CONCLUSIONS of a Meeting of the Cabinet held at 10 Downing Street, S.W.1, on Thursday, 28th April, 1960, at 10.30 a.m.

Present:
The Right Hon. Harold Macmillan, M.P., Prime Minister
The Right Hon. R. A. Butler, M.P., Secretary of State for the Home Department
The Right Hon. The Earl of Home, Lord President of the Council and Secretary of State for Commonwealth Relations
The Right Hon. Duncan Sandys, M.P., Minister of Aviation
The Right Hon. Harold Watkinson, M.P., Minister of Defence
The Right Hon. Lord Mills, Paymaster-General
The Right Hon. John Hare, M.P., Minister of Agriculture, Fisheries and Food
Dr. The Right Hon. Charles Hill, M.P., Chancellor of the Duchy of Lancaster

The following were also present:
The Right Hon. Lord Carrington, First Lord of the Admiralty (Item 3)
The Right Hon. Lord John Hope, M.P., Minister of Works (Item 4)
The Right Hon. Sir Reginald Manningham-Buller, Q.C., M.P., Attorney-General (Item 3)

The Right Hon. D. Heathcoat Amory, M.P., Chancellor of the Exchequer
The Right Hon. John MacKay, M.P., Secretary of State for Scotland
The Right Hon. Iain Macleod, M.P., Secretary of State for the Colonies
The Right Hon. Sir David Eccles, M.P., Minister of Education
The Right Hon. Reginald Maudling, M.P., President of the Board of Trade
The Right Hon. Edward Heath, M.P., Minister of Labour

The Right Hon. Derek Walker-Smith, Q.C., M.P., Minister of Health (Item 6)
The Right Hon. John Profumo, M.P., Minister of State for Foreign Affairs
The Right Hon. Martin Redmayne, M.P., Parliamentary Secretary, Treasury

Secretariat:
The Right Hon. Sir Norman Brook
Mr. M. Reed
Mr. J. S. Orme

SECRET
## CONTENTS

<table>
<thead>
<tr>
<th>Minute No.</th>
<th>Subject</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Parliament</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Professions Supplementary to Medicine Bill</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Betting and Gaming Bill</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Oil Appliances (Standards) Bill</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Nuclear Tests</td>
<td>3</td>
</tr>
<tr>
<td>3.</td>
<td>Law of the Sea</td>
<td>4</td>
</tr>
<tr>
<td>4.</td>
<td>India Office Library</td>
<td>5</td>
</tr>
<tr>
<td>5.</td>
<td>Federation of Rhodesia and Nyasaland</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>Southern Rhodesia</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Commercial Policy</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>Horticulture</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pigmeat</td>
<td></td>
</tr>
</tbody>
</table>
1. The Cabinet were informed of the business to be taken in the House of Commons in the following week.

The Home Secretary said that he would shortly receive the report of Lord Simonds' committee on the power of disciplinary tribunals to subpoena witnesses. The report would probably show that these tribunals already had, at common law, a right of subpoena subject to control by the High Court. In that event it might not be necessary to amend the provisions of the Professions Supplementary to Medicine Bill. In any event, however, such amendments as might be necessary could be introduced when the Bill was in the House of Lords. It was not therefore proposed to impose any further delay on the passage of the Bill through the House of Commons.

The Home Secretary said that the Peppiatt committee had found in favour of a levy on bookmakers, but had not worked out a detailed scheme. It would not therefore be practicable to provide for this by amendment of the Betting and Gaming Bill, which was now at a late stage in the House of Commons. In discussion it was agreed that separate legislation should be prepared for this purpose. It was, however, suggested that, as an earnest of the Government's intentions, this separate Bill might be introduced in the House of Commons later in the summer, even though it could not be passed into law before the end of the session.

The Home Secretary said that an interim report had now been received from the Committee on Consumer Protection, which had considered the need for safety regulations relating to oil heaters and other appliances. The statutory provisions required in respect of oil heaters could be enacted in a Private Members' Bill which was now before the House of Commons. Mr. Nabarro, the promoter of that Bill, was ready to accept the amendments regarded by the Government as necessary for this purpose. The problem of safety regulations for other appliances required further consideration and would have to be reserved for later legislation.

2. The Cabinet considered a memorandum by the Prime Minister (C. (60) 74) on the detection of underground nuclear explosions.

The Prime Minister said that in the joint declaration issued during his recent visit to the United States, President Eisenhower and he had called on the Soviet Government to join in instituting a co-ordinated research programme for the purpose of improving existing methods of detecting small underground nuclear explosions. The concept was that each of the three nuclear Powers should separately conduct this research, but that their programmes should be co-ordinated and their results exchanged. The Americans already had plans for establishing detection stations and conducting underground explosions in the United States. If we were to make a contribution, the Atomic Energy Authority had advised that the best course would be for us to extend this network of detection stations by establishing some of our own in Canada from which we could observe the American explosions. A research programme of the kind envisaged would cost about £3.25 millions over the next three years. Some of the Commonwealth countries might co-operate in it. Thus, Canada might contribute towards the cost of establishing the stations, and Australia and New Zealand might lend staff to man them. Details of the plan would be the subject of further discussions with the Americans and with the Russians and we should not undertake any actual expenditure until the Soviet Government had agreed that arrangements for a co-ordinated programme were to be made.
The Prime Minister said that these proposals for a British contribution had the support of the Chancellor of the Exchequer and of the Minister for Science. Subject to the Cabinet’s approval, he proposed to mention them, and to seek the co-operation of the Governments of Canada, Australia and New Zealand, in the course of the forthcoming Meeting of Commonwealth Prime Ministers.

Discussion showed that there was general support for the Prime Minister’s proposals. The Cabinet agreed that, while no orders should be placed until the United States and Soviet Governments had accepted that there should be such a co-ordinated programme of research, preliminary enquiries could be made about the supply of equipment from the United States. Further consideration might also be given to the association of other Commonwealth Governments with this contribution to a co-ordinated research programme.

The Cabinet—

Approved the proposals in C. (60) 74 on the understanding that expenditure would not be incurred until the three nuclear Powers had reached agreement that there should be a co-ordinated research programme for the purpose of improving the methods of detecting small underground nuclear explosions.

---

3. The Minister of Agriculture made a report to the Cabinet on the final stages of the International Conference on the Law of the Sea.

Strenuous efforts had been made to mobilise support for the Canadian and United States proposal for a 6-mile territorial sea plus an outer 6-mile zone in which the coastal States would have exclusive fishing rights, subject to the phasing out of historic fishing rights of other States. Despite these efforts, however, this proposal had failed by one vote to obtain the necessary two-thirds majority. No other proposal had any chance of success and the Conference had broken down.

The first question was whether we should now seek to obtain further advantage from the fact that 54 Governments had been ready to accept this solution. The United States delegation had suggested that these Governments might at once be invited to sign a separate convention binding themselves to honour an arrangement in the terms of the proposal put forward by Canada and the United States at the Conference. This, if it could be secured, would represent a substantial measure of international agreement on this question. It should also serve to prevent some of those States from transferring their support to the side of those who favoured a 12-mile territorial sea. There might, however, be dangers in abandoning, short of a comprehensive international agreement on some other limit, our freedom to continue to claim that a 3-mile limit remained valid in international law.

The Attorney-General said that he was doubtful whether a limited convention of this kind would be of value to us. It would not help us in resisting the claims of other States who unilaterally asserted a right to a 12-mile territorial sea. It would mean that we should have to accept the phasing out of our historic fishing rights. And it would not greatly affect the future attitude of the International Court, which was likely to take the view that the voting at the Geneva Conference was itself evidence of a substantial international acceptance of a 6-mile territorial sea.

SECRET
The Cabinet—

(1) Invited the Ministerial Committee on the Law of the Sea to study, as a matter of urgency, whether there would be advantage in seeking to promote a separate convention on the Law of the Sea between the 54 Governments which had voted at Geneva in favour of the proposal put forward by the Canadian and United States delegations; and to report their recommendations to the Prime Minister.

The Minister of Agriculture said that the second immediate question concerned the resumption of fishing by British trawlers in Icelandic waters. The British industry had refrained from fishing in those waters while the Conference was proceeding at Geneva. They now wished to resume fishing, though they had decided to refrain for the time being from fishing within 12 miles of the coast of Iceland, and they had asked if they could rely on assistance from naval vessels outside that limit. Trawlers which needed medical assistance or emergency repairs would wish to have help from the Royal Navy, as they could no longer put into Icelandic ports. It seemed right that the Government should give this assistance, even at the risk of appearing tacitly to accept a 12-mile limit.

The First Lord of the Admiralty said that three naval vessels would be assigned to this duty, with instructions which made it plain that, while they should not patrol within 12 miles of Iceland, they could in emergency go to the help of British trawlers which got into difficulties or were attacked by Icelandic gunboats when fishing between 12 and 4 miles off Iceland. This latter part of the instructions would not be disclosed to the fishing industry, lest it should encourage trawler captains to fish inside a 12-mile limit.

The Cabinet—

(2) Approved the arrangements which the First Lord of the Admiralty was proposing to make for naval support of British trawlers fishing in Icelandic waters.

The Cabinet also had before them a draft of a statement which the Minister of Agriculture was proposing to make in the House of Commons that afternoon on the outcome of the Geneva Conference. In discussion various amendments to this draft statement were suggested and approved.

The Cabinet—

(3) Authorised the Minister of Agriculture to make, in the House of Commons that afternoon, a statement on the outcome of the Geneva Conference in the terms approved in the course of their discussion.

The Cabinet considered a memorandum by the Commonwealth Secretary (C. (60) 73) on the future of the India Office Library.

The Commonwealth Secretary said that, while the Law Officers had advised that this library had passed into United Kingdom ownership, the Governments of India and Pakistan had always contended that in equity it belonged to them. Uncertainty about the future of the library adversely affected our relations with both Governments, and advantage might be taken of an approach which they had recently made to reach a settlement that would preserve our fundamental interests in the library, namely, that it should remain undivided, and in the United Kingdom, and should continue to be efficiently conducted and to provide the same type of service as at present.
SECRET

New permanent accommodation was needed for the library and there would be less likelihood of claims for compensation from the other two Governments if the question of its future had been settled before any question arose of rebuilding on its present site. The solution he recommended was that ownership of the library should be transferred to an independent Trust whose governing body would consist of nominees from each of the three countries concerned. If an arrangement of this kind could be made, there was reason to suppose that a suitable site in London might be made available free of charge.

The Chancellor of the Exchequer said that the establishment of an independent Trust might involve even greater expenditure, both for new building and for maintenance. Would it not be preferable that the library should be associated with the British Museum or the Public Records Office? In any event he must reserve his position on the financial implications of the Commonwealth Secretary's proposal.

After further discussion the Prime Minister said that the project of an independent Trust might induce the Governments of India and Pakistan to reach an agreement on the future of the library which would preserve our fundamental interests. The principle of a Trust could be discussed with the Prime Minister of India and the President of Pakistan on the understanding that the details of any such scheme would require further consideration. It was possible that, on this basis, the two Governments might make some financial contribution towards the cost of the library. Assistance might also be obtained from private funds.

The Cabinet—

Agreed that the principle of transferring ownership of the India Office Library to an independent Trust should be discussed with the Governments of India and Pakistan on the understanding that the financial implications of any detailed proposals would be subject to further consideration by the Chancellor of the Exchequer.

5. The Commonwealth Secretary made a report to the Cabinet on the discussions which he had been holding with the Prime Minister of Southern Rhodesia, Sir Edgar Whitehead, about the powers reserved to the United Kingdom Government under the constitution of Southern Rhodesia. These discussions had proceeded on the basis that the United Kingdom Government would be unable to surrender their reserve powers unless alternative arrangements were made which provided equally effective safeguards for the interests of the African population. For this purpose Sir Edgar Whitehead was prepared to contemplate the creation of a second Chamber, half of whose members would be Africans elected by an electoral college comprising representatives of the main African organisations in the territory. This was a promising approach to the problem, but a great deal of further work would have to be done before a detailed scheme was available which could be commended to Parliament. Meanwhile, Sir Edgar Whitehead, who was returning to Southern Rhodesia on the following day, was anxious to have it said at once that it had been agreed in principle that the reserve powers of the United Kingdom Government would be withdrawn; and he had indicated that, unless some public statement on those lines could be made, he would be obliged to ask for an immediate dissolution of the Parliament of Southern Rhodesia. The Commonwealth Secretary had made it plain to Sir Edgar Whitehead that he could not agree to a public statement in the terms suggested. He circulated a draft of a statement which, in his judgment, went as far as it was possible to go to meet Sir Edgar Whitehead's wishes.
In discussion it was agreed that the Government could not be parties to a statement indicating that they had agreed in principle to withdraw their reserve powers in respect of Southern Rhodesia. There was as yet no sufficient assurance that alternative arrangements could be devised which would provide equally effective safeguards for the African population. Moreover, if such a statement were made at the present time, it would exacerbate African feeling in Southern Rhodesia and prejudice the work of the Central African Advisory Commission under the Chairmanship of Lord Monckton. On the other hand, if there were an election in Southern Rhodesia in the near future, the issues of independence and secession from the Federation were likely to be raised; and, if the political parties sought to outbid one another on these issues, the work of the Monckton Commission and the forthcoming Federal review would be seriously prejudiced. In these circumstances it was important that, at the end of the current discussions with Sir Edgar Whitehead, some public statement should be made which would give him as much satisfaction as possible.

After further discussion it was agreed that the operative part of the statement should indicate that, in these talks about the reserve powers of the United Kingdom, it had been agreed that the governing principle must be that any alternative machinery devised must be no less effective for the purposes for which the reserve powers had been intended; that Sir Edgar Whitehead had made certain broad proposals for such alternative machinery, which the Commonwealth Secretary had undertaken to consider in detail; and that, when the two Governments had given further study to these, a further meeting would be held in October before the Conference for the review of the Federal Constitution.

The Cabinet—

Authorised the Commonwealth Secretary to issue a communique, in the terms approved in their discussion, on his talks with the Prime Minister of Southern Rhodesia about the modification of the reserve powers of the United Kingdom Government in respect of Southern Rhodesia.

6. The Cabinet had before them memoranda by the Chancellor of the Exchequer and the Minister of Health (whose constituency contained the greater part of the main tomato-growing area of the country) (C. (60) 68 and 72) about an application for an increase in the tariff on tomatoes.

The Chancellor of the Exchequer recalled that in January 1959 the Cabinet had decided to reject applications for increases in the duties on tomatoes. The application had since been renewed and the Tariff Advisory Committee had recommended that certain increases be made. There were, however, strong economic arguments against making any increase and, although a refusal would certainly involve the Government in political difficulties, the majority view of the Economic Policy Committee, who had considered the application, was that the balance of argument was still against making any increase.

Discussion showed some division of opinion in the Cabinet on this issue. It was suggested on the one hand that the economic arguments against increasing the tariff were by no means decisive: imports of tomatoes from Holland had increased substantially in
recent years and the area of domestic production had been reduced. The cost of production had risen while prices had continued to fall, so that the net incomes of tomato-growers in this country had been reduced. On the political side, the Government had undertaken in their Election Manifesto to “continue to use the tariff as the main instrument of protection” for the horticultural industry and a renewed refusal to increase the tariff on tomatoes would be unfavourably received by the agricultural and horticultural interests and their political sponsors, who were already discontented with the Government’s policies. If the tariff was to be increased, there was a case for adopting the duty of 5d. per lb. recommended by the Tariff Advisory Committee from 16th June, not merely to 15th July but to the end of that month. The problems which arose from the present application showed clearly, however, that further consideration should be given to the possibility of introducing a minimum price scheme for tomatoes or some other alternative to the tariff; and steps should be taken in addition to set on foot discussions between our own industry and the Dutch, from which some form of managed market might be developed.

On the other hand, it was argued that to increase an agricultural tariff would prejudice our political and economic relations with the Dutch at a time when we were trying to avert the raising of industrial tariffs against us and when our international trade position was unusually precarious. At least in some parts of the country, notably the Lea Valley, the tomato industry was still far from efficient (and could never perhaps be made fully economic) and to increase the tariff would remove the incentive on the industry to make itself efficient. It would, moreover, result in an increase in the price of tomatoes to the consumer.

Summing up the discussion the Prime Minister said that to sacrifice the interests of our own growers seemed at the present time unlikely to secure for us advantages in our international trade relations great enough to justify failing to carry out the pledge given at the time of the Election. The balance of advantage seemed, therefore, to lie on the side of accepting the recommendations of the Tariff Advisory Committee (subject to the minor modification proposed in the Cabinet’s discussion). The tariff increases should be announced as being subject to review, though preferably not after any specified period. Meanwhile, further consideration should be given to the possibilities of some alternative form of protection for horticulture and to the development of some form of managed market.

The Cabinet—

(1) Agreed to accept the recommendations of the Tariff Advisory Committee for increases in the tariff on tomatoes (subject to continuation of the proposed duty of 5d. a lb. to 31st July).

(2) Invited the Minister of Agriculture, in consultation with the Chancellor of the Exchequer and the President of the Board of Trade, to give further consideration to alternatives to the tariff as an instrument for the protection of the tomato industry.

(3) Invited the Minister of Agriculture to take steps to inaugurate discussions between the British and Dutch tomato industries.

The Cabinet resumed their discussion of a memorandum by the Chancellor of the Exchequer (C. (60) 64) about imports of pigmeat. The Chancellor of the Exchequer recalled that the quota for Polish bacon had been 48,500 tons in 1959 but, in order to allow for a quota of frozen pork from North America, had been reduced to
20,000 tons for the first half of 1960. There were now three questions for decision:

(i) whether for the second half of 1960 the Polish quota should be 24,250 tons (i.e., half the 1959 rate) or 28,500 tons so as to restore the full rate of the previous year;

(ii) whether a quota for the whole of 1961 should now be negotiated with Poland;

(iii) whether an increased quota comparable to that granted to Poland should now be offered also to Canada.

In discussion it was argued that for the second half of 1960 and at least the whole of 1961 the Polish bacon quota should be fixed at the 1959 rate of 48,500 tons a year. This would be greatly to the advantage of our export trade with Poland, which had been seriously damaged by the cut in the bacon quota imposed at the end of 1959. It would, moreover, improve our political relations with Poland and the stability and status of the Polish Government itself.

Such action would, however, arouse much resentment in our own bacon industry and was likely to lead to protests from Denmark, even though Danish exports of bacon to this country had substantially increased since the removal of the tariff. Moreover, a relatively small increase in the supplies of bacon available in this country must be expected to lead to a disproportionate fall in prices, with a consequent rise in the level of subsidy greater than could be justified by a problematical increase of our exports to Poland.

Summing up this part of the discussion the Prime Minister said that the Poles might well be more concerned with the length of the period for which their bacon quota was fixed than with the actual level of the quota. A reasonable compromise might therefore be to offer them the choice between a quota at the full 1959 rate of 48,500 tons a year for 12 months beginning on 1st July, 1960, and a quota at a somewhat lower rate—say, 46,000 tons a year—for a period of 18 months from that date.

In further discussion it was pointed out that price levels had not been attractive enough to lead Canadian exporters to send frozen pork to this country. Since, for this reason, the agreed quota of 25,000 tons a year had not been taken up, there seemed no need to increase it, at least for the time being. It might later, however, be necessary to agree to the Canadians' using the quota for other pigmeat as well as for frozen pork.

The Cabinet—

(4) Invited the President of the Board of Trade, in discussing with the Polish Government the bacon quota for the period beginning 1st July, 1960, to offer them the choice between a rate of 48,500 tons a year for 12 months or some lower rate for 18 months.

(5) Agreed that for the time being the quota for frozen pork from North America should not be increased.

Cabinet Office, S.W.1,
28th April, 1960.