which were in operation during the period concerned.

17. Notwithstanding the definition of land station contained in Article II of the Convention, a factory ship operating under the jurisdiction of a Contracting Government, and the movements of which are confined solely to the territorial waters of that Government, shall be subject to the regulations governing the operation of land stations within the following areas :

- (a) on the coast of Madagascar and its dependencies, and on the west coasts of French Africa;
- (b) on the west coast of Australia in the area known as Shark Bay and northward to Northwest Cape and including Exmouth Gulf and King George's Sound, including the port of Albany; and on the east coast of Australia, in Twofold Bay and Jervis Bay.

18. The following expressions have the meanings respectively assigned to them, that is to say :

- “ baleen whale ” means any whale other than a toothed whale;
- “ blue whale ” means any whale known by the name of blue whale, Sibbald's rorqual, or sulphur bottom;
- “ fin whale ” means any whale known by the name of common finback, common rorqual, finback, finner, fin whale, herring whale, razorback, or true fin whale;
- “ sei whale ” means any whale known by the name of *Balaenoptera borealis*, sei whale, Rudolphi's rorqual, pollack whale, or coalfish whale, and shall be taken to include *Balaenoptera brydei*, Bryde's whale;
- “ gray whale ” means any whale known by the name of gray whale, California gray, devil fish, hard head, mussel digger, gray back, rip sack;
- “ humpback whale ” means any whale known by the name of bunch, humpback, humpback whale, humbacked whale, hump whale, or hunchbacked whale;

“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;

“sperm whale” means any whale known by the name of sperm whale, spermacet whale, cachalot, or pot whale;

“Dauhval” means any unclaimed dead whale found floating.

AMENDMENTS¹ TO PARAGRAPHS 6, 7 (a) AND 10 OF THE SCHEDULE TO THE INTERNATIONAL CONVENTION FOR THE REGULATION OF WHALING.² ADOPTED AT THE FIRST MEETING OF THE INTERNATIONAL WHALING COMMISSION, HELD IN LONDON, 30 MAY-7 JUNE 1949

I hereby certify that, at its first meeting, held in London in May/June 1949, the International Whaling Commission, by resolution, made the following amendments to the Schedule to the International Whaling Convention signed in Washington in 1946.

Paragraph 6. At the end of the paragraph add the following words :—
“ Provided that in each of the pelagic whaling seasons 1949/50 and 1950/51 a maximum of 1,250 humpback whales may be taken in these waters.”

Paragraph 7 (a). Omit words “ 15th December to 1st April ” in fourth line and insert the words “ 22nd December to 7th April.”

(*Note.* This amendment involves a consequential amendment in para. 8 (d) where the words 7th April should be substituted for 1st April).

Paragraph 10. Delete and in place insert the following new Paragraph 10 :-

“ 10. (a) It is forbidden to use a land station under the jurisdiction of a Contracting Government, and whale catchers attached to such land station, for the purpose of taking or treating baleen whales except as permitted by the Contracting Government in accordance with sub-paragraph (b) of this paragraph.

“ (b) Each Contracting Government shall declare for all land stations under its jurisdiction, and whale catchers attached to such land stations, one open season during which the taking or treating of baleen whales shall be permitted. Such open season shall be for a period of not more than six consecutive months in any period of twelve months and shall apply to all land stations under the jurisdiction of a Contracting Government; provided that a separate open season may be declared for any land station used for the taking or treating of baleen whales which is more than 1,000 miles from the

¹ Came into force on 11 October 1949 with respect to all States parties to the Convention, in accordance with article V thereof.

² See p. 74 of this volume.

nearest land station used for the taking or treating of baleen whales under the jurisdiction of the same Contracting Government.”

“(c) Notwithstanding the prohibition in sub-paragraph (a) of this paragraph, the treatment of whales which have been taken during an open season may be completed after the end of such open season.

“(d) The prohibitions contained in this paragraph shall apply to all land stations as defined in Article II of the Whaling Convention of 1946 and to all factory ships which are subject to the regulations governing the operation of land stations under the provisions of paragraph 17 of this Schedule.”

And I hereby further certify that these amendments were communicated to each and every Contracting Government by letter on 25th June, 1949, and, no objections having been received, came into force on 11th October, 1949, the 90 days following the notification of the amendments to each Contracting Government, as prescribed by Article V of the International Whaling Convention 1946, being deemed to have expired on 10th October, 1949.

A. T. A. DOBSON
Secretary
International Whaling Commission

London, 15th November, 1949.

AMENDMENT¹ TO PARAGRAPH 17 OF THE SCHEDULE
TO THE INTERNATIONAL CONVENTION FOR THE
REGULATION OF WHALING,² ADOPTED AT THE
FIRST MEETING OF THE INTERNATIONAL WHALING
COMMISSION, HELD IN LONDON, 30 MAY-7 JUNE 1949

I hereby certify that, at its first meeting, held in London in May/June 1949, the International Whaling Commission, by resolution made the following amendment to the Schedule to the International Whaling Convention signed in Washington in 1946.

The following new paragraph 17 is substituted for the existing paragraph 17 of the Schedule to the Convention aforesaid :—

“ 17. (a) A factory ship which operates solely within territorial waters in one of the areas specified in sub-paragraph (c) of this paragraph, by permission of the Government having jurisdiction over those waters, and which flies the flag of that Government shall, while so operating, be subject to the regulations governing the operation of land stations and not to the regulations governing the operation of factory ships.

“ (b) Such factory ship shall not, within a period of one year from the termination of the season in which she so operated, be used for the purpose of treating baleen whales in any of the other areas specified in sub-paragraph (c) of this paragraph or south of 40 degrees South latitude.

“ (c) The areas referred to in sub-paragraphs (a) and (b) are :—

“ 1) On the coast of Madagascar and its dependencies;

“ 2) On the west coast of French Africa;

“ 3) On the coasts of Australia, namely on the whole of the east coast and on the west coast in the area known as Shark Bay and northward to Northwest Cape and including Exmouth Gulf and King George's Sound, including the Port of Albany.”

And I hereby certify that this amendment was communicated to each and every contracting government by letter dated 25th June, 1949. Before the expiration of the 90-day period provided for in Article V (3) of the International Whaling Convention of 1946, the French Government registered an objection to the coming into force of this amendment. No other contracting Government

¹ Came into force on 11 January 1950 with respect to all States parties to the Convention, with the exception of France, in accordance with article V of the Convention.

² See p. 74 of this volume.

registered a similar objection, nor did the French Government withdraw their objection, so that, at the expiration of the further 90-day period provided for in Article V (3) of the 1946 Convention viz. 10th January, 1950, this amendment came into force as from *11th January, 1950*, in respect of all Contracting Governments, *except France*.

A. T. A. DOBSON
Secretary
International Whaling Commission

London, 2 February, 1950

AMENDMENTS¹ TO PARAGRAPHS 6, 8 (c), 8 (d) AND 8 (e)
OF THE SCHEDULE TO THE INTERNATIONAL CON-
VENTION FOR THE REGULATION OF WHALING.²
ADOPTED AT THE SECOND MEETING OF THE IN-
TERNATIONAL WHALING COMMISSION, HELD AT
OSLO IN JULY 1950

I hereby certify that, at its second meeting, held in Oslo in July, 1950, the International Whaling Commission, by resolution, made the following amendments to the Schedule to the International Whaling Convention signed in Washington on 2nd December, 1946.³

(a) Paragraph 6 of the Schedule shall read as follows:—

“ 6. It is forbidden to use a factory ship or a whale catcher attached thereto for the purpose of taking or treating humpback whales in any waters south of 40° South Latitude; provided that, in the pelagic whaling season 1950-51 a maximum of 1,250 humpback whales may be taken in these waters commencing on February 1.”

(b) Paragraph 8 (c) of the Schedule shall read as follows:—

“ 8. (c). Notification shall be given in accordance with Article VII of the Convention, within two days after the end of each calendar week, of data on the number of blue-whale units taken in any waters south of 40° South Latitude by all whale catchers attached to factory ships under the jurisdiction of each Contracting Government; and in addition notification of data on the number of humpback whales taken in pursuance of paragraph 6 shall be given at the end of each day.”

(c) Paragraph 8 (d) shall read as follows:—

“ 8 (d). If it should appear that the maximum catch of whales permitted by subparagraph (a) of this paragraph may be reached before 7th April, of any year, the Commission, or such other body as the Commission may designate, shall determine on the basis of the data provided, the date on which the maximum catch of whales shall be deemed to have been reached and shall notify each Contracting Government of that date not less than two weeks in advance thereof. The taking of baleen whales by whale catchers attached to factory ships shall be illegal in any waters south of 40° South Latitude after midnight of the date so determined.”

¹ Came into force on 1 November 1950 with respect to all States parties to the Convention, in accordance with article V thereof.

² See p. 74 of this volume.

(d) Existing paragraph 8 (e) shall be redesignated as paragraph 8 (f) and a new subparagraph (e) shall be inserted as follows :—

“ 8 (e). On the basis of data on number of humpback whales taken in accordance with the provisions of paragraph 6 and reported in accordance with subparagraph 8 (c), the Commission, or such other body as the Commission may designate, shall determine the date on which the maximum catch of humpback whales shall be deemed to have been reached and shall notify each factory ship and each Contracting Government four days in advance thereof. The taking of humpback whales in all waters south of 40° South Latitude shall be illegal after midnight of the date so determined.”

And I hereby further certify that these amendments were communicated to each and every Contracting Government by letter dated 27th July, 1950, and, no objections having been received, came into force on 1st November, 1950, the 90 days following the notification of the amendments to each Contracting Government, as prescribed by Article V of the International Whaling Convention 1946, being deemed to have expired on 31st October, 1950 at midnight, 24 hours.

12 December, 1950

A. T. A. DOBSON
Secretary
International Whaling Commission