

N° 2868.

**UNION SUD-AFRICAINE
ET JAPON**

Echange de notes comportant un
arrangement relatif à l'immigration
japonaise dans l'Afrique du Sud.
Le Cap, le 16 octobre 1930.

**UNION OF SOUTH AFRICA
AND JAPAN**

Exchange of Notes constituting an
Arrangement concerning Japanese
Immigration into South-Africa.
Cape Town, October 16, 1930.

No. 2868. — EXCHANGE OF NOTES BETWEEN HIS MAJESTY'S GOVERNMENT IN THE UNION OF SOUTH AFRICA AND THE JAPANESE GOVERNMENT, CONSTITUTING AN ARRANGEMENT CONCERNING JAPANESE IMMIGRATION INTO SOUTH AFRICA. CAPE TOWN, OCTOBER 16, 1930.

*Texte officiel anglais communiqué par le ministre des Affaires étrangères de l'Union Sud-Africaine.
L'enregistrement de cet échange de notes a eu lieu le 30 décembre 1931.*

I.

CAPE TOWN, *October 16, 1930.*

SIR,

With reference to the correspondence which has passed between us in connection with the temporary admission of Japanese students, tourists and merchants to the Union of South Africa, I have the honour to inform you that I am now authorised to confirm, on behalf of His Majesty's Government in the Union of South Africa, the arrangement arrived at between that Government and the Japanese Government with regard thereto, which arrangement is fully set out hereunder :

(1) In order to assist the Union Government in giving effect to the terms of this understanding, the Japanese Government will arrange that passports for visiting the Union will not be issued to Japanese subjects other than those whose admission is recommended by the Japanese Government through the Consul for Japan under this understanding.

(2) The Union Government will make provision that no Japanese subject whose admission is recommended by the Consul for Japan in terms of this understanding will be served on arrival at a Union port with a notice declaring him to be a prohibited immigrant.

(3) The Union Government will cause to be issued to every person so recommended in terms of this understanding a temporary permit to enter the Union or one or more Provinces thereof subject to such conditions, prescribed by regulation, as may be set out in the permit.

(4) The Union Government will not insist upon a deposit being made by any such recommended person against the issue of a permit ; the Union Government shall, however, continue to levy on every such person the fee charged to all persons on the issue of temporary permits and which at present amounts to one pound.

¹ TRADUCTION. — TRANSLATION.

N^o 2868. — ÉCHANGE DE NOTES ENTRE LE GOUVERNEMENT DE SA MAJESTÉ DANS L'UNION SUD-AFRICAINE ET LE GOUVERNEMENT JAPONAIS, COMPORTANT UN ARRANGEMENT RELATIF A L'IMMIGRATION JAPONAISE DANS L'AFRIQUE DU SUD. LE CAP, LE 16 OCTOBRE 1930.

*English official text communicated by the Minister for External Affairs of the Union of South Africa.
The registration of this Exchange of Notes took place December 30, 1931.*

I.

LE CAP, le 16 octobre 1930.

MONSIEUR LE CONSUL,

Comme suite à la correspondance que nous avons échangée au sujet de l'admission temporaire d'étudiants, de touristes et de négociants japonais dans l'Union Sud-Africaine, j'ai l'honneur de vous informer que je suis maintenant autorisé à confirmer, au nom du Gouvernement de Sa Majesté dans l'Union Sud-Africaine l'arrangement conclu, à cet effet, entre ce gouvernement et le Gouvernement japonais et dont les dispositions sont intégralement reproduites ci-après :

1^o Afin d'aider le Gouvernement de l'Union à donner effet aux termes du présent accord, le Gouvernement japonais prendra toutes mesures utiles pour qu'il ne soit pas délivré de passeport, en vue d'un séjour dans l'Union, à des sujets japonais autres que ceux dont le Gouvernement japonais recommande l'admission par l'intermédiaire du consul du Japon, en vertu du présent accord.

2^o Le Gouvernement de l'Union prendra toutes dispositions utiles pour qu'aucun sujet japonais dont l'admission est recommandée par le consul du Japon, aux termes du présent accord, ne reçoive, à son arrivée dans un port de l'Union, un avis lui signifiant que l'accès du territoire lui est interdit.

3^o Le Gouvernement de l'Union fera délivrer à toute personne ainsi recommandée aux termes du présent accord un permis temporaire de séjour dans l'Union ou dans une ou plusieurs provinces de l'Union, moyennant les conditions, prescrites par voie de règlement, qui pourront être stipulées dans le permis.

4^o Le Gouvernement de l'Union n'exigera pas, de toute personne ainsi recommandée, le versement d'un dépôt contre remise du permis. Toutefois, le Gouvernement de l'Union continuera à percevoir de ces personnes la redevance imposée à chacun pour la délivrance de permis temporaires, et qui s'élève actuellement à la somme d'une livre sterling.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

(5) The Consul for Japan will recommend for admission in the Union under this arrangement Japanese subjects belonging exclusively to the following classes :

(1) Tourists.

(2) Persons visiting the Union solely for the purpose of study or scientific investigation.

(3) Wholesale merchants and buyers of South African products for export, as well as their respective staffs. It is understood that the number of persons recommended under this class will be restricted to a reasonable limit.

(4) The wives and children of any person admitted under paragraphs (1), (2) and (3).

(6) The permits issued under this understanding shall be for one year renewable from time to time on the recommendation of the Consul for Japan for a further period or periods each not exceeding one year.

(7) It is understood that :

(1) Any person who enters the Union under a permit as contemplated in this understanding shall not be entitled in consequence to reside in the Province of the Orange Free State or to settle in that Province for the purpose of trading or farming.

(2) Children born to any such person during such temporary domicile shall have no claim in consequence to Union nationality, birthright or domicile.

(3) No person falling under the provisions of paragraphs (d), (e), (f), (g) or (h) of sub-section (1) of section four of Act No. 22 of 1913 of the Union as amended, will either be recommended for admission or admitted to the Union.

(4) Whenever any Japanese subject who has been admitted to the Union under this arrangement fails to comply with the conditions of his temporary permit, the Japanese Government will, upon request to that effect being made by the Union Government to the Japanese Consul, arrange for his maintenance and removal from the Union without cost to the Union Government.

(5) This understanding shall not be construed so as to derogate from the right of the Union to administer and carry into effect the Immigrants' Regulation Act, 1913, the Quota Act, 1930, or any amendment of those measures and shall be subject to review at any time after two months' notice to that effect.

(8) This arrangement will commence on and be of full force and effect from the date of this note.

The present note and your reply in a similar sense will be regarded as giving validity to, and placing on record, the understanding between the respective Governments in the matter.

I have, etc.

(Signed) W. J. H. FARRELL,
Acting Secretary for External Affairs.

S. Yamasaki, Esq.,
Acting Consul for Japan,
Cape Town.

II.

IMPERIAL JAPANESE CONSULATE.

CAPE TOWN, *October 16, 1930.*

SIR,

I have the honour to acknowledge the receipt of your note of this day's date with reference to the correspondence which has passed between us in connection with the temporary admission of Japanese students, tourists and merchants to the Union of South Africa and to inform you that I am authorised to confirm, on behalf of the Japanese Government, as is contained in my letter of the October 4th, 1930, addressed to the Minister of External Affairs, the arrangement arrived at between that Government and the Government of the Union of South Africa with regard thereto, which arrangement is fully set out hereunder.

(1) In order to assist the Union Government in giving effect to the terms of this understanding, the Japanese Government will arrange that passports for visiting the Union will not be issued to Japanese subjects other than those whose admission is recommended by the Japanese Government through the Consul for Japan under this understanding.

(2) The Union Government will make provision that no Japanese subject whose admission is recommended by the Consul for Japan in terms of this understanding will be served on arrival at a Union port with a notice declaring him to be a prohibited immigrant.

(3) The Union Government will cause to be issued to every person so recommended in terms of this understanding a temporary permit to enter the Union or one or more Provinces thereof subject to such conditions, prescribed by regulation, as may be set out in the permit.

(4) The Union Government will not insist upon a deposit being made by any such recommended person against the issue of a permit; the Union Government shall, however, continue to levy on every such person the fee charged to all persons on the issue of temporary permits and which at present amounts to one pound.

(5) The Consul for Japan will recommend for admission in the Union under this arrangement Japanese subjects belonging exclusively to the following classes :

(1) Tourists.

(2) Persons visiting the Union solely for the purpose of study or scientific investigation.

(3) Wholesale merchants and buyers of South African produce for export, as well as their respective staffs. It is understood that the number of persons recommended under this class will be restricted to a reasonable limit.

(4) The wives and children of any person admitted under paragraphs (1), (2) and (3).

(6) The permits issued under this understanding shall be for one year renewable from time to time on the recommendation of the Consul for Japan for a further period or periods each not exceeding one year.

(7) It is understood that :

(1) Any person who enters the Union under a permit as contemplated in this understanding shall not be entitled in consequence to reside in the Province of the Orange Free State or to settle in that Province for the purpose of trading or farming.

(2) Children born to any such person during such temporary domicile shall have no claim in consequence to Union nationality, birthright or domicile.

(3) No person falling under the provisions of paragraphs (d), (e), (f), (g) or (h) of sub-section (1) of section four of Act No. 22 of 1913 of the Union as amended, will either be recommended for admission or admitted to the Union.

(4) Whenever any Japanese subject who has been admitted to the Union under this arrangement fails to comply with the conditions of his temporary permit, the Japanese Government will, upon request to that effect being made by the Union Government to the Japanese Consul, arrange for his maintenance and removal from the Union without cost to the Union Government.

(5) This understanding shall not be construed so as to derogate from the right of the Union to administer and carry into effect the Immigrants' Regulation Act, 1913, the Quota Act, 1930, or any amendment of those measures and shall be subject to review at any time after two months' notice to that effect.

(8) This arrangement will commence on and be of full force and effect from the date of this note.

I have, etc.

(Signed) S. YAMASAKI,
Acting Consul for Japan.

W. J. H. Farrell, Esq.
Acting Secretary for External Affairs,
Cape Town.

Certified a true copy :

(S.) H. D. J. Bodenstein.
Secretary for External Affairs.

Pretoria, 3rd December, 1931.
