PROPOSAL No. IV.

ADOPTED BY THE CO-ORDINATION COMMITTEE ON OCTOBER 19TH, 1935.

EMBARGO ON CERTAIN EXPORTS TO ITALY.

With a view to facilitating for the Governments of the Members of the League of Nations the execution of their obligations under Article 16 of the Covenant, the following measures should be taken:

1. The Governments of the Members of the League of Nations will extend the application of paragraph (2) of Proposal No. I of the Co-ordination Committee to the following articles as regards their exportation and re-exportation to Italy and Italian possessions, which will accordingly be prohibited:
   a) Horses, mules, donkeys, camels and all other transport animals;
   b) Rubber;
   c) Bauxite, aluminium and alumina (aluminium-oxide), iron ore and scrap iron;
   Chromium, manganese, nickel, titanium, tungsten, vanadium, their ores and ferro-alloys (and also ferro-molybdenum, terro-silicon, ferro-silico-manganese and ferro-silico-manganese-aluminium);
   Th and tin-ore.

List (c) above includes all crude forms of the minerals and metals mentioned and their ores, scrap and alloys.

2. The Governments of the Members of the League of Nations will take such steps as may be necessary to secure that the articles mentioned in paragraph (1) above exported to countries other than Italy or Italian possessions will not be re-exported directly or indirectly to Italy or to Italian possessions.

3. The measures provided for in paragraphs (1) and (2) above are to apply to contracts in course of execution.

4. Goods en route at the time of imposition of the prohibition will be excepted from its operation. In giving effect to this provision, Governments may, for convenience of administration, fix an appropriate date, having regard to the normal time necessary for transport to Italy or Italian possessions, after which goods will become subject to the prohibition.

Having regard to the importance of collective and, so far as possible, simultaneous action in regard to the measures recommended, each Government is requested to inform the Co-ordination Committee, through the Secretary-General, as soon as possible, and not later than October 28th, of the date on which it could be ready to bring these measures into operation. The Committee of Co-ordination will meet on October 31st for the purpose of fixing, in the light of the replies received, the date of the coming into force of the said measures.

The attention of the Co-ordination Committee has been drawn to the possible extension of the above proposal to a certain number of other articles. It entrusts the Committee of Eighteen with the task of making any suitable proposals to Governments on this subject.

Annex.

REPORT SUBMITTED BY THE LEGAL SUB-COMMITTEE ON THE APPLICATION OF SANCTIONS AND PRIVATE CONTRACTS, COMMERCIAL TREATIES AND TREATIES OF FRIENDSHIP AND NON-AGGRESSION.

PROPOSALS Nos. III (PROHIBITION OF IMPORTATION OF ITALIAN GOODS) AND IV (EMBARGO ON CERTAIN EXPORTS TO ITALY).

RESOLUTION ADOPTED BY THE CO-ORDINATION COMMITTEE ON NOVEMBER 2ND, 1935.

The Co-ordination Committee,

Taking note of the facts:

1 That forty-three Governments of States Members of the League have already expressed their willingness to accept Proposal No. III and forty-four Proposal No. IV adopted by the Committee on October 19th, and that six others which, owing to their distance from the seat of the League, did not immediately receive the full text of these proposals have expressed their readiness to consider them favourably;

1 See Official Journal, Special Supplement No. 145, pages 24, 78, 87, 100 and 112.
2 See page 5.
3 See Official Journal, Special Supplement No. 146, pages 8 and 45.
(2) That nearly all these Governments have declared themselves ready to put the proposed measures into force by the middle of November or by such date as may be fixed by the Co-ordination Committee:

Decides to fix November 18th as the date for the entry into force of these measures;

Invites all Governments of Members of the League to take the necessary steps so that these measures may be effectively applied throughout their territories by November 18th;

Requests each Government to inform the Committee through the Secretary-General of the League, within the shortest possible time, of the measures which it has taken in conformity with the above provisions.

PROPOSAL No. IV A.

ADOPTED BY THE COMMITTEE OF EIGHTEEN ON NOVEMBER 6TH, 1935.¹

EXTENSION OF THE EMBARGO ON CERTAIN EXPORTS TO ITALY.

In the execution of the mission entrusted to it under the last paragraph of Proposal No. IV, the Committee of Eighteen submits to Governments the following proposal:

It is expedient that the measures of embargo provided for in Proposal No. IV should be extended to the following articles as soon as the conditions necessary to render this extension effective have been realised:

- Petroleum and its derivatives, by-products and residues;
- Pig-iron; iron and steel (including alloy steels), cast, forged, rolled, drawn, stamped or pressed;
- Coal (including anthracite and lignite), coke and their agglomerates, as well as fuels derived therefrom.

If the replies received by the Committee to the present proposal and the information at its disposal warrant it, the Committee of Eighteen will propose to Governments a date for bringing into force the measures mentioned above.

PROPOSAL No. IV B.

ADOPTED BY THE COMMITTEE OF EIGHTEEN ON NOVEMBER 6TH, 1935.²

INDIRECT SUPPLY.

The Committee of Eighteen,

Entrusted by the Co-ordination Committee with the task of following the execution of the proposals submitted to Governments and empowered to make such new proposals as it may think desirable, is of opinion that the following measures should be taken:

In order to render effective the provisions of point 2 of Proposal No. IV, Governments represented on the Co-ordination Committee will take, as regards the export of prohibited products, such measures as are necessary to verify, by all means in their power, the destination of such products.

Those Governments which do not immediately restrict their exports of these articles will keep under constant review the volume and direction of such export. In the event of an abnormal increase in this export, they will immediately take such steps as may be necessary to prevent supplies reaching Italy or Italian possessions by indirect routes.

Each Government is requested to inform the Co-ordination Committee, through the Secretary-General of the League, within the shortest possible time, of the measures which it has taken in conformity with the above provisions.

¹ See Official Journal, Special Supplement No. 146, pages 46, 61 and 68.
² See Official Journal, Special Supplement No. 146, pages 47, 64 and 75.
PROPOSAL No. V.

ADOPTED BY THE CO-ORDINATION COMMITTEE ON OCTOBER 19TH, 1935.\(^1\)

ORGANISATION OF MUTUAL SUPPORT.

The Co-ordination Committee draws the special attention of all Governments to their obligations under paragraph 3 of Article 16 of the Covenant, according to which the Members of the League undertake mutually to support one another in the application of the economic and financial measures taken under this article.

I. With a view to carrying these obligations into effect, the Governments of the Members of the League of Nations will:

(a) Adopt immediately measures to assure that no action taken as a result of Article 16 will deprive any country applying sanctions of such advantages as the commercial agreements concluded by the participating States with Italy afforded it through the operation of the most-favoured-nation clause;

(b) Take appropriate steps with a view to replacing, within the limits of the requirements of their respective countries, imports from Italy by the import of similar products from the participating States;

(c) Be willing, after the application of economic sanctions, to enter into negotiations with any participating country which has sustained a loss, with a view to increasing the sale of goods so as to offset any loss of Italian markets which the application of sanctions may have involved;

(d) In cases in which they have suffered no loss in respect of any given commodity, abstain from demanding the application of any most-favoured-nation clause in the case of any privileges granted under paragraphs (b) and (c) in respect of that commodity.

II. With the above objects, the Governments will, if necessary with the assistance of the Committee of Eighteen, study, in particular, the possibility of adopting, within the limits of their existing obligations, and taking into consideration the annexed opinion of the Legal Sub-Committee of the Co-ordination Committee, the following measures:

(i) The increase by all appropriate measures of their imports in favour of such countries as may have suffered loss of Italian markets on account of the application of sanctions;

(ii) In order to facilitate this increase, the taking into consideration of the obligations of mutual support and of the advantages which the trade of certain States Members of the League of Nations, not participating in the sanctions, would obtain from the application of these sanctions, in order to reduce, by every appropriate means and to an equitable degree, imports coming from these countries;

(iii) The promotion, by all means in their power, of business relations between firms interested in the sale of goods in Italian markets which have been lost owing to the application of sanctions and firms normally importing such goods;

(iv) Assistance generally in the organisation of the international marketing of goods with a view to offsetting any loss of Italian markets which the application of sanctions may have involved.

They will also examine, under the same conditions, the possibility of financial or other measures to supplement the commercial measures, in so far as these latter may not ensure sufficient international mutual support.

III. The Co-ordination Committee requests the Committee of Eighteen to afford, if necessary, to the Governments concerned the assistance contemplated at the beginning of Part II of the present proposal.

Annex.

REPORT SUBMITTED BY THE LEGAL SUB-COMMITTEE ON THE APPLICATION OF THE MOST-FAVOURED-NATION CLAUSE.

\(^1\) See Official Journal, Special Supplement No. 145, pages 25, 70 and 132.
The Sub-Committee is of the following opinion:

The most-favoured-nation clause cannot give a right to continued enjoyment of the advantages in question, since application of most-favoured-nation treatment depends upon the existence of a particular state of things. It is, nevertheless, in conformity with the spirit of Article 16, paragraph 3, of the Covenant, that the advantages should continue to be accorded independently of the most-favoured-nation clause, for one could hardly conceive that the States participating in the sanctions, which are under an obligation to support one another mutually, should proceed to render their economic relations with one another more difficult than before.

The Sub-Committee considers that this view might advantageously be expressed in the proposal dealing with economic sanctions by the insertion therein of a provision to the following effect:

"States participating in the sanctions which, in virtue of most-favoured-nation treatment, have up to the present been obtaining from other participating States advantages or benefits accorded by the latter to Italy, of which Italy will be temporarily deprived through the application of sanctions, will continue to enjoy such advantages and concessions on the new ground of the mutual support which the Members of the League of Nations are bound to afford one another under Article 16, paragraph 3, of the Covenant."

2. The Legal Sub-Committee has been asked to advise whether it is legally maintainable that countries entitled to the benefit of the most-favoured-nation clause would nevertheless not be justified in claiming for themselves the advantages of preferential treatment accorded, temporarily and for the duration of the sanctions only, by one of the participating States to the goods of another participating State whose exports had been specially restricted as the result of the sanctions.

The Sub-Committee is of the following opinion:

The most-favoured-nation clause would not justify the extension of the advantages in question to third States. The reasons are, first, that such advantages would have an exceptional as well as a temporary character and would be the consequence of a special obligation existing between the States concerned in virtue of Article 16, paragraph 3, of the Covenant of the League of Nations, and, secondly, that the most-favoured-nation clause is a provision peculiar to commercial treaties, which are the treaties in which it is found, and, accordingly, is one which must be interpreted as not contemplating economic relations of so exceptional a nature as those which are here under consideration.

* * *

REPORT BY THE LEGAL SUB-COMMITTEE ON THE APPLICATION OF SANCTIONS AND INTERNATIONAL CONVENTIONS CONCERNING FREEDOM OF COMMUNICATIONS.

The Legal Sub-Committee has been asked to advise upon the following question:

"Do Conventions concluded with States not Members of the League of Nations, which contain provisions for freedom of communications, prevent the Members of the League from taking such measures of interruption or control of transit as may be necessary for the application of Article 16 of the Covenant?"

The Sub-Committee is of opinion that, in the contemplated case, the Members of the League may, at least if the Conventions are anterior to the Covenant, find themselves faced with two conflicting obligations, one towards the League of Nations and flowing from Article 16 of the Covenant and the other towards a non-member State which is a party to the Conventions in question.

The force and effect of the latter obligation is not a matter which the League of Nations has to appreciate. But so far as it is concerned, the League is entitled to hold that no individual Member can release itself from the obligations which result from Article 16 of the Covenant by invoking obligations assumed towards a country not belonging to the League.
II.

LETTERS FROM THE SECRETARY-GENERAL TO THE GOVERNMENTS OF STATES MEMBERS OF THE CO-ORDINATION COMMITTEE, TRANSMITTING THE PROPOSALS, DECISIONS AND RESOLUTIONS ADOPTED BY THE CO-ORDINATION COMMITTEE AND THE COMMITTEE OF EIGHTEEN.

C.L.157.1935.


The Secretary-General of the League of Nations has the honour to transmit herewith Proposal No. I, adopted unanimously on October 11th, 1935, by the Co-ordination Committee, the delegate of Hungary abstaining.

With reference to the desire expressed that each Government should inform the Committee through the Secretary-General of the League, within the shortest possible time, of the measures which it has taken in conformity with the provisions of this proposal, it would be a convenience to the Committee if each Government would send the actual text of the laws, decrees, proclamations or other instruments embodying such measures or putting them into force.

C.L.159.1935.

2. LETTER, DATED OCTOBER 15TH, 1935, TRANSMITTING:

(a) THE DECLARATION ADOPTED BY THE CO-ORDINATION COMMITTEE ON OCTOBER 14TH, 1935, CONCERNING MUTUAL SUPPORT.

(b) PROPOSAL No. II (FINANCIAL MEASURES), ADOPTED BY THE CO-ORDINATION COMMITTEE ON OCTOBER 14TH, 1935.

The Secretary-General of the League of Nations has the honour to transmit herewith:

(a) The declaration made on October 14th, 1935, unanimously, by the Co-ordination Committee as regards the mutual support which the Governments of the Members of the League of Nations will give one another in the application of the economic and financial measures to be taken in accordance with Article 16 of the Covenant;

(b) Proposal No. II (Financial Measures), unanimously adopted on the same day by the Co-ordination Committee.

As regards Proposal No. II, the Secretary-General has the honour to draw attention to the fact that, in the opinion of the Committee, the provisions mentioned in the said resolution do not apply to institutions having a humanitarian object.

With reference to the desire expressed in the last paragraph of Proposal No. II that each Government should inform the Committee through the Secretary-General of the League within the shortest possible time of the measures which it has taken in conformity with the provisions of this proposal, it would be a convenience to the Committee if each Government would send the actual text of the laws, decrees, proclamations or other instruments embodying such measures or putting them into force.

C.L.163.1935.


The Secretary-General of the League of Nations has the honour to circulate herewith the resolution unanimously adopted on October 16th, 1935, by the Co-ordination Committee, reminding the Governments that they are under a duty to take the necessary steps to enable them to carry out with all requisite rapidity the obligations which flow from Article 16 of the Covenant.

1 See pages 2 and 3.
2 See page 1.
3 See page 4.
4 See page 1.

1. The Secretary-General of the League of Nations has the honour to circulate herewith Proposal No. I A, adopted unanimously on October 16th, 1935 ¹, by the Co-ordination Committee with the abstention of the Hungarian delegate.

2. The object of this proposal is to substitute a fresh list, completed and recast by the Sub-Committee of Experts, for the list attached to Proposal No. I which formed the subject of Circular Letter 157.1935, as contemplated when that list was adopted.

3. The Secretary-General avails himself of this opportunity to draw attention to the desire expressed in the preceding circular that each Government should communicate to the Co-ordination Committee, through the Secretary-General of the League of Nations, the text of any laws, decrees, proclamations and other instruments formulating or enforcing the measures envisaged in the proposal of the Committee. It would be desirable that these texts should be accompanied by a summary of their main provisions in French or English.

5. LETTER, DATED OCTOBER 20TH, 1935, TRANSMITTING:

(a) PROPOSAL No. III (PROHIBITION OF THE IMPORT OF ITALIAN GOODS);
(b) PROPOSAL No. IV (EMBARGO ON CERTAIN EXPORTS TO ITALY);
(c) PROPOSAL No. V (ORGANISATION OF MUTUAL SUPPORT)

ADOPTED BY THE CO-ORDINATION COMMITTEE ON OCTOBER 19TH, 1935.

1. The Secretary-General of the League of Nations has the honour to communicate herewith the three proposals which were unanimously adopted by the Co-ordination Committee on October 19th, 1935 (the delegates of Albania, Austria and Hungary abstaining), together with a resolution requesting the Committee of Eighteen to follow the execution of these proposals and the text of a letter approved by the Co-ordination Committee which its President will address to States not Members of the League.

The proposals are:

(a) Proposal No. III (Prohibition of the Import of Italian Goods) ²;
(b) Proposal No. IV (Embargo on Certain Exports to Italy) ³;
(c) Proposal No. V (Organisation of Mutual Support) ⁴.

2. The Secretary-General desires to call special attention to the passage in Proposals Nos. III and IV requesting each Government to inform the Co-ordination Committee through him, as soon as possible, and not later than October 28th, 1935, of the date on which it could be ready to bring into operation the measures provided for in Proposals Nos. III and IV.

3. The Secretary-General avails himself of this opportunity to draw attention to the desire already expressed in the preceding circulars that each Government should communicate to the Co-ordination Committee, through the Secretary-General of the League of Nations, the text of any laws, decrees, proclamations and other instruments formulating or enforcing the measures envisaged in the proposals of the Committee. It would be desirable that these texts should be accompanied by a summary of their main provisions in French or English.

6. LETTER, DATED NOVEMBER 4TH, 1935, TRANSMITTING RESOLUTIONS ADOPTED BY THE CO-ORDINATION COMMITTEE ON NOVEMBER 2ND, 1935, CONCERNING:

(a) PROPOSAL No. II (FINANCIAL MEASURES) ⁶;
(b) PROPOSALS NOS. III (PROHIBITION OF IMPORTATION OF ITALIAN GOODS) AND IV (EMBARGO ON CERTAIN EXPORTS TO ITALY). ⁷

The Secretary-General of the League of Nations has the honour to transmit herewith the text of the decisions and resolutions adopted by the Co-ordination Committee on November 2nd (document Co-ordination Committee/89) concerning the application of the measures contemplated in the proposals formulated by it at its previous session (document Co-ordination Committee/40).

¹ See page 3.
² See page 6.
³ See page 9.
⁴ See page 4.
⁵ See page 4.
⁶ See page 4.
⁷ See page 9.
The Secretary-General begs to point out that the entry into force of the measures contemplated in Proposals Nos. III and IV has been fixed for November 18th and that Proposal No. II should be given full legal effect by or before November 18th.

He avails himself of this opportunity of drawing attention to the desire already expressed in the preceding circulars regarding the proposals of the Co-ordination Committee that each Government should communicate to the Co-ordination Committee, through him, the text of any laws, decrees, proclamations and other instruments formulating or putting into force the measures contained in the Committee's proposals. It would be desirable that these texts should be accompanied by a summary of their main provisions in French and English.
III.

REPLIES FROM GOVERNMENTS OF STATES MEMBERS OF THE LEAGUE OF NATIONS CONCERNING THE MEASURES TAKEN IN CONFORMITY WITH THE PROVISIONS OF THE PROPOSALS, DECISIONS AND RESOLUTIONS ADOPTED BY THE CO-ORDINATION COMMITTEE AND THE COMMITTEE OF EIGHTEEN.

AFGHANISTAN.

Co-ordination Committee/59(a).

PROPOSALS Nos. I AND II.

1. LETTER, DATED OCTOBER 28TH, 1935, FROM THE DELEGATION OF AFGHANISTAN ACCREDITED TO THE LEAGUE OF NATIONS TO THE SECRETARY-GENERAL.

[Translation.]

In accordance with telegraphic instructions received from the Ministry for Foreign Affairs, I have the honour to inform you that Proposals Nos. I (Implements of War) and II (Financial Measures) of the Co-ordination Committee have been accepted by the Government of His Majesty the King of Afghanistan, and that the necessary steps will be taken to put them into effect.

With reference to proposal No. I, I should point out that Afghanistan does not export arms, munitions and implements of war.

(Signed) Mohamed Omer Khan.

Co-ordination Committee/59.

PROPOSALS Nos. I, II, III, IV AND V.

2. TELEGRAM, DATED OCTOBER 29TH, 1935, FROM THE MINISTER FOR FOREIGN AFFAIRS OF AFGHANISTAN TO THE SECRETARY-GENERAL.

[Translation.]

In reply to your telegram and in order to supplement the information for the session of October 31st, I have the honour to inform you that the Government of Afghanistan respects the Covenant of the League and has no objection to any decision that may be accepted by the majority of the Members of the League.—Faiz Mohammad.

Co-ordination Committee/59(b).

PROPOSALS Nos. I, II, III AND IV.

3. LETTER, DATED NOVEMBER 27TH, 1935, FROM THE HEAD OF THE PERMANENT DELEGATION OF AFGHANISTAN TO THE SECRETARY-GENERAL.

As the Chief Permanent Afghan Delegate to the League of Nations, I am telegraphically instructed by my Government to inform you that, in reference to documents Nos. 59 and 59(a) of the Co-ordination Committee, the Proposals Nos. I, II, III and IV regarding sanctions—in relation to the Italo-Ethiopian dispute—are in operation in Afghanistan as from November 18th, 1935.

(Signed) Ali Mohammad.

Co-ordination Committee/59(c).

PROPOSALS Nos. I, II, III, IV AND V.

4. LETTER, DATED MARCH 17TH, 1936, FROM THE DELEGATION OF AFGHANISTAN TO THE CHAIRMAN OF THE CO-ORDINATION COMMITTEE.

[Translation]

I have the honour to inform you that I have just received from our Government, by letters Nos. 1047 and 1827, instructions to convey the following to the Co-ordination Committee:

The Council of Ministers of Afghanistan, which met on January 5th to discuss Proposals Nos. I, II, III, IV and V of the Co-ordination Committee, put forward in application of Article 16

1 See Official Journal, Special Supplement No. 146.
2 See above.
of the Covenant, ratified its acceptance of those proposals (which in practice had already been
applied in our country, as previously stated) by Decree of our Prime Minister, reading as follows:

"The Council of Ministers accepts the five proposals of the Co-ordination Committee
concerning the dispute between Italy and Ethiopia and accordingly instructs you to see
that the measures taken in this connection are duly applied."

This Decree was sent, likewise on January 5th (djadi 13th, 1314), to the War Ministry under
No. 2168, to the Ministry of Commerce under No. 2170 and to the Ministry of Finance under
No. 2169.

As regards Proposal No. I, Afghanistan has never exported arms and implements of war,
nor is she doing so at present.

As regards Proposal No. II, the Government of Afghanistan has instructed the Ministry of
Finance to notify the Afghan National Bank that no further banking business is to be done with
Italy.¹

With reference to Proposal No. III, the Government of Afghanistan has instructed the
Ministry of Commerce to suspend all imports from Italy. Moreover, all foreign trade is conducted
through the only two available channels, India and the Union of Soviet Socialist Republics, which
are both sanctionist countries.

As regards the application of Proposal No. IV, the Government of Afghanistan has taken
strict measures to prevent the articles mentioned in this proposal from being despatched to Italy.

(Signed) Mohamed OMER.

Co-ordination Committee/59(d).

PROPOSAL No. II A.

5. LETTER, DATED APRIL 30TH, 1936, FROM THE AFGHAN MINISTER IN LONDON AND CHIEF
PERMANENT AFGHAN DELEGATE TO THE LEAGUE OF NATIONS TO THE SECRETARY-GENERAL.

I have the honour to say, in regard to the proposal of the Committee of Eighteen, Proposal
No. II (Article No. 4) and Proposal No. III, as contained in the document No. 1, dated
November 6th, 1935, in respect of Clearing, that Afghanistan, so far, has no commercial or banking
dealings with Italy, and, therefore, quite obviously is unable to make any observations with
regard to the matter referred to above.

(Signed) Ali MOHAMMAD.

UNION OF SOUTH AFRICA.

Co-ordination Committee/43.

PROPOSALS Nos. I, II, III, IV AND V.

1. LETTER, DATED OCTOBER 23RD, 1935, FROM THE ACTING ACCREDITED REPRESENTATIVE OF
THE UNION OF SOUTH AFRICA TO THE SECRETARY-GENERAL.

I have the honour to inform you that, with reference to the dispute between Ethiopia and
Italy, the Government of the Union of South Africa have accepted the proposals recommended
by the Co-ordination Committee, and are now preparing the necessary steps for their application.

My Government anticipate that Proposals Nos. I and II will be put into operation within
the course of this week or early next week, and that Proposals Nos. III, IV and V will also be ready
to be applied upon such dates as may be fixed by the Co-ordination Committee.

(Signed) H. T. ANDREWS.

Co-ordination Committee/43(a).

PROPOSALS Nos. I AND II.

2. LETTER, DATED OCTOBER 31ST, 1935, FROM THE ACTING ACCREDITED REPRESENTATIVE OF
THE UNION OF SOUTH AFRICA TO THE SECRETARY-GENERAL.

With further reference to my letter of the 23rd instant, in which I had the honour to inform
you of the acceptance by the Government of the Union of South Africa of the proposals recom-

¹ As regards banking business, the Afghan National Bank alone is entitled to deal with foreign countries,
in virtue of the Government's authorisation.
mended by the Co-ordination Committee, I have been instructed by my Government to advise you that a Proclamation, giving effect to Proposal No. I (Arms Embargo) and Proposal No. II (Financial Measures) will come into force to-day, October 31st, 1935.

Copies of the Proclamation are being transmitted by air-mail, and, as soon as these arrive, I shall not fail to forward them to you without delay.

(Signed) H. T. ANDREWS.

Co-ordination Committee/82(i).

PROPOSAL No. II A.

3. LETTER, DATED NOVEMBER 4TH, 1935, FROM THE ACTING ACCREDITED REPRESENTATIVE OF THE UNION OF SOUTH AFRICA TO THE SECRETARY-GENERAL.

With reference to the enquiry of November 1st, 1935, of the Chairman of the Co-ordination Committee, I have the honour to inform you that the Government of the Union of South Africa have no clearing, or other equivalent, agreement with Italy.

(Signed) H. T. ANDREWS.

Co-ordination Committee/43(b).

PROPOSALS Nos. I AND II.


With further reference to my letter of October 31st, 1 in which I had the honour to inform you that the Government of the Union of South Africa had issued a Proclamation giving effect to Proposal No. I (Arms Embargo) and Proposal No. II (Financial Measures), which were to come into force on October 31st, 1935, I am forwarding herewith, on the instructions of my Government, two copies of the Union of South Africa Government Gazette of October 30th, 1935, containing the aforesaid Proclamation.

(Signed) H. T. ANDREWS.


By His Excellency the Right Honourable Sir Johannes Wilhelmus Wessels, a Member of His Majesty's Most Honourable Privy Council, Officer Administering the Government of the Union of South Africa.

Whereas it has been ascertained that Italy has resorted to war against Abyssinia in breach of her undertakings under Article 12 of the Covenant of the League of Nations;

And whereas it is deemed expedient to take certain measures in fulfilment of the obligations incumbent on the Union in virtue of Article 16 of the Covenant aforesaid;

Now, therefore, under and by virtue of the powers vested in the Governor-General and at present exercised by me, under Section one of the Treaty of Peace and South West Africa Mandate Act, 1919 (Act No. 49 of 1919), I do hereby declare, proclaim and make known as follows:

1. (i) Any person who, directly or indirectly, exports or re-exports from the Union, or transships within the Union for the purpose of export to Italy or any Italian possession, any of the arms, munitions and implements of war enumerated in the Schedule to this Proclamation, or transmits or knowingly conveys or knowingly allows the transit or conveyance of any such goods through the Union to Italy or an Italian possession, shall be guilty of an offence.

(ii) No goods of the nature mentioned in Sub-section (i) of this section shall be loaded in the Union for export unless the bill of lading definitely states the port or ports of discharge.

2. (i) Any person shall be guilty of an offence under this Proclamation who, whether directly or through an intermediary of whatsoever nationality,

(a) Lends money to or for, or

(b) Subscribes to any loan, issued in Italy or elsewhere, by or for, or

(c) Accords banking or other credits, or continues to give execution, by advance, overdraft or otherwise, to an existing contract to lend directly or indirectly, to or for, or

(d) Issues shares or other capital flotations for, or

(e) Subscribes to any issue of shares or other capital flotations issued in Italy or elsewhere, for the Italian Government or any person, corporation, or public authority, in Italian territory.

1 See communication No. 2, page 17.
(ii) The provisions of Sub-section (i) of Section 2 shall not apply to payments made to religious institutions or to institutions having a humanitarian object.

3. Any person found guilty of the commission of, or of an attempt to commit, an offence under this Proclamation shall be liable to a fine not exceeding one thousand pounds or imprisonment not exceeding one year or to both such fine and imprisonment.

4. For the purposes of this Proclamation the mandated territory of South West Africa shall be deemed to form part of the Union.

5. This Proclamation shall come into force on the thirty-first day of October, 1935.

Given under my hand and the Great Seal of the Union of South Africa at Pretoria on this the thirtieth day of October One thousand nine hundred and thirty-five.

(Signed) J. W. WESSELS,
Officer administering the Government.

By Command of His Excellency the Officer administering the Government-in-Council:

(Signed) J. C. SMUTS.

SCHEDULE.

Category 1.

(1) Rifles, carbines and their barrels.
(2) Machine-guns, automatic rifles and machine-pistols of all calibres and their barrels.
(3) Guns, howitzers and mortars of all calibres, their mountings, barrels and recoil mechanisms.
(4) Ammunition for the arms enumerated under (1) and (2) above; filled and unfilled projectiles for the arms enumerated under (3) above, and prepared propellant charges for these arms.
(5) Grenades, bombs, torpedoes and mines, filled or unfilled, and apparatus for their use or discharge.
(6) Tanks, armoured vehicles and armoured trains. Armour-plate of all kinds.

Category 2.

Vessels of war of all kinds, including aircraft-carriers and submarines.

Category 3.

(1) Aircraft, assembled or dismantled, both heavier and lighter than air and their propellers or air-screws, fuselages, aerial-gun mounts and frames, hulls, tail units and under-carriage units.
(2) Aircraft engines.

Category 4.

Revolvers and automatic pistols of a weight in excess of 1 lb 6 oz. (630 grammes) and ammunition therefor.

Category 5.

(1) Flame-throwers and all other projectors used for chemical or incendiary warfare.
(2) Mustard gas, lewisite, ethylidichlorarsine, methylidichlorarsine and all other products destined for chemical or incendiary warfare.
(3) Powder for war purposes and explosives.

Co-ordination Committee/43(c).

PROPOSALS Nos. III, III A AND IV.

5. LETTER, DATED NOVEMBER 15TH, 1935, FROM THE ACTING ACCREDITATED REPRESENTATIVE OF THE UNION OF SOUTH AFRICA TO THE SECRETARY-GENERAL.

With further reference to my letter of October 23rd,1 in which I informed you that the Government of the Union of South Africa had accepted the proposals recommended by the Co-ordination Committee, I have the honour to state, on the instructions of my Government, that, in addition to the Proclamation of October 30th, 1935,2 whereby Proposal No. I (Arms Embargo) and Proposal No. II (Financial Measures) were put into operation, a further two Proclamations will be published in the Government Gazette on November 15th, giving effect to Proposals Nos. III and III A (Prohibition of Importation of Italian Goods), and Proposal No. IV (Embargo on Certain Exports to Italy).

I am also directed to state that, with regard to the decision taken by the Co-ordination Committee on November 2nd3, that, as an exception to Proposal No. III, contracts for which

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1 See Communication No. 1, page 17.
2 See Communication No. 4, page 18.
3 See page 7.
payment had been made in full by October 19th, 1935, might be executed, the Union Government have felt it necessary to extend the date to November 14th, in view of the geographical factor, lack of suitable shipping facilities and other general considerations.

Copies of the Proclamations are being forwarded by air-mail, and I shall not fail to transmit them to you upon arrival.

(Signed) H. T. ANDREWS.

Co-ordination Committee/43(d).

PROPOSALS Nos. III, III A, IV AND IV B.

6. LETTER, DATED NOVEMBER 29TH, 1935, FROM THE ACTING ACCREDITED REPRESENTATIVE OF THE UNION OF SOUTH AFRICA TO THE SECRETARY-GENERAL.

With further reference to my letter of the 15th instant, in which I had the honour to inform you, on the instruction of the Government of the Union of South Africa, that two Proclamations were being published on November 15th, giving effect to Proposals Nos. III and III A (Prohibition of Import of Italian Goods) and Proposal IV (Embargo on Certain Exports to Italy), I am forwarding herewith two copies of the Proclamations in question for your record.

(Signed) H. T. ANDREWS.


By His Excellency the Right Honourable Sir Johannes Wilhelmus Wessels, a member of His Majesty's Most Honourable Privy Council, Officer administering the Government of the Union of South Africa.

Whereas it is deemed expedient to take further measures in fulfilment of the obligations incumbent on the Union in virtue of Article 16 of the Covenant of the League of Nations;

Now, therefore, under and by virtue of the powers vested in the Governor-General and at present exercised by me, under Section one of the Treaty of Peace and South West Africa Mandate Act, 1919 (Act No. 49 of 1919), I do hereby declare, proclaim and make known as follows:

1. (1) As from the eighteenth day of November, 1935, the importation into the Union of all goods (other than gold or silver, bullion and coin), consigned from, or grown, produced or manufactured in, Italy or Italian possessions, from whatever place arriving, is hereby prohibited;

   Provided that, subject to the production of such evidence as the Commissioner of Customs may require for ensuring that the provisions of this section are not evaded, this section shall not apply:

   (a) To goods which had, before the date aforesaid, left the place from which they were last consigned; or

   (b) To goods imported for exportation after transit through the Union or by way of transhipment; or

   (c) To goods bought and paid for in full on or before the date of this proclamation; or

   (d) To goods being the bona fide personal belongings of travellers from Italy or Italian possessions; or

   (e) To books, newspapers, periodicals, maps, cartographical productions and printed or engraved music.

2. Goods grown or produced in Italy or Italian possessions which have been subjected to some process in another country, and goods manufactured partly in Italy or Italian possessions and partly in another country, shall be deemed to fall within the scope of the above prohibition, unless it is proved to the satisfaction of the Commissioner of Customs that 25 % or more of the value of the goods at the time when they left the place from which they were last consigned is attributable to processes undergone since the goods last left Italy or Italian possessions.

3. For the purposes of this Proclamation, the mandated territory of South West Africa shall be deemed to form part of the Union.

1 See Communication No. 5, page 1r.
God Save the King!

Given under my hand and the Great Seal of the Union of South Africa at Pretoria on this the fourteenth day of November One thousand nine hundred and thirty-five.

(Signed) J. W. WESSELS,
Officer administering the Government.

By Command of His Excellency the Officer administering the Government-in-Council:

(Signed) J. B. M. HERZOG.


Whereas it is deemed expedient to take further measures in fulfilment of the obligations incumbent on the Union under Article 16 of the Covenant of the League of Nations;

Now, therefore, under and by virtue of the powers vested in the Governor-General and at present exercised by me, under Section one of the Treaty of Peace and South West Africa Mandate Act, 1919 (Act No. 49 of 1919), I do hereby declare, proclaim and make known as follows:

1. The provisions of Sections 1, 3 and 4 of Proclamation No. 219 of the thirtieth day of October, 1935¹, issued by the Officer Administering the Government of the Union, shall also apply to the exportation and re-exportation from the Union of the following goods, to wit:
   
   (a) Horses, mules, donkeys, camels and all other transport animals;
   (b) Rubber, raw, latex, raw crèpe, waste and reclaimed;
   (c) Bauxite, aluminium and alumina (aluminium oxide), iron-ore and scrap-iron; chromium, manganese, nickel, titanium, tungsten, vanadium, their ores and ferro-alloys; ferro-molybdenum, ferro-silicon, ferro-silico-manganese and ferro-silico-manganese-aluminium; tin and tin-ore, inclusive of all crude forms of the minerals and metals enumerated above and of their ores, scrap and alloys;

   as though they were arms, munitions or implements of war enumerated in the schedule to that Proclamation:

   Provided that, subject to the production of such evidence as the Commissioner of Customs may require for ensuring that the provisions of this section are not evaded, this section shall not apply to goods of any of the descriptions set out above which are exported after transit through the Union or by way of transhipment.

2. Goods of the descriptions set out in Section 1 of this Proclamation which are en route at the time this Proclamation comes into force shall be excepted from its operation.

3. (1) No goods of the descriptions set out in Section 1 of this Proclamation shall be laden for export unless a bill of entry has first been delivered to the proper officer of Customs.

   (2) The exporter of any goods the exportation of which from the Union to Italy or Italian possessions was, at the time of the exportation thereof, prohibited by this Proclamation or by any other Proclamation issued under the powers vested in the Governor-General by Section one of the Treaty of Peace and South West Africa Mandate Act, 1919 (Act No. 49 of 1919), may be required by the Commissioner of Customs to produce evidence to his satisfaction that the goods have not reached Italian territory; and, if he fails to produce such evidence, he shall be liable to a penalty of treble the value of the goods or of a sum not exceeding three hundred pounds, at the election of the Commissioner, to be recovered under the provisions of Chapter VIII of the Customs Management Act, 1913 (Act No. 9 of 1913), unless he proves that he did not consent to or connive at the goods reaching such territory and took all reasonable steps to ensure that the final destination of the goods was that specified in the Customs documents relating to the shipment thereof.

   (3) If the Commissioner of Customs has reason to suspect that any declaration made in the course of making entry before lading by any person in connection with the exportation of any goods of any description set out in Section 1 of this Proclamation is untrue in any material particular, the Commissioner may cause the goods to be detained pending the production to him of proof to his satisfaction of the truth of the declaration; and, if such proof is not produced to him within a period fixed by him, the goods shall be seized as forfeited and be dealt with under the provisions of Chapter VIII of the Customs Management Act, 1913 (Act No. 9 of 1913).

   (4) Sub-section (ii) of Section 2 of the said Proclamation No. 219 of the thirtieth day of October is hereby deleted and the following sub-section substituted therefor:

   “The provisions of Sub-section (i) shall not apply to payments made to any institution which is certified by the Secretary for Finance to have a humanitarian or religious object.”

1 See page 18.
(5) For the purposes of this Proclamation, the Union includes the mandated territory of South West Africa.

(6) This Proclamation shall come into operation on the eighteenth day of November, one thousand nine hundred and thirty-five.

God Save the King!

Given under my hand and the Great Seal of the Union of South Africa at Pretoria on this the fourteenth day of November One thousand nine hundred and thirty-five.

(Signed) J. W. WESSELS,
Officer administering the Government.

By Command of His Excellency the Officer administering the Government-in-Council:
(Signed) J. B. M. HERTZOG.

Co-ordination Committee/43(e).

PROPOSAL No. IV B.

7. LETTER, DATED DECEMBER 3RD, 1935, FROM THE ACTING ACCREDITED REPRESENTATIVE OF THE UNION OF SOUTH AFRICA TO THE SECRETARY-GENERAL.

In continuation of my previous letter of November 29th, forwarding you Government Proclamation No. 24, of November 14th, 1935, whereby Proposal No. IV, relating to the embargo on certain exports to Italy, was put into operation, I have been directed by the Government of the Union of South Africa to state, with reference to Proposal No. IV B (Indirect Supply), that, in addition to the measures already specified in the above Proclamation, my Government will also proceed on the basis of paragraph 2 of Proposal No. IV B, and towards that end will keep under constant review the volume and direction of the export of such products as may not be exported to Italy or Italian possessions.

(Signed) H. T. ANDREWS.

Co-ordination Committee/43(f).

PROPOSAL No. V.

8. LETTER, DATED JANUARY 7TH, 1936, FROM THE ACTING ACCREDITED REPRESENTATIVE OF THE UNION OF SOUTH AFRICA, TO THE SECRETARY-GENERAL.

On October 19th last, the Co-ordination Committee adopted Proposal No. V (Organisation of Mutual Support), wherein the Committee drew the special attention of all Governments to their obligations under paragraph 3 of Article 16 of the Covenant, according to which the Members of the League undertook mutually to support one another in the application of the economic and financial measures taken under this article, in respect of the dispute between Ethiopia and Italy.

The Government of the Union of South Africa having already notified general acceptance of this particular proposal, I now have the honour to transmit herewith, by direction of my Government, the following detailed reply to the various measures recommended by the Co-ordination Committee:

Paragraph I (a).

The Union Government are taking steps to assure that no action, taken as a result of Article 16, will deprive any country applying sanctions of such advantages as the commercial agreements concluded by the participating States with Italy afforded it through the operation of the most-favourednation clause.

Paragraph I (b) and (c).

With a total prohibition of Italian exports to the Union, it may be assumed that, without any special action on the part of the Union Government, this portion of the Union's imports held by Italy will more or less automatically be distributed among the nations which are Members of the League of Nations, and possibly one or two other countries.

Imports from Italy to the Union were valued at £825,000 in 1934, representing 1.3% of the Union's total trade, and comprising fibre, yarn, textiles and apparel to an amount of £583,000, the next largest items being drugs, chemicals and fertilisers, amounting to £64,000.

1 See page 21.
2 See page 10.
3 See page 11.
4 See Communication No. 1, page 17.
It would be most difficult at this stage to anticipate which countries are likely to benefit as a result of the cessation of Italian exports to the Union.

No quota system is in operation in the Union, and, in the absence of any information as to the effect of sanctions on the trade of other countries, it will be appreciated that it is difficult to see how the Union is to give practical effect to the requirements outlined in paragraph I (b) and (c) of Proposal No. V.

Exports from the Union to Italy amounted to £1,200,000 in 1934, of which wool and hides accounted for over £1,000,000.

While, therefore, the Union Government are prepared in principle to co-operate, they would prefer to await receipt of more detailed information on the actual steps proposed to be taken by other countries, before finally adopting any measure on the lines indicated in paragraph I (b) and (c).

**Paragraph I (d).**

The Union Government agree in principle with the requirements of this clause, and when, therefore, a case arises in which special favours are being granted to a country to compensate it for the loss of trade with Italy, the Union will be prepared to consider foregoing any of her rights under the most-favoured-nation agreement.

It is assumed that other countries would be prepared to extend similar treatment to the Union in an appropriate case.

**Paragraph II (1).**

The measure proposed in this paragraph has been dealt with in paragraph I (b) and (c) above.

**Paragraph II (2).**

The Union Government are prepared to give an assurance that they will not conclude with States Members of the League of Nations, not participating in the application of sanctions, trade agreements such as are now provided for in the Union's legislation for the encouragement of trade by tariff concessions or most-favoured-nation treatment.

**Paragraph II (3).**

The Union Government are prepared to assist in establishing contact between exporters who have lost trade and prospective buyers through the Union's trade representatives and other official channels.

**Paragraph II (4).**

In the event of a practical scheme for international marketing being put forward, the Union would be prepared to assist in its organisation.

(Signed) H. T. ANDREWS.

ARGENTINE REPUBLIC.

PROPOSAL No. I.

1. LETTER, DATED OCTOBER 25TH, 1935, FROM THE PERMANENT DELEGATE OF THE ARGENTINE REPUBLIC TO THE SECRETARY-GENERAL.

[Translation.]

As regards Proposal No. I adopted by the Co-ordination Committee, I have the honour to inform you that, by a Decree of to-day's date, authorised under a decision of the Council of Ministers, my Government "is prohibiting the exportation, re-exportation and transit to Italy and the Italian possessions of arms, munitions and implements of war, which will be specified in each case in conformity with the categories approved by the League of Nations".

(Signed) E. Ruiz Guíñazú.

Co-ordination Committee/56(a).

PROPOSALS Nos. II, III, IV AND V.

2. TELEGRAM, DATED OCTOBER 28TH, 1935, FROM THE MINISTER FOR FOREIGN AFFAIRS OF THE ARGENTINE REPUBLIC TO THE SECRETARY-GENERAL.

[Translation from the Spanish.]

As communicated to Your Excellency in due course through representative of Argentine, arms embargo has already been decreed. As regards financial and economic sanctions, we shall communicate date of entry into force before the Committee meeting of October 31st.—Carlos Saavedra Lamas.

1 See Communication No. 1 above.
PROPOSALS Nos. II, III, IV AND V.

3. TELEGRAM, DATED OCTOBER 31ST, 1935, FROM THE MINISTER FOR FOREIGN AFFAIRS OF THE ARGENTINE REPUBLIC TO THE SECRETARY-GENERAL.

[Translation from the Spanish.]

The Minister for Foreign Affairs has received your message asking on what date this Government could put into force Proposals Nos. II, III, IV and V approved by the Co-ordination Committee. In this connection I have the honour to inform you that the Executive, making use of the powers at its disposal, has to-day adopted a Decree on the financial measures referred to in Proposal No. II. Making use of the same powers, the Executive is able to enact a Decree on the prohibition of certain exports referred to in Proposal No. IV. In order to prevent the grave drawbacks which would be occasioned by its immediate putting into force, a period of at least fifteen days should elapse between the Co-ordination Committee's decision and the date on which it is applied. Proposal No. III on the prohibition of imports requires the passing of a law by Congress. As regards Proposal No. V concerning mutual support, it deserves a favourable reception by this Government, which is studying the proposal in question, the text of which was only received on October 28th through our representative at the League of Nations.—Carlos SAAVEDRA LAMAS.

Co-ordination Committee/82(ee).

4. LETTER, DATED NOVEMBER 6TH, 1935, FROM THE PERMANENT DELEGATE OF THEARGENTINE REPUBLIC TO THE CHAIRMAN OF THE CO-ORDINATION COMMITTEE.

[Translation.]

I have the honour to inform you, on behalf of my Government, that there is no clearing agreement between the Argentine Republic and Italy.

(Signed) E. RUIZ GUÍNZU,
Envoy Extraordinary and Minister Plenipotentiary,
Permanent Delegate.

Co-ordination Committee/56(a).

PROPOSAL No. II A.

5. LETTER, DATED NOVEMBER 16TH, 1935, FROM THE PERMANENT DELEGATE OF THE ARGENTINE REPUBLIC TO THE SECRETARY-GENERAL.

[Translation from the Spanish.]

Following upon the communications of the Minister for Foreign Affairs (Co-ordination Committee/56(a) and 56(b))¹, dated October 28th and 31st last, concerning Proposals Nos. II, III, IV and V, and those of our delegation (Co-ordination Committee/56 and 82(ee))¹, dated October 25th and November 6th, regarding Proposal No. I and the clearing agreements, I have the honour to communicate to you the various additional provisions decreed by the Argentine Government to give effect to the resolutions adopted with regard to the Italo-Ethiopian dispute.

(Signed) E. RUIZ GUÍNZU,
Envoy Extraordinary and Minister Plenipotentiary,
Permanent Delegate.

PROPOSALS Nos. II, III, IV AND IV B.

5. LETTER, DATED NOVEMBER 16TH, 1935, FROM THE PERMANENT DELEGATE OF THE ARGENTINE REPUBLIC TO THE SECRETARY-GENERAL.

[Translation from the Spanish.]

In consideration of Proposal No. II transmitted on behalf of the Co-ordination Committee by the Secretary-General of the League of Nations, regarding the financial measures to be applied in the present dispute between Italy and Ethiopia, which is subject to the jurisdiction of the League; and whereas the present machinery for the control of exchanges renders it possible to supplement these measures by the prohibition of the sale of foreign currency intended for the transactions enumerated in the said Proposal No. II,

The President of the Argentine nation, in agreement with the Cabinet, decrees:

Article 1.—As from the present date, the Exchange Control Office shall not grant permits for the purchase of foreign currency intended for subscriptions to loans, the granting of credits,

¹ See Communications Nos. 1 to 4.
\[Translation from the Spanish.\]

In consideration of Proposals Nos. III and IV, adopted by the Co-ordination Committee of the League of Nations and referring to the general prohibition of the import and export of certain products to the Kingdom of Italy and its possessions;

And whereas, in principle, the National Congress is alone competent, in accordance with its constitutional powers, to authorise such measures (Article 67, paragraph 12, of the National Constitution; Rule 19, League of Nations, 1921);

Whereas the Executive Authority has not the necessary powers to restrict imports in accordance with Article 76 of the Customs Law, which stipulates that its powers shall be confined to the right of raising the Custom duties up to 50% in the single eventuality of such a measure being justified by way of economic reprisals;

Whereas, in view of the compensatory character at present possessed by trade with Italy, a general prohibition of imports would very soon have the consequence of making it impossible to send exports of any kind to that country, which would exceed the scope of the Co-ordination Committee’s proposals;

Whereas, the same does not apply to the prohibition of exports, since there is no legal provision limiting the Executive’s powers in this respect, and since these powers have never been called in question when exigencies of a public character have required it (Decree of August 5th, 1914), or in those cases in which imperative reasons of an international character have necessitated their exercise;

Whereas, on the other hand, the articles which it is prohibited to export constitute in reality accessory war materials;

Whereas it is incumbent on the Finance Ministry, through the General Customs Directorate, to take the necessary steps for the Customs and revenue officers of the Republic to discontinue until further notice the issue of export or reshipping licences in respect of the products specifically mentioned in the executive section of the present Decree, consigned to ports of the Kingdom of Italy or its possessions;

Whereas consignments “to order” constitute a widely used and valuable system necessitated by the character of our exports, because it permits the exporter to dispose of his cargo in the most favourable market within a period of approximately three weeks from the vessel’s sailing from our ports—a valuable facility which should be maintained, as can be done by means of provisions stipulating that such consignments “to order” must not be sent to ports in respect of which export permits are suspended;

Whereas it is also considered necessary that the Customs authorities of the Republic should be acquainted without undue delay with the final destination of the cargo; and whereas consignments “to order” should be maintained.

Now, therefore, the President of the Argentine nation, in agreement with the Cabinet, decrees:

\[Article 1.-The Customs offices and revenue officers of the Republic shall refuse to issue any permit to export or re-export to ports of the Kingdom of Italy or its possessions the following goods: \(a\) horses, mules, donkeys and other transport animals; \(b\) rubber; \(c\) bauxite, aluminium, alumina (aluminium-oxide); iron-ore and scrap-iron, chromium, manganese, nickel, titanium, tungsten, vanadium, their ores and ferro-alloys (and also ferro-molybdenum, ferro-silico-manganese-aluminium, ferro-silico, ferro-silico-manganese); tin and tin-ore; \(d\) petroleum, coal and their derivatives; \(e\) iron and steel. List \(c\) also includes all crude forms of the minerals and metals mentioned and their ores, scrap and alloys.\]

\[Article 2.-Exporters consigning the goods enumerated under \(a\), \(b\) and \(c\) of the previous article “to order” shall declare in the shipping permits that they undertake not to unload the said goods in ports of the Kingdom of Italy or its possessions; in the absence of such an undertaking the Customs shall refuse to issue the document.\]

The agent of the vessel on which the goods are loaded, if he is licensed, shall endorse this undertaking, and shall be jointly liable for its execution. Exporters who consign the said goods “to order”, in addition to complying with the provisions of Article 8 of the Decree of August 18th, 1926, amended by the Decree of January 15th, 1927, shall, as soon as the vessel carrying the goods is informed of the port at which it is to unload its cargo, communicate this information to the last Argentine Customs office at which it took in cargo.

The non-observance of this provision shall constitute sufficient ground for striking the name and subscriptions to shares, debentures or similar securities issued by or for the Italian Government or the local authorities or corporations of Italy.
of the offender off the Customs registers of the Republic. The General Directorate of Customs shall take the necessary Customs measures to ensure the strict enforcement of these provisions.

Article 3.—The provisions of the present Decree shall apply to the goods mentioned under (a), (b) and (c) of Article 1 as from November 18th next and to the goods mentioned under (d) and (e) of that article as from the date to be specified later.

Article 4.—A message shall be sent to Congress requesting the passing of a law authorising the Executive Authority to adopt the measures to prohibit imports provided for in Proposal No. III of the Co-ordination Committee of the League of Nations.

Article 5.—The present Decree shall be communicated, etc.

MESSAGE OF NOVEMBER 14TH, 1935, FROM THE NATIONAL EXECUTIVE AUTHORITY TO THE NATIONAL CONGRESS.

[Translation from the Spanish.]

In consideration of the conflict which has arisen between Italy and Ethiopia and which is now subject to the jurisdiction of the League of Nations, the Argentine Government has been requested to adopt various measures approved by that international organisation in application of Article 16 of its Covenant, with a view to the restoration of peace at the earliest possible moment, this being one of the essential aims of that institution.

Exercising its constitutional powers, the Executive Authority has adopted certain of the said measures by Decree enacted by the Cabinet.

One of the proposals approved at Geneva—i.e., No. III—refers to the general prohibition to import products and goods from the Kingdom of Italy and its possessions. The Executive considers that the adoption of a measure of such wide scope exceeds the limits of its constitutional powers and requires the special authorisation of Congress, in accordance with the rules of national public law and the statement made by the Argentine delegate to the Co-ordination Committee that the guiding principles approved in 1921 by the League Assembly would be followed. Clause 19 of these guiding principles provides for the adoption of preparatory measures of a legislative character, which were duly taken by Czechoslovakia and France, whereas Chile, Colombia, Mexico, the Netherlands, Uruguay, Australia, the Irish Free State and certain other countries, although they have signed or acceded to the League Covenant, have considered it necessary to obtain legislative authorisation before applying certain sanctions.

For these reasons, the Executive Authority requests Congress in virtue of its power to regulate trade with foreign countries (Article 67, paragraph 12, of the Constitution) to approve the attached draft law.

(Signed) Agustin P. Justo.
Carlos Saavedra Lamas.

DRAFT LAW (Proposal No. III).

[Translation from the Spanish.]

The Senate and Chamber of Deputies, etc.

Article 1.—The Executive is hereby authorised to prohibit the import of goods and products coming from the Kingdom of Italy and its possessions in the form decided upon by the League of Nations in virtue of Article 16 of its Covenant.

Article 2.—The Executive shall proceed to abrogate the measures adopted in virtue of this law as soon as they have been cancelled by the competent organ of the League of Nations.

Article 3.—The present law shall be communicated to the Executive.

(Signed) Carlos Saavedra Lamas.

Co-ordination Committee/56(d).

PROPOSAL No. I.


[Translation from the Spanish.]

In reply to your communication of November 30th last (Proposal No. 1), and with reference to my note of November 16th last,1 I have the honour to enclose the text, received to-day by air, of the Decree of October 25th promulgated by the Argentine Government regarding the embargo on arms consigned to the Kingdom of Italy and its possessions.

I take this opportunity of informing the Co-ordination Committee that I have already brought to my Government’s notice the other points mentioned in your aforesaid note of November 30th. As soon as our delegation receives the particulars requested, they will be communicated to the Secretariat.

(Signed) E. Ruiz Guiñazú,
Envoy Extraordinary and Minister Plenipotentiary, Permanent Delegate.

1 See Communication No. 5, page 24.
Whereas, on the 10th of the present month, the Assembly of the League of Nations adopted a resolution in connection with the dispute between Italy and Ethiopia, in which it is stated that, having taken cognisance of the opinions expressed by the members of the Council at the Council’s meeting of October 7th, 1935, and taking into consideration the obligations which rest upon the Members of the League of Nations in virtue of Article 16 of the Covenant and the desirability of co-ordination of the measures which they may separately contemplate, the Assembly invites the said members to set up a committee “to consider and facilitate the co-ordination of such measures”;

And whereas the aforesaid Co-ordination Committee voted, on the 11th of this month, a resolution laying down that it is incumbent upon the Members of the League of Nations to “prohibit immediately the exportation, re-exportation or transit to Italy or Italian possessions” of certain specified arms, munitions and implements of war and to take such steps as may be necessary to secure that the said war materials exported to countries other than Italy will not be re-exported directly or indirectly to Italy or to Italian possessions;

And whereas, the Republic being a Member of the League of Nations (Law No. 11722), it is its right and duty to co-operate in the maintenance of peace, which is one of the essential aims pursued by the said League;

And whereas the representative of the Argentine in the Assembly of the League of Nations and in the Co-ordination Committee voted in favour of the aforesaid resolutions, declaring that, in the matter of sanctions arising out of the application of Article 16 of the Covenant, the Argentine must conform to the principles approved by the Assembly in 1921 and confirmed by the Council in 1922 and to the constitutional provisions in force in the Republic.

And whereas, although the Republic has not hitherto exported large quantities of the articles classed as arms and implements of war, it is possible that certain of the industries in this branch may be deliberately developed with that object, for the purpose of manufacturing certain implements of war or exploiting the existence of certain articles and raw materials;

And whereas quite recently, in the case of the Chaco war, the Argentine Government has taken steps to prohibit the exportation, re-exportation and transit of arms, munitions and implements of war in conformity with the relevant international treaties;

Now, therefore, in accordance with the decision of the Cabinet, the President of the Argentine Nation hereby decrees:

Article 1.—The exportation, re-exportation and transit to Italy or Italian possessions of such arms, munitions and implements of war as may be specified in each case under the categories approved by the League of Nations are prohibited from this day.

Article 2.—The present Decree shall be published in the Official Gazette; it shall be delivered to the National Registry and deposited in the archives.

Co-ordination Committee/56(e).

PROPOSALS Nos. I, II, III AND IV.

7. LETTER, DATED DECEMBER 10TH, 1935, FROM THE PERMANENT DELEGATE OF THE ARGENTINE REPUBLIC TO THE SECRETARY-GENERAL.

I have the honour to inform you that I have just received from my Government a telegram intimating that it is sending by air-post replies to the various questions set forth in the note of November 30th last from the Co-ordination Committee.

1 See Official Journal, Special Supplement No. 138, pages 113 and 114.

2 The questions formulated in the note of November 30th, 1935, were as follows:

Proposal No. I.—Certain experts expressed a desire to be informed of the terms of the Decree of October 25th, 1935, prohibiting the export, re-export, and transit to Italy of arms, ammunition and implements of war.

Proposal No. II.—The Exchange Control Office is prohibited from granting “permits for the purchase of foreign currency intended for subscriptions to loans, the granting of credits, and subscriptions to shares, debentures, or similar securities issued by or for the Italian Government or the local authorities or corporations of Italy”.

Certain experts asked whether this provision involves the prohibition of (a) loans or credits granted to Italians in Argentine currency; (b) the granting of credits in connection with sales of goods; and (c) the granting of loans and credits to Italians other than the Italian Government or the local authorities or corporations of Italy.

Proposal No. III.—For the general prohibition to import products and goods from the Kingdom of Italy and its possessions, the National Executive Power considers that a special authorisation by Congress is required and has introduced a Bill. In view of the volume of imports from Italy to the Argentine, the experts would like to be informed of the date on which the proposed measure will be applied.

Proposal No. IV.—Certain experts would like to have further information, if possible, in regard to Article 2 of the Decree of November 14th. The measures taken appear to relate only to exporters who consign “to order” the goods mentioned in Article 1, and they are not sure whether, in fact, possibilities of evasion are obviated in the case of shipment to countries other than Italy.
I therefore hope to receive this correspondence in a few days, and will immediately bring it to the notice of the Co-ordination Committee in response to its request.

(Signed) E. RUIZ GUINAZU,  
Envoy Extraordinary and Minister Plenipotentiary,  
Permanent Delegate.

Co-ordination Committee/56(f).

PROPOSALS Nos. I, II, III, IV AND IV B.

8. LETTER, DATED JANUARY 27TH, 1936, FROM THE PERMANENT DELEGATE OF THE ARGENTINE REPUBLIC TO THE SECRETARY-GENERAL.

[Translation from the Spanish.]

I have the honour to acknowledge receipt of communications, dated November 30th and December 18th, 1935, from the Co-ordination Committee concerning the resolutions adopted in connection with the dispute between Italy and Ethiopia.

Proposal No. I.

The text of the Decree of October 25th last was sent to you as an annex to Note No. 56 of December 9th, 1935.1

Proposal No. II.

In conformity with the text of the Decree of October 21st,2 the Argentine Government has decided that the Exchange Control Office will not grant any permit for the purchase of currency intended for subscriptions to loans, the granting of credits, subscription to shares, obligations or similar scrip, for the account, or on behalf, of the Italian Government or the local or corporative authorities of the Kingdom.

The provisions contained in this Decree represent the maximum action which the Argentine Government can take within the limits of its constitutional and legal powers. Article 20 of the national Constitution lays down that “foreigners shall enjoy in the national territory all civil rights of citizens; they shall be free to carry on their industry, trade and profession . . .”.

This constitutional article is in full harmony with Article 14 of the same Constitution, which recognises that “all the inhabitants of the national territory”, whether born in the country or foreigners, are entitled “to work and carry on any lawful industry . . . and to use and dispose of their property”. Finally, the Argentine Constitution admits the civil equality of all inhabitants in that “all its inhabitants are equal in the eye of the law”, as Article 16 lays down.

Proposal No. III.

In different circumstances, I have had occasion to repeat that the Executive Power has sent to the National Congress a message and draft law3 asking that powers be granted to enable it to prohibit Italian imports from entering the Argentine. The documents on this subject have already been duly communicated. The Decree of November 14th4 expresses categorically my Government’s determination to give effect to this Proposal No. III. To the message sent to the National Congress was appended a draft law in harmony with Article 16 of the Covenant and with the directions given by the 1921 Assembly.

The Argentine Congress is not in session. At the present time elections are pending for the Chamber of Deputies and these will have been completed by the end of March. This fortuitous circumstance will retard for a time the strict enforcement of this proposal.

Proposal No. IV.

As regards the question raised by the experts and referred to in the Co-ordination Committee’s communication of November 30th last, my reply is as follows:

When once goods have passed out of the domain of Argentine jurisdiction, my Government can exercise no further control over them. In strict justice the countries in whose bottoms these goods are transported should take the necessary steps to prevent their vessels from transporting these goods to other countries from which they might be re-exported to the Kingdom Italy or to the Italian possessions. In order, however, to co-operate as far as possible in the absolute application of the proposals adopted by the Co-ordination Committee, my Government has made it compulsory for exporters of these goods “to order” to submit to the Argentine Customs authorities an affidavit to the effect that they have not disembarked these goods in a port under Italian jurisdiction.

(Signed) E. RUIZ GUINAZU,  
Envoy Extraordinary and Minister Plenipotentiary,  
Permanent Delegate.

1 See Communication No. 6, page 26.
4 See Communication No. 5, page 25.
AUSTRALIA.

Co-ordination Committee/21.

PROPOSAL, No. I.

1. Telegram, dated October 18th, 1935, from the Prime Minister of the Commonwealth of Australia to the Secretary-General.

His Majesty’s Government in Australia put into effect on October 17th Proposal No. I, arms, munitions and implements of war prohibition against Italy and will permit export to Abyssinia.—Lyons, Prime Minister.

Co-ordination Committee/21(a).

PROPOSALS Nos. II, III AND IV.

2. Telegram, dated October 25th, 1935, from the Prime Minister of the Commonwealth of Australia to the Secretary-General.

I have the honour to state that His Majesty’s Government in the Commonwealth of Australia has accepted in principle Proposals Nos. II, III and IV of the Co-ordination Committee and to notify you that the Commonwealth Government will be prepared to put these proposals completely into operation within a period not less than fourteen days subsequent to October 31st on any date agreed upon by the Co-ordination Committee.—Lyons, Prime Minister.

Co-ordination Committee/21(b).

PROPOSALS Nos. II, III, IV AND V.

3. Telegram, dated October 30th, 1935, from the Prime Minister of the Commonwealth of Australia to the Secretary-General.

Further to my telegram October 25th, I have the honour to inform you that Australian Government has accepted in principle Proposal No. V of Co-ordination Committee. Legislation to enable effect to be given to Proposals Nos. II, III and IV will be introduced without delay.—Lyons, Prime Minister.

Co-ordination Committee/21(d).

PROPOSAL No. II A.

4. Letter, dated November 2nd, 1935, from the Australian Delegation to the Secretary-General.

I have the honour to inform you, for the information of the President of the Co-ordination Committee, that no clearing or equivalent Agreement is in operation as between His Majesty’s Government in the Commonwealth of Australia and Italy.

(Signed) S. M. Bruce.

Co-ordination Committee/21(d).

PROPOSALS Nos. I AND I A.

5. Letter, dated November 7th, 1935, from the Minister for External Affairs of the Commonwealth of Australia to the Secretary-General.

I have the honour to confirm my telegram to you of October 18th reading as follows:

"His Majesty’s Government in Australia put into effect on October 17th Proposal No. I, arms, munitions and implements of war prohibition against Italy, and will permit export to Abyssinia."

1 See Communication No. 2 above.
2 See Communication No. 1 above.
The prohibition of exportation to Italy or Italian possessions of the arms, ammunition and implements of war embodied in Proposal No. I A was enforced under the provisions of the Customs (Prohibited Exports) Regulations. These arms, etc., are covered by the list appearing in the First Schedule to those Regulations as amended by Statutory Rules No. 103 of 1935, which came into operation on and from October 24th, 1935, and of which copies are enclosed.

I also enclose a copy of the instructions issued by the Comptroller-General of Customs to Collectors of Customs in the various States in connection with the matter.

(Signed) G. F. PEARCE.

STATUTORY RULES, 1935, No. 2.

Regulations under the Customs Act, 1901-1934.¹

Whereas by section 112 of the Customs Act, 1901-1934, it is provided that the Governor-General may, by regulation, prohibit the exportation of any goods:

(a) Being arms, explosives, military stores, or naval stores; or

(b) The exportation of which would, in his opinion, be harmful to the Commonwealth; or

and that the said power of prohibition shall extend to authorise the prohibition of the exportation of goods generally, or to any specified place, and either absolutely or so as to allow of the exportation of the goods subject to any condition or restriction:

And whereas I am of opinion that:

(a) The exportation of the goods specified in the second, third, fourth and sixth schedules to the following Regulations would be harmful to the Commonwealth; and

Now, therefore, I, the Governor-General in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the Customs Act, 1901-1934.

Dated this fifteenth day of January, 1935.

(Signed) Isaac A. ISAACS,
Governor-General.

By His Excellency’s Command,
(Signed) H. S. GULLETT,
For Minister of State for Trade and Customs.

Customs (Prohibited Exports) Regulations.

Citation.

1. These Regulations may be cited as the Customs (Prohibited Exports) Regulations.

Commencement.

2. These Regulations shall come into operation on the twenty-fifth day of January, 1935.

Interpretation.

3. In these Regulations, any reference to a schedule shall be read as a reference to a schedule to these Regulations.

Export of Arms, etc., prohibited except with Consent of the Minister.

4. The exportation of the arms, explosives, military stores and naval stores specified in the First Schedule shall be prohibited, unless the consent in writing of the Minister to the exportation of the goods has first been obtained.

Export of Certain Goods prohibited.

5. The exportation of the goods specified in the Second Schedule shall be prohibited.

Export of Certain Goods permitted subject to Conditions.

6. The exportation of the goods specified in the Third Schedule shall be prohibited, unless the conditions and restrictions respectively specified in that schedule opposite to the name or description of those goods are complied with.

Export of Certain Goods prohibited except with the Consent of the Minister.

7. The exportation of the goods specified in the Fourth and Fifth Schedules shall be prohibited, unless the consent in writing of the Minister to the exportation of the goods has first been obtained.

Export to Certain Countries prohibited except with the Consent of the Minister.

8. The exportation of the goods specified in the Sixth Schedule to the places respectively specified in that schedule opposite to the name or description of those goods shall be prohibited, unless the consent in writing of the Minister to the exportation of the goods has first been obtained.

¹ Notified in the Commonwealth Gazette on January 17th, 1935.
### THE FIRST SCHEDULE.

**ARMS, EXPLOSIVES, MILITARY AND NAVAL STORES THE EXPORTATION OF WHICH IS PROHIBITED UNLESS THE CONSENT OF THE MINISTER HAS FIRST BEEN OBTAINED.**

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Kind or description of goods</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Aircraft, assembled or dismantled, and aircraft engines, and spare parts thereof.</td>
</tr>
<tr>
<td>2.</td>
<td>Appliances for use with arms and apparatus exclusively designed and intended for land, sea or aerial warfare.</td>
</tr>
<tr>
<td>3.</td>
<td>Bayonets, swords and lances, and component parts thereof.</td>
</tr>
<tr>
<td>5.</td>
<td>Cannon and other ordnance, and component parts thereof.</td>
</tr>
<tr>
<td>6.</td>
<td>Carriages and mountings, and accessories for mountings for cannon and other ordnance, and component parts thereof.</td>
</tr>
<tr>
<td>7.</td>
<td>Cartridges, charges of all kinds, and component parts thereof.</td>
</tr>
<tr>
<td>8.</td>
<td>Depth charges, apparatus for the discharge of depth charges, and component parts thereof.</td>
</tr>
<tr>
<td>10.</td>
<td>Firearms of every description, and component parts thereof.</td>
</tr>
<tr>
<td>11.</td>
<td>Fire-control and gun-sighting apparatus, and component parts thereof.</td>
</tr>
<tr>
<td>12.</td>
<td>Flame-throwers, and component parts thereof.</td>
</tr>
<tr>
<td>13.</td>
<td>Fuses, and component parts thereof.</td>
</tr>
<tr>
<td>14.</td>
<td>Grenades, and component parts thereof.</td>
</tr>
<tr>
<td>17.</td>
<td>Projectiles of all kinds (except air-gun pellets), and component parts thereof.</td>
</tr>
<tr>
<td>18.</td>
<td>Tanks and armoured cars, and component parts thereof.</td>
</tr>
<tr>
<td>19.</td>
<td>Torpedo tubes, and other apparatus for discharging torpedoes.</td>
</tr>
<tr>
<td>20.</td>
<td>Torpedoes, and component parts thereof.</td>
</tr>
</tbody>
</table>

---

**STATUTORY RULES, 1935, No. 103.**

**Regulation under the Customs Act, 1901-1935.**

I, the Governor-General in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulation under the Customs Act, 1901-1935.

Dated this twenty-third day of October, 1935.

(Signed) Isaac A. ISAACS,
Governor-General,
By His Excellency’s Command,
(Signed) T. W. WHITE,
Minister of State for Trade and Customs.

**Amendment of the Customs (Prohibited Exports) Regulations.**

**Amendment of Schedule.**

The First Schedule to the Customs (Prohibited Exports) Regulations is amended by the addition of the following items:

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Kind or description of goods</th>
</tr>
</thead>
<tbody>
<tr>
<td>21.</td>
<td>Armoured vehicles, including armoured trains, and armour of all kinds.</td>
</tr>
<tr>
<td>22.</td>
<td>Mustard gas, lewisite, ethyldichlorarsine, methylidichlorarsine and all other products destined for chemical or incendiary warfare.</td>
</tr>
<tr>
<td>23.</td>
<td>Vessels of war of all kinds, including aircraft-carriers and submarines.</td>
</tr>
</tbody>
</table>

---

**MEMORANDUM, DATED OCTOBER 21ST, 1935, FOR COLLECTORS OF CUSTOMS IN ALL STATES.**

**Exportation of Arms and Ammunition to Italy and Abyssinia.**

I desire to confirm my telegram of October 17th, 1935, which reads:

"The exportation of the goods enumerated in the First Schedule to the Customs Prohibited Exports Regulations, 1935, Statutory Rules No. 2, 1935, is to be permitted to Abyssinia but is not to be permitted to Italy or Italian possessions."

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1 Notified in the Commonwealth Gazette on October 24th, 1935.
Under no circumstances are any of the goods mentioned in the First Schedule to the Customs (Prohibited Exports) Regulations to be permitted to be exported to Italy or to Italian possessions. Such goods may, however, be permitted exportation to Abyssinia, subject to the obtaining of the usual export permit.

(Signed) E. ABBOTT,
Comptroller-General.

'35/10164.

MEMORANDUM, DATED OCTOBER 23RD, 1935, FOR COLLECTORS OF CUSTOMS IN ALL STATES.

Exportation of Arms, etc.

With reference to my memorandum of October 21st, 1935, T. & C. '35/7847, relative to the above subject, the collector is informed that the Government has decided to give effect to a proposal of the League of Nations to prevent the exportation of arms, ammunition and implements of war to Italy or to Italian possessions. A list of the goods which the League desires should be prohibited exportation to Italy or to Italian possessions is attached. It will be seen that most of these goods are covered by the First Schedule to the Customs (Prohibited Exports) Regulations. Action is now being taken to prohibit the exportation of such of the goods as are not already covered by the existing prohibition and the First Schedule to the Customs (Prohibited Exports) Regulations will be amended at an early date to include the following additional items.

<table>
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<tbody>
<tr>
<td>21</td>
<td>Armoured vehicles, including armoured trains, and armour of all kinds.</td>
</tr>
<tr>
<td>22</td>
<td>Mustard gas, lewisite, ethylidichlorarsine, methylidichlorarsine and all other products destined for chemical or incendiary warfare.</td>
</tr>
<tr>
<td>23</td>
<td>Vessels of war of all kinds, including aircraft-carriers and submarines.</td>
</tr>
</tbody>
</table>

Those goods included in the amending regulation referred to above are not in any circumstances to be permitted exportation to Italy or to Italian possessions. They may, however, be exported to other countries, under permit, subject to existing instructions dealing generally with the exportation of the goods enumerated in the First Schedule to the Customs (Prohibited Exports) Regulations.

(Signed) E. ABBOTT,
Comptroller-General.

T. & C. '35/10164.

List of Arms, Ammunition and Implements of War proposed by the League of Nations for Prohibition of Export to Italy and to Italian Possessions.

1. Rifles and carbines and their barrels.
3. Guns, howitzers and mortars of all calibres, their mountings, barrels and recoil mechanisms.
4. Ammunition for the arms enumerated under (1) and (2) above, filled and unfilled projectiles for the arms enumerated under (3) above, and prepared propellent charges for these arms.
5. Grenades, bombs, torpedoes and mines, filled or unfilled, and apparatus for their use or discharge.
6. Tanks, armoured vehicles and armoured trains.
7. Armour of all kinds.
8. Vessels of war of all kinds, including aircraft-carriers and submarines.
9. Aircraft, assembled or dismantled, both heavier and lighter than air, and their propellers or air-screws, fuselages, aerial-gun mounts and frames, hulls, tail units and undercarriage units.
10. Aircraft engines.
11. Revolvers and automatic pistols of weight in excess of 1 lb. 6 oz. (630 grammes) and ammunition therefor.
12. Flame-throwers and all other projectors used for chemical or incendiary warfare.
13. Mustard gas, lewisite, ethylidichlorarsine, methylidichlorarsine and all other products destined for chemical or incendiary warfare.
14. Powder for war purposes and explosives.

Co-ordination Committee/21(c).

PROPOSALS Nos. II, III AND IV.

6. TELEGRAM, DATED NOVEMBER 19TH, 1935, FROM THE PRIME MINISTER OF THE COMMONWEALTH OF AUSTRALIA TO THE SECRETARY-GENERAL.

Copies legislation proclamations regulations giving effect sanctions Proposals II, III and IV on and from eighteenth November posted you air-mail to-day.—IYONS, Prime Minister.
ALL PROPOSALS.

7. LETTER, DATED NOVEMBER 19TH, 1935, FROM THE MINISTER FOR EXTERNAL AFFAIRS OF THE COMMONWEALTH OF AUSTRALIA TO THE SECRETARY-GENERAL.

I have the honour to forward herewith copies of the texts of legislation, proclamations and regulations showing the further action taken by this Government with a view to giving effect to the proposals which have so far been adopted by the Co-ordination Committee, viz.:


(Signed) G. F. PEARCE.

SANCTIONS ACT, No. 48 OF 1935 (All Proposals).

An Act relating to the Application of Sanctions against Italy.
(Asented to November 15th, 1935.)

Be it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:

Short Title.

1. This Act may be cited as the Sanctions Act, 1935.

Definitions.

2. In this Act, unless the contrary intention appears:

"Authorised officer" means an officer appointed by the Minister as an authorised officer for the purposes of this Act;
"During the present war" means during the period commencing on the second day of October, One thousand nine hundred and thirty-five and terminating on a date to be fixed by Proclamation as being the date of the cessation of hostilities between the King of Italy and the Emperor of Abyssinia;
"Italy" includes, in addition to the Kingdom of Italy, the colonies of Eritrea, Italian Somaliland and Libya, the Italian concession of Tientsin in China, and the following dependencies in the Ægean Sea—namely, the islands of Rhodes (Rhodos), Stampalia (Astrapalia), Calki (Kharki), Scarpanto, Casos (Casso), Piscopis (Tilos), Misiros (Nisyros), Calimnos (Kalymnos), Leros, Patmos, Lipsos (Lipso), Simi (Symi) and Cos (Kos) and the islets dependent on those islands and the island of Castellorizzo;
"Licence" means a licence granted under this Act;
"The Minister" means the Treasurer and includes any Minister or member of the Executive Council authorised by the Governor-General to exercise or perform any power or function under this Act.

Application of Act.

3. The application of this Act, with the exception of so much thereof as relates to the importation and exportation of goods, shall extend to the territories of Papua, New Guinea and Norfolk Island.

Acts prohibited.

4. (1) A person, firm or company shall not, during the continuance of this Act, directly or indirectly, except under licence (the proof whereof shall lie upon him or it):

(a) Lend any sum of money to the Government of Italy, or to any public authority, person or corporation in Italy, or to any public authority, person or corporation in any country for or on behalf of the Government of Italy or for or on behalf of any public authority, person or corporation in Italy;
(b) Pay any sum of money to or for the benefit of the Government of Italy or any public authority, person or corporation in Italy;
(c) Compromise or give security for the payment of any debt or other sum of money with or for the benefit of the Government of Italy or any public authority, person or corporation in Italy;
(d) Act on behalf of the Government of Italy or any public authority, person or corporation in Italy in drawing, accepting, paying, presenting for acceptance or payment, negotiating or otherwise dealing with, any negotiable instrument;
(e) Accept, pay or otherwise deal with any negotiable instrument which is held by or
on behalf of the Government of Italy, or any public authority, person or corporation in Italy, unless he has no reasonable ground for believing that the instrument is so held;

(f) Enter into any new transaction, or complete any transaction already entered into, with the Government of Italy or any public authority, person or corporation in Italy, in any stocks, shares, or other securities; or

(g) Do any other act on behalf or in the interests of the Government of Italy, or any public authority, person or corporation in Italy, which is declared, by regulation made under this Act, to be a prohibited act.

Penalty.

(h) If the offence is prosecuted summarily, a fine not exceeding two hundred pounds, or imprisonment for any term not exceeding six months, or both; and

(i) If the offence is prosecuted upon indictment, a fine of any amount or imprisonment for any term not exceeding three years, or both.

(2) A licence may be granted by the Minister or an authorised officer for the doing of any act the doing of which would, in the absence of such licence, be a contravention of this Act.

(3) Any goods or money in relation to which an offence against this section has been committed or which has been used in connection with any such offence shall be forfeited to the King, and may be seized by any officer of police or person thereto authorised in writing by an authorised officer.

(4) A corporation guilty of an offence against this section shall be liable to the pecuniary penalties thereby provided, and any director, officer, servant or agent of a corporation who is knowingly concerned in the commission of an offence against this section by the corporation shall be deemed to be guilty of the offence and punishable accordingly by fine or imprisonment or both.

(5) A prosecution for an offence against this section shall not be instituted without the written consent of the Attorney-General.

(6) This section shall not commence on the date on which this Act receives the Royal assent, but shall commence on such later date as is fixed by Proclamation.

Power to inspect Books, etc.

5. (i) Where it appears to a Justice of the Peace that an offence has been, or is likely to be, committed by any person, firm or company against the last preceding section, he may, upon information on oath made by an authorised officer, by warrant empower any person named in the warrant:

(a) To inspect any books or documents belonging to or in the possession or control of the person, firm or company; and

(b) To require any person whom the authorised officer believes to be able to give information or produce books or documents respecting the business or trade of the person, firm or company to give such information or produce such books or documents; and

(c) If accompanied by an officer of police or prescribed officer to search any premises used or believed by the authorised officer to be used in connection with such business or trade.

(2) Where an authorised officer certifies in writing that in relation to any person, firm or company it is desirable on account of urgency that any or all of the powers contained in paragraphs (a), (b) and (c) of Sub-section (i) of this section should be exercised without prior application to a Justice of the Peace for the issue of a warrant, the authorised officer may, by writing under his hand, empower any person named in the writing to exercise all or any of the powers contained in those paragraphs.

(3) Any person who obstructs or interferes with any person empowered under Sub-section (i) or Sub-section (2) of this section in the exercise of any power conferred upon him in pursuance of this section, or who refuses or fails to produce any book or document or give any information when required to do so in pursuance of this section, shall be guilty of an offence.

Penalty: Five hundred pounds or imprisonment for one year, or both.

Importation and Exportation of Goods.

6. (1) The Governor-General may, by regulation, during the present war, prohibit the importation or exportation of any goods.

(2) The power contained in the last preceding sub-section shall extend to authorise the prohibition of the importation or exportation of goods generally, or from or to any specified place, and either absolutely or so as to allow of the importation or exportation of the goods subject to any condition or restriction.

(3) All goods the importation or exportation of which is prohibited shall be prohibited imports or prohibited exports, as the case may be, within the meaning of the Customs Act, 1901-1935, to the extent to which the prohibition extends.

(4) The provisions of the Customs Act, 1901-1935, relating to the taking of security for compliance with any condition upon which the importation or exportation of any goods is allowed under that Act shall, mutatis mutandis, apply in relation to the importation or exportation of any goods allowed under this Act to be imported or exported, as the case may be.
Incriminating Answer or production of Document.

7. A person shall not, in any proceeding for an offence against this Act, be excused from answering any question or producing any book or document on the ground that the answer or production may criminate or tend to criminate him, but his answer shall not be admissible in evidence against him in any criminal proceeding other than a prosecution for perjury or proceedings under this Act.

Aiding and abetting.

8. Whoever aids, abets, counsels or procures, or by omission is in any way, directly or indirectly, knowingly concerned in or privy to:

(a) The commission of any offence against this Act; or
(b) The doing of any act outside Australia which would, if done within Australia, be an offence against this Act,

shall be deemed to have committed the offence and shall be punishable accordingly.

Suspension of Section 4.

9. The Governor-General may, at any time during the continuance of this Act, declare by Proclamation that it is desirable that, as from and after a date to be specified in the Proclamation, the provisions of Section 4 of this Act should be suspended, and thereupon the provisions of that section shall be suspended until the Proclamation is revoked by the Governor-General, but without prejudice to any liability incurred prior to such suspension or to any penalty imposed for a contravention of the provisions of that section.

Termination of Act.

10. The Governor-General may at any time, by Proclamation, declare that, in his opinion, the necessity for the continuance of this Act no longer exists, and thereupon this Act shall cease to have any force or effect, but without prejudice to any liability incurred during the operation of the Act or to any penalty imposed under the Act or the regulations.

Regulations.

11. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters which are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Act, and in particular for:

(a) Providing for the establishment of a clearing office for the receipt, custody and payment, in such manner as is specified in the regulations, of moneys due by persons in Australia or its territories to persons in Italy, in such cases or classes of cases as are so specified;
(b) Requiring, in such cases or classes of cases as are specified in the regulations, persons in Australia or its territories owing moneys to persons in Italy to pay those moneys to the account of a clearing office established in accordance with this Act;
(c) Providing for the prohibition or avoidance of contracts for the assignment of debts due by persons in Australia or its territories to persons in Italy; and
(d) Prescribing penalties not exceeding a fine of one hundred pounds or imprisonment for a period not exceeding six months for any offence against the regulations.

Act of Parliament assented to.¹

It is hereby notified for general information, that His Excellency the Governor-General, in the name and on behalf of His Majesty, assented, on November 15th, 1935, to the undermentioned Act passed by the Senate and the House of Representatives in Parliament assembled—viz.:

No. 48 of 1935.—"An Act relating to the Application of Sanctions against Italy."

(Signed) E. W. Parkes,
Clerk of the House of Representatives.

Proclamation of November 15th, 1935 (Proposal No. II).

Whereas by Sub-section (6) of Section 4 of the Sanctions Act, 1935, it is provided that that section shall not commence on the date on which the Act receives the Royal assent, but shall commence on such later date as is fixed by Proclamation:

Now, therefore, I, Sir Isaac Alfred Isaacs, the Governor-General aforesaid, acting with the advice of the Federal Executive Council, do hereby fix the eighteenth day of November, One

¹ Notified in the Commonwealth Gazette on November 15th, 1935.
thousand nine hundred and thirty-five, as the date of commencement of Section 4 of the Sanctions Act, 1935.

Given under my hand and the Seal of the Commonwealth, this fifteenth day of November, in the year of Our Lord One thousand nine hundred and thirty-five, and in the twenty-sixth year of His Majesty's reign.

(L.S.).

By His Excellency's Command,
(Signed) R. G. CASEY, Treasurer.

God Save the King!

SANCTIONS ACT, 1935.

Licence of November 18th, 1935 (Proposal No. II).1

Whereas by Sub-section (1) of Section 4 of the Sanctions Act, 1935, it is provided, inter alia, that a person, firm or company shall not, directly or indirectly, except under licence, pay any sum of money to or for the benefit of any person in Italy;

And whereas by Sub-section (2) of the said section it is provided that a licence may be granted by the Minister for the doing of any act the doing of which would, in the absence of such licence, be a contravention of the said Act;

And whereas it is desirable to permit the payments specified in this licence;

Now, therefore, I, Richard Gardiner Casey, the Treasurer of the Commonwealth, do hereby permit the payment, by any person in Australia or in any of the following territories—namely, Papua, New Guinea or Norfolk Island—to or for the benefit of:

(a) Any religious institution in Italy, or
(b) Any person in Italy for humanitarian or religious purposes,

of any sum of money not exceeding twenty pounds in any one month.

Dated this eighteenth day of November, 1935.

(Signed) R. G. CASEY, Treasurer.


Regulations under the Customs Act, 1901-1935.2

I, the Governor-General in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the Customs Act, 1901-1935.

Dated this fifteenth day of November, 1935.

(Signed) Isaac A. ISAACS, Governor-General.

By His Excellency's Command,
(Signed) T. W. WHITE, Minister of State for Trade and Customs.

Amendment of the Customs (Prohibited Exports) Regulations.3

1. Statutory Rules, 1935, No. 103, is hereby repealed.

Commencement.

2. These Regulations shall take effect on and from the eighteenth day of November, 1935.


Regulations under the Sanctions Act, 1935.2

I, the Governor-General in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the Sanctions Act, 1935.

Dated this fifteenth day of November, 1935.

(Signed) Isaac A. ISAACS, Governor-General.

By His Excellency's Command,
(Signed) T. W. WHITE, Minister of State for Trade and Customs acting for and on behalf of the Treasurer.

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1 Notified in the Commonwealth Gazette on November 18th, 1935.
2 Notified in the Commonwealth Gazette, November 15th, 1935.
Sanctions (Prohibited Exports) Regulations.

Short Title.

1. These Regulations may be cited as the Sanctions (Prohibited Exports) Regulations.

Commencement.

2. These Regulations shall take effect on and from the eighteenth day of November, 1935.

Prohibition of Exportation of Certain Goods.

3. (1) The exportation to Italy, or to any other country for re-exportation to Italy, of the goods specified in the schedule to these Regulations is prohibited, unless the consent in writing of the Minister for Trade and Customs to the exportation of the goods has first been obtained.

(2) The exporter of any goods of the kinds specified in the schedule to these Regulations shall, if required by the Minister, produce evidence to the Minister’s satisfaction that the goods have not reached Italy, and, if the exporter fails to do so, he shall be deemed to have exported the goods in contravention of these Regulations, unless he satisfies the Minister that he did not consent to or connive at the goods reaching Italy.

Provided that it shall be a good defence in any proceedings against the exporter in respect of the exportation of such goods if he proves to the satisfaction of the court that he did not consent to or connive at the goods reaching Italy.

(3) No goods the exportation of which to Italy is prohibited by these Regulations shall be shipped or delivered as stores on a vessel or aircraft proceeding to Italy, unless the Collector of Customs of the State in which the goods are to be shipped or delivered is satisfied that the goods are required for use or consumption on that vessel or aircraft.

(4) Any person who exports goods, or ships or delivers goods, in contravention of these Regulations shall be guilty of an offence.

Penalty: One hundred pounds or imprisonment for six months.

SCHEDULE OF GOODS THE EXPORTATION OF WHICH TO ITALY IS PROHIBITED.

1. Arms, ammunition and implements of war, including:

   (a) (i) Rifles and carbines and their barrels;
   (ii) Machine-guns, automatic rifles and machine-pistols of all calibres, and their barrels;
   (iii) Guns, howitzers and mortars of all calibres, and their mountings, barrels and recoil mechanisms;
   (iv) Ammunition for the arms enumerated under sub-paragraphs (i) and (ii) of this paragraph, filled and unfilled projectiles for the arms enumerated under sub-paragraph (iii) of this paragraph, and prepared propellent charges for those arms;
   (v) Grenades, bombs, torpedoes, and mines, filled or unfilled, and apparatus for their use or discharge; and
   (vi) Tanks, armoured vehicles and armoured trains, and armour-plate of all kinds;

   (b) Vessels of war of all kinds, including aircraft-carriers and submarines;

   (c) (i) Aircraft, assembled or dismantled, both heavier and lighter than air, and their propellers or air-screws, fuselages, aerial-gun mounts and frames, hulls, tail units and under-carriage units; and
   (ii) Aircraft engines;

   (d) Revolvers and automatic pistols of weight in excess of 1 lb. 6 oz. (630 grammes) and ammunition therefor;

   (e) (i) Flame-throwers and all other projectors used for chemical or incendiary warfare;
   (ii) Mustard gas, lewisite, ethyldichlorarsine, methylidichlorarsine, and all other products destined for chemical or incendiary warfare; and
   (iii) Powder for war purposes and explosives.

2. Horses, mules, donkeys, camels and all other transport animals.

3. Rubber.

4. (i) Bauxite, aluminium and alumina (aluminium oxide), iron-ore and scrap-iron; chromium, manganese, nickel, titanium, tungsten, vanadium, their ores and ferro-alloys, and also ferro-molybdenum, ferro-silicon, ferro-silicon-manganese and ferro-silicon-manganese-aluminium; tin and tin-ore; and
   (ii) All crude forms of the minerals and metals mentioned in the last preceding sub-paragraph, and their ores, scrap and alloys.

Regulations under the Sanctions Act, 1935.

I, the Governor-General in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the Sanctions Act, 1935.

Dated this fifteenth day of November, 1935.

(Signed) Isaac A. Isaacs,
Governor-General.

By His Excellency's Command,
(Signed) T. W. White,
Minister of State for Trade and Customs acting for and on behalf of the Treasurer.

Sanctions (Prohibited Imports) Regulations.

1. These Regulations may be cited as the Sanctions (Prohibited Imports) Regulations.

Commencement.

2. These Regulations shall take effect on and from the eighteenth day of November, 1935.

Prohibition of Importation of Goods from Italy.

3. (1) The importation into the Commonwealth of goods consigned from or grown in or manufactured (wholly or partly) in Italy, from whatever source arriving, is hereby prohibited unless the consent in writing of the Minister for Trade and Customs to the importation of the goods has first been obtained.

Provided that this regulation shall not apply to:

(a) Gold or silver bullion and coin;
(b) Goods grown or produced in Italy which have been subjected to some process in another country, or goods manufactured partly in Italy and partly in another country, if it is proved, to the satisfaction of the Minister for Trade and Customs, that twenty-five per centum or more of the value of the goods at the time when they left the place from which they were consigned to Australia is attributable to processes undergone since the goods left Italy;
(c) Goods en route to Australia at the date of the coming into operation of these Regulations;
(d) Books, newspapers and periodicals, maps and cartographical productions, and printed or engraved music; and
(e) Personal belongings of travellers from Italy.

(2) If at any time any question arises under these Regulations as to whether any goods alleged to have been consigned from any country other than Italy were so consigned, or were not grown, produced or manufactured in Italy, the Minister may require the importer to furnish proof, to his satisfaction, as to the country from which the goods were consigned, and in which the goods were grown, produced or manufactured, and unless proof is furnished to the satisfaction of the Minister that the goods were consigned from, and grown, produced or manufactured in, some country other than Italy, the goods shall be deemed to be goods consigned from or grown, produced or manufactured in Italy.


Regulations under the Sanctions Act, 1935.

I, the Governor-General in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the Sanctions Act, 1935.

Dated this fifteenth day of November, 1935.

(Signed) Isaac A. Isaacs,
Governor-General.

By His Excellency's Command,
(Signed) R. G. Casey,
Treasurer.

Sanctions (Clearing Office) Regulations.

1. These Regulations may be cited as the Sanctions (Clearing Office) Regulations.

1 Notified in the Commonwealth Gazette on November 15th, 1935.
Commencement.

2. These Regulations shall take effect on and from the eighteenth day of November, 1935.

Definitions.

3. In these Regulations, unless the contrary intention appears:

   "Australia" includes the territories of Papua, New Guinea and Norfolk Island;
   "Person" includes a body politic or corporate as well as an individual.

Establishment of Clearing Office.

4. For the purpose of the receipt, custody and payment, in accordance with these Regulations, of moneys due by persons in Australia to persons in Italy there shall be a Clearing Office, which shall be controlled and managed by the Controller, who shall be appointed by the Treasurer.

Delegation by Controller.

5. (1) The Controller may, in relation to any particular matter or class of matters, or to any particular State or part of the Commonwealth or any territory to which these Regulations apply, by writing under his hand, delegate all or any of his powers and functions under these Regulations (except this power of delegation) so that the delegated powers and functions may be exercised by the delegate with respect to the matters or class of matters or the State or part of the Commonwealth or territory specified in the instrument of delegation.

(2) Every delegation under this section shall be revocable at will, and no delegation shall prevent the exercise of any power by the Controller.

Notification of Debts to Controller.

6. (1) Where any debt is due and owing at the date of the coming into operation of these Regulations, or becomes due on or after that date, by any person in Australia to a person in Italy, the debtor shall, within one month after the coming into operation of these Regulations, or within one month after the date when the debt becomes due, as the case may be, forward to the Controller a notification in writing setting forth:

   (a) The amount and particulars of the debt, and
   (b) The names and addresses of the debtor and the person to whom the debt is due,

and shall comply with any directions given to him by the Controller in relation to the debt, and if so required by the Controller, pay the amount of the debt to the custody of the Controller.

(2) Any person who fails to forward a notification to the Controller in accordance with this regulation, or who fails or refuses to comply with any direction or requirement of the Controller, or who disposes of any moneys, held by him on account of any person in Italy, otherwise than in accordance with the directions of the Controller, shall be guilty of an offence.

Penalty: One hundred pounds or imprisonment for six months.

SANCTIONS ACT, 1935, AND SANCTIONS (CLEARING OFFICE) REGULATIONS.

Appointment of Controller (Proposal No. II A).

In pursuance of Regulation 4 of the Sanctions (Clearing Office) Regulations, I, Richard Gardiner Casey, the Treasurer of the Commonwealth, do hereby appoint William Charles Thomas to be the Controller for the purposes of those Regulations.

Dated this eighteenth day of November, 1935.

(Signed) R. G. CASEY,
Treasurer.

Notification of Debts (Proposal No. II A).

Where any debt is due and owing at the 18th November, 1935, or becomes due on or after that date, by any person, firm, or company in Australia to a person, firm or company in Italy, the debtor is hereby required within one month from this date, or within one month after the date when the debt becomes due, as the case may be, to forward to the Controller of the Clearing Office at the Treasury, Canberra, a notification in writing setting forth:

(a) The amount and particulars of the debt, and
(b) The names and addresses of the debtor and the person to whom the debt is due.

Any person who fails to forward such notification to the Controller, or who disposes of any moneys, held by him on account of any person, firm or company in Italy, otherwise than in accordance with the directions of the Controller, shall be guilty of an offence, and shall be liable to a fine of one hundred pounds or imprisonment for six months.

(Signed) W. C. THOMAS,
Controller of the Clearing Office.

Canberra, November 18th, 1935.
PROPOSALS Nos. III, III A, IV AND IV B.

8. LETTER, DATED NOVEMBER 22ND, 1935, FROM THE MINISTER FOR EXTERNAL AFFAIRS OF THE COMMONWEALTH OF AUSTRALIA TO THE SECRETARY-GENERAL.

I have the honour to forward, herewith, for information, copy of instructions issued under date November 15th to the collectors of Customs dealing with the prohibition of importation from and exportation of goods to Italy.

(Signed) R. G. CASEY,
for Minister for External Affairs.

MEMORANDUM T. & C. 35/11018, OF NOVEMBER 15TH, 1935, FOR COLLECTORS OF CUSTOMS IN ALL STATES.

Sanctions against Italy.

Forwarded herewith for the Collector's information is a copy of the Sanctions Act, 1935, which will operate on and from November 18th, 1935.

Attention is particularly invited to Section 6 of the Act, wherein power is given to prohibit by regulation the importation or exportation of any goods.

Regulations have been issued under the Act, to operate on and from November 18th, 1935, prohibiting the importation from and exportation of certain goods to Italy. Attention is drawn to the definition of "Italy" shown in Section 2 of the Act, from which it will be seen that Italy includes, in addition to the Kingdom of Italy, the colonies of Eritrea, Italian Somaliland and Libya, the Italian concession of Tientsin in China and certain named dependencies in the Aegean Sea.

Import Prohibitions.

Copies of the Regulations under the Sanctions Act, 1935—viz., the Sanctions (Prohibited Imports) Regulations—are herewith. It will be seen that they provide that the importation into the Commonwealth of goods (other than certain specified goods) consigned from or grown in or manufactured (wholly or partly) in Italy, from whatever source arriving, are prohibited.

The Regulations provide that the prohibition of importation will not apply to the following goods:

(a) Gold or silver bullion and coin;
(b) Goods grown or produced in Italy which have been subjected to some process in another country and goods manufactured partly in Italy and partly in another country, if 25% or more of the value of the goods at the time when they left the place from which they were consigned to Australia is attributable to processes undergone since the goods left Italy.
(c) Goods en route to Australia on November 18th, 1935.
(d) Books, newspapers and periodicals, maps and cartographical productions, and printed or engraved music; and
(e) Personal belongings of travellers from Italy.

Consideration will be given to applications to import from Italy goods which were paid for in full on or before October 19th last. Any such applications received are to be submitted to this office, together with report as to evidence available to verify that payment was made before the date mentioned.

Copies of Sanctions (Prohibited Exports) Regulations are also herewith. These regulations specify the whole of the goods prohibited exportation to Italy, or to any other country for re-exportation to Italy, for the purposes of sanctions, and action will be taken thereunder in lieu of under the Customs (Prohibited Exports) Regulations.

With my memorandum of October 23rd, 1935, I forwarded a list of goods to be prohibited exportation to Italy. It will be noted that the Sanctions (Prohibited Exports) Regulations cover, not only the goods mentioned, but also the following additional classes:

(a) Horses, mules, donkeys, camels and all other transport animals;
(b) Rubber;
(c) Bauxite, aluminium and alumina (aluminium oxide), iron-ore and scrap-iron, chromium, manganese, nickel, titanium, tungsten, vanadium, their ores and ferro-alloys and also ferro-molybdenum, ferro-silicon, ferro-silicon-manganese and ferro-silicon-manganese-aluminium; tin and tin-ore; and all crude forms of the minerals and metals above mentioned and their ores, scrap and alloys.

Exports of all of the goods covered by the schedule to the Sanctions (Prohibited Exports) Regulations are to be carefully watched, and, in the event of any abnormal increase being noted

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1 See Memorandum, dated October 23rd, 1935, under Communication No. 5, page 82.
in the export to other countries, particularly to countries (including United States of America) from which re-export to Italy is likely, the circumstances under which the goods are being exported should be investigated in order to ascertain whether the goods may not be reaching Italy by indirect routes. Any such instances are to be immediately reported to this office, with the result of the investigation made.

The above instructions will supersede, as from November 18th, 1935, the instructions contained in my memorandum of October 23rd, 1935 (T. & C. '35/10164).

It is mentioned for the collector’s information that this department is administering the provisions of the Sanctions Act which relate to prohibited imports and exports. The other provisions of the Act are being administered by the Department of the Treasury, to whom enquiries relating to such other provisions should be referred.

(Signed) E. ABBOTT, Comptroller-General.

Co-ordination Committee/21(g).

PROPOSALS Nos. II AND III.


In continuation of previous correspondence concerning the application of sanctions in connection with the Italo-Abyssinian dispute, I have the honour to forward herewith (a) copy of a memorandum to collectors of Customs regarding the importations of goods from Italy, and (b) a notification which has been issued to the Press in respect of remittances of money to Italy, etc.

(Signed) G. F. PEARCE.

MEMORANDUM OF DECEMBER 9TH, 1935, FOR COLLECTORS OF CUSTOMS IN ALL STATES.

Sanctions (Proposal No. III).

In connection with Regulation 3 of the Sanctions (Prohibited Imports) Regulations,1 the Minister has consented to the importation into the Commonwealth of the following classes of goods:

(a) Goods of Italian origin obtained from stocks imported into the United Kingdom prior to November 18th, 1935.

(b) Goods of Italian origin consigned from Italy to the United Kingdom and en route from Italy prior to November 18th, 1935, but which had not reached the United Kingdom before the date mentioned.

2. In the case of each class of goods referred to above, the goods must be accompanied by a certificate from the British Customs verifying that they were imported into the United Kingdom prior to November 18th, 1935, or were actually en route to that country prior to the date mentioned, as the case may be.

3. Paragraph 2(b) above does not, of course, apply to goods definitely consigned from Italy to Australia (via the United Kingdom) and en route from Italy prior to November 18th, 1935. This class of goods is already exempt from prohibition under Regulation 3(c) of the Sanctions (Prohibited Imports) Regulations.

4. The above instructions are not to be applied to Italian goods exported to Australia from countries other than the United Kingdom.

5. For the purpose of Regulation 3(c) of the Sanctions (Prohibited Imports) Regulations, goods may be deemed as “en route to Australia” provided satisfactory evidence is produced that they were delivered by the consignor to a railway company, shipping company or other transport agency for despatch to Australia prior to midnight of November 17th/18th, 1935. Such evidence may take the form of railway receipts, bills of lading or other reliable evidence.

6. For the present, these decisions are not to be divulged to the public except in reply to a specific application or enquiry in relation to the importation of the particular classes of goods under review.

(Signed) E. ABBOTT, Comptroller-General.

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1 See page 38.
NOTICE, DATED DECEMBER 10TH, 1935, FROM THE COMMONWEALTH TREASURY THO THE PRESS.

Sanctions (Proposal No. II).

The Sanctions Act of 1935\(^1\) prohibits (except under licence) all remittances of money to Italy, all dealings with bills of exchange and other negotiable instruments, and various other monetary transactions with Italy. The Act also prohibits the exportation and importation of certain goods, unless the Minister for Trade and Customs consents thereto.

As it was not the desire of the Commonwealth Government to prohibit remittances to Italy for humanitarian and religious purposes, the Treasurer issued a general licence under the Act permitting the payment by any person in Australia, Papua, New Guinea or Norfolk Island to or for the benefit of any religious institution in Italy, or any person in Italy, for humanitarian or religious purposes, of sums not exceeding £20 in any one month.

There are other classes of financial transactions to which it is thought the financial sanctions were not intended to apply, such as the negotiation of drafts drawn by Australian exporters of non-prohibited goods against bank credits established on their behalf by persons in Italy, payment for goods the importation of which is not prohibited, and other minor payments passing between Australia and Italy.

In order that dealings of the character indicated may proceed without the necessity to approach the Treasurer for special licences in each case, the Treasurer has issued a general licence permitting the following acts:

1. The payment by any person, firm or company in the Commonwealth or in Papua, New Guinea or Norfolk Island, to or for the benefit of any public authority, person or corporation in Italy, of any amount:
   (a) To or for the benefit of any religious institutions in Italy;
   (b) To or for the benefit of any person in Italy for humanitarian or religious purposes;
   (c) In respect of any debt other than a debt in respect of the purchase of goods the importation of which is prohibited under the law of the Commonwealth or the territory, as the case may be; or
   (d) In respect of fees payable in Italy in connection with the grant or renewal of letters patent to, or for the benefit of, any person, firm or company in Australia or in Papua, New Guinea or Norfolk Island, or in connection with the registration, or the renewal of the registration, of any trade-mark or design by or on behalf of any such person, firm or company;

2. Any dealing with a negotiable instrument:
   (a) For the purpose of making any of the payments permitted by this licence; or
   (b) For the purpose of making any payment on behalf of the Government of Italy or any public authority, person or corporation in Italy to a person, firm or company in Australia or in Papua, New Guinea or Norfolk Island.

It will be observed that the restriction on the amount which may be remitted for humanitarian and religious purposes has been removed.

Transactions of the kind permitted by this general licence are allowed by the British Government as between the United Kingdom and Italy, and Australia is in harmony with Britain in licensing such dealings between the Commonwealth and Italy.

The full text of the licence appears in Commonwealth Gazette of December 12th, 1935.


Co-ordination Committee/21(i).

PROPOSAL No. III.

10. LETTER, DATED FEBRUARY 5TH, 1936, FROM THE MINISTER FOR EXTERNAL AFFAIRS OF THE COMMONWEALTH OF AUSTRALIA TO THE SECRETARY-GENERAL.

In continuation of my letter of December 13th, 1935,\(^2\) concerning the application of sanctions in connection with the Italo-Abyssinian dispute, I have the honour to forward herewith copies of memoranda to collectors of Customs in the Commonwealth, dated January 30th and February 3rd, 1936, regarding importations of goods from Italy.

(Signed) G. F. PEARCE.

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\(^1\) See page 33.

\(^2\) See Communication No. 9, page 41.
MEMORANDUM, DATED JANUARY 30TH, 1936, FOR COLLECTORS OF CUSTOMS IN ALL STATES.

Sanctions.

Paragraphs 1 and 2 of my memorandum of December 9th, 1935, T. & C. 35/11365, set out the conditions under which goods of Italian origin imported from the United Kingdom may be permitted importation into the Commonwealth.

2. It has now been ascertained that the British Customs are unable to furnish the certificate referred to in paragraph 2 of that memorandum.

3. It is the intention to exempt from prohibition goods of Italian origin which are permitted importation into the United Kingdom for consumption in that country. Care is necessary, however, to ensure that goods of Italian origin merely transhipped at United Kingdom ports and which would not be permitted importation for consumption in the United Kingdom are not permitted into the Commonwealth.

4. In view of the inability of the British Customs to furnish the desired certificate, it has now been decided to accept, in the absence of reason for doubt, a declaration by the United Kingdom supplier, either on or accompanying the related invoice, that the goods were: (a) imported into the United Kingdom prior to November 18th, 1935, (b) en route from Italy to the United Kingdom prior to November 18th, 1935, or (c) imported into the United Kingdom under licence issued by the British Board of Trade as paid for prior to October 19th, 1935.

5. In the event of the required declaration not accompanying the related invoice, the goods need not necessarily be prohibited importation provided the collector is reasonably satisfied that they were permitted importation for consumption in the United Kingdom.

6. For example, goods of Italian origin imported from the United Kingdom packed in the one case with goods of United Kingdom origin may be permitted importation without further evidence, while Italian goods the invoice for which shows that drawback of British Customs duty has been claimed may, in the absence of reason to doubt the correctness of the invoice, be also permitted importation.

7. Paragraph 2 of my memorandum of December 9th, 1935, is hereby superseded.

(Signed) E. ABBOTT,
Comptroller-General.

MEMORANDUM, DATED FEBRUARY 3RD, 1936, FOR COLLECTORS OF CUSTOMS IN ALL STATES.

Importations from Italy.

The collector is informed that the Minister, in accordance with the power conferred upon him by the provisions of regulation 3(I) of the Sanctions (Prohibited Imports) Regulations, has decided that importations, of small value, of goods of Italian origin arriving by post consigned to private individuals in Australia may be permitted, provided the collector is reasonably satisfied that the goods are not for purposes of trade.

The collector may therefore take action, in future, in accordance with the above decision.

Previous reference to this subject is contained in the Collector's Lettergram of January 17th, 1936.

(Signed) E. ABBOTT,
Comptroller-General.

CO-ORDINATION COMMITTEE/21(J).

PROPOSAL No. III.

II. LETTER, DATED FEBRUARY 11TH, 1936, FROM THE MINISTER FOR EXTERNAL AFFAIRS OF THE COMMONWEALTH OF AUSTRALIA TO THE SECRETARY-GENERAL.

In continuation of my letter of February 5th concerning the application of sanctions in connection with the Italo-Abyssinian dispute, I have the honour to forward herewith copy of a memorandum to collectors of Customs in the Commonwealth of Australia, dated February 3rd, 1936, regarding goods of Italian origin imported into France, and later exported to Australia.

(Signed) G. F. PEARCE.
MEMORANDUM, DATED FEBRUARY 3RD, 1936, FOR COLLECTORS OF CUSTOMS IN ALL STATES.

Sanctions.

The Collector is informed that the Minister has decided to permit the importation into Australia of Italian goods supplied from stocks held in France prior to November 18th, 1935, provided that the goods are accompanied by a certificate issued either by the French Customs authorities or the British Consul in France verifying that they were imported into France prior to the date mentioned.

2. The Minister has directed that the requirement of the certificate referred to above must be strictly enforced in every case.

(Signed) E. ABBOTT,
Comptroller-General.

Co-ordination Committee/21(m).

PROPOSAL No. II.

12. LETTER, DATED MARCH 11TH, 1936, FROM THE MINISTER FOR EXTERNAL AFFAIRS OF THE COMMONWEALTH OF AUSTRALIA TO THE SECRETARY-GENERAL.

In continuation of previous correspondence concerning the application of sanctions in connection with the Italo-Abyssinian dispute, I have the honour to forward herewith copies of extract from the Commonwealth of Australia Gazette, No. 73, containing the text of a Sanctions Licence, dated December 6th, 1935, in respect of certain payments to persons and institutions in Italy.

(Signed) G. F. PEARCE.

SANCTIONS ACT, 1935.

Licence of December 6th, 1935.

Whereas by Sub-section (1), of Section 4 of the Sanctions Act, 1935 ¹, it is provided, inter alia, that a person, firm or company shall not, directly or indirectly, except under licence, pay any sum of money to or for the benefit of any public authority, person or corporation in Italy;

And whereas by Sub-section (2) of the said section it is provided that a licence may be granted by the Minister for the doing of any act the doing of which would, in the absence of such licence, be a contravention of the said Act;

And whereas, by licence dated the eighteenth day of November, 1935,² I permitted certain payments to persons and institutions in Italy;

And whereas it is desirable to revoke the said licence, and to issue a licence in respect of the payments mentioned therein and of certain other payments and acts;

Now, therefore, I, Richard Gardiner Casey, the Treasurer of the Commonwealth, do hereby revoke the said licence of the eighteenth day of November, 1935, and do, by this licence, permit the following acts:

(1) The payment by any person, firm or company in the Commonwealth or in Papua, New Guinea or Norfolk Island, to or for the benefit of any public authority, person or corporation in Italy, of any amount:

(a) To or for the benefit of any religious institution in Italy;
(b) To or for the benefit of any person in Italy for humanitarian or religious purposes;
(c) In respect of any debt other than a debt in respect of the purchase of goods the importation of which is prohibited under the law of the Commonwealth or the territory, as the case may be; or
(d) In respect of fees payable in Italy in connection with the grant or renewal of letters patent to, or for the benefit of any person, firm or company in Australia or in Papua, New Guinea or Norfolk Island, or in connection with the registration, or the renewal of the registration, of any trade-mark or design by or on behalf of any such person, firm, or company;

(2) Any dealing with a negotiable instrument:

(a) For the purpose of making any of the payments permitted by this licence; or

¹ See page 34.
² See page 36.
For the purpose of making any payment on behalf of the Government of Italy or any public authority, person or corporation in Italy to a person, firm or company in Australia or in Papua, New Guinea or Norfolk Island.

This licence may be cited as the Sanctions Licence, 1935.

Dated this sixth day of December, 1935.

(Signed) R. G. CASEY,
Treasurer.

Co-ordination Committee/21(n).

PROPOSAL No. III.

13. LETTER, DATED APRIL 6TH, 1936, FROM THE MINISTER FOR EXTERNAL AFFAIRS OF THE COMMONWEALTH OF AUSTRALIA TO THE SECRETARY-GENERAL.

In continuation of previous correspondence concerning the application of sanctions in connection with the Italo-Abyssinian dispute, I have the honour to forward herewith, for the information of the Co-ordination Committee, copies of memoranda dated March 23rd and April 2nd, issued to collectors of Customs in connection with the importation into the Commonwealth from Holland and Belgium of goods of Italian origin.

For Minister for External Affairs,
(Signed) R. G. CASEY.

MEMORANDUM, DATED MARCH 23RD, 1936, FOR COLLECTORS OF CUSTOMS IN ALL STATES.

Sanctions.

The collector is informed that the Minister has decided to permit the importation into Australia of goods of Italian origin, supplied from stocks held in Holland, provided the goods are accompanied by a certificate issued by the Dutch Customs authorities or the British Consul in Holland, verifying that they were imported into Holland prior to the 18th November, 1935.

The Minister has directed that the requirements of the above-mentioned certificate must be strictly enforced in every case.

(Signed) E. Abbott.
Comptroller-General.

MEMORANDUM, DATED APRIL 2ND, 1936, FOR COLLECTORS OF CUSTOMS IN ALL STATES.

Sanctions against Italy.

The collector is informed that the Minister has decided to permit the importation into Australia of goods of Italian origin supplied from stocks held in Belgium, provided the goods are accompanied by a certificate issued by the Belgian Customs authorities or the British Consul in Belgium verifying that the goods were imported into Belgium prior to November 18th, 1935.

The Minister has directed that the requirements of the above-mentioned certificate must be strictly enforced in every case.

(Signed) E. Abbott,
Comptroller-General.

Overseas Territories.

PAPUA.

Co-ordination Committee/21(k).

PROPOSALS Nos. I, III, III A AND IV.

LETTER, DATED FEBRUARY 20TH, 1936, FROM THE MINISTER FOR EXTERNAL AFFAIRS OF THE COMMONWEALTH OF AUSTRALIA TO THE SECRETARY-GENERAL.

In continuation of previous correspondence concerning the application of sanctions in connection with the Italo-Abyssinian dispute, I have the honour to forward herewith copies of two Proclamations issued by the Acting Lieutenant-Governor of Papua under the Customs Ordinance, 1909-1916, prohibiting:

(a) the importation into and
(b) the exportation from Papua of certain goods from and to Italy or its possessions.

(Signed) G. F. Pearce.
PROCLAMATION OF DECEMBER 27TH, 1935, BY HIS EXCELLENCY WALTER MERSH STRONG, ACTING LIEUTENANT-GOVERNOR OF THE TERRITORY OF PAPUA

(Proposals Nos. III and III A). 1

W. M. STRONG.

Whereas by an Ordinance intitled the Customs Ordinance, 1909-1916, it is, amongst other things, enacted that all goods the importation of which may be prohibited by Proclamation are prohibited imports;

And whereas it is desirable to prohibit the importation into the said territory of certain goods;

Now, therefore, I, the Lieutenant-Governor aforesaid, with the advice of the Executive Council, do hereby proclaim and declare that the importation into the said territory of goods set out in the schedule hereto, from whatever source arriving, is prohibited, unless the consent in writing of the Treasurer to the importation of the goods has first been obtained.

Given under my hand and the Seal of the said territory, at Port Moresby, this twenty-seventh day of December, in the year of Our Lord One thousand nine hundred and thirty-five, and in the twenty-sixth year of His Majesty’s reign.

By His Excellency’s Command,
(Signed) A. J. BATES,
For Government Secretary.
God Save the King!

SCHEDULE.

Goods consigned from or grown in or manufactured (wholly or partly) in Italy or its possessions not including:

(a) Gold or silver bullion and coin;
(b) Goods grown or produced in Italy which have been subjected to some process in another country, or goods manufactured partly in Italy and partly in another country, if it is proved to the satisfaction of the Treasurer that twenty-five per centum or more of the value of the goods at the time when they left the place from which they were consigned to the territory is attributable to processes undergone since the goods left Italy or its possessions;
(c) Goods en route to the territory at the date of the coming into operation of this Proclamation;
(d) Books, newspapers and periodicals, maps and cartographical productions, and printed or engraved music; and
(e) Personal belongings of travellers from Italy or its possessions.

PROCLAMATION OF DECEMBER 27TH, 1935, BY HIS EXCELLENCY WALTER MERSH STRONG, ACTING LIEUTENANT-GOVERNOR OF THE TERRITORY OF PAPUA.

(Proposals Nos. I and IV). 1

W. M. STRONG.

Whereas by an Ordinance intitled the Customs Ordinance, 1909-1916, it is provided that the Lieutenant-Governor may by Proclamation prohibit the exportation of any goods which in his opinion are capable of being used for any purpose of war;

And whereas it is further provided by the said Ordinance that such power shall extend to authorise the prohibition of the exportation of goods generally or to any specified place and either absolutely or so as to allow of the exportation of the goods subject to any condition or restriction:

Now, therefore, I, the Lieutenant-Governor aforesaid, with advice of the Executive Council, and in pursuance of the powers vested in me by the said Ordinance, do hereby proclaim and declare that the exportation of the goods set forth in the schedule hereto to Italy or its possessions or to any other country for re-exportation to Italy or its possessions is prohibited unless the consent in writing of the Treasurer to the exportation of the goods has first been obtained.

Given under my hand and the Seal of the said territory, at Port Moresby, this twenty-seventh day of December, in the year of Our Lord One thousand nine hundred and thirty-five, and in the twenty-sixth year of His Majesty’s reign.

By His Excellency’s Command,
(Signed) A. J. BATES,
For Government Secretary.
God Save the King!

SCHEDULE.

Arms, ammunition and implements of war.
Transport animals.
Rubber.
Minerals.

1 Notified in the Papua Gazette on January 2nd, 1936.
MANDATED TERRITORY OF NEW GUINEA.

Co-ordination Committee/21(I).

PROPOSALS Nos. I, III, III A AND IV.

LETTER, DATED MARCH 2ND, 1936, FROM THE MINISTER FOR EXTERNAL AFFAIRS OF THE COMMONWEALTH OF AUSTRALIA TO THE SECRETARY-GENERAL.

In continuation of previous correspondence concerning the application of sanctions in connection with the Italo-Abyssinian dispute, I have the honour to forward herewith copies of Customs Proclamations Nos. II and 12 in respect of the mandated territory of New Guinea, prohibiting the importation and exportation of certain goods.

(Signed) G. F. PEARCE.


PROCLAMATION OF JANUARY 23RD, 1936 (Proposals Nos. I and IV).

Customs Ordinance, 1921-1932.

Whereas by Section 101 of the Customs Ordinance, 1921-1932, it is, amongst other things, provided that the Administrator may by Proclamation prohibit the exportation of any goods specified in that section;

Now, therefore, I, Walter Ramsay McNicoll, the Administrator, do hereby prohibit the exportation to Italy, or to any other country for re-exportation to Italy, of the goods specified in the schedule to this Proclamation, unless the consent in writing of the Administrator to the exportation of the goods has first been obtained.

For the purposes of this Proclamation, "Italy" includes, in addition to the Kingdom of Italy, the colonies of Eritrea, Italian Somaliland and Libya, the Italian concession of Tientsin in China, and the following dependencies in the Aegean Sea—namely, the islands of Rhodes (Rhodos), Stampalia (Astrapalia), Calki (Kharki), Scarpanto, Casos (Casso), Fiscopis (Tilos), Misros (Nisyros), Calimnos (Kalymnos), Leros, Patmos, Lipsos (Lipso), Simi (Symi), and Cos (Kos) and the islets dependent on those islands and the island of Castellorizzo.

This Proclamation may be cited as Customs Proclamation No. 12.

SCHEDULE.

Arms, ammunition and implements of war.
Transport animals.
Rubber.
Minerals.

Given under my hand and the Seal of the territory of New Guinea this twenty-third day of January, One thousand nine hundred and thirty-six.

(Signed) W. RAMSAY MCNICOLL,

Administrator.

God Save the King!


PROCLAMATION OF JANUARY 23RD, 1936 (Proposals Nos. III and III A).

Customs Ordinance, 1921-1932.

Whereas by Section 46 of the Customs Ordinance, 1921-1932, it is, amongst other things, provided that all goods the importation of which is prohibited by proclamation by the Administrator are prohibited imports;

Now, therefore, I, Walter Ramsay McNicoll, the Administrator, do hereby prohibit, unless the consent in writing of the Administrator to the importation of the goods has first been obtained, the importation into the territory of goods consigned from or grown in or manufactured (wholly or partly) in Italy, from whatever source arriving, except the following goods:

(a) Gold or silver bullion and coin;
(b) Goods grown or produced in Italy which have been subjected to some process in another country, or goods manufactured partly in Italy and partly in another country, if it is proved, to the satisfaction of the Administrator, that twenty-five per centum or more of the value of the goods at the time when they left the place from which they were consigned to the territory is attributable to processes undergone since the goods left Italy;
(c) Goods *en route* to the territory at the date of the coming into operation of this Proclamation;

(d) Books, newspapers and periodicals, maps and cartographical productions, and printed or engraved music; and  

(e) Personal belongings of travellers from Italy.

For the purposes of this Proclamation, "Italy" includes, in addition to the Kingdom of Italy, the colonies of Eritrea, Italian Somaliland and Libya, the Italian concession of Tientsin in China, and the following dependencies in the _Ægean Sea_—namely, the islands of Rhodes (Rhodos), Stampalia (Astrapalia), Calki (Kharki), Scarapanto, Casos (Casso), Piscopis (Tilos), Misiros (Nisyros), Calimnos (Kalymnos), Leros, Patmos, Lipsos (Lipsos), Simi (Symi), and Cos (Kos) and the islets dependent on those islands and the islands of Castellorizzo.

This Proclamation may be cited as Customs Proclamation No. 11.

Given under my hand and the Seal of the territory of New Guinea this twenty-third day of January, One thousand nine hundred and thirty-six.

(Signed) W. Ramsay McNicol,  
Administrator.

God Save the King!

**NORFOLK ISLAND.**

Co-ordination Committee/21(h).

PROPOSALS Nos. I, III, III A, IV AND IV B.

LETTER, DATED JANUARY 15TH, 1936, FROM THE MINISTER FOR EXTERNAL AFFAIRS OF THE COMMONWEALTH OF AUSTRALIA TO THE SECRETARY-GENERAL.

In continuation of previous correspondence relative to the application of sanctions in connection with the dispute between Italy and Ethiopia, I have the honour to forward herewith copies of Ordinance No. 1 of 1936 of the territory of Norfolk Island concerning the prohibition of the importation from and exportation to Italy of certain goods.

(Signed) G. F. Pearce.

(Extract from Commonwealth of Australia Gazette, No. 1, dated January 2nd, 1936.)

**ORDINANCE No. 1 OF 1936, DATED DECEMBER 19TH, 1935.**

**Application of Sanctions against Italy.**

Whereas it appears to the Governor-General that, on account of urgency, an Ordinance relating to the application of sanctions against Italy should be made without being first submitted to the Advisory Council;

Be it therefore ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the Norfolk Island Act, 1913-1935, as follows:

**Short title.**

1. This Ordinance may be cited as the Sanctions (Exports and Imports) Ordinance, 1936.

**Definition.**

2. In this Ordinance, unless the contrary intention appears, "Italy" includes, in addition to the Kingdom of Italy, the colonies of Eritrea, Italian Somaliland and Libya, the Italian concession of Tientsin in China, and the following dependencies in the _Ægean Sea_—namely, the islands of Rhodes (Rhodos), Stampalia (Astrapalia), Calki (Kharki), Scarapanto, Casos (Casso), Piscopis (Tilos), Misiros (Nisyros), Calimnos (Kalymnos), Leros, Patmos, Lipsos (Lipsos), Simi (Symi), and Cos (Kos) and the islets dependent on those islands and the island of Castellorizzo.

**Prohibition of Importation of Goods from Italy.**

3. (1) The importation into the territory of goods consigned from or grown in or manufactured (wholly or partly) in Italy, from whatever source arriving, is hereby prohibited unless the consent in writing of the Administrator to the importation of the goods has first been obtained;

Provided that this sub-section shall not apply to:

(a) Gold or silver bullion and coin;

(b) Goods grown or produced in Italy which have been subjected to some process in another country, or goods manufactured partly in Italy and partly in another country, if it is proved, to the satisfaction of the Administrator, that twenty-five per centum or more of the value of the goods at the time when they left the place from which they were consigned to the territory is attributable to processes undergone since the goods left Italy;

(c) Goods *en route* to the territory at the date of the coming into operation of this Ordinance;