



Treaty Series No. 48 (1938)

[Reprint of "Union of South Africa Treaty Series No. 9 (1937)"]

Exchange of Notes

between His Majesty's Government in the Union of South Africa
and the Portuguese Government

extending and modifying the Agreement
of November 17, 1934, concerning

Native Labour from Mozambique

Lisbon, October 19/27, 1937

*Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty*

LONDON

PRINTED AND PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses.

York House, Kingsway, London, W.C.2; 120 George Street, Edinburgh 2;

26 York Street, Manchester 1; 1 St. Andrew's Crescent, Cardiff;

80 Chichester Street, Belfast;

or through any bookseller

1938

Price 1*d.* net

Cmd. 5817

EXCHANGE OF NOTES CONDITIONALLY EXTENDING THE AGREEMENT BETWEEN THE GOVERNMENTS OF THE UNION OF SOUTH AFRICA AND THE PORTUGUESE REPUBLIC, SIGNED AT LISBON ON MARCH 11, 14 AND 24, AND JUNE 8, 1936, CONCERNING THE AMENDMENT OF ARTICLE III OF THE REVISED MOÇAMBIQUE CONVENTION OF NOVEMBER 17, 1934.

Lisbon, October 19/27, 1937.

No. 1.

Mr. J. N. Theron to Dr. Salazar.

M. le Président,

Lisbon, October 19, 1937.

WITH reference to the negotiations which have taken place between us regarding the extension of the agreement concerning the recruiting of Native Labour in Moçambique, contained in an Exchange of Notes, dated the 11th, 14th, and 24th March, and the 8th June, 1936,⁽¹⁾ and constituting an amendment of Article III of the revised Convention concluded between our respective Governments on the 17th November, 1934,⁽²⁾ I have the honour to confirm and place on record that the Government of the Union of South Africa and the Government of the Portuguese Republic agree, without prejudice to Article II of the Convention of the 17th November, 1934, to the extension of the said Agreement for a period of one year, subject to the following conditions:—

- (1) The Union Government undertake to adopt measures in order to prevent any activity of a Communist character, such as the distribution of newspapers, pamphlets and similar literature in the nature of Communist propaganda, whether in the Portuguese, English or Native languages, among Moçambique natives who should go to work in the Union of South Africa;
- (2) Recruitment of Natives will be effected south of the Save only, within the zones indicated by His Excellency the Governor-General of Moçambique.

The present Note and Your Excellency's reply in similar terms will be regarded as constituting an Agreement between our respective Governments, with effect from the 8th June, 1937.

I avail, &c.

J. N. THERON.

⁽¹⁾ "Treaty Series No. 21 (1938)," Cmd. 5703.

⁽²⁾ "Treaty Series No. 4 (1936)," Cmd. 5085.

No. 2.

Dr. Salazar to Mr. J. N. Theron.

Senhor Encarregado de Negócios, *Lisboa, 27 de Outubro de 1937.*

Com referencia às negociações que realizámos relativas à prorrogação do Acôrdo sobre recrutamento de mão de obra indígena em Moçambique, registado na troca de Notas de 11, 14 e 24 de Março e 8 de Junho de 1936, e constituindo uma alteração ao artigo III da Convenção celebrada entre os nossos dois Governos em 17 de Novembro de 1934, temho a honra de confirmar e registar que o Governo da República Portuguesa e o Governo da União Sul Africana concordam, sem prejuizo do artigo II daquela Convenção, na prorrogação do referido Acôrdo pelo periodo de um ano sob as condições seguintes :

- (1) O Governo da União compromete-se a adoptar providencias destinadas a impedir qualquer actividade de character comunista como difusão de jornais, panfletos e semelhantes processos de propaganda comunista, em lingua portuguesa, inglesa ou indígena, junto dos indígenas de Moçambique que forem trabalhar para a União da Africa do Sul.
- (2) O Recrutamento de indígenas será feito unicamente ao Sul do Save, nas zonas que o Governador Geral de Moçambique indicar.

2. Em conformidade com a proposta de V.S^a., a Nota de V.S^a. desta data e a presente resposta, serão consideradas como constituindo um acôrdo formal entre os dois Governos, que terá efeito desde 8 de Junho de 1937.

Aproveito, &c.
A. O. SALAZAR.

(Translation.)

M. le Chargé d'Affaires, *Lisbon, October 27, 1937.*

With reference to the negotiations which have taken place between us regarding the extension of the agreement concerning the recruiting of Native Labour in Moçambique, recorded in the Exchange of Notes of the 11th, 14th, and 24th March, and the 8th June, 1936, and constituting an amendment of Article III of the Convention concluded between our two Governments on the 17th November, 1934, I have the honour to confirm and place on record that the Government of the Portuguese Republic and the Government of the Union of South Africa agree, without prejudice to Article II of the said Convention, to the extension of the said Agreement for the period of one year, subject to the following conditions :—

- (1) The Union Government undertake to adopt measures in order to prevent any activity of a Communist character, such as the distribution of newspapers, pamphlets and similar literature in the nature of Communist propaganda, whether

in the Portuguese, English or Native languages, among Moçambique natives who should go to work in the Union of South Africa;

- (2) Recruitment of Natives will be effected south of the Save only, within the zones indicated by the Governor-General of Moçambique.

2. In accordance with your proposal, your Note of this date and the present reply will be regarded as constituting a formal Agreement between the two Governments, with effect from the 8th June, 1937.

I avail, &c.

A. O. SALAZAR.