

76. Ukrainian S.S.R.

CONSTITUTION OF 30 JANUARY 1937. OFFICIAL UKRAINIAN TEXT. PUBLICATION OF THE SUPREME COUNCIL OF THE UKRAINIAN S.S.R., 1951. TRANSLATION BY THE SECRETARIAT OF THE UNITED NATIONS

Article 15 ...

(b) The Ukrainian S.S.R. has the right to enter into direct relations with foreign States and to conclude agreements and exchange diplomatic and consular representatives with them.

. . . .

Article 43. The Council of Ministers of the Ukrainian S.S.R.:

. . . .

(h) Exercises guidance in the sphere of the relations of the Ukrainian S.S.R. with foreign States, on the basis of the general procedure¹ established by the U.S.S.R. governing the relations of Union Republics with foreign States.

77. Union of South Africa

1. *Treaty-making power:*

(a) SECTION 4 (1) OF THE STATUS OF THE UNION ACT, 1934
(ACT NO. 69 OF 1934)

The Executive Government of the Union in regard to any aspect of its domestic or external affairs is vested in the King, acting on the advice of His Ministers of State for the Union, and may be administered by His Majesty in person or by a Governor-General as his representative.

(b) MEMORANDUM OF 12 JANUARY 1953 FROM THE GOVERNMENT OF THE UNION OF SOUTH AFRICA

In very few cases, however, does Her Majesty exercise this right to conclude treaties on behalf of the Union, and then only where it is the practice that treaties of a certain type be concluded between Heads of State.

In fact, the practice has arisen that the treaty-making power in the Union of South Africa is almost exclusively exercised by the Governor-General in Council (i.e., the Government, consisting in practice of the Governor-General acting on the advice of his Ministers and also known as the Executive Council).

Furthermore, while the Government is responsible to Parliament for its actions, and through Parliament to the Electorate, it can be stated that normally no limitation is placed on the Government's treaty-making power by either Parliament or the Electorate, for the following reasons:

(a) Only in exceptional circumstances does legal provision exist for the actual approval by Parliament of international agreements. This special legislation is set out below in the list of Acts relating to the negotiation and conclusion of international agreements.

¹ See under title "U.S.S.R.".