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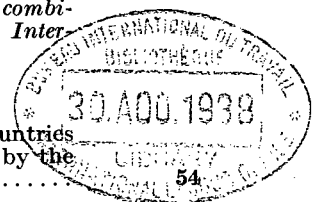
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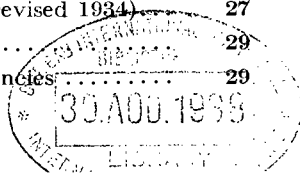
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Special Meeting of the Governing Body of the International Labour Office.

The Governing Body of the International Labour Office held a special meeting on 23 October 1935 at the International Labour Office, Geneva, under the chairmanship of Mr. de Michelis.

The agenda of the meeting was as follows :

1. Examination of the situation which would arise if the withdrawal of Germany from the League of Nations and from the International Labour Organisation became definitely operative on the expiry, on 21 October 1935, of the two years' notice given by Germany.
2. Report of the Standing Orders Committee.

The composition of the Governing Body was as follows :

Government representatives :

Mr. DE MICHELIS (*Italy*), Chairman;
Mr. RICE (*United States of America*);
Mr. RUIZ GUIÑAZÚ (*Argentina*);
Mr. MUNIZ (*Brazil*);
Mr. PAO HUA-KUO (*China*);
Mr. RUIZ MANENT (*Spain*);

Mr. MANNIO (*Finland*);
 Mr. PICQUENARD (*France*);
 Mr. LEGGETT (*Great Britain*);
 Sir Bhupendra Nath MITRA (*India*);
 Mr. YOSHISAKA (*Japan*);
 Mr. ESTRADA CAJIGAL (*Mexico*);
 Mr. JURKIEWICZ (*Poland*);
 Mr. NEČAS (*Czechoslovakia*);
 Mr. MARKUS (*Union of Soviet Socialist Republics*).

Employers' representatives :

Mr. DENNISON (*United States of America*);
 Mr. ERULKAR (*India*);
 Mr. FORBES WATSON (*Great Britain*);
 Mr. GEMMILL (*Union of South Africa*);
 Mr. OERSTED (*Denmark*);
 Mr. OLIVETTI (*Italy*);
 Mr. TZAUT (*Switzerland*);
 Mr. WALINE (*France*).

Workers' representatives :

Mr. HAYDAY (*Great Britain*);
 Mr. JOHANSON (*Sweden*);
 Mr. JOSHI (*India*);
 Mr. JOUHAUX (*France*);
 Mr. MERTENS (*Belgium*);
 Mr. POSSEHL (*United States of America*);
 Mr. SCHÜRCH (*Switzerland*);
 Mr. YONEKUBO (*Japan*).

The following deputy members were also present :

Government deputy members :

Mr. MAHAIM (*Belgium*);
 Mr. RIDDELL (*Canada*).

Employers' deputy members :

Mr. ČURČIN (*Yugoslavia*);
 Mr. LECOCQ (*Belgium*);
 Mr. MOLENAAR (*Netherlands*);
 Mr. VANĚK (*Czechoslovakia*).

Workers' deputy members :

Mr. KUPERS (*Netherlands*);
 Mr. NĚMEČEK (*Czechoslovakia*);
 Mr. SERRARENS (*Netherlands*);
 Mr. ZULAWSKI (*Poland*).

Tribute to the memory of Mr. Leo Winter.

The Governing Body paid a tribute to the memory of Mr. Leo Winter, former Czechoslovak Minister of Social Welfare, who had died shortly before the opening of the session. Mr. Winter had

represented the Czechoslovak Government on the Governing Body and at the International Labour Conference, and had played an important part in the work of the Organisation.

Composition of the Governing Body.

The Chairman, on behalf of the Governing Body, welcomed Mr. William G. Rice, who had been appointed by the Government of the United States of America as its representative on the Governing Body, and Mr. Possehl (United States of America) who sat as a workers' representative.

The Chairman also welcomed Mr. Jérôme Nečas, Czechoslovak Minister of Social Welfare, who had been appointed by the Czechoslovak Government as its representative on the Governing Body.

Withdrawal of Germany from the International Labour Organisation.

The Governing Body unanimously took note of the fact that, as a result of the letter from the Minister of Labour of Germany informing the International Labour Office that the notification of the withdrawal of Germany from the League of Nations included its withdrawal from the International Labour Organisation, Germany had, on the expiry of the period of two years' notice, namely on 21 October 1935, ceased to be a Member of the International Labour Organisation.

The Governing Body unanimously decided that Canada should be invited to appoint a representative to occupy the seat left vacant on the Governing Body, as one of the eight States of chief industrial importance. This decision was to become operative on 24 October 1935, the date of opening of the seventy-third session.

Report of the Standing Orders Committee.

The Governing Body considered the report of its Standing Orders Committee. In accordance with the conclusions of the report, it decided that the election of the officers of the Governing Body at the seventy-third session should be governed by the existing Standing Orders. It was however agreed that the application of the provisions concerning the election of a Government Vice-Chairman should remain suspended until a general decision had been taken on the possible amendment of the Standing Orders in regard to the election of the Chairman of the Governing Body.

The Governing Body also instructed the Office to prepare a note for the Standing Orders Committee on the procedure for the election of the Chairman of the Governing Body.

Seventy-third Session of the Governing Body of the International Labour Office.

The Governing Body of the International Labour Office held its seventy-third session from 24 to 26 October 1935, at the International Labour Office, Geneva, under the chairmanship of Mr. Riddell.

The agenda of the session was as follows :

1. Approval of the minutes of the seventy-first and seventy-second sessions.
2. Report of the Standing Orders Committee (item placed on the agenda of the special meeting).
3. Election of the officers of the Governing Body.
4. Organisation of the Labour Conference of the American States which are Members of the International Labour Organisation, to be held at Santiago.
5. Effect to be given to the resolutions adopted by the Conference at its Nineteenth Session.
6. Preliminary discussion of the agenda of the 1937 Session of the Conference.
7. Report and proposals of the Office concerning the setting up of the Tripartite Agricultural Committee.
8. Study by the Office and report to the Governing Body on the steps to be taken for the protective international regulation of the conditions of employment, work, safety and social welfare of wage-earners employed in road motor transport (Mr. de Michelis' proposal).
9. Study of the decisions of the Assembly of the League of Nations which concern the International Labour Organisation.
10. Questions arising out of the examination of the annual reports on the application of Conventions.
11. Form and periodicity of reports of the Office on national and international economic measures which affect labour questions.
12. Report of the Office on methods to be adopted for the study of scientific management.

13. Report of the Office on the representation of the Governing Body on committees of experts.
14. Report of the Office on the composition and functions of the Correspondence Committee on industrial hygiene.
15. Report of the Office on exceptions in international labour Conventions and on the existing position of protective legislation in countries which have ratified none or very few of the Conventions (effect given to the Governing Body's decision relative to Mr. de Michelis' proposal concerning the extension of labour legislation).
16. Report of the Finance Committee.
17. Report of the Committee on workers' spare time.
18. Report of the Committee on social charges.
19. Report of the Committee on agricultural work (item postponed until the seventy-fourth session).
20. Record of the meeting of the Correspondence Committee on accident prevention.
21. The Director's Report.
22. Date and place of the next session.

The composition of the Governing Body was as follows :

Government representatives :

- Mr. RIDDELL (*Canada*), Chairman;
- Mr. RICE (*United States of America*);
- Mr. RUIZ GUIÑAZÚ (*Argentina*);
- Mr. MUNIZ (*Brazil*);
- Mr. PAO HUA-KUO (*China*);
- Mr. RUIZ MANENT (*Spain*);
- Mr. MANNIO (*Finland*);
- Mr. PICQUENARD (*France*);
- Mr. LEGGETT (*Great Britain*);
- Sir Bhupendra Nath MITRA (*India*);
- Mr. DE MICHELIS (*Italy*);
- Mr. YOSHISAKA (*Japan*);
- Mr. ESTRADA CAJIGAL (*Mexico*);
- Mr. JURKIEWICZ (*Poland*);
- Mr. MARKUS (*Union of Soviet Socialist Republics*);
- Mr. YEREMITCH (*Yugoslavia*).

Employers' representatives :

- Mr. DENNISON (*United States of America*);
- Mr. ERULKAR (*India*);
- Mr. FORBES WATSON (*Great Britain*);
- Mr. GEMMILL (*Union of South Africa*);
- Mr. OERSTED (*Denmark*);
- Mr. OLIVETTI (*Italy*);
- Mr. TZAUT (*Switzerland*);
- Mr. WALINE (*France*).

Workers' representatives :

Mr. HAYDAY (*Great Britain*);
 Mr. JOHANSON (*Sweden*);
 Mr. JOSHI (*India*);
 Mr. JOUHAUX (*France*);
 Mr. MERTENS (*Belgium*);
 Mr. SCHÜRCH (*Switzerland*);
 Mr. POSSEHL (*United States of America*);
 Mr. YONEKUBO (*Japan*).

The following deputy members were also present :

Government deputy member :

Mr. MAHAIM (*Belgium*).

Employers' deputy members :

Mr. ČURČIN (*Yugoslavia*);
 Mr. KNOB (*Hungary*);
 Mr. LECOCQ (*Belgium*);
 Mr. MOLENAAR (*Netherlands*);
 Mr. VANĚK (*Czechoslovakia*).

Workers' deputy members :

Mr. JENSEN (*Denmark*);
 Mr. NEMEČEK (*Czechoslovakia*);
 Mr. SERRARENS (*Netherlands*);
 Mr. ZULAWSKI (*Poland*).

Mr. Garcia Oldini, representative of the Chilean Government, attended those sittings at which the Governing Body discussed the measures taken for the organisation of the Labour Conference of the American States which are Members of the International Labour Organisation.

Opening of the Session.

In accordance with the Standing Orders of the Governing Body, the session was opened by Mr. de Michelis, Chairman of the Governing Body, who remained in office until the election of his successor.

Election of the officers of the Governing Body.

The Governing Body elected the following officers for the year 1935-1936 :

Chairman : Mr. Riddell, Canadian Government representative.

Employers' Vice-Chairman : Mr. Oersted (Denmark).

Workers' Vice-Chairman : Mr. Mertens (Belgium).

Labour Conference of the American States which are Members of the International Labour Organisation.

The Governing Body was informed by the Director of the measures for the organisation of the Labour Conference of the American States which are Members of the International Labour Organisation, which was to open at Santiago, Chile, in the Congress Building on 2 January 1936.

The Governing Body decided to convey its warmest thanks to the Chilean Government and Congress for the action which they had taken to facilitate the preparation of the Conference both financially and materially.

Resolutions adopted by the Conference at its Nineteenth Session.

The Governing Body considered the effect to be given to various resolutions adopted by the International Labour Conference at its Nineteenth Session (1935).

Resolution concerning holidays with pay in agriculture.—The Governing Body instructed the Office to complete its information on holidays with pay in agriculture and to prepare a full report on the subject for submission to the Committee on agricultural work.

Resolution concerning unemployment among young persons.—The Governing Body adjourned until its seventy-fourth session the discussion of the question of placing on the agenda of an early session of the Conference the revision of the Conventions fixing the minimum age for admission of children to industrial employment (1919), employment at sea (1920), employment in agriculture (1921) and non-industrial employment (1932) with a view to raising the age of 14 which is mentioned in those Conventions to 15. It decided that the question of the possible revision of the Convention fixing the minimum age for admission of children to employment at sea (1920) should be submitted in the first place to the Joint Maritime Commission.

The Governing Body considered that part of the resolution which recommended that the subject of vocational guidance, apprenticeship and technical education of young workers should be placed on the agenda of the Conference in connection with the preliminary discussion of the questions which might be placed on the agenda of the 1937 Session of the Conference (see below).

The Governing Body instructed the Director to submit to it in due course proposals for calling a meeting of the Unemployment Committee, to which those Governments which had sent in reports concerning the application of the principles mentioned in the Recommendation concerning unemployment among young persons, adopted by the Conference at its Nineteenth Session, would be asked to send experts.

The Governing Body placed on the agenda of the next Conference of Labour Statisticians the question of the means of facilitating the application of that part of the Recommendation

concerning unemployment among young persons which deals with statistics.

The Governing Body adjourned until its seventy-fourth session the consideration of the effect to be given to the suggestions put forward in this resolution concerning unemployment among young persons in agriculture.

Resolution concerning the regulation of written contracts of employment.—The Governing Body considered the effect to be given to this resolution in connection with the agenda of the 1937 Session of the Conference (see below).

Resolution concerning the workers' right of association.—The Governing Body decided to lay this resolution before the Committee on freedom of association.

Resolution concerning the reduction of hours of work in the textile industry.—The Governing Body decided to place the question of the reduction of hours of work in the textile industry on the agenda of the 1936 Session of the Conference, and stated that this question was to constitute a single item on the agenda. It instructed the Office to draw up a preparatory report which would enable the Conference to deal with the question either by way of a double discussion or by way of a single discussion. It authorised the Director to call a meeting of a certain number of experts to advise the Office on the preparation of the report.

Resolutions concerning the reduction of hours of work in the chemical industry and in the printing and bookbinding trades.—The Governing Body noted that effect had been given to these two resolutions by the decisions which it had taken concerning the fixing of the agenda of the 1937 Session of the Conference.

Resolution concerning the reduction of hours of work in the glass industry.—The Governing Body authorised the Director to call a meeting of the Technical Committee on glass works in 1936 in order to examine the possibility of extending as soon as possible, by means of an international Convention, the reduction of hours of work to those branches of the glass industry or categories of persons employed in that industry which had not so far been dealt with.

Resolution concerning agricultural labour.—The Governing Body adjourned the discussion of the effect to be given to this resolution until its seventy-fourth session.

Resolution concerning wage-fixing machinery.—The Governing Body instructed the Director to communicate this resolution to the Governments of those States which have not yet ratified the Minimum Wage-Fixing Machinery Convention (1926).

Resolution concerning the nutrition of the workers.—In considering the effect to be given to this resolution, the Governing Body took note of the resolution adopted by the Assembly of the League of Nations in September 1935, in which the International Labour

Organisation was asked to co-operate in regard to the aspects of the question which fell within its sphere. The Governing Body decided to set up a committee of experts to assist the Office in preparing the preliminary report on the question which is to be submitted to the Conference at its Twentieth Session.

Resolution concerning the truck system.—The Governing Body instructed the Office to continue its study of this question.

Resolution concerning the maintenance of the standard of living of the workers.—The Governing Body noted that this resolution had been communicated to the Governments of the States Members of the Organisation.

Agenda of the 1937 Session of the Conference.

The Governing Body undertook a preliminary discussion of the questions which might be placed on the agenda of the 1937 Session of the Conference.

The Governing Body instructed the Office to submit to it, at its seventy-fourth session (February 1936), statements of the law and practice on the following questions :

Reduction of hours of work in the printing and book-binding trades;

Reduction of hours of work in the chemical industry;
Apprenticeship and technical education;

Regulation of certain special types of contracts of employment;

The rights of performers in connection with broadcasting,
and other systems of reproducing sounds and images;

Public works;

A question relating to labour statistics.

In accordance with its Standing Orders the Governing Body will have to decide at its seventy-fourth session whether one or more of these questions is to be placed on the agenda of the 1937 Session of the Conference.

Reports of the Office on national and international economic measures which affect labour questions.

The Governing Body approved the Director's proposal that reports on the economic situation in general and national and international economic developments likely to have significant social consequences should be communicated to the Governing Body at its April and October Sessions.

Methods to be adopted for the study of scientific management.

The Governing Body decided to set up an advisory committee for the study of questions relating to scientific management. The committee will consist of nine members of the Governing Body, three from each group, and six experts to be appointed by the

Governing Body, four of whom would be appointed on the nomination of the International Management Committee. It was agreed that the Office should keep in close touch with the new permanent secretariat of the International Management Committee for the study of the technical and economic aspects of rationalisation.

Composition and functions of the Correspondence Committee on industrial hygiene.

The Governing Body took note of the report submitted by the Director on the composition and functions of the Correspondence Committee on industrial hygiene.

Exceptions in international labour Conventions.

The Governing Body considered the reports prepared by the Office on exceptions in international labour Conventions and on the application of the Recommendations. It decided to refer those reports to the permanent Committee set up to examine the ten yearly and five-yearly reports on the application of Conventions.

Report of the Finance Committee.

The Governing Body adopted the report of its Finance Committee, which dealt with various questions relating to the financial administration of the Office. It also took note of the financial and administrative decisions of the Assembly of the League of Nations which concern the International Labour Organisation.

The Governing Body approved the executive measures proposed with regard to the extension of the building of the International Labour Office.

Report of the Committee on workers' spare time.

The Governing Body decided to prolong the term of office of this Committee in order to enable it to submit to the Governing Body at its seventy-fourth session (February 1936) proposals concerning the desirability of constituting a Committee of experts on workers' spare time and on the nature and composition of such a Committee. It instructed the Office, in order to assist the Committee to draw up definite proposals, to prepare a report on the measures taken in the various countries for the utilisation of workers' spare time, and on the organisations working in this field.

Report of the Committee on social charges.

The Governing Body approved the report of the Committee on social charges and authorised the Office to publish volume I of the Survey of Social Services in 1933 as soon as possible. It

was decided that, with a view to the preparation of volume II, a letter of reminder should be sent to the Governments which had not yet supplied the Office with the necessary information.

The Director's Report.

Date of the 1936 Session of the Conference.—The Governing Body decided that the Twentieth Session of the International Labour Conference should open on 4 June 1936.

The Governing Body further decided to submit the question of the date of the annual session of the Conference to the Standing Orders Committee, which will report to the Governing Body on the subject.

Standing Orders Committee.—The Governing Body referred to its Standing Orders Committee various questions relating to the interpretation of the Standing Orders of the Conference.

Committee of statistical experts.—The Governing Body authorised the Director to call a meeting of the Committee of statistical experts before the end of 1935 to consider various questions relating to the statistics published by the Office. The Committee will be asked in particular to express its opinion regarding the question relating to labour statistics which it considers might suitably be placed on the agenda of the 1937 Session of the Conference.

Committee on automatic coupling.—The Governing Body authorised the Director to call a meeting of the Sub-Committee on automatic coupling in 1936 in order to consider the following question :

Examination of the present situation of the problem of automatic coupling, with a view to proposing means of enabling preliminary practical tests of suitable coupling systems to be carried out at the earliest possible date.

Unemployment Committee.—The Governing Body decided that a meeting of the Unemployment Committee should be held in connection with the seventy-fourth session in order to lay down the uniform basis on which the Governments would be requested to forward to the Office information regarding public works.

Committee to study the ten-yearly and five-yearly reports.—The Governing Body decided that the Committee set up to study the ten-yearly and five-yearly reports should be composed of nine members, three from each group.

Finance Committee.—The Governing Body approved the appointment of Mr. Dennison as an employers' representative on the Finance Committee.

Standing Orders Committee.—The Governing Body approved the appointment of Mr. Erulkar as an employers' representative on the Standing Orders Committee.

Correspondence Committee on industrial hygiene.—The Governing Body appointed the following persons as members of this Committee for a period of three years :

Dr. João de Barros Barreto, Acting Director of the National Department of Health and Medico-Social Assistance in the Brazilian Ministry of Education and Public Health.

Professor Gortvay, Director of the Social Museum and Assistant Director of the Social Insurance Institute at Budapest.

Dr. Georges Charoff, Chief Medical Inspector of the Department of Labour and Social Insurance in the Ministry of National Economy of Bulgaria.

Dr. L. R. Thompson and Dr. A. E. Russell, officers of the United States Public Health Service.

Correspondence Committee on social insurance.—The Governing Body appointed the following persons as members of this Committee for a period of three years :

Mr. Jozua François Malherbe, Workmen's Compensation Commissioner for the Union of South Africa, as an expert on workmen's compensation questions.

Mr. J. A. McCarron, Controller, National Health Insurance, Department of Local Government and Public Health of the Irish Free State, as an expert on sickness insurance questions.

Mr. Robert Campbell Ferguson, Assistant Secretary, Trade and Industries Branch, Department of Industry and Commerce of the Irish Free State, as an expert on workmen's compensation questions.

Mr. Perez-Lavin, Director of the Industrial Accidents Section of the National Provident Institute of Chile.

Mr. F. Labarca, Director of the Compulsory Insurance Fund of Chile.

Committee of experts on Native labour.—The Governing Body appointed the following persons as members of this Committee for a period of three years :

Mr. Marchand, French Colonial Governor.

Mr. J. J. Schrieke, Doctor of Law, Professor at the University of Leyde.

Advisory Committee on professional workers.—The Governing Body noted that the International Committee on Intellectual Co-operation had appointed Mr. Ostertag, Director of the International Bureaux of Industrial, Literary and Artistic Property, as a substitute member of the Advisory Committee on professional workers.

Joint Maritime Commission.—The Governing Body noted that the shipowners' group of the Joint Maritime Commission had appointed Mr. S. M. D. Valstar, Director of the Royal Dutch

Steamship Company and Chairman of the Federation of Regular Mercantile Shipping Line Employers, as a member of the Commission in the place of Mr. A. J. N. Goudriaan, who had resigned.

Committee of statistical experts.—The Governing Body appointed Dr. Gunnar Jahn, Director of the Central Statistical Office, Norway, as a member of this Committee for a period of three years.

Renewal of appointment of members of Committees.—The Governing Body renewed the appointment of the following members of Committees for a period of three years :

Correspondence Committee on social insurance :

Mr. Barla Szabo (Hungarian);
 Mr. Clow (India);
 Mr. Hahn (Yugoslav);
 Mr. Kahlmeter (Swedish);
 Mr. d'Oliveira (Brazilian);
 Mr. Penris (Netherlands).

Committee on automatic coupling :

Government experts :

Mr. Colens (Belgian);
 Mr. Czapski (Polish);
 Mr. Hunziker (Swiss);
 Mr. Simpson (Canadian).

Employers' experts :

Mr. Ekman (Swedish);
 Mr. Gutierrez (Spanish) (substitute);
 Mr. Jenkin Jones (British);
 Mr. Luzzatti (Italian);
 Mr. Anghileri (Italian) (substitute);
 Mr. de Tolnay (Hungarian);
 Mr. Zehnder (Swiss).

Workers' experts :

Mr. Forslund (Swedish);
 Mr. Grenzer (Hungarian);
 Mr. Held (Swiss);
 Mr. Jarrigion (French);
 Mr. Nathans (Netherlands);
 Mr. Tallon (Canadian).

Substitutes :

Mr. Brodecky (Czechoslovak);
 Mr. Issaieff (Bulgarian);
 Mr. Gomez (Spanish);
 Mr. Maxamin (Polish).

Committee of experts on Native labour :

Lord Lugard (British);
 Major Herbert Sutton Cooke (South African);
 Dr. José d'Almada (Portuguese);
 Mr. Camille Lejeune (French).

Committee of statistical experts :

Mr. Huber (French);
 Mr. Ramsbottom (British);
 Professor Savorgnan (Italian);
 Mr. Szturm de Sztrem (Polish);
 Mr. Coats (Canadian).

Committee on automatic coupling.—The Governing Body appointed the following persons members of this Committee for a period of three years :

Mr. de Michelis, Italian Government representative on the Governing Body of the International Labour Office.

Mr. Shinsaku Tokunaga, engineer in the Department of Railways and Chief of the Section of Waggons at Tokyo.

Mr. Boutet, Director-General of Railways and Roads in the Ministry of Public Works, France.

Mr. Santiago Puertos, Assistant Director of the Madrid-Saragossa-Alicante Railway Company,

Report on opium smoking among workers.—In connection with this report the Governing Body adopted the following resolution :

The Governing Body.

After taking note of the report submitted by the International Labour Office on the extent and effects of opium smoking among workers,

Decides to request the International Labour Office to publish the report and submit it to the next session of the Conference in 1936.

Date and place of the next session.

The Governing Body decided that its seventy-fourth session should open at Geneva on 20 February 1936.

The Governing Body adjourned the following items on its agenda until its seventy-fourth session :

Report and proposals of the Office concerning the setting up of the Tripartite Agricultural Committee.

Study by the Office and report to the Governing Body on the steps to be taken for the protective international regulation of the conditions of employment, work, safety and social welfare of wage-earners employed in road motor transport (Mr. de Michelis' proposal).

Study of the decisions of the Assembly of the League of Nations which concern the International Labour Organisation (except the administrative and financial decisions, which were dealt with in the report of the Finance Committee).

Questions arising out of the examination of the annual reports on the application of Conventions.

Report of the Office on the representation of the Governing Body on Committees of Experts.

Report of the Committee on Agricultural Work.

Record of the meeting of the Correspondence Committee on Accident Prevention.

Permanent Court of International Justice.

*Chamber for Labour Cases*¹.

By letter dated 10 February 1936, the Registrar of the Permanent Court of International Justice informed the International Labour Office that on 6 February 1936 the Court had elected Mr. Negulesco to fill the vacancy in the Chamber for Labour Cases caused by the resignation of Mr. Wang Chung-Hui.

As Mr. Negulesco was already a substitute member of that Chamber, the Jonkheer van Eysinga was elected as a substitute member in his place.

¹ The composition of the Chamber was given in the *Official Bulletin*, vol. XX, No. 4, p. 132.

Application of Conventions in Colonies.

Decision of the Governing Body on a representation submitted by the Madras and Southern Mahratta Railway Employees' Union concerning the application of certain International Labour Conventions in the French possessions in India.

By letter dated 13 September 1935, addressed to the Director of the International Labour Office, the Madras and Southern Mahratta Railway Employees' Union submitted a representation in respect of the alleged non-application to French India of the International Labour Conventions which had been ratified by France, although certain of these Conventions had been ratified by India and applied in that country.

The Railway Employees' Union referred to several Conventions in regard to which it was alleged that there was nothing in the local conditions in French India to hinder their application. The Union therefore requested the Governing Body to investigate their complaint, and to inform them of the results of such investigation.

The representation of the Madras and Southern Mahratta Railway Employees' Union was considered at the seventy-fourth session of the Governing Body of the International Labour Office (February 1936), which appointed a committee of three of its members, in accordance with Article 2 of the Standing Orders for the procedure in such cases, to examine the representation and to make proposals to the Governing Body.

This committee submitted the following report to the same session of the Governing Body.

Report of the Committee of the Governing Body.

(Paragraph 3 of Article 2 of the Standing Orders concerning the procedure for the discussion of representations.)

In a letter dated 13 December 1935 the Madras and Southern Mahratta Railway Employees' Union made a representation to the International Labour Office, the text of which has been communicated to the Governing Body.

The various measures to be taken by the Office and the Governing Body in the event of a representation being made under Article 23 of the Constitution of the Organisation (409) are laid down in special Standing Orders adopted by the Governing Body on 8 April 1932.

In accordance with those Standing Orders "all the steps in the procedure concerning a representation received by the Office in accordance with Article 23 of the Constitution of the Organisation (409) shall be confidential until such time as the matter is finally disposed of by the Governing Body."

"When a representation is made to the Director of the International Labour Office within the meaning of Article 23 of the Constitution of the Organisation (409), he shall acknowledge its receipt and then communicate it immediately to all members of the Governing Body for consideration at its next Session."

"Before that Session the Director of the International Labour Office shall communicate to the Governing Body all the information in his possession as regards the receivability of the representation without proceeding for that purpose to put any part of the procedure into operation."

As the communication from the Madras and Southern Mahratta Railway Employees' Union referred to Article 23 of the Constitution (409), the Office carried out the provisions of paragraph 1 of Article 2 of the Standing Orders by acknowledging its receipt and communicating it immediately to all members of the Governing Body. The fact of having communicated it to the Governing Body of course in no way prejudices the question of the receivability of the representation either as regards form—Article 3 of the Standing Orders—or, still more, as regards substance—Articles 4 and 11 of the Standing Orders.

The Office has also transmitted to the Governing Body in a short note "all the information in its possession as regards the receivability of the representation".

Paragraph 3 of Article 2 of the Standing Orders concerning the procedure for the discussion of representations further states that "when a representation is submitted to the Governing Body, the latter shall set up a Committee composed of three of its members chosen respectively from the Government, employers' and workers' groups which shall, before any decision is reached, lay before the Governing Body proposals concerning the steps to be taken at each of the stages of the procedure."

At the first sitting of the present session, held at Geneva on 20 February 1936, the Governing Body, in accordance with the above provisions, appointed a Committee of three members, consisting of:

Mr. J. C. Muniz, representative of the Government of Brazil,
Mr. Oersted, employers' Vice-Chairman of the Governing Body,
Mr. Mertens, workers' Vice-Chairman of the Governing Body.

The Committee met on Friday, 21 February 1936. All the members of the Committee were present.

The Committee also heard a statement from Mr. Picquenard, French Government representative on the Governing Body.

Members of the Governing Body will find below the conclusions reached by the Committee, as well as the considerations on which they were based.

The functions of the Committee are defined by paragraph 3 of Article 2 of the Standing Orders concerning the procedure for the discussion of representations. They consist in laying before the Governing Body "before any decision is reached, . . . proposals concerning the steps to be taken at each of the stages of the procedure."

The object of these proposals should be to enable the Governing Body to decide on the two kinds of question mentioned by the Standing Orders, namely:

- A. Is the representation receivable as regards form?
- B. Is the representation receivable as regards substance?

A.

Receivability as regards form of the representation made by the Madras and Southern Mahratta Railway Employees' Union (Article 3 of the Standing Orders concerning the procedure for the discussion of representations).

In accordance with Article 3 of the Standing Orders, the receivability of a representation as regards form is subject to certain conditions which are set out under letters (a) to (f) in paragraph 2 of Article 3.

The representation of the Madras and Southern Mahratta Railway Employees' Union must conform to each of these conditions in order to

be receivable as regards form, namely, in order to be considered by the Governing Body.

It appears from the study undertaken by the Committee that the representation which was submitted to it undoubtedly fulfils the conditions as regards form laid down by the Standing Orders.

In expressing this opinion the Committee does not as yet formulate any view concerning the justification for the representation. That will be done in the second part of the present report. The Committee merely notes that a formal document—the text of the representation—has been drawn up correctly.

B.

Examination as regards substance of the communication from the Mahratta and Southern Madras Railway Employees' Union (Article 4 et seq. of the Standing Orders concerning the procedure for the discussion of representations).

In accordance with the provisions of Article 23 of the Constitution (409) which defines a representation, the object of this examination is to establish whether France "has failed to secure in any respect the effective observance within its jurisdiction of any Convention to which it is a party."

During this examination there can be no question of any obligations other than those imposed upon France by the ratification of Conventions. That is a definite condition implicitly laid down in Article 23 of the Constitution (409). France's other obligations towards the Organisation do not arise.

The representation refers to the application to the *French Possessions in India* of the Conventions ratified by France.

Since the French Possessions in India constitute a colony, and since France has not, by any Convention or ratification, assumed wider obligations with regard to them than those which are incumbent on all Members of the Organisation with regard to their colonies, the Committee considered that the obligations of France with regard to these Possessions in the case of Conventions ratified by France are those which derive from Article 35 of the Constitution (421).

These obligations are the following :

(a) In accordance with the engagement entered into by them under Article 35 (421), the States are required to apply the Conventions to which they are parties to their colonies, protectorates and possessions which are not fully self-governing;

(b) This obligation is subject to the reservations set out under (1) and (2) of paragraph 1 of Article 35 of the Constitution (421);

(c) In regard to each Convention, each State is competent to decide as to the necessity and desirability of having recourse to those reservations;

(d) The competence of the States in this connection cannot, however, be exercised in an arbitrary manner. The action taken must obviously be preceded by an examination in good faith of the local conditions and of the possibility of introducing into the Conventions such modifications as may be necessary to adapt them to such conditions;

(e) Each State is required to notify to the Office the action taken in respect of each of its colonies, protectorates and possessions which are not fully self-governing.

In connection with each Convention which France has ratified, the French Government has notified the International Labour Office of the list of colonies, possessions or protectorates to which the Convention or certain provisions of the Convention are to apply, and has informed the Office that in view of local conditions the Convention would not be applied to the other oversea possessions, which include the French Possessions in India.

The Committee has no reason to suppose that the French Government has not carried out its examination of local conditions in complete good faith.

In these circumstances it cannot be maintained that France, in connection with the French Possessions in India, has "failed to secure in any respect the effective observance within its jurisdiction of any convention to which it is a party".

The Committee further noted with particular satisfaction a statement by the representative of the French Government according to which that Government every year, when preparing the annual reports on the application of Conventions, examines the possibility of applying the Conventions ratified by France to each of its colonies, protectorates and possessions which are not fully self-governing. The French Government representative further stated that as soon as such a possibility was found to exist in the course of this examination, the Government would not fail to apply the Conventions ratified by France to the French Possessions in India, subject to the reservations authorised by Article 35 of the Constitution (421).

In conclusion, the Committee, after examining both from the point of view of form and that of substance the receivability of the representation of the Madras and Southern Mahratta Railway Employees' Union, proposes that the Governing Body should declare, in accordance with Article 23 of the Constitution (409) and Articles 3 and 4, paragraphs 1 to 4, of the Standing Orders concerning the procedure for the discussion of representations, that this representation is

- (a) receivable as regards form
- (b) not receivable as regards substance.

A further question which was considered by the Committee in connection with the application of Article 35 of the Constitution (421) is whether it would not be desirable for States to undertake from time to time a further examination of the possibility of applying the Conventions which they have ratified to their colonies, protectorates and possessions.

It would seem scarcely consistent with the engagement entered into under paragraph 1 of Article 35 that the "action taken" under paragraph 2 should be considered as final, no matter what circumstances might intervene. For example, the fact that important industries had been set up in a colony where no decision has been taken to apply any ratified Convention should, presumably, lead to a further examination by the State concerned of the "local conditions" within the meaning of paragraph 1 of Article 35 (421). No definite rule to that effect has as yet been laid down. There could therefore be no question under the existing rules of suggesting that a representation would be receivable on those grounds.

The Governing Body may however perhaps feel that States Members might be requested, in connection with the annual reports on the application of Conventions, to supply information on any changes in the "local conditions" mentioned in Article 35 of the Constitution (421).

Generally speaking, the workers' member of the Committee considers that States are under a formal obligation to apply the Conventions which they have ratified to their possessions or colonies, and that they cannot discharge themselves of that obligation by their own act.

The conclusions contained in the above report, namely, that the representation was

- (a) receivable as regards form,
- (b) not receivable as regards substance,

were approved by the Governing Body at the same Session, and the Governing Body authorised at the same time the publication of the Report of the Committee.

Official Action on the Decisions of the International Labour Conference

Austria.

Recommendation (No. 41) concerning the age for admission of children to non-industrial employment (1932).

By letter of 24 February 1936 the Secretary-General of the League of Nations communicated to the Office a copy of a letter in which the Minister for Foreign Affairs of Austria informed him, in accordance with paragraph 6 of Article 350 of the Treaty of Saint-Germain and the corresponding articles of the other Treaties of Peace, of the action taken by the Federal Government in respect of the above-mentioned Recommendation.

The letter from the Federal Minister for Foreign Affairs of Austria is as follows :

(Translation)

Vienna, 22 January 1936.

Sir,

In accordance with Article 350 of the Treaty of Saint-Germain, the Federal Chancellery, Department of Foreign Affairs, has the honour to inform you that Austria has given effect to the Recommendation adopted by the International Labour Conference at its Sixteenth Session concerning the age for admission of children to non-industrial employment by means of the Federal Act concerning the regulation of the work of children and young persons, excluding the work of children in agriculture and forestry, which came into force on 1 September 1935 and which was published in the Austrian Law Gazette under No. 298 of 1935, as well as by the Decree governing the issue of labour cards for children, published in the Austrian Law Gazette No. 356 of 1935.

I have the honour to be, etc.,

For the Federal Minister for Foreign Affairs :
(Signed) LEITMAIER.

Formal ratification of the Conventions (No. 5) fixing the minimum age for admission of children to industrial employment (1919); (No. 33) concerning the age for admission of children to non-industrial employment (1932); (No. 42) concerning workmen's compensation for occupational diseases (revised 1934).

By letter of 27 February 1936, the Secretary-General of the League of Nations informed the Office that the Permanent Representative of Austria accredited to the League of Nations had deposited with the Secretariat of the League of Nations, in accordance with Article 350 of the Treaty of Saint-Germain and the corresponding articles of the other Treaties of Peace, the formal ratification by the Federal Government of Austria of the above-named Conventions.

In accordance with Article 351 of the Treaty of Saint-Germain and the corresponding articles of the other Treaties of Peace, this ratification was registered by the Secretariat of the League of Nations on 26 February 1936.

The instrument of ratification of the Convention fixing the minimum age for admission of children to industrial employment is as follows :

(Translation)

The Federal President of Austria declares that the Draft Convention fixing the minimum age for admission of children to industrial employment adopted by the International Labour Conference at Washington at its First Session in 1919, which is in the following terms :

(Here follows the text of the Convention in French and English)

is ratified and promises on behalf of Austria that it will be faithfully carried out.

In faith whereof, the present ratification has been signed by the Federal President, countersigned by the Federal Chancellor and by the Federal Ministers of Foreign Affairs, Education, Social Administration, Trade and Communications, and sealed with the Seal of the Austrian Confederation.

Done at Vienna, 20 January 1936.

(Signed) MIKLAS,
Federal President.

(Signed) SCHUSCHNIGG,
Federal Chancellor.

(Signed) DOBRETSBERGER,
Federal Minister of Social Administration.

(Signed) F. STOCKINGER,
Federal Minister of Trade and Communications.

(Signed) E. BERGER,
Federal Minister of Foreign Affairs.

(Signed) SCHUSCHNIGG,
Federal Minister of Education.

The instrument of ratification of the Conventions concerning the age for admission of children to non-industrial employment and workmen's compensation for occupational diseases (revised) are in similar terms.

Recommendation (No. 44) concerning unemployment insurance and various forms of relief for the unemployed (1934).

By letter of 27 February 1936, the Secretary-General of the League of Nations forwarded to the Office a copy of the following letter by which the Austrian Federal Minister for Foreign Affairs had informed him, in accordance with paragraph 6 of Article 350 of the Treaty of St. Germain and the corresponding articles of the other Treaties of Peace, of the action taken by the Federal Government in respect of the above-mentioned Recommendation.

The letter from the Austrian Federal Minister for Foreign Affairs is as follows :

(Translation)

Vienna, 5 February 1936.

Sir,

In accordance with Article 350 of the Treaty of Saint-Germain, the Federal Chancellery, Department of Foreign Affairs, has the honour to inform you that Austria has given effect to the Recommendation No. 44 adopted by the International Labour Conference at its Eighteenth Session concerning unemployment insurance and various forms of relief for the unemployed.

As the laws and regulations in force in Austria on questions dealt with by the Recommendation are in accordance therewith, the Federal Government has not been obliged to take further measures.

I have the honour to be, etc.

For the Federal Minister for Foreign Affairs :

(Signed) LEITMAIER.

Cuba.

Formal ratification of the Conventions (No. 26) concerning the creation of minimum wage fixing machinery; (No. 30) concerning the regulation of hours of work in commerce and offices (1930); (No. 33) concerning the age for admission of children to non-industrial employment (1932).

By letter of 25 February 1936, the Secretary-General of the League of Nations informed the Office that the Permanent Delegate of the Republic of Cuba accredited to the League of Nations had deposited with the Secretariat of the League of Nations, in accordance with Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, the formal ratification by the Government of the Republic of Cuba of the above-named Conventions.

In accordance with Article 406 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, this ratification was registered by the Secretariat on 24 February 1936.

The next of the instrument of ratification of the Convention concerning the creation of minimum wage-fixing machinery is as follows :

(Translation)

We, JOSE A. BARNET Y VINAGERAS,
Provisional President of the Republic of Cuba,

To all who may see these presents, make known :

Whereas a draft Convention concerning the creation of minimum wage fixing machinery was adopted at the International Labour Conference held at Geneva (Switzerland) from 30 May to 16 June 1928;

Whereas the above-named instrument was accepted by the representatives of the Republic of Cuba and approved by the Cabinet on 8 January of the present year;

Whereas the text of the said draft Convention as drafted in English and French and translated into Spanish is as follows :

(Here follows the text of the Convention in Spanish)

For these reasons We declare that We ratify the foregoing Convention in all its parts, promising that it shall be applied and observed in all points.

In Faith whereof We issue these present letters signed by Our hand, sealed with the Great Seal of the Nation, and send them to the Acting Secretary for Foreign Affairs in order that they may be registered and deposited in the archives of the General Secretariat of the League of Nations, in accordance with the provisions of Article 6 of the Convention and Article 18 of the Covenant of the League of Nations.

Given at Havana at the Palace of the Presidency this seventeenth day of the month of January, one thousand nine hundred and thirty six.

(Signed) J. A. BARNET.
President.

(Signed) J. L. ECHARTE
Secretary for Public Works and
Acting Secretary for Foreign
Affairs.

The instruments of ratification of the Conventions concerning the regulation of hours of work in commerce and offices and the age for admission of children to non-industrial employment are in similar terms.

Estonia.

Formal ratification of the Convention (No. 41) concerning employment of women during the night (revised) 1934.

By letter of 27 December 1935, the Secretary-General of the League of Nations informed the Office that, by letter of 14 December 1935, the Estonian Minister for Foreign Affairs had communicated to him, in accordance with Article 405 of the Treaty of

Versailles and the corresponding articles of the other Treaties of Peace, the formal ratification by the Government of Estonia of the above-mentioned Convention.

In accordance with Article 406 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, this ratification was registered by the Secretariat on 21 December 1935.

The letter from the Minister for Foreign Affairs is as follows :

(Translation)

Tallinn, 14 December 1935.

Sir,

I have the honour to inform you, in accordance with paragraph 7 of Article 405 of the Treaty of Versailles, that the President of the State ratified on 13 November 1935, by a legal decree published on 22 November 1935 in the Official Gazette (*Rüigi Teataja*) No. 99, article 818, which came into force on 3 December 1935, the draft Convention concerning employment of women during the night (revised 1934), adopted by the International Labour Conference at its Eighteenth Session.

I have the honour to be, etc.

(Signed) M. LARETEI,

Deputy Minister.

The legal decree of 13 November 1935 approving the Convention mentioned in the letter reproduced above is as follows :

(Translation)

Act for the approval of the draft Convention concerning employment of women during the night (revised) 1934, adopted by the Eighteenth Session of the International Labour Conference.

Edicted by the decree of the President of the State on 13 November 1935 and published in the *Rüigi Teataja* No. 99, Article 818.

(1) The draft Convention concerning employment of women during the night (revised 1934), adopted by the Eighteenth International Labour Conference, is recognised to be approved.

(2) The French text of the Convention named in paragraph 1 and a translation of the text into the Estonian language shall be published simultaneously with this Act.

Formal denunciation of the Convention (No. 4) concerning employment of women during the night (1919).

By letter of 31 January 1936, the Secretary-General of the League of Nations informed the Office that by letter of 25 January 1936 the Minister for Foreign Affairs of Estonia had communicated to him the formal denunciation by his Government of the above-mentioned Convention.

This denunciation was registered by the Secretariat on 28 January 1936.

The letter of the Estonian Minister for Foreign Affairs to the Secretary-General is as follows :

(Translation)

Tallinn, 25 January 1936.

Sir,

In accordance with Article 13 of the Convention concerning employment of women during the night of 1919, the ratification of which by Estonia was registered on 20 December 1922, I have the honour to inform you that the Estonian Government decided on January 15 to denounce this Convention in view of the ratification of the Convention concerning employment of women during the night (revised 1934), registered by the Secretariat-General on 20 December 1935.

As the date of the entry into force of the first Convention was 13 June 1921, the period of ten years provided for in Article 13 above-mentioned has expired.

I have the honour to be, etc.

(Signed) M. LARETEI.

Finland.

Formal ratification of the Conventions (No. 29) concerning forced or compulsory labour, (No. 30) concerning the regulation of hours of work in commerce and offices (1930) and (No. 34) concerning fee-charging employment agencies (1933).

By letter of 15 January 1936 the Secretary-General of the League of Nations informed the Office that the Minister for Foreign Affairs of Finland had communicated to him, in accordance with Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, the formal ratification by his Government of the above-named Conventions.

In accordance with Article 406 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, this ratification was registered by the Secretariat of the League of Nations on 13 January 1936.

The letter from the Minister for Foreign Affairs of Finland communicating the ratification of these Conventions to the Secretary-General of the League of Nations is as follows :

(Translation)

Helsinki, 8 January 1936.

Sir,

I have the honour to inform you that, on 29 November 1935, the President of the Republic of Finland ratified, in accordance with Article 405 of Part XIII of the Treaty of Versailles and the corresponding Parts of the other Treaties of Peace, the following draft Conventions :

- (1) Convention concerning the regulation of hours of work in commerce and offices ;
- (2) Convention concerning forced or compulsory labour ;
- (3) Convention concerning fee-charging employment agencies.

The present communication is made in fulfilment of Articles 13, 27, and 8 respectively of the above named Conventions.

The certified texts in Finnish and Swedish of the decrees constituting official ratification are attached to this communication.

I have the honour to be, etc.

for the Minister :
(Signed) Bruno KIVIHOSHI,
Secretary-General.

The text of the decree ratifying the Convention concerning forced or compulsory labour referred to in the letter of the Finnish Minister for Foreign Affairs is as follows :

(Translation)

DECREE

respecting the putting into force of the Convention concerning forced or compulsory labour adopted by the International Labour Conference in 1930.

Given at Helsinki (Helsingfors) on 29 November 1935.

Upon the proposal of the Minister of Social Affairs it is hereby decreed that the Convention concerning forced or compulsory labour adopted by the International Labour Conference in 1930 shall come into force in Finland.

Helsinki (Helsingfors), 29 November 1935.

(Signed) P. E. SVINHUFVUD.
President of the Republic.

(Signed) E. HYNNINEN.
Minister of Social Affairs.

Certified true copy :

A. SALLAS.

Registrar of the Ministry of Foreign Affairs.

The decrees for the ratification of the Conventions concerning the regulation of hours of work in commerce and offices and fee-charging employment agencies are in similar terms.

Irish Free State.

Recommendation (No. 45) concerning unemployment among young persons (1935).

By letter of 31 January 1936 the Secretary-General of the League of Nations communicated to the Office a copy of a letter in which the Permanent Delegate of the Irish Free State accredited to the League of Nations informed him, in accordance with paragraph 6 of Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, of the action taken by the Government of the Irish Free State in respect of the above-named Recommendation.

The letter from the Permanent Delegate of the Irish Free State is as follows :

Geneva, 28 January 1936.

Sir,

Having regard to the provisions of Article 405 of the Treaty of Versailles, I have the honour to inform you that a White Paper containing the authentic text of the Draft Conventions and Recommendation adopted at the Nineteenth Session of the International Labour Conference in June 1935 was presented to the Dail and Seanad of the Irish Free State on the 13th January 1936.

I have the honour to be, etc.,

(Signed) F. T. CREMINS,
Permanent Delegate accredited
to the League of Nations.

Japan.

Recommendation (No. 44) concerning unemployment insurance and various forms of relief for the unemployed (1934).

By letter of 10 January 1936 the Secretary-General of the League of Nations communicated to the Office a copy of a letter in which the Japanese Government Delegate to the Governing Body of the International Labour Office informed him, in accordance with paragraph 6 of Article 405 of the Constitution of the International Labour Organisation, of the action taken by the Japanese Government in respect of the above-named Recommendation.

The letter from the Japanese Government Delegate is as follows :

Geneva, 7 January 1936.

Sir,

In accordance with Article 405, paragraph 6, of the Treaty of Versailles and with the corresponding Articles of the other Treaties of Peace, I have the honour to inform you of the action which has been taken by the Japanese Government on the *Recommendation concerning unemployment insurance and various forms of relief for the unemployed*, adopted by the International Labour Conference at its Eighteenth Session (June 1934).

As this Recommendation is in direct and inseparable relation with the Draft Convention ensuring benefit or allowances to the involuntarily unemployed which, owing to the actual situation in Japan, cannot be adopted; consequently, the Cabinet Council of the Japanese Government decided, on December 13, 1935, not to adopt it.

I have the honour to be, etc.,

(Signed) SHUNZO YOSHISAKA.

Netherlands.

Formal ratification of the Convention (No. 41) concerning employment of women during the night (revised 1934).

By letter of 10 December 1935 the Secretary-General of the League of Nations informed the Office that by letter of 7 December 1935 the Envoy Extraordinary and Minister Plenipotentiary of

the Netherlands at Berne, Permanent representative of the Netherlands accredited to the League of Nations, had communicated to him, in accordance with Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, the formal ratification by the Government of the Netherlands of the above-named Convention.

In accordance with Article 406 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, this ratification was registered by the Secretariat of the League of Nations on 9 December 1935.

The letter from the Envoy Extraordinary and Minister Plenipotentiary of the Netherlands at Berne, Permanent representative of the Netherlands accredited to the League of Nations, is as follows :

(Translation)

Berne, 7 December 1935.

Sir,

On the instructions of my Government, I have the honour to communicate to you herewith the act of ratification, signed by Her Majesty the Queen of the Netherlands at The Hague on 27 December 1935, of the Draft Convention for the partial revision of the Washington Convention (1919) concerning employment of women during the night, which Draft Convention was adopted on 19 June 1934 by the General Conference of the International Labour Organisation of the League of Nations at its Eighteenth Session, held at Geneva from 4 to 23 June 1934. This act of ratification is communicated to you for registration.

I request you to be good enough to inform me in due course of the date on which this registration takes place.

I have the honour to be, etc.

(Signed) C. VAN RAPPARD.

The instrument of ratification is as follows :

(Translation)

WE, WILHELMINA,

By the Grace of God, Queen of the Netherlands,
Princess of Orange-Nassau, etc., etc.

To all those who may see these presents, Greeting!

Having seen and examined the Draft Convention concerning employment of women during the night (revised 1934), adopted on 19 June 1934 by the General Conference of the International Labour Organisation of the League of Nations at its Eighteenth Session, held at Geneva from 4 to 22 June 1934, the tenor of which Draft Convention is as follows :

(Here follows the text of the Convention in French and English)

Approve by these presents the aforesaid Draft Convention, Declare that it is accepted, ratified and confirmed and Promise that it shall be inviolably observed.

In Faith whereof We have delivered these Presents, signed by Our hand, and have ordered them to be sealed with Our Royal Seal.

Given at The Hague, the twenty-seventh day of the month of November in the year of Grace one thousand nine hundred and thirty-five.

(Signed) WILHELMINA.

(Signed) A. C. GRAEFF.

Siam.

Recommendation (No. 44) concerning unemployment insurance and various forms of relief for the unemployed (1934).

By letter of 27 January 1936 the Secretary-General of the League of Nations communicated to the Office a copy of a letter in which the State Councillor for Foreign Affairs of Siam informed him, in accordance with paragraph 6 of Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, of the action taken by the Government of Siam in respect of the above-named Recommendation.

The letter from the State Councillor for Foreign Affairs is as follows :

Bangkok, 15 January 1936.

Sir,

I have the honour to acknowledge the receipt of your letter No. C. L. 145. 1934. V., dated the 12th September 1934, forwarding to me a certified copy of the Draft Conventions and Recommendation adopted by the International Labour Conference at its 18th Session held at Geneva from the 4th-23rd June 1934.

I have not failed to refer the above documents to the competent authorities of His Majesty's Government for their consideration in accordance with the provisions of Article 405 of the Treaty of Versailles.

I am now requested to inform you that as the subjectmatter of the said Draft Conventions and Recommendation does not constitute a labour problem in Siam under the existing industrial conditions of this country, the competent authorities above referred to are not prepared to take any action in the matter.

I have the honour to be, etc.,

(Signed) PHYA SRI SENA,
State Councillor for Foreign Affairs.

Sweden.

Formal ratification of the Convention (No. 34) concerning fee-charging employment agencies (1933).

By letter of 2 January 1936 the Secretary-General of the League of Nations informed the Office that the Swedish Envoy Extraordinary and Minister Plenipotentiary at Berne, Permanent Delegate of Sweden accredited to the League of Nations, had communicated to him, in accordance with Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, the formal ratification by the Royal Swedish Government of the above-named Convention.

In accordance with Article 406 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, this

ratification was registered by the Secretariat of the League of Nations on 1 January 1935.

The letter from the Swedish Legation to the Secretary-General is as follows :

(Translation)

Berne, 1 January 1936.

Sir,

The Government of the King having decided to ratify the Convention concerning fee-charging employment agencies, adopted in 1933, I have the honour to communicate to you herewith the instrument of ratification of that Convention.

At the same time I have the honour, by order of my Government, to inform you that registration of this ratification should not take place before 1 January 1936.

I have the honour to be, etc.

(Signed) K. I. WESTMAN,
Minister of Sweden.

The instrument of ratification of the Convention by the Royal Swedish Government is as follows :

(Translation)

WE, GUSTAF,

By the grace of God

King of the Swedes, the Goths and the Wends,

Hereby make known that :

The Resolutions adopted by the Conference of the International Labour Organisation at Geneva in 1933 having been, in accordance with the provisions of Part XIII of the Treaty of Versailles, Article 405, submitted to the Swedish Riksdag, which approved the Draft Convention concerning fee-charging employment agencies adopted at the session held from 8 to 30 June 1933;

To this end and purpose it is Our pleasure hereby to ratify, approve and accept the said Convention with all its articles, points and clauses. In faith whereof, We have signed the present deed with Our own hand and have caused Our Royal Seal to be affixed thereto.

Given at the Castle of Stockholm, 15 November 1935.

(M.R.) GUSTAF R.
L. S.

(c.s.) RICKARD SANDLER.

Resolutions adopted by the Labour Conference of the American States which are Members of the International Labour Organisation¹.

Resolution on the fundamental principles of Social Insurance, submitted by the Committee on Social Insurance.

The Labour Conference of the American States which are Members of the International Labour Organisation,

1. Considering that compulsory social insurance is at once the most rational and the most effective means of affording to the workers the social security to which they are entitled, and

2. Having regard to the body of international regulations already adopted in the field of social insurance by the International Labour Organisation, a work which it desires to have continued and improved with the active and constant help of all the American States which are Members of the Organisation, and

3. Desirous of contributing to the development and spread of social insurance among the American States which are Members of the Organisation, but without prejudice to the obligations resulting from Conventions ratified by such States;

Adopts certain fundamental principles which appear likely to facilitate the establishment of fair and suitable systems of social insurance, and

Requests the Governing Body to be good enough to communicate these principles to the American States which are Members of the International Labour Organisation, in order that they may serve as a guide to social insurance policy.

FUNDAMENTAL PRINCIPLES OF SOCIAL INSURANCE

CHAPTER I : NECESSITY AND PURPOSE OF SOCIAL INSURANCE.

1. Wage earners obtain the means of livelihood for themselves and their families by the regular exercise of a trade in the service of an employer, and any cessation or interruption in their work,

¹ The Conference was held at Santiago, Chile, from 2 to 14 January 1936. An official record of the Conference was made in Spanish by the International Labour Office.

whether resulting from industrial accident, sickness, old age, invalidity, premature death or involuntary unemployment, destroys the economic basis of the wage-earning family and causes hardship and privation for the worker and his dependants.

2. A system of labour regulations, to be true to the dictates of humanity and to the principle of social justice, must secure the effective protection of the workers against occupational and social risks.

3. The establishment of compulsory social insurance, as fifty years of experience have shown, is at once the most rational and the most effective means of affording to the workers the security to which they are entitled.

4. Consequently the social legislation of every country should provide one or more schemes of compulsory social insurance covering the risks of industrial accident and occupational disease, sickness, maternity, old age, invalidity, premature death and involuntary unemployment.

5. Every social insurance scheme should aim at :

- (a) Preventing as far as possible the premature loss of earning capacity;
- (b) Curing or alleviating incapacity for work, in order to enable the worker to resume his occupation;
- (c) Providing, by the grant of cash benefits, at least partial compensation for the pecuniary loss resulting from the interruption or cessation of gainful activity.

CHAPTER II : WORKMEN'S COMPENSATION FOR ACCIDENTS.

I.—*Need for Legislation in conformity with the principle of occupational risk.*

Every country should establish and maintain legislation providing for workmen's compensation for accidents in conformity with the principle of occupational risk.

II.—*Scope.*

Workmen's compensation legislation should apply to all employed persons.

III.—*Benefits in kind.*

An injured workman should be entitled to :

- (a) Such medical, surgical and pharmaceutical benefits as are necessary in consequence of the accident;
- (b) The supply and normal renewal of such artificial limbs and surgical appliances as are recognised to be necessary in consequence of the accident;
- (c) Hospital treatment and rehabilitation in specialised institutions, such as accident and orthopædic hospitals.

IV.—*Cash benefits in case of temporary incapacity.*

1. Form, and conditions for award, of benefit.

In case of accident resulting in temporary incapacity the injured workman should be entitled to a daily or weekly payment as from the day following that on which the accident occurred.

2. Minimum rate of benefit.

An injured workman should be entitled to a daily or weekly payment at not less than the following rates :

- (a) In case of temporary total incapacity : two-thirds of the workman's basic earnings;
- (b) In case of temporary partial incapacity : a proportion of the daily or weekly payment payable in case of temporary total incapacity, calculated in reference to the reduction of earning power caused by the injury.

V.—*Form of cash benefits in case of permanent incapacity or death.*

1. In case of accident resulting in permanent incapacity or death the benefit should take the form of an annual pension.

2. Nevertheless, the pension may be commuted in whole or in part for a lump sum if the competent authority is satisfied that it will be properly utilised.

VI.—*Minimum rate of benefit in case of permanent incapacity.*

1. Benefit in case of permanent incapacity should be payable at not less than the following rates :

- (a) In case of permanent total incapacity : a pension equivalent to two-thirds of the workman's annual earnings;
- (b) In case of permanent partial incapacity : a proportion of the pension payable in case of permanent total incapacity, calculated in reference to the reduction of earning power caused by the injury.

2. Where compensation is paid in the form of a lump sum, the sum should not be less than the capitalised value of the appropriate pension.

3. Where the injury is such that the workman requires the constant help of another person, additional compensation should be paid to the workman, which should not be less than half the amount payable in case of permanent total incapacity.

VII.—*Benefits in case of fatal accident.*

1. Dependants entitled to benefit.

Where death results from the injury, those entitled to be regarded as dependants for the purposes of compensation should include at least the following :

- (a) Deceased's widow or invalid widower;
- (b) Deceased's children under 18 years of age, or above that age if, by reason of physical or mental infirmity, they are incapable of earning;

- (c) Deceased's ascendants (parents or grandparents) provided that they are without means of subsistence and were dependent on the deceased, or the deceased was under an obligation to contribute towards their maintenance;
- (d) Deceased's grandchildren and brothers and sisters, if under 18 years of age, or above that age if, by reason of physical or mental infirmity, they are incapable of earning, and if they are orphans, or if their parents, though still living, are incapable of providing for them.

2. Minimum rate of benefit for all dependants.

The maximum total of the yearly sum payable to all the dependants should not be less than two-thirds of the deceased's annual earnings.

Where compensation is paid in the form of a lump sum the maximum sum payable to all the dependants should not be less than the capitalised value of a pension equivalent to two-thirds of the deceased's annual earnings.

VIII.—*Guarantee of Payment.*

1. Necessity of guarantee.

The legislation should contain provisions affording to injured workmen and their dependants a guarantee that they will actually receive benefits to which they are entitled.

2. Compulsory accident insurance.

The most effective and rational way of affording this guarantee is to require employers to insure with insurance institutions approved and supervised by the public authorities.

3. Guarantee funds.

In the absence of compulsory insurance, employers who have not chosen to insure against their liability for industrial accident with an insurance institution approved and supervised by the public authorities, on behalf of all persons employed by them, should be required to contribute to a guarantee fund which would undertake the payment of benefits in case of the insolvency of any uninsured employer.

IX.—*Settlement of Disputes and Judicial Authorities.*

1. Right of appeal.

The legislation should grant a right of appeal to injured workmen or their dependants in case of dispute concerning such questions as the occupational origin of the accident, right to benefit, and rates of benefit.

2. Special tribunals.

These disputes should preferably be dealt with by special courts or boards of arbitration comprising, with or without the addition of regular judges, an equal number of employers' and workmen's representatives appointed to act as adjudicators.

3. Employers' and workmen's experts.

Where the disputes are dealt with by the ordinary courts of law, such courts should be required, on the request of either of the parties concerned, to hear employers' and workmen's representatives as experts in any case where the dispute involves a question of an occupational character, and in particular the question of the degree of incapacity for work.

4. Medical experts.

The courts which deal with disputes concerning workmen's compensation should hear the opinion of a medical committee consisting of medical specialists competent to assess the incapacity caused by the different injuries.

Where a member of the medical committee is appointed by the employer or insurance institution concerned, the injured workman should also have the right to appoint a member of the committee. The third member should be appointed by the other two members in agreement, or, in default, by the State.

X.—*Equality of Treatment for National and Foreign Workers.*

1. Foreign workers and their dependants should, subject to reciprocity, be entitled, under the same conditions as national workers and their dependants, to the benefits of legislation concerning workmen's compensation.

2. This equality of treatment should be guaranteed to foreign workers and their dependants without any condition as to residence.

XI.—*Occupational Diseases.*

1. Compensation for occupational diseases.

Compensation should be payable to workmen incapacitated by occupational diseases or, in case of death from such diseases, to their dependants, in accordance with the general principles of workmen's compensation.

The diseases and poisonings produced by the substances set forth in the schedule included in the Draft Convention concerning workmen's compensation for occupational diseases (revised 1934) should be deemed to be occupational diseases for the purpose of compensation, when such diseases or poisonings affect workers engaged in the trades, industries or processes placed opposite in the said schedule. Furthermore, every State should provide for the compensation of other occupational diseases which are peculiar to its country.

2. Medical examination.

In the case of employments which are dangerous to health and may cause occupational diseases, only persons whose physique is compatible with the employment should be admitted to it. In any case, where such employments are concerned, the workman should undergo a periodical medical examination, at the cost of the employer or insurer, in order to ascertain whether he can continue his work without injuring his health.

CHAPTER III : COMPULSORY SICKNESS INSURANCE.

I.—*The Compulsory Principle.*

Every country should establish and maintain sickness insurance legislation based on the principle of compulsory insurance.

II.—*Scope.*

Compulsory sickness insurance legislation should apply to :

- (a) Every person who is engaged in employment by way of occupation;
- (b) Persons working on their own account whose income is not such that they may reasonably be expected to make their own provision against sickness.

III.—*Medical and Pharmaceutical Benefits.*

1. Nature of benefit.

An insured person while sick should be entitled free of charge in such measure as his state of health requires to :

- (a) Treatment by a duly qualified general practitioner;
- (b) The supply of proper and sufficient medicines and appliances;
- (c) Necessary surgical operations and the service of specialists;
- (d) Dental treatment;
- (e) Treatment and care in a hospital, where rendered necessary by the nature of the illness, family circumstances, or the conditions under which he is housed;
- (f) Treatment and maintenance in sanatoria and similar establishments.

2. Duration of benefit.

Medical and pharmaceutical benefits and, where the case so requires, surgical and hospital benefits should be granted from the commencement of the illness, and continue as long as the patient's state of health requires and at least until the grant of a pension in respect of invalidity, whether total or partial, temporary or permanent.

3. Medical benefit for the insured person's family.

Members of the insured person's family living in his home and dependent upon him, particularly the wife or husband and young children, should likewise be entitled to the medical and pharmaceutical benefits provided by sickness insurance.

IV.—*Sickness Cash Benefit.*

1. Right to benefit.

An insured person who is found to be incapable of work by reason of the abnormal state of his bodily or mental health should

be entitled to a cash benefit intended as a substitute for wages lost.

2. Duration of benefit.

The benefit should be paid for at least the first 26 weeks of incapacity as from and including the first day for which benefit is payable; nevertheless, in cases of serious and chronic illness, the period for which benefit is payable should be increased to one year unless the patient is entitled to a cash benefit under compulsory invalidity insurance.

3. Rate of benefit.

The scale of benefit should preferably be fixed in relation to the normal wage which is taken into account for purposes of compulsory insurance; it should not be less than half such wage and should be increased in respect of the family responsibilities of the sick person.

V.—*Sickness Prevention.*

1. Health education.

Sickness insurance should assist in inculcating the practice of the rules of hygiene among insured persons and members of their families.

2. Preventive policy.

In order to protect insured persons from the diseases to which they are exposed, the insurance scheme should organise its medical service in such a way that it makes available to its beneficiaries every means of detecting and treating illnesses in their earliest stages.

3. Campaign against social diseases.

Insurance schemes should participate in the campaign against social diseases. The success of this campaign depends on systematic ascertainment and early diagnosis, which enable diseases to be discovered and treated as soon as the first symptoms appear and threatened individuals to be protected.

The collaboration of insurance schemes with other bodies and institutions concerned in the campaign against social diseases and with the medical profession postulates a common programme of action with a view to the co-ordination of effort and the avoidance of gaps and overlapping.

VI.—*Insurance Institutions.*

1. Principle of autonomy of insurance institutions.

Sickness insurance should be administered by self-governing institutions not carried on for profit, under the administrative and financial supervision of the competent public authority.

2. Participation of insured persons and employers in management.

The managing bodies of insurance institutions should comprise representatives elected separately by insured persons and by employers. The representatives of insured persons, who are most

directly interested in the proper working of the insurance scheme, should have an important share in its management.

3. Organisation of institutions on territorial basis.

The organisation of insurance institutions on a territorial basis is to be recommended especially, because it facilitates the efficient provision and utilisation of medical equipment throughout the country in accordance with the needs of the insured population.

VII.—*Financial Resources.*

1. Workers' contributions and employers' contributions.

Insured persons and their employers should share in providing the financial resources of the insurance scheme, the payment of the joint contribution being effected by the employer, who deducts the insured person's share from his wages.

2. Financial assistance by public authorities.

The public authorities should contribute to the financial resources of insurance schemes, especially for the purpose of assisting their curative and preventive action.

VIII.—*Disputes Concerning Benefits.*

1. Insured person's right of appeal.

The insured person should have a right of appeal against the insurance institution in cases where the right to insurance benefits is contested.

2. Competent tribunals.

Disputes between insured persons and insurance institutions concerning benefits should preferably be referred to special tribunals, which should include judges or assessors who are specially cognisant of the purposes of insurance and the occupational and social circumstances of insured persons.

IX.—*Special Measures for Sparsely Populated Regions.*

In regions which are sparsely populated and in which the inadequacy of the means of communication renders it difficult to organise sickness insurance according to the above principles, it is urgently necessary to establish a general sanitary service for the purpose of improving health conditions and affording rapid and effective assistance to sick persons and persons threatened with illness.

X.—*Position of Foreign Workers.*

Workers of foreign nationality should be liable to insurance and to the payment of contributions under the same conditions as nationals; in return they should be entitled under the same conditions as nationals to the benefits of insurance in their entirety.

CHAPTER IV : INVALIDITY, OLD-AGE AND WIDOWS'
AND ORPHANS' INSURANCE.

I.—*The Compulsory Principle.*

Every country should establish and maintain compulsory insurance legislation covering the risks of invalidity, old-age and death.

II.—*Scope.*

Legislation providing for compulsory invalidity, old-age and widows' and orphans' insurance should apply to :

- (a) Every person who is engaged in employment by way of occupation;
- (b) Persons working on their own account whose income is not such that they may reasonably be excepted to make their own provision against invalidity, old-age and death.

III.—*General Conditions for Award of Pensions.*

1. Qualifying period.

(a) The right to a pension may be made conditional upon the completion of a qualifying period which may involve the payment of a minimum number of contributions since entry into insurance or during a prescribed period immediately preceding the happening of the event insured against.

(b) The duration of the qualifying period should not be longer than is strictly necessary to preclude persons from entering insurance with intent to take undue advantage of it and to ensure some consideration for the benefits afforded. The qualifying period should not exceed :

For invalidity insurance and for widows' and orphans' insurance, 60 contribution months, 250 contribution weeks or 1,500 contribution days;

For old-age insurance, 120 contribution months, 500 contribution weeks or 3,000 contribution days.

(c) Where the completion of the qualifying period involves the payment of a prescribed number of contributions during a prescribed period immediately preceding the happening of the event insured against, periods of temporary incapacity for work by reason of sickness, periods during which a woman is not available for work by reason of childbirth, and periods of involuntary unemployment, should count towards the qualifying period, even where no contributions are paid for such periods by sickness or maternity insurance or by an unemployment fund.

2. Maintenance of validity of contributions.

(a) An insured person who ceases to be liable to insurance without being entitled to a benefit in return for the contributions credited to his account should retain his rights in respect of these contributions.

(b) Insurance schemes which place limitations on the retention of rights in respect of contributions which have been paid should guarantee retention of such rights for a term of at least 18 months reckoned from the last contribution payment.

In schemes in which contributions are graduated according to remuneration the term during which rights are maintained should not be less than one-third of the total of the term for which contributions have been credited since entry into insurance if the term so calculated would be longer than 18 months.

(c) In reckoning this term no account should be taken of periods during which the insured person was incapable of work by reason of sickness, was not available for work by reason of childbirth, or was involuntarily unemployed.

3. Maintenance and enhancement of rights of unemployed.

Sums required to be paid for maintaining the rights in course of acquisition of insured persons who are unemployed for a long time should—in view of the impossibility of putting the expense of such payments solely on the insured persons in employment—be obtained through the financial assistance of the public authorities; and the same principle should apply to payments for the purpose of consolidating and enhancing the rights of such unemployed persons.

IV.—*Method of Calculating Pensions.*

1. The pension may, whether or not dependent on the time spent in insurance, be a fixed sum or a percentage of the remuneration taken into account for insurance purposes or vary with the amount of the contributions paid.

2. Where the pension varies with the time spent in insurance and its award is made conditional upon the completion by the insured person of a qualifying period, the pension should, unless a minimum rate is guaranteed, include a fixed sum or a fixed portion not dependent on the time spent in insurance.

3. Where contributions are graduated according to remuneration, the remuneration taken into account for this purpose should also be taken into account for the purpose of computing the pension.

V.—*Old-age Pension.*

1. Pensionable age.

(a) The insured person should be entitled to an old-age pension at the age of 65 years at latest.

(b) The pensionable age should be reduced as soon as possible to 60 years as a means of relieving the labour market and of ensuring rest for the aged.

(c) Insured persons who have for a certain number of years been engaged in a particularly arduous or unhealthy occupation, or who have been employed in an unhealthy region, should be enabled to claim a pension at a less advanced age than workers in other occupations.

2. Minimum rate of pension.

(a) In order to ensure that workers in their old age shall not suffer privations, the pension should be sufficient to cover essential needs. The pension provided for all pensioners who have completed a certain qualifying period should accordingly be fixed with due regard to the cost of living.

(b) In insurance schemes in which contributions are graduated according to remuneration, insured persons to the account of whom have been credited contributions corresponding to the normal duration of working life should be awarded a pension commensurate with their economic condition during their working life. To this end the pension provided for insured persons who have completed 30 years of actual contribution should not be less than half the remuneration taken into account for insurance purposes either since entry into insurance or over a prescribed period immediately preceding the award of the pension.

VI.—*Invalidity Pension.*

1. Definition of invalidity.

(a) An insured person who becomes generally incapacitated for work and thereby unable to earn an appreciable remuneration should be entitled to an invalidity pension.

(b) An insured person should be deemed to be invalid who by reason of sickness or infirmity is unable to earn by work suited to his strength and ability and his training as much as one-third of the ordinary remuneration of a fit worker of similar training and experience, provided that the said one-third is sufficient to enable the insured person to procure the primary necessities of life.

(c) Nevertheless, in special insurance schemes set up on behalf of manual or non-manual workers in certain occupations, reduction of capacity for work should be assessed solely with reference to the occupation hitherto followed or to a similar occupation.

2. Minimum rate of pension.

(a) An insurance scheme should provide for every insured person who becomes invalid after having completed the qualifying period a pension sufficient to cover his essential needs. The minimum pension provided for every pensioner should accordingly be fixed with due regard to the cost of living.

(b) In insurance schemes in which the minimum pension is fixed in terms of the remuneration taken into account for insurance purposes, the minimum should not be less than 40 per cent. of such remuneration. The same result should be aimed at by schemes in which the pension includes a fixed portion which is the same for every pensioner and a portion varying with the number and amount of the contributions credited to his account.

3. Supplement to pension.

(a) A supplement should be paid to a pensioner for each dependent child who is of school age or, being under the age

of 17, is continuing his general or vocational education or who cannot by reason of invalidity earn his living.

(b) A pensioner who needs the constant attendance of another person should be awarded a special supplement.

VII.—*Survivors' Pensions.*

A.—*Categories of Survivors entitled to Pensions.*

A widows' and orphans' insurance scheme should as a minimum confer pension rights on widows who have not remarried and the children of a deceased insured or pensioned person.

B.—*Widow's (Widower's) Pension.*

1. Conditions for award of pension.

(a) If a pensioner or insured person dies after completing the qualifying period and leaves a widow, the widow should be entitled to a pension as long as she does not remarry.

If, however, the award of the pension is subject to the fulfilment of other conditions, pensions should nevertheless be awarded to widows unable to earn their living by reason of age or invalidity, and to widows with a dependent child who is of school age or who, being under the age of 17, is continuing his general or vocational education.

(b) A pension should also be awarded to an invalid widower who by reason of his invalidity was dependent on an insured woman who died after completing the qualifying period.

2. Minimum rate of pension.

(a) The pension awarded to a widow (or invalid widower) should represent a substantial contribution towards covering essential needs. Whatever may be the method of computing it, the minimum pension should be fixed with due regard to the cost of living.

(b) In insurance schemes in which contributions are graduated according to the remuneration of the deceased, the widow's (or invalid widower's) pension should not be less than half the pension to which the deceased was entitled or would have been entitled if at the date of his death he had been awarded an invalidity or old-age pension.

Nevertheless, where such schemes determine the rights of survivors without regard to the rate of pension to which the deceased was or would have been entitled, the widow's (or invalid widower's) pension should not be less than 20 per cent. of the remuneration of the deceased as taken into account for the purposes of his insurance either since entry into insurance or over a prescribed period immediately preceding his death.

C.—*Children's Pensions.*

1. Conditions for award of pension.

(a) Every child of school age who was dependent on a pensioner or insured person who died after completing the qualifying period should be entitled to a child's pension.

(b) The pension should continue to be paid until the age of 17 if the child is continuing his general or vocational education, and even beyond this age if the child cannot by reason of invalidity earn his living.

2. Minimum rate of pension.

(a) The minimum pension provided for every child should represent a substantial contribution towards the cost of maintaining and educating him. Such minimum should be higher in the case of an orphan child.

(b) In insurance schemes in which contributions are graduated according to the remuneration of the deceased, a child's pension should not be less than one-quarter, or in the case of orphans one-half, of the pension to which the deceased was entitled or would have been entitled if at the date of his death he had been awarded an invalidity or old-age pension.

(c) Nevertheless, where such schemes determine the rights of survivors without regard to the rate of the pension to which the deceased was or would have been entitled, a child's pension should not be less than 10 per cent., or in the case of orphans 20 per cent., of the remuneration of the deceased as taken into account for the purposes of his insurance either since entry into insurance or over a prescribed period immediately preceding his death.

VIII.—*Provisions for Suspension or Reduction of Pensions.*

1. The pension may be suspended in whole or in part while the person concerned

- (a) Is maintained at the public expense or by a social insurance institution;
- (b) Refuses without valid reason to comply with the doctor's orders or the instructions relating to the conduct of invalids, or voluntarily and without authorisation removes himself from the supervision of the insurance institution;
- (c) Is in employment involving compulsory insurance;
- (d) Is in receipt of another periodical cash benefit payable by virtue of any law or regulations concerning compulsory social insurance, pensions or workmen's compensation for accidents or occupational diseases. In this case the pensioner should be enabled to receive in its entirety whichever of the pensions is the higher and in any case he should be paid that part of the invalidity, old-age or survivor's pension which corresponds to the insured person's own contributions.

2. Where an invalidity or old-age pension is suspended for a reason other than the existence of a concurrent title to another pension, the dependent family of the person whose pension is suspended should be awarded a maintenance allowance equal to the whole or to a part of the pension.

IX.—*Lump-Sum Payment at Death.*

1. Where the economic conditions of States do not allow of the provision of survivors' pensions under their systems of social insurance, such pensions may be replaced by a lump sum payable to the widow, invalid widower or children under the conditions laid down in this Chapter.

2. The lump sum should be sufficient to meet the essential needs of the survivors concerned for a prescribed period.

X.—*Financial Resources.*

1. The insured persons and their employers should contribute to the financial resources of the insurance scheme.

2. As a general rule the contribution of the insured person should not be higher than the contribution of his employer.

3. The employer should be responsible for the whole or the greater part of the joint contribution in respect of workers who are remunerated only in kind, or whose remuneration is very low.

4. Contributions from employers may be dispensed with under national schemes not restricted in scope to employed persons.

5. The public authorities should contribute to the financial resources or to the benefits of insurance schemes covering employed persons in general or manual workers.

XI.—*Insurance Institutions.*

1. The insurance scheme should be administered by institutions founded either by the public authorities or on the initiative of the parties concerned or of their organisations and duly approved by the public authorities.

2. Insurance institutions should not be conducted with a view to profit and should be under the administrative and financial supervision of the public authorities.

3. The funds of insurance institutions should be administered separately from public funds.

4. Representatives of the insured persons should participate in the management of insurance institutions under conditions to be determined by national laws, which may likewise decide as to the participation of representatives of employers and of the public authorities.

XII.—*Settlement of Disputes.*

1. The insured person or his legal representatives should have a right of appeal in any dispute concerning benefits.

2. Such disputes should be referred to special tribunals, which should include judges, whether professional or not, who are specially cognisant of the purposes of insurance and the needs of insured persons, or are assisted by assessors chosen as representative of insured persons and employers respectively.

3. In any dispute concerning liability to insurance or the rate of contribution, the employed person and, in the case of schemes providing for an employer's contribution, his employer shall have a right of appeal.

XIII.—*Position of Foreigners.*

1. Foreign employed persons should be liable to insurance and to the payment of contributions under the same conditions as nationals.

2. Foreign insured persons and their dependants should be entitled under the same conditions as nationals to the benefits derived from the contributions credited to their account.

3. Foreign insured persons and their dependants should, subject to reciprocity, be entitled to any subsidy or supplement to or fraction of a pension which is payable out of public funds.

Resolutions concerning the conditions of employment of women, submitted by the Committee on the conditions of employment of women and children.

The Labour Conference of the American States which are Members of the International Labour Organisation, held in Santiago de Chile in January 1936, having considered the provisions of the Constitution of the International Labour Organisation and the Conventions and Recommendations adopted by the International Labour Conference on the subject of the employment of women and the measures taken by the American States to give effect to these Conventions and Recommendations, adopts the following resolutions to be submitted to the Governing Body of the International Labour Office :

1. *Wages.*

Whereas the fixing of minimum wages would seem to be of special importance in industries or branches of commerce in which women are normally employed,

The Conference expresses the hope that the American States will ratify the 1928 Convention concerning minimum wage fixing machinery and will give effect to the Recommendation on the subject adopted at the same time, with special reference to the application of the machinery to industries in which women predominate.

The Conference further draws the attention of Governments, employers and workers to the following principles :

- (1) Equal wages should be paid to men and women for the same work.
- (2) Wages should be fixed according to the nature of the work irrespective of the sex of the worker.

- (3) A fixed minimum wage should be established for each position in industry and commerce.
- (4) The maximum period for the payment of wages should be one month.
- (5) Women and girls, whether married or single, should receive the amount of their wages directly.

2. *Hours of Work.*

The Conference draws the attention of Governments, employers and workers to the following principles :

- (1) The maximum working day of women over eighteen years of age should be without exception eight in the day and forty-eight in the week.
- (2) The maximum working day of women should be the same as that of men.
- (3) There should be no exceptions to eight-hour day legislation as regards women employed in telephone, telegraph and postal services except within the limits of the forty-eight hour week.

3. *Night Work.*

Whereas night work involves a risk of over-strain for women employed in industry and commerce that is peculiarly detrimental to their health,

The Conference expresses the hope that the American States that have not yet done so will ratify the revised Convention of 1934 concerning employment of women during the night.

4. *Maternity Protection.*

The Conference expresses the wish that the Convention concerning the employment of women before and after child-birth, adopted by the International Labour Conference at Washington in 1919, should be ratified.

The Conference further draws the attention of Governments, employers and workers to the following principles : ¹

- (1) In countries in which no budgetary provision is made for the payment of benefit during the period of rest before and after childbirth, and in which there is no system of social insurance for this purpose, the payment of benefit should be an obligation on the employer of the woman concerned.
- (2) The payments fixed by the competent authority in each country as maternity benefits, to be paid during the period of compulsory rest, should not be less than 50 per cent. of the actual wages earned by the woman concerned.

¹ The provisions of paragraphs (1) and (2) are to be regarded as temporary and transitional measures, in countries which have not yet established maternity protection by social insurance.

(3) There should be established a minimum period of ninety days before and after childbirth during which the dismissal of a woman worker should be prohibited, provided that the worker may be dismissed where sufficient reasons exist having no connection with the fact of maternity. Any employer violating this provision should be required to pay the woman worker concerned the equivalent of ninety days' wages.

(4) Employers should be required to establish day nurseries in all workplaces where more than twenty women are employed.

(5) All the rights and benefits conferred by the Childbirth Convention should be extended to all women working for any employer including domestic servants and women employed in agricultural undertakings.

(6) Women in Government service should be granted three months' leave with full pay in the event of pregnancy.

5. *Medical Attendance during Childbirth.*

Considering :

That the free services of doctors or midwives during childbirth is one of the most important rights from the point of view of the health of working mothers and their children guaranteed by the Washington Convention of 1919 concerning the employment of women before and after childbirth;

That effective medical and social assistance for working mothers and their infants calls for something more than mere attendance at the moment of birth in the unsatisfactory surroundings generally to be found in workers' homes; and

That the centre for assistance of this kind must be a maternity home, provided with the necessary resources to undertake responsibility for the assistance of mothers before, during and after childbirth as an indivisible whole;

The Conference invites the Governing Body of the International Labour Office to study the possibility and desirability of submitting to the International Labour Conference a draft Recommendation to supplement the Convention of 1919 in regard to the form in which free medical attendance during childbirth should be given.

6. *Maternity and Social Insurance.*

Considering that it is the duty of the State to provide for the improvement of the living conditions of working mothers and also for the life and health of children.

The Conference draws the attention of Governments, employers and workers to the following principles :

Women who are about to become mothers should receive their full wages, whatever the nature of their work or employment, for at least six weeks before and six weeks after childbirth, the cost being met by mutual aid funds; infants should be entitled to medical attendance, also provided by the mutual aid funds, for

at least the first year of life. In addition, during the same period there should be paid a mother's allowance amounting to at least 50 per cent. of wages for the purpose of providing better nourishment and care.

The Conference also recommends that all legislation relating to social insurance which is applicable to men should apply to women on a basis of absolute equality, and that special attention should be given to maternity insurance and protection against unavoidable dismissal.

7. Dangerous and Unhealthy Employment.

The Conference draws the attention of Governments, employers and workers to the following principles :

The employment of women should be prohibited in dangerous or unhealthy industries and in those contrary to public morals.

Each State should define the dangerous and unhealthy industries in which the employment of women is prohibited.

The Conference recommends that the following industries should be regarded as dangerous for the purpose of the employment of women :

- (1) Cleaning of machinery or motors while in motion;
- (2) Construction, repair or painting of public or private buildings if scaffolding is employed, provided the work is done at a height of more than 10 metres;
- (3) Loading or unloading of heavy packages, the limit to be fixed by the competent authority in each country;
- (4) Work on circular saws;
- (5) Manufacture or transport of explosive or inflammable substances;
- (6) Work in quarries.

8. Health.

The Conference draws the attention of Governments, employers and workers to the following principles :

(1) Employers should be required to provide separate and suitable accommodation in workplaces to serve as washrooms, dressing rooms, etc., for women.

(2) Employers should be required to provide a sufficient number of seats for women and children to work in comfort, provided the nature of the work does not necessitate constant standing.

9. Equality of Responsibility.

The Conference expresses the hope that States will adopt national legislation tending to induce industrial employers to give women workers the same opportunity as men for holding responsible posts.

10. *Prison Labour.*

The Conference expresses the hope that States which allow prison labour of women will enact legislation to the effect that the persons or institutions profiting by such labour shall pay wages to the workers concerned.

11. *Women and Workers' Housing Projects.*

Whereas the matter of workers' housing is one of urgent and active interest on the part of the Governments of some of the American States; and

Whereas the women of the working class will be benefited most directly if those projects are so planned as to lighten and to simplify their tasks as housekeepers; and

Whereas the women themselves are the best prepared to say what housekeeping provisions should be incorporated in those plans;

The Conference expresses the hope that any Government which is organising a housing project will make it a rule that working women shall be included on the planning board.

12. *Women's Bureaux in Labour Ministries.*

Whereas the position and the conditions of employment of women in industry are matters of increasing importance and complexity in many of the countries of the American continent; and

Whereas it is of vital social concern that these conditions should not be permitted to develop in ways detrimental to the health of working women; and

Whereas the study and the programming necessary for the socially desirable development of women's work conditions can best be undertaken by a special division within the Department of Labour set up for that purpose.

The Conference expresses the hope that the American States will make provision as promptly as possible for the establishment of a Women's Bureau in the Labour Ministry of each one of them.

13. *Economic Situation of Women Workers.*

Whereas a fuller knowledge of the existing economic situation of women workers would be of assistance in taking the steps required to improve it.

The Conference expresses the hope that the International Labour Office will endeavour to collect all the information available concerning the economic situation of women workers in various countries.

14. *Factory Inspection.*

In accordance with the principle laid down in Article 41 of the Constitution of the International Labour Organisation and in

view of the conclusion of the Conference of Factory Inspectors held at the Hague on 14 October 1935 concerning the entirely satisfactory work performed by women inspectors in countries having such inspectors,

The Conference expresses the hope that the American States will give effect to paragraph 12 of the Labour Inspection Recommendation of 1923, which states that the inspectorate " should include women as well as men inspectors " and that the women inspectors should, if they possess the same qualifications, " have the same powers and duties and exercise the same authority as men inspectors " and " have equal opportunity of promotion to the higher ranks ".

The Conference further urges that the inspection of the work of women should be carried out by properly qualified women.

15. *Right of Representation.*

With a view to ensuring that all decisions taken by the International Labour Conference concerning women workers are really in accordance with women's interests,

The Conference expresses the hope that the American States will bear in mind the provisions of Article 3, paragraph 2, of the Constitution of the International Labour Organisation, to the effect that when questions specially affecting women are to be considered by the Conference, one at least of the advisers should be a woman, it being understood that women are always entitled equally with men to be appointed as delegates or advisers, irrespective of the items on the agenda of the Session.

Resolutions concerning the employment of children and young persons, submitted by the Committee on the conditions of work of women and children.

The Labour Conference of the American States which are Members of the International Labour Organisation, held in Santiago de Chile, in January 1936, after having examined the Conventions and Recommendations adopted by the International Labour Conference relating to the employment of children and young persons, and the action taken by American States on these Conventions and Recommendations, and taking account of the rapid development in American States of legislative measures for the protection of children and young persons, adopts the following resolutions, which it addresses to the Governing Body of the International Labour Office.

1. *Minimum Age for Admission to Employment.*

Considering that it is highly important, in order to preserve the health of children and young persons, and to ensure their future usefulness to society, that they should not be admitted to employment at an unduly early age;

And considering that the International Labour Conference has adopted four Conventions fixing at 14 the minimum age for admission to employment, respectively in industry (1919), at sea (1920), in agriculture (1921), and in non-industrial employment (1932);

The Conference expresses the wish that the American States which have not yet done so should ratify these Conventions.

2. *Night Work for Young Persons.*

Considering that night work involves for young persons serious risk to health, and further that it restricts their opportunities of benefiting from continuation classes and other forms of general and vocational education.

And considering that the International Labour Conference has adopted a Convention concerning the night work of young persons in industry (1919);

The Conference expresses the wish that the American States which have not yet done so should ratify this Convention.

3. *Medical Examination of Young Persons.*

Considering that it is widely held to be desirable that no child or young person should be admitted to employment without first being medically examined with a view to ascertaining his physical fitness for such employment;

The Conference expresses the wish that the American States which have not yet done so should ratify the Convention concerning the compulsory medical examination of children and young persons employed at sea (1921);

And invites the Governing Body of the International Labour Office to examine the question of the compulsory medical examination of children and young persons as a condition for employment in industry, with a view to placing this question on the agenda of an early Session of the International Labour Conference.

4. *Children's Bureaux in Labour Ministries.*

Whereas questions concerning the work and the living conditions of working-class children are matters of vital social concern in which the International Labour Organisation has long been actively interested; and

Whereas continuous study of these questions by a governmental agency especially organised to consider them will help materially towards their effective handling;

The Conference expresses the hope that the American States will make provision as promptly as possible for the establishment of a children's Bureau in the Labour Ministry of each one of them.

5. *Holiday Camps for Working Children.*

The Conference invites the Governing Body of the International Labour Office, at such time as it thinks fit, to place on

the agenda of a Session of the International Labour Conference the question of studying the means to be adopted and the conditions to be fulfilled for the establishment of holiday camps for working children.

6. *Vocational Training.*

The Conference expresses the hope that Governments will exempt from all forms of taxation private establishments giving free vocational training, the suitable character of which has been officially recognised.

7. *Rural Education.*

After considering the question of the employment of children in agriculture as related to the question of compulsory school attendance, the Conference adopts the following conclusions :

The hours of attendance at rural schools should be such as to permit the execution by children of agricultural work suitable to their age in order to encourage in them, in a practical way, an inclination towards farming as a vocation.

States should secure the establishment of the largest possible number of rural schools in order to facilitate the attendance of children living in the country; these schools, however, should give a prominent place in their curricula to elementary teaching relating to agricultural work with a view to increasing the competence of future agricultural workers and providing better trained recruits for agriculture.

A prominent place should also be given to the setting up of schools having as their sole object the development of technical and practical agricultural knowledge, situated in important agricultural centres and making provision for men and women students. Their curricula should in any case be arranged so as to take into consideration the necessity of allowing students to work on farms.

Resolution concerning the age for admission to employment submitted by the Committee on the conditions of work of women and children.

The Labour Conference of the American States which are Members of the International Labour Organisation, held in Santiago de Chile in January 1936,

Considering that the question of raising to sixteen the age for admission to employment has been submitted for the agenda of the Conference by the Government of the United States of America,

And considering that the 1935 Session of the International Labour Conference adopted a resolution requesting the Governing Body of the International Labour Office to consider urgently the desirability of placing on the agenda of the International Labour

Conference the revision of the Conventions fixing the minimum age for admission of children to industrial employment (1919), to employment at sea (1920), to employment in agriculture (1921), and to non-industrial employment (1932), with a view to raising the age from fourteen as laid down in these Conventions to fifteen.

Requests the Governing Body to set in motion the procedure for the revision of the International Labour Conventions relating to the employment of children.

Resolution concerning immigration, submitted by Mr. Unsain, Government Delegate, Argentine Republic.

The Conference decides :

(1) To request the Governing Body of the International Labour Office to have special enquiries made in connection with migration from Europe to America;

(2) That such enquiries should cover the problem in its various aspects—individual migration and collective recruiting, spontaneous and organised migration—particularly from the standpoint of the connection between immigration and colonisation whether private or official, and with special regard to the manner in which preparation is made for the reception of immigrants;

(3) To request the Governing Body, as soon as it may consider desirable, to place the question on the agenda of the annual Conference with a view to the adoption of a Draft Convention or Recommendation which shall contain, *inter alia*, fundamental principles for the conclusion of bilateral or multilateral treaties between European and American countries concerning migration, colonisation and labour.

Resolution concerning the living and working conditions of native populations, submitted by Mr. Eduardo Rebagliati, Government delegate, Peru.

The Labour Conference of the American States which are Members of the International Labour Organisation urges the Governing Body of the International Labour Office :

(1) To request all the countries of the American Continent which have a considerable native population to supply the Office with such information, documentary and other, as they may consider desirable and as may be available, concerning the economic and social problems affecting the life and labour of that section of the population;

(2) To instruct the International Labour Office to undertake a special study of this problem and to consider the possibilities of international action leading to practical results.

Resolution concerning the relations of the American countries with the International Labour Organisation.

The Labour Conference of the American States which are Members of the International Labour Organisation,

Having considered a resolution submitted by the Government Delegates of Uruguay, the essential purpose of which was to promote the more thorough and systematic study of the social problems of the American countries, a resolution which has stimulated discussions of the greatest interest and has led to the formulation of a number of specific proposals for this purpose,

Having observed that the meeting of the present Conference, by enabling the countries of America jointly to examine the problems which are of special interest to them within the framework of the International Labour Organisation, has greatly helped to increase the effectiveness of their full and sincere collaboration in the work of the Organisation,

Considering that it is most important that this fortunate beginning should be followed up in such a manner that full profit can be drawn from it in the future,

Expresses the hope that the Governing Body will consider in the same spirit as that in which it decided to convene the Santiago Conference, all the methods by which this object may be attained,

And considers that it ought in particular to call the attention of the Governing Body to the following methods proposed by Mr. Sandoval, Government Delegate, Cuba, Mr. Unsain, Government Delegate of the Argentine Republic, and the Workers' Group.

(a) The possibility of convening in the future, whenever circumstances may make such a step appear desirable, periodical conferences similar to the Conference of Santiago.

(b) An increase in the number of nationals of American countries appointed as members of the technical committees of the Organisation.

(c) An increase in the number of American officials employed in the International Labour Office, such officials being recruited among the persons with the greatest ability and knowledge of American conditions.

(d) An increase in the number of Correspondents' Offices and Correspondents of the International Labour Office in the American countries.

(e) The intensification of the investigations and enquiries undertaken by the International Labour Office in collaboration with the American countries concerning problems of special interest to the said countries.

(f) The inclusion of periodical studies of American conditions and law in the publications of the International Labour Office, and more especially in the *International Survey of Legal Decisions on Labour Law*.

(g) An increase in the number and circulation of such of the publications of the International Labour Office as are of special interest to the American countries, in the languages current on the American Continent, and especially the publication of popular editions at cheap prices.

(h) The preparation by the International Labour Office of a scientifically planned survey which will make generally known the efforts made by each of the countries of America to improve social conditions throughout the Continent.

Resolution concerning unemployment.

The Labour Conference of American States which are Members of the International Labour Organisation,

Having considered the Office report concerning the problem of unemployment in the countries of the American Continent and the measures adopted for combating unemployment,

Notes that these measures have failed in many cases to yield their full results owing to the absence of a permanent organisation of the labour market which is an important element, not merely for the immediate struggle against unemployment but in general for the proper development of production and the better organisation of the economic system in its human aspects in each country,

Requests the Governing Body of the International Labour Office, as suggested by Mr. Unsain (Government Delegate, Argentina), M. Rebagliati (Government Delegate, Peru) and the Workers' Group,

(a) to call the attention of the American countries which are Members of the Organisation to the necessity for developing a complete system of free public employment agencies, as provided for by the Unemployment Convention, 1919, with due provision, so far as is possible, for the association of the workers' and employers' organisations concerned in the management of such agencies, to the necessity for strict supervision of the activities of fee-charging employment agencies, not merely in order to prevent the exploitation of the workers to which employment finding on a commercial basis is liable to give rise, but also in order to secure the uniform co-ordination of supply and demand on the labour market which is frequently rendered difficult by the activities of such employment agencies, on the understanding that the object to be aimed at should be the complete abolition of private agencies in accordance with the conditions laid down by the 1932 Convention concerning fee-charging employment agencies,

(b) To recommend to these American countries which have not instituted a system of compulsory unemployment insurance and do not consider that the time has come to institute a more or less complete system of compulsory insurance that they should stimulate the development of voluntary unemployment insurance by granting adequate financial assistance to the workers' mutual funds, the joint funds or other institutions for provision against

unemployment, and at the same time organising a national system of relief distinct from the ordinary arrangements for the relief of destitution and which, in accordance with the 1934 Convention, ensuring benefits or allowances to the involuntarily unemployed, may take the form of remuneration for employment on relief works organised for the purpose, for the relief of unemployed persons falling within the categories covered by the 1934 Convention and not covered by voluntary unemployment insurance,

(c) to give special attention to a systematic public works policy intended to reduce unemployment, to raise the standard of living of the workers, and, with special reference to the American countries, to facilitate and multiply means of communication between these countries,

The Conference further recommends the Governing Body of the International Labour Office to instruct the Office to study the conditions and extent of unemployment in the countries of the American Continent, as well as the means adopted by national legislation to prevent unemployment and remedy its consequences, to organise for this purpose enquiries into all aspects of the problem, the enquiries being carried out by the various Governments, with a view to preparing with the data thus collected and the co-operation of experts from the American countries a technical report on the social aspects of the solution adopted for the problem of unemployment in the American States.

Resolution concerning the cost of living in American countries, submitted by the Government delegation of the United States of Mexico.

The Labour Conference of the American States which are Members of the International Labour Organisation :

Considering the importance of enquiries concerning the cost of living of the working classes in town and country alike and of the subsequent calculation of periodical indexes of fluctuations in the cost of living, from the point of view of social policy in general;

Considering that systematic studies concerning the cost of living have not yet been carried out in all countries on the American Continent, and that the indexes at present calculated for certain items in the cost of living in some of those countries are based on theoretical estimates of the probable consumption of typical families and not on actual family budgets obtained as a result of adequate previous investigation;

Considering that the variations that are constantly taking place in the cost of living indexes of the said American countries deserve special attention and study on the part of the International Labour Office, which is at present the body best fitted to stimulate and direct such enquiries,

Decides to request the Governing Body of the International Labour Office :

- (1) to take such action as may lie within its competence in

order to have enquiries carried out simultaneously in all the American countries on the cost of living;

(2) that the above-mentioned Office should prepare uniform questionnaires for the various groups to be studied, and should decide what, in its opinion and subject to conformity with the desires of each Government, would be the right period to fix for the enquiries, and that it should also determine the scale of units of consumption to be used for each country;

(3) that the above-mentioned Office, after making a special study of the subject, should determine the basis that it may consider most appropriate for such enquiries, and should undertake to direct those enquiries, bearing in mind that separate studies should be devoted to town workers, the various categories of agricultural workers, and, where these exist in a particular country, the various ethnical groups whose organisation in respect of social economics is relatively undeveloped; on the understanding that the enquiries should cover not merely food and clothing, but more particularly conditions as to housing, health and culture, including education and recreation;

(4) that the above-mentioned Office should, in so far as it is competent to do so, promote the publication by the said countries and within a specified time limit of the results of their respective enquiries, which will be summarised by the International Labour Office in a comparative survey;

(5) that the Office should propose basic principles for the subsequent calculation of cost of living indexes based on the family budgets recorded as a result of the enquiries.

(6) to consider the possibility of having adopted a draft convention by which the States Members of the International Labour Organisation shall undertake to carry out simultaneously every five years or every ten years enquiries concerning the cost of living in accordance with plans to be drawn up for the purpose by the International Labour Office.

Resolution concerning popular nutrition, submitted by the Government delegation of Chile.

Considering that, other biological factors apart, nutrition is a factor of capital importance in determining the physical productive power of the worker;

Considering that technical bodies such as the technical organisation of the League of Nations, the British Ministry of Health, the Consultative Committee on Nutrition of the Royal Society of Medicine of Great Britain, the Department of Health of the United States of America and the Tokio Institute of Nutrition and experts such as Tizka, von Norden, Starling, Bottazzi, Saiki, Acktody Burnet, etc., are in agreement that the daily nutrition requirements of a working adult amount to about 3,000 calories

per day, that is to say foodstuffs productive of 3,000 calories distributed according to the following principles of nutrition :

100 grs. of proteins of which approximately one third should be of animal origin (meat and milk).

70 to 80 grs. of fat chiefly of animal origin in order to ensure that it contains Vitamin D (fat, butter, margarine, etc.), and

500 grs. of hydro-carbon consisting chiefly of starch (cereals, bread, vegetables, fruit, green vegetables).

The ration should also include the following indispensable mineral substances :

Calcium	0.70 grs.
Phosphorus	2.10 grs.
Iron	0.015 grs.

and also Vitamins A, B, C, and D.

Considering that these fundamental requirements, indispensable in the daily ration, are all met by the following ration compiled on biological principles :

125 grs. meat;
350 grs. milk;
100 grs. cereals;
100 grs. vegetables;
400 grs. bread;
200 grs. potatoes;
200 grs. green vegetables and fruit;
30 grs. to 40 grs. fat;

Considering that the cost of such a ration implies the devotion thereto of an important part of the indispensable wages of the individual and that this part should not amount to more than about 50 per cent. of such wages if other necessary expenses such as housing and clothing are to be covered with the remainder without any encroachment on the part reserved for nutrition;

Considering it to be evident that the present world crisis has had a serious repercussion on the nutrition of the working-class families owing to the effects of unemployment and the failure of wages to increase proportionately to the increase in the cost of food stuffs;

Considering that the conditions of production, transport and exchange of food stuffs which are of primary necessity have a manifest influence upon their cost;

Considering that the problem of popular nutrition, viewed from the social angle, is aggravated by popular ignorance of the fundamental principles of rational nutrition which makes it difficult to secure concentration upon the most necessary food stuffs and the best use of the part of wages devoted to nutrition;

The Labour Conference of American States which are Members of the International Labour Organisation:

Requests the Governing Body of the International Labour Office:

- (a) To transmit the technical organs of the League of Nations its desire that they will continue their scientific work in this branch of social medicine; and

- (b) To include in the agenda of an early session of the International Labour Conference the question of popular nutrition.

The Conference also notes the following as possible bases for a policy intended to bring about an improvement in nutrition :

- (a) The periodical determination in each country of the average cost of a ration of 3,000 calories composed of a variety of products fulfilling the conditions described above;
- (b) The determination within each country and in the light of its economic characteristics of the percentage of the indispensable minimum wage which this ration should represent, it being understood that this percentage be fixed at about 50 per cent., of the wage;
- (c) The fixing by each State of maximum prices for the food stuffs which are the basis of popular nutrition, it being essential to include among these, on account of their absolute necessity, meat, milk, and bread;
- (d) The establishment of popular restaurants to supply adequate foodstuffs at moderate prices, under the control of Health Authorities;
- (e) The establishment in each country of organs or Technical Commissions to assist the Government with measures of nutrition policy; to co-ordinate investigations on the subject and direct the educational campaign which ought to be undertaken in connection with the matter, etc.
- (f) The orientation of the economic policy of States in such manner as to take account of the primordial character of biological necessities in the sense of subordinating production, transport and distribution, both national and international, of foodstuffs of primary necessity to the nutrition requirements of the population;
- (g) The adoption in so far as possible of international health legislation on nutrition questions.

Resolution concerning popular nutrition, drafted on the basis of texts submitted by Mr. Manuel B. Llosa, Government delegate, Peru, and Mr. Solis, workers' delegate, Chile.

The Labour Conference of the American States which are Members of the International Labour Organisation, recommends the Governing Body of the International Labour Office :

- (1) To instruct the Office

(a) To take steps, in collaboration with the countries concerned and by methods such as the distribution to them of standard forms or instructions, to achieve the greatest possible measure of uniformity in the methods of investigation into the conditions

and costs of the nutrition of workers in the different countries, both in urban and rural areas.

(b) To consider the desirability of collecting information with a view to subsequent action concerning the provision of food for workers and the utilisation of holiday camps, school meals, popular restaurants, and similar establishments as a basis for the study of nutrition and a means of educating the workers in matters of hygiene.

(2) To invite the Members of the Organisation

(a) To communicate to the Office the results of their investigations into conditions and costs of nutrition with a view to the formulation of a common policy on the subject,

(b) To put such a common policy into force, in so far as possible, by means of commercial treaties under which States with an abundance of certain foodstuffs would place them at the disposal of other States which lack them.

The Conference further recommends

(1) That the method of investigation employed should be that of enquiries covering a large number of families in various milieux and parts of the country at different seasons of the year, the data being noted daily over a certain period and including the resources of the family and a detailed account of the quantity, quality and cost of all food; similar data should be collected concerning the nutrition of children in creches, in other similar institutions and in schools, a comparison being made between scholars in varying economic situations: special attention should also be given to the study of disease due to malnutrition, such as rickets, etc.;

(2) That the method adopted in these enquiries should follow as closely as possible that proposed by the Chilean Delegation, and that the collaboration of the technical organisations of the League of Nations be invited;

(3) That the examination of the results of the enquiries and investigations should bring out whether the defects of nutrition are due to insufficient remuneration; if so, the State should agree to take all necessary steps to ensure that wages are such that the workers can provide healthy and adequate food for themselves and their families.

Resolution concerning the weekly rest, submitted by the Government, employers' and workers' delegates, Ecuador.

The Labour Conference of the American States which are Members of the International Labour Organisation suggests to the Governing Body of the International Labour Office the desirability of including in the agenda of the International Labour Conference the question of the revision of Convention

No. 14 and Recommendation No. 18, concerning the application of the weekly rest, so as to make the weekly rest comprise a minimum period of thirty-six consecutive hours, instead of twenty-four.

Resolution concerning free legal aid services for wage-earners, submitted by Mr. Rebagliati, Government delegate, Peru.

The Labour Conference of the American States which are Members of the International Labour Organisation requests the Governing Body to instruct the International Labour Office concerning the desirability of drawing up a Draft Recommendation respecting the establishment of public services for giving legal advice to, and assuming the legal defence free of charge of, the wage-earners, this being the most effective means of ensuring full recognition of their rights and the complete recovery of the compensation due to them, without the intervention of interested middlemen.

Resolution concerning minimum wages, submitted by Mr. Escribar, Government Delegate, Chile.

Considering,

1. That the Preamble to the Constitution of the International Labour Organisation, and Article 41 of that Constitution, point out the necessity of improving conditions of labour with respect to the provision of an adequate living wage, and lay down the principle of the payment to the employed of a wage adequate to maintain a reasonable standard of life as this is understood in their time and country;

2. That the Convention concerning minimum wage fixing machinery and the Recommendation concerning the application of such machinery, which were adopted at Geneva in 1928, provide for the fixing of minimum wages based mainly on the rates paid for similar work in industries in which the workers are organised and in which they have concluded effective collective agreements, and that these texts also adopt the general standard of wages in the country or locality as a term of comparison;

3. That, even though the above-mentioned Convention undoubtedly aims at raising low wages, and the Recommendation mentions the necessity for securing an adequate standard of living for the workers, it would undoubtedly be desirable that the International Labour Organisation should once more examine the problem of fixing or regulating wages, with the main object of meeting the material and cultural requirements of the workers, taking into account the cost of living;

4. That the aspect of the problem which is connected with family wages has not yet been studied with a view to international

regulations, and that it is most important to investigate it on account of its important social effects;

The Labour Conference of the American States which are Members of the International Labour Organisation :

Requests the Governing Body of the International Labour Office to place on the agenda of an early session of the International Labour Conference the question of the minimum wage and that of family allowances, to be considered primarily from the point of view of their adequacy to meet the essential needs of the worker and his family, these being taken to include food, clothing, housing and general and vocational education, rest and cultural recreation.

Resolution concerning the effective application of labour legislation, submitted by the Government delegation of Chile.

The Labour Conference of the American States which are Members of the International Labour Organisation suggests to the Governing Body of the International Labour Office that it would be desirable to undertake as soon as possible a preliminary enquiry with a view to placing on the agenda of an early session of the Conference a proposal that Members of the Organisation should take effective action to establish in each country the administrative, technical and research bodies specially necessary for the proper application of the Conventions approved and of labour law in general, such as special Ministries, superior labour councils attached thereto with representation of the State, employers and workers, autonomous inspection services with adequate powers and specialised tribunals.

Resolution concerning the creation of employers' and workers' federations, submitted by the workers' group of the Conference.

The Labour Conference of the American States which are Members of the International Labour Organisation held at Santiago de Chile,

Considering that the States which have become Members of the Geneva International Labour Organisation have thereby signified their full agreement with the Constitution of the International Labour Organisation;

Considering further that it is of great importance for the successful participation of the States Members in the work of the International Labour Organisation that there should exist in the various countries national federations of employers and of workers, to facilitate the task of the Governments in fulfilling the obligation to appoint non-government delegates and advisers to the annual International Labour Conference in accordance with Article 3 of the said Constitution, which lays down that the

nomination of such delegates is to be carried out in agreement with the organisations which are most representative of employers or workpeople;

Considering, however, that in various countries of the American Continent no such central bodies of workers or employers exist;

Requests the Governing Body of the International Labour Office to appeal to the Governments of those countries where there are, as yet, no such bodies, not to hamper any efforts which may be made to create such bodies by the existence of which the participation of the workers' and employers' movements in the activities of the International Labour Organisation may be furthered and facilitated, seeing that Article 41 of the Constitution of the International Labour Organisation recognises the right of association for all lawful purposes by the employed as well as by the employers.

**Resolution concerning calendar reform, submitted by
Mr. Gaston Goyeneche, employers' delegate, Chile.**

Considering that the Eleventh Session of the International Labour Conference, held in Geneva in June 1928, passed a resolution in favour of calendar reform, drawing attention to the interest which this question has for the workers on account of its relation with the rationalisation of work and labour statistics and the regularisation of public holidays,

Considering that the Secretariat of the League of Nations has asked the International Labour Office to communicate to it periodically any information which it can obtain concerning the attitude to this question of the workers,

Considering that it is a well recognised fact that the present calendar is very unsatisfactory from economic, social and religious standpoints, and that recent studies, investigations and reports have shown that there is a marked trend of opinion in favour of its revision,

Considering that calendar reform on the basis of twelve months and equal quarters would be of great advantage to commercial life, to business men, and also for the well-being of the working classes and would be of inestimable advantage to all the nations, and

Considering that this point will be further studied by the League of Nations in 1936,

The Labour Conference of American States which are Members of the International Labour Organisation, meeting at Santiago in January 1936,

Resolves to recommend the approval of the perpetual calendar of twelve months and equal quarters, and requests the Governing Body of the International Labour Office to send copies of this resolution to the Secretary-General of the League of Nations and the Governments of all the American countries.

Resolution concerning the study of industrial relations, submitted by the Government, employers' and workers' delegates, Ecuador.

The Labour Conference of American States requests the Governing Body of the International Labour Office to recommend to educational institutions, and especially to the universities of the States which are Members of the International Labour Organisation, the study of relations between capital and labour in the light of modern thought, since such relations are equally important to the ideals of the workers and the security of capitalism and can contribute to improved conditions and social peace.

Resolution concerning the publication of a cheap edition of the history of the origins of the International Labour Organisation, submitted by the Government delegation of Haiti.

Considering that it is necessary, with a view to maintaining the spirit that suggested and led to the creation of the International Labour Organisation—the spirit of active protection of the workers in the national and international spheres—that the true origins of this Organisation should be as widely known as possible,

The Conference of American States which are Members of the International Labour Organisation recommends the Governing Body of the International Labour Office to have prepared, published and widely distributed a cheap edition of *The Origins of the International Labour Organisation*, which covers the more remote as well as the more recent origins before and during the war and during the peace negotiations.

Resolution concerning the co-ordination of the economic policy of States and protective labour legislation, submitted by the Government delegation of Haiti.

The Labour Conference of American States which are Members of the International Labour Organisation invites the Governing Body to draw the attention of the competent international bodies to the question of the measures to be taken to prevent the economic policy of States from destroying the beneficial effects of protective labour legislation.

Resolution concerning private monopolies, submitted by the Government delegation of Haiti.

The Labour Conference of American States which are Members of the International Labour Organisation resolves to ask the Governing Body of the International Labour Office to consider

the possibility of suggesting to the competent international bodies the examination of the problem of private monopolies over sources of power, raw materials and industries of vital importance in relation to social interests and especially the interests of the working classes.

Resolution concerning the ratification and application of the Conventions and Recommendations by the American States, submitted by Mr. Ramirez Otarola, employers' delegate, Peru.

The Labour Conference of the American States which are Members of the International Labour Organisation,

Considering that it is urgently necessary to extend the benefits of protective legislation to all workers in the American countries, so far as may be possible,

Requests the Governing Body of the International Labour Office to instruct the Office to continue, amplify and publish its reports on the various Conventions and Recommendations adopted by the International Labour Conference, with special reference to their ratification and application by the States of America.

Resolution suggesting the study of various questions by the International Labour Office, submitted by the workers' group.

The Labour Conference of the American States which are Members of the International Labour Organisation, held in Santiago de Chile, recommends that the Governing Body of the International Labour Office should consider and study the following questions which are of special importance for the American countries.

(1) The question of ensuring that wages shall be paid in cash, and of supervising the truck stores (*proveedurias*) with a view to eliminating the existing abuses of the truck system in many American countries;

(2) The question of creating Ministries of Labour in those American countries in which no such Ministries at present exist;

(3) The question of the direct representation of the employers' and workers' organisations in the various industries on the higher bodies responsible for social administration, with a view more particularly to supervising the execution of ratified international Conventions;

(4) The question of creating or extending central bureaux of social statistics, particularly with regard to wages, cost of living, unemployment, industrial accidents, occupational diseases and labour disputes;

(5) The question of investigating the problem of workers' housing in town and country, with a view to putting an end to

the lamentable conditions at present existing in many American countries;

(6) The question of stimulating the formation and development of agricultural co-operative societies;

(7) The question of creating special bodies for the protection of indigenous workers in the American countries, with a view to improving their conditions of life and labour, with the permanent collaboration of representatives of the more important working-class bodies;

(8) The question of investigating the problem of vocational education in the American countries;

(9) The question of investigating, in collaboration with the International Bureau of Education at Geneva, the conditions under which members of the teaching profession engaged in primary and secondary education, in public and private schools, live and work.

Resolution concerning the study of agricultural work in America, submitted by the Government delegation of the United States of Mexico.

The Labour Conference of the American States which are Members of the International Labour Organisation :

Considering the nature, in general, of agricultural work in America from the standpoint of fixing hours of work and legal holidays, of the payment of a minimum wage to the agricultural worker, of the regulation of agricultural work for women and minors, of the form in which agricultural labour contracts are to be drawn up, of the suspension, cancellation or termination of such contracts, of the formation of agricultural associations and trade unions and of combinations, strikes and lock-outs,

Recommends to the Governing Body that the International Labour Office should undertake an enquiry into the conditions of agricultural work in America covering, in conformity with the particular circumstances of each country, questions such as the economic and social structure of agriculture, the conditions under which agricultural work is carried out and the general principles upon which labour contracts in rural districts are based, the relations of such contracts with the minimum wage and with share-farming contracts and in general the examination of any other problem directly connected with the conditions of agricultural work in the American countries.

Resolution concerning an enquiry into agricultural statistics in the American countries, submitted by the Government delegation of the United States of Mexico.

The Labour Conference of the American States which are Members of the International Labour Organisation :

Considering the necessity for providing statistics on agricul-

tural work and for perfecting and co-ordinating agricultural statistics in the greater part of the American countries,

Considering the competence and the interest of the International Labour Organisation as regards the economic and social conditions in America in respect of agriculture,

Recommends to the Governing Body :

(1) That the International Labour Office should study the possibility of carrying out an enquiry among the Governments of all the American countries concerning the form, the motives, the periodicity and the scope of the various statistics concerning agricultural work already in existence and also concerning the possibility for each Government of instituting, collecting, extending and co-ordinating internationally such statistics in regard to agricultural work, including both crop-raising and cattle-breeding.

(2) In general, that the International Labour Office should draw the attention of the Governments of the American countries to the desirability of making permanent provision for the supply of uniform agricultural statistics covering the rural population, the population economically active in agriculture, the various agricultural occupations pursued by the wage-earning classes (whether those classes be of a permanent or of a casual character, and with due regard for the average number of days worked by each wage-earner) and also by non-wage-earners;

(3) That the International Labour Office should study the possibility of determining basic principles for the calculation of agricultural statistics with regard to rural occupations based on the amount of labour employed per unit of area, time per unit of area, per unit of weight and per operation, at least for the more important crops of each country.

Resolution concerning the truck system, submitted by Mr. Enrique Forn, Government delegate, Argentine Republic.

The Labour Conference of the American States which are members of the International Labour Organisation,

Considering that the defence of the workers' wages is one of the most important aspects of protective social policy and improves the conditions of life of the workers, and

Considering that the International Labour Office, in virtue of a resolution of the Nineteenth Session of the Conference, is engaged in investigations into the truck system and connected practices and into national legislation on the subject, and

Considering that one of the practices that gives rise to serious abuses and reduces the purchasing power of the workers' wages is the establishment of stores run for profit by the employer in his workplaces or stores that are connected in some way with the economic interests of the employee and,

Considering that the employment of quite large groups of

workers in places far from urban centres which is frequent in agriculture, forestry and the mining industry in certain countries of America, renders necessary the consideration of the problem of supplies so that stores must be permitted in workplaces subject to certain guarantees and to the supervision of the public authorities,

Resolves to request the Governing Body of the International Labour Office to instruct the Office to complete its investigation into the truck system and to prepare a draft text for a Draft Convention or Recommendation concerning the truck system, special account being taken of the peculiar needs of the American Continent.

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INTERNATIONAL LABOUR OFFICE

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INTERNATIONAL LABOUR OFFICE

OFFICIAL BULLETIN

20 July 1936.

Vol. XXI. No. 2.

Twentieth Session of the International Labour Conference (June 1936)

*The following letter has been addressed to the Governments of
the States Members of the International Labour Organisation.*

Geneva, 7 April 1936.

Sir,

I have the honour to refer to my letter D 620/000 of 11 November 1935¹ and to inform you that copies of the report on Item II (Holidays with Pay) on the agenda of the Twentieth Session of the International Labour Conference are now being despatched to Governments.

2. Owing to the late date at which in many cases the Office received the replies of Governments to the Questionnaires addressed to them, it has not been possible to publish all the Reports for the Twentieth Session of the Conference as early as was desired. In order to minimise as far as possible the consequent inconvenience to Governments, it has been decided to issue in advance and separately from the reports, where this course would mean an appreciable difference in time, the texts of the proposed Draft Conventions prepared by the Office for the consideration of the Conference relating to the following items on the agenda :

Item I. The regulation of certain special systems of recruiting workers.

¹ See *Official Bulletin* : 1925, Vol XX, No. 4.

- Item III. The reduction of hours of work on public works undertaken or subsidised by Governments.
- Item IV. The reduction of hours of work in the building and civil engineering industry.
- Item V. The reduction of hours of work in iron and steel works.
- Item VI. The reduction of hours of work in coal mines.
- Item VII. The reduction of hours of work in the textile industry.

Copies of these texts will be despatched to you at an early date and the complete reports will follow as soon as they are available.

3. I have also the honour to inform you of the following decisions of the Governing Body at its 74th (February 1936) Session affecting the programme of the Twentieth Session of the Conference :

(a) A report on the *nutrition of workers* will be submitted to the Conference. (Copies of this report will be despatched to Governments in due course.)

(b) The Conference will be asked to consider certain *amendments of its Standing Orders*.

4. The Governing Body also came to the conclusion that it would be desirable if the Conference were to set up the *Committee on the Application of Conventions* at an early stage of its proceedings, so as to give this Committee more time than has been available in the past to enable it to discharge satisfactorily the important and difficult task entrusted to it. The Standing Orders, it was noted, already enable the Conference to appoint this Committee shortly after the opening of the Session.

5. Finally, I beg to remind Governments that in accordance with Article 3 (i) of the Standing Orders of the Conference, the *credentials* of delegates and their advisers should be lodged with the Office at least fifteen days before the date fixed for the opening of the Session, i.e., not later than *20 May 1936*.

6. In this connection, I venture to suggest that it would add to the value of the Provisional List of Delegates issued at the opening of the Session and greatly facilitate the work of the Office if Governments would be so good as to furnish, in addition to the formal credentials, a statement (preferably in triplicate) giving full particulars of their national delegations in the form in which this information appears in the List of Delegates and also giving the permanent home addresses of the members of the delegation. The information desired in respect of each delegate or adviser is as follows : (a) Title, if any; (b) names in full, distinguishing the surname or usual family name; (c) functions

(office held in Government Department or employers' or workers' organisation, etc.); (d) address while in Geneva (if known at the time); (e) permanent home address to which documents should be despatched after the Conference. It is not proposed to give the last item of information in the List of Delegates.

I have the honour to be,
Sir,

Your obedient Servant,

For the Director :

E. J. PIELAN,

Assistant Director.

Twenty-first and Twenty-second Sessions of the International Labour Conference (October 1936)

*The following letter has been addressed to the Governments of the
Members of the International Labour Organisation.*

Geneva, 28 May 1936.

I. *Twenty-first Session—Geneva, 6 October 1936.*

Sir,

I have the honour to inform you that the Governing Body of the International Labour Office decided at its Seventy-fifth Session, recently held, that the Twenty-first (Maritime) Session of the International Labour Conference should open at Geneva on *Tuesday, 6 October 1936.*

2. The items on the agenda of this Session of the Conference are as follows :

- I. A. Regulation of hours of work on board ship.
- B. Manning in conjunction with hours of work on board ship.
- II. Protection of seamen in case of sickness (including the treatment of seamen injured on board ship), i.e.—
 - (a) The individual liability of the shipowner towards sick or injured seamen;
 - (b) Sickness insurance for seamen.
- III. Promotion of seamen's welfare in ports.
- IV. Establishment by each maritime country of a minimum requirement of professional capacity in the case of captains, navigating and engineer officers in charge of watches on board merchant ships.
- V. Holidays with pay for seamen.

3. The circumstances in which these items have been placed on the agenda of the Conference are as follows :

(i) *Item IA.* The question of the regulation of hours of work on board ship has already been discussed at the Thirteenth (Maritime) Session of the Conference held in 1929, when it was decided that the question should be placed on the agenda of a future session, and in 1931 a Blue Report was prepared by the International Labour Office and despatched to Governments. This report contained the replies of Governments to a questionnaire addressed to them in accordance with the decision of the Conference in 1929 and concluded with the text of a proposed Draft Convention concerning the regulation of hours of work on

board ship which it was intended to submit to the Conference with a view to the completion of the normal double-discussion procedure.

(ii) *Item IB*. In April, 1935, however, following upon negotiations which had taken place in the meantime and as a result of an agreement reached in the Joint Maritime Commission of the International Labour Office, the Governing Body decided that the question of manning should also be brought before the Conference with a view to examination of the problem of hours of work on board ship and manning as a whole. Accordingly, the question of manning in conjunction with hours of work on board ship was placed on the agenda of the Conference by the Governing Body at its Seventieth (April 1935) Session. This question was the subject of preliminary discussion at a preparatory technical tripartite meeting of representatives of the principal maritime countries which took place at Geneva in November-December 1935. Copies of the Report and Record of this Meeting were despatched to Governments with my letter (D 600/120/1005) of 24 January 1936, and in a further letter of 22 February 1936 Governments were informed that the Governing Body at its Seventy-fourth (February 1936) Session, had approved the procedure suggested by the Meeting, in accordance with which the report to be submitted by the Office to the Maritime Session of the Conference would be such as to enable the Conference, if it so decided, to proceed at that Session to the discussion and adoption of a Draft Convention or Recommendation.

(iii) *Items II, III and IV*. These items appeared on the agenda of the Thirteenth (Maritime) Session of the Conference, held in 1929, which submitted them to the first stage of the usual double-discussion procedure and decided that they should be placed on the agenda of the next Maritime Session for the second discussion. Questionnaires framed on the bases determined by the Conference were subsequently addressed to Governments, and Blue Reports were then prepared and despatched to Governments by the International Labour Office which contained the replies of Governments to these Questionnaires and the texts of proposed Draft Conventions concerning Items II and IV and a proposed Recommendation concerning Item III. The Governing Body having now fixed the date of a further Maritime Session, these reports will come before the Conference for the taking of a final decision as to the adoption of international regulations.

(iv) *Item V*. This item was placed on the agenda of the Conference by decision of the Governing Body at its Sixty-fifth (January 1934) Session. It was the subject of preliminary discussion at the preparatory Meeting referred to in sub-paragraph (ii) above, and in this case also the Governing Body decided at its Seventy-fourth Session that the report to be submitted to the Maritime Session of the Conference should be such as to enable the Conference, if it so decided, to proceed at that Session to the discussion and adoption of a Draft Convention or Recommendation.

4. Copies of the *Blue Reports* on Items IA, II, III and IV on the agenda of the Twenty-first Session of the Conference will shortly be despatched to Governments. If further supplies are required, in addition to those still remaining in the possession of Governments from the supply sent to them in 1931, they will, of course, be sent immediately on request. In addition, Blue Reports on Items IB and V on the agenda are in course of preparation, and supplies of these will be despatched to Governments as soon as they are ready.

5. The Twenty-first Session of the Conference will also have before it reports by the Governing Body on the working of the following Conventions :

No. 7. Minimum Age (Sea) Convention, 1920.

No. 8. Unemployment Indemnity (Shipwreck) Convention, 1920.

No. 9. Placing of Seamen Convention, 1920.

No. 15. Minimum Age (Trimmers and Stokers) Convention, 1921.

No. 16. Medical Examination of Young Persons (Sea) Convention, 1921.

These reports, which in virtue of the provisions of the Conventions themselves have to be presented to the Conference at least once in ten years, were presented at the Fifteenth (1931) Session (Conventions Nos. 7 and 9) and at the Seventeenth (1933) Session (Conventions Nos. 8, 15 and 16), but at both these Sessions the Conference decided that the reports should be referred for examination to the next Maritime Session. As will be seen from the second part of this letter, the question of the desirability of placing on the agenda of the Conference the question of the revision of Convention No. 7 (Minimum Age: Sea) is under consideration by the Governing Body. In the case of all the other Conventions mentioned the Governing Body took no action with a view to possible revision or modification.

Copies of these reports have already been supplied to Governments, and further copies will be available at the Conference for the use of members of delegations who may require them.

6. In accordance with Article 3 (i) of the Standing Orders of the Conference, the credentials of delegates and their advisers should be lodged with the International Labour Office at least fifteen days before the date fixed for the opening of the Session, i.e., *not later than 21 September 1936*. In this connection, I venture to suggest that it would add to the value of the Provisional List of Delegates issued at the opening of the Session and greatly facilitate the work of the Office if Governments would be so good as to furnish, in addition to the formal credentials, a statement (preferably in triplicate) giving the following information concerning each of the members of their national delegations : (a) Title and names in full, distinguishing the surname or usual family name; (b) functions (office held in Government Department or employer's or workers' organisation, etc.); (c) address

while in Geneva (if known at the time); (d) permanent address to which documents should be despatched after the Conference. It is not proposed to give the last item of information in the List of Delegates, but the addresses are required to avoid delay and inconvenience to members of delegations in the despatch of documents.

7. I have the honour to point out that, the date of opening of the Twenty-first Session of the Conference having been fixed at 6 October 1936, the last day for the deposit with the International Labour Office of resolutions for the consideration of the Conference, other than resolutions relating to items on the agenda, will be 29 September 1936, in accordance with the provisions of Article 12 (7) of the Standing Orders of the Conference.

II. *Probable Twenty-second Session—Geneva, 22 October 1936.*

8. In my letter (D 601/2010/0/5) of 22 February 1936, I had the honour to inform you that the Governing Body of the International Labour Office had decided, at its Seventy-fourth (February 1936) Session, that consideration should be given to the placing on the agenda of the International Labour Conference of the question of the revision of the Minimum Age (Sea) Convention, 1920, and that the attention of Governments should be drawn to the following points as being those which it considered specially worthy of attention :

- (i) Raising of the minimum age from fourteen to fifteen years (Article 2).
- (ii) Revision of the formal Articles (Articles 5 to 11).

9. The final decision as to whether or not this matter shall be placed on the agenda of the Conference and as to the exact terms of the questions to be so placed cannot be taken by the Governing Body, having regard to the requirements of its Standing Orders, until its next Session, to be held next month. Subject, however, to the decision then to be taken, the Governing Body decided, at its Seventy-fifth Session recently concluded, to fix *Thursday, 22 October 1936*, as the date of opening of the session of the Conference at which the question of the revision of this Convention would be considered. The holding of a separate Session of the Conference has been rendered necessary by the fact that the constitutional requirements as to the interval between the first consideration by the Governing Body of the question of the revision of a Convention and the final decision as to the precise questions to be placed on the agenda of the Conference did not permit of this matter being dealt with by the Twenty-first Session; there will, however, be no interval between the two Sessions and the second will doubtless be of short duration.

10. Governments will be informed immediately of the decision taken by the Governing Body at its session next month, but in view of the very limited time available if the constitutional requirements are to be respected, I venture to request that

Governments may regard this letter as constituting the letter of convocation of the Twenty-second Session of the Conference as well as of the Twenty-first, subject in respect of the Twenty-second Session to confirmation and possible amplification by telegram later when the Governing Body has taken its final decision.

11. As both the Twenty-first and Twenty-second Sessions of the Conference will be devoted exclusively to maritime questions and there will be no interval between them, it may, no doubt, be found convenient that the delegations to the two Sessions should consist largely, if not wholly, of the same persons. Nevertheless, even if this should be the case, it is necessary that the credentials of Delegates and Advisers should make it clear that they are accredited to both Sessions in order that the requirements of the Constitution of the Organisation and of the Standing Orders of the Conference may be complied with. In the case of persons taking part only in the Twenty-second Session, credentials should be lodged with the International Labour Office at least fifteen days before the date of opening of that Session, i.e., *not later than 7 October 1936.*

12. In the event of the Governing Body deciding to place the question of the revision of this Convention on the agenda of the Conference it will be necessary for the Office to submit draft amendments to the Conference. Copies of a report containing these draft amendments will be despatched to Governments as soon as practicable after the next meeting of the Governing Body.

I have the honour to be, etc.,

For the Director :
(Signed) E. J. PHELAN,
Assistant Director.

Entry of Egypt into the International Labour Organisation

Egypt became a Member of the International Labour Organisation on 19 June 1936. The resolution of the Conference by which the Egyptian Government was invited to accept Membership in the International Labour Organisation will be found below, as well as the communications exchanged between the authorised representative of the Egyptian Government and the International Labour Office.

At the Twentieth Session of the International Labour Conference, the following resolution was unanimously adopted by the Conference on 16 June, on the proposal of the Selection Committee.

The International Labour Conference,

Whereas the Secretary-General of the Conference has been informed by the Egyptian Government that it would be willing to accept membership in the International Labour Organisation;

Recalling that it has always been the firm conviction of the Organisation that its ends could be more effectively advanced if the membership of the Organisation could be made universal;

Hereby decides :

To invite the Government of Egypt to accept membership in the International Labour Organisation, it being understood that such acceptance involves only those rights and obligations provided for in the Constitution of the Organisation and shall not involve any obligations under the Covenant of the League of Nations;

And further decides :

That, in the event of the Government of Egypt accepting membership, the Governing Body is hereby authorised to arrange with the Government of Egypt any questions arising out of its membership, including the question of its financial contribution.

The letter of 16 June by which Mr. Harold Butler, Secretary-General of the Conference, communicated the resolution to the representative of Egypt, Mr. Abdel-Fattah Assal, acting Chargé d'Affaires at Berne, is as follows :

(Translation.)

Geneva, 16 June 1936.

Sir,

I have the honour to forward you herewith a copy, certified authentic by the President of the Twentieth Session of the International Labour Conference, of a Resolution, unani-

mously adopted this morning by the Conference, inviting Egypt to accept Membership of the International Labour Organisation. I have also the honour to forward you herewith a copy, certified authentic, of the Constitution of the International Labour Organisation.

I should be deeply grateful if you would forward to your Government the invitation of the International Labour Conference.

I have the honour to be, etc.

(Signed) HAROLD BUTLER.

The representative of Egypt, Mr. Abdel-Fattah Assal, communicated to the Secretary-General of the Conference the acceptance of the invitation of the Conference by the following letter, dated 19 June 1936, which records the acceptance of Membership of the International Labour Organisation by Egypt.

(Translation.)

Geneva, 19 June 1936.

Sir,

By letter of 16 June 1936 you informed me that the International Labour Conference had unanimously adopted a Resolution inviting Egypt to accept Membership of the International Labour Organisation. You were also good enough to enclose a copy of the Resolution and a copy of the Constitution of the International Labour Organisation.

In reply to this communication and under instructions from my Government, I have the honour to inform you that the Egyptian Government has decided to accept the invitation which you forwarded me. It is understood that this acceptance implies the acceptance of the Constitution of the International Labour Organisation.

I have the honour to be, etc.

(Signed) ABDEL-FATTAH ASSAL,
*Chargé d'affaires par interim
of Egypt at Berne.*

Mr. Harold Butler replied to this communication by the following letter dated 19 June 1936.

(Translation.)

Geneva, 19 June 1936.

Sir,

I have the honour to acknowledge the receipt of your letter of 19 June 1936 in which you were good enough to inform me that the Egyptian Government had accepted the invitation to become a Member of the International Labour Organisation.

I note that this acceptance implies also acceptance of the Constitution of the International Labour Organisation.

I have the honour to be, etc.

(Signed) HAROLD BUTLER.

At the twentieth sitting of the Conference, Mr. Assal read to the delegates the following telegram which had been addressed to him on 18 June by the Egyptian Government :

The Egyptian Government is very happy to collaborate in the work of the International Labour Organisation and it highly appreciates the warmth of the invitation sent to it. It requests you to accept that invitation on behalf of the Egyptian Government and to express to the Conference its most sincere thanks for the invitation. It is understood that, in accepting the invitation, it also accepts the Constitution of the Organisation. You are hereby appointed an official Delegate of the Government of Egypt to the Conference.

The Seventy-fourth Session of the Governing Body of the International Labour Office

The Governing Body of the International Labour Office held its seventy-fourth session from 20 to 22 February 1936 at the International Labour Office, Geneva, under the chairmanship of Mr. Riddell.

The agenda of the Session was as follows :

1. Approval of the minutes of the special meeting and of the seventy-third session.
2. Agenda of the 1937 Session of the Conference.
3. Record of the meeting of the Joint Maritime Commission.
4. Effect to be given to the resolutions adopted at the Nineteenth Session of the Conference.
5. Record of the Preparatory Technical Tripartite Meeting on Maritime Questions.
6. Questions arising out of the examination of the annual reports on the application of Conventions.
7. Report of the Office on the representation of the Governing Body on Committees of Experts.
8. Report of the first Regional Conference of representatives of labour inspection services.
9. The Director's Report.
10. Date and place of the next session.
11. Record of the meeting of the Correspondence Committee on accident prevention.
12. Record of the meeting of the Advisory Committee on professional workers.
13. Report of the Standing Orders Committee.
14. Record of the meeting of the Correspondence Committee on industrial hygiene.
15. Record of the meeting of the Committee of statistical experts.
16. Report of the Unemployment Committee.
17. Report of the Committee on agricultural work.
18. Report of the Committee on workers' spare time.
19. Report of the Finance Committee.
20. Report on the work of the Labour Conference of the American States which are Members of the International Labour Organisation, held at Santiago.
21. Report and proposals of the Office concerning the setting up of the Tripartite Agricultural Committee and the effect to be given to the resolution concerning agricultural questions adopted by the Conference at its Nineteenth Session.

22. Study by the Office and report to the Governing Body on the steps to be taken for the protective international regulation of the conditions of employment, work, safety, and social welfare of wage-earners employed in road motor transport (Mr. de Michelis' proposal).
23. Study of the decisions of the Assembly of the League of Nations which concern the International Labour Organisation.
24. Examination of the representation submitted by the Madras and Southern Mahratta Railway Employees' Union concerning the application of certain international labour Conventions in the French Possessions in India.

The composition of the Governing Body was as follows :

Government representatives :

- Mr. RIDDELL (*Canada*), Chairman;
- Mr. LUBIN (*United States of America*);
- Mr. RUIZ GUIÑAZÚ (*Argentina*);
- Mr. MUNIZ (*Brazil*);
- Mr. PAO HUA-KUO (*China*);
- Mr. TEIXIDOR (*Spain*);
- Mr. MANNIO (*Finland*);
- Mr. PICQUENARD (*France*);
- Mr. LEGGETT (*Great Britain*);
- Mr. SUKTHANKAR (*India*);
- Mr. DE MICHELIS (*Italy*);
- Mr. YOSHISAKA (*Japan*);
- Mr. ESTRADA CAJIGAL (*Mexico*);
- Mr. JURKIEWICZ (*Poland*);
- Mr. SCHOENBAUM (*Czechoslovakia*);
- Mr. MARKUS (*Union of Soviet Socialist Republics*).

Employers' representatives :

- Mr. ERULKAR (*India*);
- Mr. FORBES WATSON (*Great Britain*);
- Mr. HARRIMAN (*United States of America*);
- Mr. OERSTED (*Denmark*);
- Mr. OLIVETTI (*Italy*);
- Mr. TAKEUCHI (*Japan*);
- Mr. TZAUT (*Switzerland*);
- Mr. WALINE (*France*).

Workers' representatives :

- Mr. HARRISON (*United States of America*);
- Mr. JOUHAUX (*France*);
- Mr. KREKITCH (*Yugoslavia*);
- Mr. KRIER (*Luxemburg*);
- Mr. KUPERS (*Netherlands*);
- Mr. MERTENS (*Belgium*);
- Mr. NĚMEČEK (*Czechoslovakia*);
- Mr. SCHÜRCH (*Switzerland*).

The following deputy members were also present:

Government deputy members:

Mr. MAHAIM (*Belgium*);
Mr. BRAMSNAES (*Denmark*).

Employers' deputy members:

Mr. CAMUZZI (*Austria*);
Mr. ČURČIN (*Yugoslavia*);
Mr. GÉRARD (*Belgium*);
Mr. LECOCQ (*Belgium*);
Mr. MOLENAAR (*Netherlands*);
Mr. VANEK (*Czechoslovakia*).

Workers' deputy members:

Mr. BERGMAN (*Sweden*);
Mr. PEYER (*Hungary*);
Mr. SCHEVENELS (*Belgium*);
Mr. SCHORSCH (*Austria*).

At the opening of the session, the workers' group of the Governing Body asked for information concerning the arrest of Mr. Solis, who had been Chilean workers' delegate at the Labour Conference of the American States which are Members of the International Labour Organisation, held at Santiago, Chile, in January 1936. The Chilean Government stated that the arrest of Mr. Solis in connection with a strike of a revolutionary character had no connection with his activity as a workers' delegate at the Conference.

Obituary.

The Governing Body paid a tribute to the memory of Mr. Edvard Johanson, President of the Swedish Confederation of Trade Unions and workers' representative on the Governing Body, who had recently died.

Agenda of the 1937 Session of the Conference.

The Governing Body had at its seventy-third session provisionally selected seven questions ¹ which might be placed on the agenda of the 1937 Session of the Conference and had instructed the Office to submit a statement of the law and practice with regard to them.

After examining these statements, the Governing Body defi-

¹ These questions were as follows:

- Reduction of hours of work in printing and kindred trades;
- Reduction of hours of work in the chemical industry;
- Rights of performers as regards broadcasting and mechanical reproduction of sounds and images.
- Technical and vocational education and apprenticeship.
- Regulation of certain special types of contracts of employment.
- Planning of public works in relation to employment.
- A question relating to labour statistics.

nately decided at its seventy-fourth session to place the following questions on the agenda of the 1937 Session of the Conference :

- Planning of public works in relation to employment.
- Reduction of hours of work in printing and kindred trades.
- Reduction of hours of work in the chemical industry.

The Governing Body decided that the method by which the Office should obtain expert advice on problems relating to the reduction of hours of work in the printing and chemical trades should be considered at the Seventy-fifth Session.

Possible revision of the Minimum Age Conventions.

After considering the effect to be given to the resolution concerning unemployment among young persons adopted by the International Labour Conference at its Nineteenth Session, as well as the Record of the meeting of the Joint Maritime Commission held on 30 November 1935, the Governing Body decided, in accordance with paragraph 6 of Article 7a of its Standing Orders, that it was desirable to consider placing on the agenda of a session of the Conference the revision of Conventions No. 5 : Minimum Age (industry), No. 7 : Minimum Age (sea), No. 10 : Minimum age (agriculture) and No. 33 : Minimum Age (non-industrial employment).

In the case of each of the four Conventions the Governing Body decided to draw the attention of Governments to the following points which it considered specially worthy of attention :

- (1) the raising of the minimum age from 14 to 15 years and any related revision of the exceptions provided;
- (2) revision of the standard articles.

It was agreed that the Committee on agricultural work should be consulted on the points in respect of which the revision of the Minimum Age (agriculture) Convention might be contemplated.

Record of the Preparatory Technical Tripartite Meeting on Maritime Questions.

The Governing Body approved the record of the Preparatory Technical Tripartite Meeting which had been held from 25 November to 6 December 1935, and had considered the question of manning in relation to that of hours of work and the question of holidays with pay for seamen, which appear on the agenda of the maritime session of the Conference to be held in 1936. It instructed the Office to communicate the report of the meeting to Governments officially, and to prepare reports for the maritime session of the Conference, on the basis of the observations received from Governments, containing drafts for Conventions or draft Recommendations on the items mentioned above.

Questions arising out of the examination of the annual reports on the application of Conventions.

The Governing Body adopted various suggestions put forward by the Committee of experts and the Conference Committee set up to examine the annual reports furnished by Governments on the application of the Conventions which they have ratified. It adjourned until its Seventy-fifth Session the discussion of a proposal for the appointment of additional experts from extra-European countries to the Committee of experts on the application of Conventions.

Representation of the Governing Body on Committees of experts.

After considering a report prepared by the Office on the representation of the Governing Body on various Committees of experts, the Governing Body decided that it would appoint representatives to sit on the Correspondence Committee on social insurance. It decided that it would not be represented on the Committee of experts on the application of Conventions or the Committee of statistical experts.

It postponed its decision whether or not to be represented on the Correspondence Committee on women's work and the Committee of experts on conditions of work on the principal European river systems until such time as meetings of these Committees were contemplated.

It decided to consider at its seventy-fifth session, on the basis of a report from the Finance Committee, whether it would be desirable for it to be represented on the Committee of experts on Native labour.

First Regional Conference of representatives of labour inspection services.

The Governing Body approved the report of the Regional Conference of representatives of labour inspection services, held at The Hague on 14-17 October 1935. The report contained a number of suggestions concerning the organisation of factory inspection, and recommended the Governing Body to convene annual meetings of representatives of the labour inspection services to study the technical questions arising out of the supervision of the application of the laws and regulations for the enforcement of international labour Conventions.

The Governing Body also noted that the Regional Conference had suggested that the question of the duties, the powers and the organisation of factory inspection services should be placed on the agenda of a session of the International Labour Conference with a view to the adoption of a Draft Convention on the subject.

The Director's Report.

Report on nutrition of the workers.—The Governing Body decided that the preliminary report on the nutrition of the

workers drawn up by the Office in accordance with a resolution adopted by the Conference at its Nineteenth Session should be submitted for discussion to the Twentieth Session of the International Labour Conference.

Sub-Committee on automatic coupling.—The Governing Body noted that the meeting of the Sub-Committee on automatic coupling which it had already authorised the Office to call would take place in April 1936.

Committee of experts on the application of Conventions.—The Governing Body decided that the meeting of this Committee should open on 30 March 1936.

Migration Committee.—The Governing Body authorised the Office to call a meeting of the Migration Committee towards the end of 1936.

Officers of the Advisory Committee on professional workers.—The Governing Body decided that the Officers of this Committee should meet in connection with the seventy-fifth session of the Governing Body to consider the future programme of work of the Committee.

Committee on agricultural work.—The Governing Body decided that the Committee on agricultural work should meet in connection with the seventy-fifth session.

Advisory Committee on management.—The Governing Body appointed the following members as its representatives on the Advisory Committee on management :

Government group : Mr. Ruiz Manent, Mr. Estrada Cajigal, Mr. Riddell.

Substitutes : Mr. Ruiz Guiñazú, Mr. Nečas.

Employers' group : Mr. Olivetti, Mr. Čurčín, Mr. Dennison.

Substitutes : Mr. Tzaut, Mr. Vaněk.

Workers' group : Mr. Jouhaux, Mr. Mertens, Mr. Hayday.

Substitute : Mr. Schürch.

The Governing Body appointed the following persons to sit on this Committee as experts : Mr. Wallace Clark (American), Mr. Max Drechsel (Belgian), Mr. Louis Ferasson (French), Mr. Anders Hedberg (Swedish), Mr. Theodor Limperg (Netherlands), Mr. Francesco Mauro (Italian).

The Governing Body decided that the Advisory Committee on management should meet in April 1936 to consider the following agenda :

1. Constitution of the Committee.

2. Preparation of a list of problems of management :

- (a) which concern the International Labour Office;
 (b) which concern the International Labour Office and other organisations.

3. Other questions.

Committee on the periodical reports.—The Governing Body appointed the following members to sit on this Committee :

Government group : Mr. Mannio, Mr. de Michelis, Mr. Leggett.
 Substitutes : Sir Bhupendra Nath Mitra, Mr. Yoshisaka, Mr. Riddell.

Employers' group : Mr. Forbes Watson, Mr. Erulkar, Mr. Oersted.
 Substitutes : Mr. Tzaut, Mr. Lecocq.

Workers' group : Mr. Jouhaux, Mr. Hayday. One seat vacant.¹
 Substitute : Mr. Kupers.

The Governing Body decided that the Committee set up to examine the periodical reports (ten-yearly and five-yearly reports on the application of Conventions) should hold its first meeting in connection with its seventy-fifth session of the Governing Body.

Sub-Committee on automatic coupling.—The Governing Body appointed Mr. de Michelis and Mr. Boutet as members of the Sub-Committee in place of Mr. Ciardi and Mr. Grimpret, and Mr. de Boysson in place of Mr. Duchâtel.

Correspondence Committee on women's work.—The Governing Body appointed Miss Joan Pearce, Wellington, New Zealand, and Mrs. Hansi P. Pollak, of the Witwatersrand University, Johannesburg, Union of South Africa, as members of this Committee.

Advisory Committee on professional workers.—The Governing Body appointed Mrs. Nisot (Belgian) as a member of this Committee in place of Mr. Laurila (Finnish).

Correspondence Committee on accident prevention.—The Governing Body appointed Mr. R. Montoto, technical official of the General Department for the Inspection of Labour in the Spanish Ministry of Labour, as a member of this Committee.

Preparatory Committee to co-ordinate the work of international organisations in connection with agricultural education.—The

¹ The third workers' member will be appointed later.

Governing Body appointed the following members to sit on this Committee :

Government group : Mr. Picquenard. Substitute : Mr. de Michelis.

Employers' group : Mr. Oersted. Substitute : Mr. Vaněk.

Workers' group : Mr. Schürch.

Date and place of the next session.

The Governing Body decided that its seventy-fifth session should be held at Geneva in the week beginning 20 April 1936.

Record of the meeting of the Correspondence Committee on accident prevention.

The Governing Body took note of the record of the meeting of the Correspondence Committee on accident prevention held at Lucerne from 10-12 October 1935.

Record of the meeting of the Advisory Committee on professional workers.

The Governing Body approved the record of the meeting of the Advisory Committee on professional workers held on 28 and 29 October 1935. In accordance with a suggestion made by the Committee, the Governing Body decided to bring to the notice of Governments the resolutions adopted by the Committee on the recruiting and placing of professional workers and equality of treatment between national and foreign workers in the sphere of professional work.

Report of the Standing Orders Committee.

On the proposal of its Standing Orders Committee, the Governing Body decided to recommend the International Labour Conference to make various changes in its Standing Orders.

The Governing Body decided that the date of opening of the regular annual sessions of the International Labour Conference should be fixed in future for the first week in June.

The Governing Body decided to instruct the Office to submit to it, three months before the re-election of the Governing Body, any claim which any State might have made to the effect that its industrial importance entitled it to a seat on the Governing Body.

Record of the meeting of the Correspondence Committee in industrial hygiene.

The Governing Body approved the record of the meeting of the Correspondence Committee on industrial hygiene, held from 28 to 30 October 1935.

It was agreed that the Director should submit to the Governing Body at the seventy-fifth session proposals for the appoint-

ment of further members of the Correspondence Committee on industrial hygiene with a view to the appointment of a small sub-committee to study diseases due to dust.

In accordance with a suggestion made by the Committee, the Governing Body decided to include, in the list of questions submitted to it every year with a view to the fixing of the agenda of the International Labour Conference, the inclusion of various diseases mentioned by the Committee in the schedule of occupational diseases giving rise to compensation, as well as the drawing up of an international Convention concerning the essential principles which should serve as the basis for protective legislation for caisson work.

The Governing Body also decided to bring to the notice of Governments a resolution adopted by the Committee on the labelling of toxic products.

Record of the meeting of the Committee of statistical experts.

The Governing Body took note of the record of the meeting held by the Committee of statistical experts from 16-18 December 1935.

In accordance with the suggestion of this Committee, the Governing Body decided to refer the question of statistics of wages and hours of work to a Technical Conference of Labour statisticians to be convened during 1937, which would be asked to draw up a draft for a Convention on the subject.

Report of the Unemployment Committee.

The Governing Body noted that it had carried out a suggestion made by this Committee by including the question of the planning of public works in relation to employment in the agenda of the 1937 Session of the Conference.

Report of the Finance Committee.

The Governing Body adopted the report of its Finance Committee, which dealt with various questions relating to the financial administration of the Office.

Report on the work of the Labour Conference of the American States which are Members of the International Labour Organisation, held at Santiago.

The Governing Body had before it a preliminary report by the Director on the work of the Labour Conference of the American States which are Members of the Organisation, held at Santiago, Chile.

Various members of the Governing Body had expressed their satisfaction at the results of the Santiago Conference and their appreciation of the generous action of the Chilean Government. It was decided to adjourn the discussion of the final report on the work of the Santiago Conference until the Seventy-fifth Session.

Study of the decisions of the Assembly of the League of Nations which concern the International Labour Organisation.

Economic and financial questions.—The Governing Body decided, on the proposal of the representative of the United States Government, that the Office should study the question of what changes had occurred in the foreign trade of the various countries, including both exports and imports, with a view to finding out, first what changes had occurred in total employment in any country where a significant change in exports and/or imports had taken place, and second, what changes had occurred in the incomes of the workers of any such country.

Status of women.—The Governing Body decided that the Office should supplement and bring up to date the study published in 1931 on legislation affecting women's work, and should also study the general problem of the economic and social position of women workers, consulting the women's organisations concerned.

Representation concerning the application of certain international labour Conventions in the French Possessions in India.

The Governing Body, in private sitting, considered a representation submitted by the Madras and Southern Mahratta Railway Employees' Union concerning the application of certain international labour Conventions in the French Possessions in India.

After considering the report of the special Committee which it had set up to consider the representation, it decided that the representation was receivable in form but not receivable in substance. It authorised the publication of the report of the special Committee.¹

The Governing Body adjourned the following items on its agenda until its Seventy-fifth Session :

- Report of the Committee on agricultural work.
- Report of the Committee on workers' spare time.
- Report on the work of the Labour Conference of the American States which are Members of the International Labour Organisation, held at Santiago.
- Report and proposals of the Office concerning the setting up of the Tripartite Agricultural Committee and the effect to be given to the resolution concerning agricultural questions adopted by the Conference at its Nineteenth Session.
- Study by the Office and report to the Governing Body on the steps to be taken for the protective international regulation of the conditions of employment, work, safety, and social welfare of wage-earners employed in road motor transport (Mr. de Michelis' proposal).

¹ Cf. *Official Bulletin*, Vol. XXI, No. 1, p. 16.

Seventy-fifth Session of the Governing Body of the International Labour Office

The Governing Body of the International Labour Office held its Seventy-fifth Session from 23 to 25 April 1936 under the Chairmanship of Mr. Riddell.

The agenda of the Session was as follows :

1. Approval of the minutes of the seventy-fourth session.
2. Appointment of additional experts, more particularly from extra-European countries, to the Committee of experts on the application of Conventions.
3. Report and proposals of the Office concerning the setting up of the Tripartite Agricultural Committee and effect to be given to the resolution on agricultural work adopted by the Conference at its Nineteenth Session.
4. Report on the work of the Labour Conference of the American States which are Members of the Organisation (Santiago—January 1936).
5. Report of the Committee on agricultural work.
6. Report of the Committee on workers' spare time.
7. Preliminary discussion of questions which might be placed on the agenda of the 1938 Session of the Conference.
8. Study by the Office and report to the Governing Body on the steps to be taken for the protective internal regulation of the conditions of employment, work, safety and social welfare of wage-earners employed in road motor transport (Mr. de Michelis' proposal).
9. Report of the Office on questions relative to the preparation of the work of the Conference in regard to the reduction of hours of work in printing and kindred trades and in the chemical industry.
10. Report of the Finance Committee (Budget estimates for 1937).
11. The Director's Report.
12. Report of the Committee on the Periodical Reports :
Examination of the ten-yearly reports on Conventions Nos. 17 (Workmen's Compensation Accidents), 18 (Workmen's Compensation) (Occupational Diseases) and 21 (Inspection of Emigrants) and of the five-yearly report on Convention No. 29 (Forced Labour).
13. Report of the Committee of experts on the application of Conventions (Article 22 of the Constitution).

14. Approval of various forms for the Annual Reports on the application of Conventions.
15. Report of the Officers of the Advisory Committee on professional workers.
16. Report of the Standing Orders Committee.
17. Report of the Committee on Freedom of Association.
18. Date and place of the next session.
19. Report of the Committee on Social Charges.

The composition of the Governing Body was as follows :

Government representatives :

- Mr. RIDDELL (*Canada*), Chairman;
- Mr. RICE (*United States of America*);
- Mr. PARDO (*Argentina*);
- Mr. MUNIZ (*Brazil*);
- Mr. LI PING-HENG (*China*);
- Mr. DE BUEN (*Spain*);
- Mr. MANNIO (*Finland*);
- Mr. PICQUENARD (*France*);
- Mr. NORMAN (*Great Britain*);
- Mr. ZAMAN (*India*);
- Mr. DE MICHELIS (*Italy*);
- Mr. YOSHISAKA (*Japan*);
- Mr. ESTRADA CAJIGAL (*Mexico*);
- Mr. JURKIEWICZ (*Poland*);
- Mr. KOTEK (*Czechoslovakia*);
- Mr. MARKUS (*Union of Soviet Socialist Republics*).

Employers' representatives :

- Mr. ERULKAR (*India*);
- Mr. KIRKALDY (*Great Britain*);
- Mr. OERSTED (*Denmark*);
- Mr. OLIVETTI (*Italy*);
- Mr. TAKEUCHI (*Japan*);
- Mr. TZAUT (*Switzerland*);
- Mr. VOLKMANN (*United States of America*);
- Mr. WALINE (*France*).

Workers' representatives :

- Mr. FORSLUND (*Sweden*);
- Mr. JOUHAUX (*France*);
- Mr. KUPERS (*Netherlands*);
- Mr. MERTENS (*Belgium*);
- Mr. NĚMEČEK (*Czechoslovakia*);
- Mr. SCHÜRCH (*Switzerland*);
- Mr. SERRARENS (*Netherlands*);
- Mr. WATT (*United States of America*).

Government deputy members :

Mr. BRAMSNAES (*Denmark*);
Mr. YEREMITCH (*Yugoslavia*).

Employers' deputy members :

Mr. ĆURČIN (*Yugoslavia*);
Mr. LECOCQ (*Belgium*);
Mr. MOLENAAR (*Netherlands*);
Mr. ROBERTS (*Union of South Africa*);
Mr. VANĚK (*Czechoslovakia*).

Workers' deputy members :

Mr. KREKITCH (*Yugoslavia*);
Mr. KRIER (*Luxemburg*);
Mr. PEYER (*Hungary*);
Mr. SCHEVENELS (*Belgium*).

Mr. Garcia Oldini, representative of the Chilean Government, attached to the International Labour Organisation, attended those sittings at which the Governing Body discussed the report on the work of the Labour Conference of the American States which are Members of the International Labour Organisation.

Composition of the Governing Body.

The Governing Body was informed that Mr. de Buen had been appointed Spanish Government representative in place of Mr. Ruiz Manent; it noted that the workers' group had appointed Mr. Forslund (Sweden) to fill the seat left vacant by the death of Mr. Johanson.

Committee of Experts on the Application of Conventions.

The Governing Body considered various proposals which had been submitted to it at its Seventy-fourth Session for the improvement of the method of examining the annual reports on the application of Conventions sent in by Governments under Article 22 of the Constitution.

As a conclusion to the discussion on these proposals, the Governing Body adopted the following resolution :

The Governing Body decides :

1. That two additional experts from extra-European countries possessing practical experience on social administration should be appointed to the Committee of Experts on the application of Conventions.

2. To propose that the Conference should amend Article 6, paragraph 2 and Article 7 of the Standing Orders of the Conference so as to provide for the immediate constitution of the Committee on the application of Conventions, in accordance with the resolution adopted at the Eighth Session of the Conference, at the beginning of each annual session.

It was agreed that the Office should submit to the Governing Body, at its Seventy-seventh Session (November 1936), suggestions regarding the re-appointment of the Committee of experts on the application of Conventions as a whole.

Setting up of a Tripartite Agricultural Committee and effect to be given to the resolution on agricultural work adopted by the Conference at its Nineteenth Session.

The Governing Body considered a resolution adopted by the International Labour Conference at its Nineteenth Session concerning the methods to be adopted by the International Labour Office to deal with questions of agricultural work.

It decided in principle to set up a Tripartite Agricultural Committee. Definite proposals as to the composition of this committee will be considered by the Committee on Agricultural Work of the Governing Body.

Report on the work of the Labour Conference of the American States which are Members of the Organisation (Santiago, January 1936).

The Governing Body considered the report on the work of the Labour Conference of the American States which are Members of the Organisation held at Santiago in January, 1936, and the effect to be given to the resolutions adopted by that Conference.

As a result of the discussion on the report, it adopted the following resolution :

The Governing Body takes note with satisfaction of the report on the work of the Labour Conference of American States held at Santiago in 1936 : that report shows the deep interest taken by those countries in the work of the International Labour Organisation ;

Instructs the Director to give effect immediately to those of the resolutions which merely propose that their text should be communicated to the States concerned for information ;

And, with regard to the other resolutions, requests the Director to bring them to the attention of the competent Committees and to take them into account to the greatest possible extent in any proposals which he may have to make in connection with the matters dealt with in the resolutions.

Report of the Committee on Agricultural Work.

The Governing Body approved the report of the Committee on Agricultural Work which had met on 14 February 1936 to discuss various questions relating to the position of agricultural workers with regard to the Conventions and Recommendations adopted by the International Labour Conference.

The Governing Body instructed the International Labour Office, in accordance with the proposals made by the Committee, to make a careful study of agricultural unemployment and to apply to the Governments of the States Members of the International Labour Organisation for information, as well as to make a study of holidays with pay in agriculture, and the specifically agricultural aspects of the problem of the protection before and after childbirth of women employed in agriculture.

Report of the Committee on Workers' Spare Time.

The Governing Body approved the report of the Committee which it had set up to study the advisability of setting up a Committee of Experts on Workers' Spare Time. In accordance with the conclusions of the report, it decided in principle to set up, in connection with the International Labour Organisation, an Advisory Committee of Correspondents on Workers' Spare Time, the function of which would be to co-ordinate the work which is being done in a number of countries to assist the workers to make a satisfactory use of their spare time, and to establish the closest possible liaison between the International Labour Office and the organisations dealing with workers' spare time in the various countries. A Committee of six members of the Governing Body will constitute the executive committee of the Advisory Committee, and will submit to the Governing Body, at its session in the autumn of 1936, definite proposals as regards the composition of the Advisory Committee.

Preliminary discussion of questions which might be placed on the agenda of the 1938 Session of the Conference.

The Governing Body decided to adjourn this question until its Seventy-seventh Session (November 1936), at which the Office would submit a report on the various questions which might be considered with a view to the agenda of the 1938 Session of the International Labour Conference.

Protective international regulation of the conditions of employment, work, safety, and social welfare of wage-earners employed in road motor transport.

The Governing Body instructed the Office to continue and develop its studies of the problem of protective international regulations for wage-earners employed in road motor transport, with particular reference to the questions of hours of work and the prevention of accidents. When the studies have reached a sufficiently advanced stage, the Governing Body will consider the measures to be taken with a view to the establishment of protective international regulations for workers employed in road motor transport.

Preparation of the work of the Conference in regard to the reduction of hours of work in printing and kindred trades and in the chemical industry.

The Governing Body considered the method to be adopted in preparing for the discussion of the reduction of hours of work in printing and kindred trades and in the chemical industry, which has been placed on the agenda of the 1937 Session of the International Labour Conference.

The Governing Body decided to authorise the Director to convene, at the end of 1936 or the beginning of 1937, preparatory technical tripartite meetings to consider problems relating to the reduction of hours of work in these two industries. The States

invited to the meetings will be those in which the largest number of wage-earners are employed in the industries concerned. The Governing Body will be represented at each of the two preparatory meetings by one member from each group.

The Governing Body instructed the Director to submit reports to the International Labour Conference containing, in addition to an account of the law and practice relating to the reduction of hours of work in the chemical industry and in printing and kindred trades, drafts for Conventions on these subjects, so that it will be open to the Conference to deal with these questions either by way of a single discussion or by way of a double discussion.

Report of the Finance Committee.

The Governing Body discussed the report of its Finance Committee and approved the budget estimates for the International Labour Organisation for 1937.

The total estimated expenditure is 9,504,140 Swiss francs. From this should be deducted supplementary receipts amounting to 156,000 francs and a sum of 1,612,034 francs representing the contributions of States which are Members of the International Labour Organisation but not of the League of Nations. After this deduction the budget will amount to 7,736,106 francs.

The Governing Body also approved the proposals contained in the Finance Committee's Report concerning various questions relating to the financial administration of the Office.

The Director's Report.

Maritime Session of the Conference.—The Governing Body decided that the Maritime Session of the International Labour Conference to be held in 1936 should open at Geneva on 6 October, and that if it were decided to place the revision of the Minimum Age (Sea) Convention on the agenda of the Conference a second Maritime Session should be held opening on 22 October 1936.

Replacement of Mr. Johanson on various committees.—The Governing Body appointed Mr. Forslund to fill the seats left vacant by the death of Mr. Johanson on the following committees :

- Finance Committee
- Standing Orders Committee
- Committee on Social Charges
- Preparatory Sub-Committee on Handicraftsmen
- Unemployment Committee (substitute)
- Committee on conditions of work in the iron and steel industry
- Correspondence Committee on Industrial Hygiene
- Committee on the Periodical Reports.

The Governing Body noted that the workers' group had appointed Mr. Forslund in place of Mr. Johanson as one of the substitutes for the representative of the workers' group of the Governing Body on the Consultative Economic Committee of the League of Nations.

Correspondence Committee on Social Insurance.—The Governing Body decided at its Seventy-fourth Session that it would be represented on the Correspondence Committee on Social Insurance. It appointed Mr. Forbes Watson as representative of the employers' group and Mr. Kupers, with Mr. Němeček as substitute, as representative of the workers' group. The representative of the Government group will be appointed later.

Committee of Experts on Native Labour.—The Governing Body decided to appoint three members, one from each group, to represent it on the Committee of Experts on Native Labour.

Technical Committee on Glass Works.—The Governing Body appointed Mr. Delacuvellerie (Belgian) to fill the vacant seat in the group of employers' experts on the Technical Committee on Glass Works.

Joint Maritime Commission.—The Governing Body noted that the shipowners' group of the Joint Maritime Commission had appointed Mr. Snedden (British) to take the place of Mr. Brett, who had resigned.

Correspondence Committee on Social Insurance.—The Governing Body appointed the following experts as members of this Committee :

Professor Alejandro Unsain, Professor of labour legislation at the Universities of Buenos Aires and La Plata, former President of the National Department of Labour (Argentine).

Dr. Daniel Rivera, Chief of service in the National Civil Pensions Fund (Argentine).

Professor Argentino V. Acerboni, Professor in the Faculty of Economic Science in the University of Buenos Aires (Argentine).

Professor José Gonzalez Galé, Professor of mathematics in the Faculty of Economic Science in the University of Buenos Aires (Argentine).

Dr. Eduardo Fonticelli, Assistant Director of the National Institute of Labour (Uruguayan).

Dr. Emilio San Juan, President of the National Pensions Institute (Uruguayan).

Mr. Hugo Hormaeche, Actuary of the State Insurance Bank (Uruguayan).

Committee of Experts on the application of Conventions.—The Governing Body appointed Professor Perassi, Professor of International Law at the Institute of Economic and Commercial Sciences, Rome (Italian), as a member of the Committee of Experts on the Application of Conventions for a period of three years.

Correspondence Committee on Industrial Hygiene.—The Gover-

ning Body appointed the following experts as members of the Correspondence Committee on Industrial Hygiene :

Dr. Charles Badham, Medical Officer of Industrial Hygiene, New South Wales Department of Public Health, Sydney (Australian).

Professor E. H. Kettle, Professor of Pathology, St. Bartholomew's Hospital Medical School, University of London (British).

Dr. E. L. Middleton, H.M. Medical Inspector of Factories, Home Office, Factory Department, London (British).

Mr. Ismaël Urbandt, Chief of the Industrial Hygiene Section of the National Health Department at Buenos Aires (Argentine).

Sub-Committee on Silicosis of the Correspondence Committee on Industrial Hygiene.—The Governing Body appointed the following persons to constitute the Sub-Committee on Silicosis of the Correspondence Committee on Industrial Hygiene :

Dr. Badham (Australian);

Dr. Irvine (South African);

Dr. Orenstein (South African);

Dr. Russell (United States of America);

Dr. Gardner (United States of America);

Dr. Middleton (British);

Dr. Kettle (British);

Dr. Gudjonsson (Danish);

Renewal of appointment of members of Committees whose term of office has expired.—The Governing Body re-appointed for a further period of three years the following members of committees :

Correspondence Committee on Accident Prevention.

Mr. Delauney (French);

Mr. Caen (French).

Correspondence Committee on Social Insurance :

Mr. Bisqueret (Belgian);

Mr. de Voghel (Belgian);

Mr. Lamond (Australian).

Advisory Committee on Salaried Employeers :

Mr. Christophe (Belgian);

Mr. Hallsworth (British);

Mr. Horand (Swiss);

Mr. Klein (Czechoslovak);

Mr. Landi (Italian);

Mr. Tessier (French);

Mr. Bunji Suzuki (Japanese);

Mr. Raabe (Polish).

Correspondence Committee on Women's Work :

Miss Elizabeth Christman (United States of America);

Miss Martha Mundt (German).

Correspondence Committee on Industrial Hygiene :

Dr. Brezina (Austrian);
 Dr. Heim de Balsac (French);
 Dr. Kabrehl (Czechoslovak);
 Dr. Lorange (Norwegian);
 Dr. Keith Moore (Australian);
 Mr. Grant Cunningham (Canadian).

Committee of Experts on Native Labour :

Mrs. Marzorati (Belgian);
 Sir Selwyn Fremantle (India).

Advisory Committee on Salaried Employees.

On the proposal of the workers' group, the Governing Body appointed Mr. Lundgren (Swedish) as a member of the Advisory Committee on Salaried Employees in place of Mr. Aufhäuser.

Correspondence Committee on Industrial Hygiene.

The Governing Body appointed Dr. Pometta (Swiss), former Medical Officer of the Swiss National Accident Insurance Institution, as a member of the Correspondence Committee on Industrial Hygiene in place of Dr. Cristiani.

Proposal to convene a Regional Conference of Representatives of Factory Inspection Services in Eastern European Countries.

The Governing Body approved in principle the Director's proposal for the holding of a Regional Conference of representation of factory inspection services in Eastern European countries. It was agreed that the Director should submit definite proposals for the organisation of this Conference at a subsequent session.

Report of the Committee on the Periodical Reports.

The Governing Body approved the report of the Committees which it had set up to examine the periodical (ten-yearly and five-yearly) reports on the working of Conventions with a view to considering whether or not their revision should be contemplated.

The Governing Body accordingly decided that it would not at present contemplate revision in respect of Conventions No. 17, Workmen's Compensation (accidents), No. 18, Workmen's Compensation (diseases), No. 21, Inspection of Emigrants on Board Ship, and No. 29, Forced or Compulsory Labour.

The Governing Body authorised the Office to transmit the periodical reports on these four Conventions to the International Labour Conference.

Report of the Committee of experts on the application of Conventions.

The Governing Body decided to transmit to the International Labour Conference the report of the Committee of experts set up to examine the annual reports submitted by Governments under Article 22 of the Constitution of the International Labour Organisation on the application of the Conventions ratified by their respective countries.

Approval of various forms for the annual reports on the application of Conventions.

The Governing Body approved the form for annual reports relative to the application of Convention No. 42 (Workmen's Compensation, Occupational Diseases, Revised 1934), and new questions for inclusion in the forms for annual reports relative to various other Conventions.

Report of the Standing Orders Committee.

The Governing Body, in accordance with the report submitted by the Standing Orders Committee, confirmed the principle that all members of the Governing Body, without distinction of group, are eligible for the Chairmanship of the Governing Body.

The Governing Body referred the question of the procedure for the election of its Chairman back to the Standing Orders Committee for further consideration.

Date and place of the next session.

The Governing Body decided that its Seventy-sixth Session should open at Geneva on 2 June 1936.

Report of the Committee on Social Charges.

In accordance with the report of its Committee on Social Charges, the Governing Body authorised the Office to publish Volume II of the International Survey of Social Services in 1933, and to call a further meeting of the Committee on Social Charges in January 1937, in order to consider the desirability and possibility of continuing the studies of social services in future.

The Governing Body decided to adjourn the following questions until its Seventy-sixth Session :

Report of the Officers of the Advisory Committee on Professional Workers.

Report of the Committee on Freedom of Association.

Official Action on the Decisions of the International Labour Conference

Argentine Republic.

Formal ratification of the Conventions (No. 10) concerning the age for admission of children to employment in agriculture, (No. 11) concerning the rights of association and combination of agricultural workers, (No. 12) concerning workmen's compensation in agriculture, (No. 13) concerning the use of white lead in painting, (No. 14) concerning the application of the weekly rest in industrial undertakings, (No. 15) fixing the minimum age for the admission of young persons to employment as trimmers or stokers, and (No. 16) concerning the compulsory medical examination of children and young persons employed at sea (1921).

By letter of 27 May 1936 the Secretary-General of the League of Nations informed the Office that the Minister of Foreign Relations and Religion of the Argentine Republic had communicated to him, in accordance with Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, the formal ratification by his Government of the above-named Conventions.

In accordance with Article 406 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, this ratification was registered by the Secretariat of the League of Nations on 26 May 1936.

The letter by which the Minister of Foreign Relations and Religion of the Argentine Republic communicated to the Secretary-General of the League of Nations the ratification of these Conventions is as follows :

(Translation.)

Buenos Aires, 29 April 1936.

Sir,

In accordance with Article 18 of the Covenant of the League of Nations, I have the honour to communicate herewith to the Secretary-General three copies of the Conventions adopted by the International Labour Conference at its Third Session, which were ratified together by the Congress of the Nation, by Act No. 12,232 of 27 September 1935, promulgated by the Executive Power on 4 October of the same year.

I have the honour to be, etc.

(Signed) O. IBARRA GARCIA.

(Here follows the text of the Conventions.)

Australia.

Recommendation (No. 45) concerning unemployment among young persons (1935).

By letter of 13 May 1936 the Secretary-General of the League of Nations communicated to the Office a copy of a letter in which

the Minister for External Affairs of the Commonwealth of Australia informed him, in accordance with paragraph 6 of Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace; of the action taken by the Government of the Commonwealth of Australia in respect of the above-named Recommendation.

The letter from the Minister for External Affairs is as follows :

Canberra, 1 April 1936.

Sir,

I have the honour to inform you that, in accordance with Article 405 of the Treaty of Versailles and with the corresponding articles of the other treaties of peace, the texts of the draft Conventions and Recommendation adopted at the Nineteenth Session of the International Labour Conference were presented to the Commonwealth Parliament on the 12th March 1936.

These draft Conventions and Recommendation have also been referred to the State Governments for any legislative or other action they may see fit to take thereon. The States have been requested to furnish information as to the extent to which any of the provisions of such draft Conventions and Recommendation are covered by existing legislation, and as to any action contemplated in connection therewith.

Any information furnished by the States in this connection will be communicated to you in due course.

I have the honour to be, etc.

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

Chile.

Recommendation (No. 6) concerning the application of the Berne Convention of 1906 on the prohibition of the use of white (yellow) phosphorus in the manufacture of matches (1919).

The Swiss Federal Office of Industry, Arts and Crafts, and Labour, has informed the Office that on 28 January 1936 the Envoy Extraordinary and Minister Plenipotentiary, Permanent Delegate of Chile accredited to the International Labour Office, notified the Swiss Federal Council of the adherence of Chile to the International Convention of 26 September 1906, on the prohibition of the use of white (yellow) phosphorus in the manufacture of matches.

Cuba.

Formal ratification of the Conventions (No. 45) concerning the employment of women on underground work in mines of all kinds and (No. 46) limiting hours of work in coalmines (revised 1935).

By letter of 15 April 1936, the Secretary-General of the League of Nations informed the Office that the Permanent Delegate of the Republic of Cuba accredited to the League of Nations had deposited with the Secretariat of the League of Nations, in accordance with Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, the formal ratification by his Government of the above-named Conventions.

In accordance with Article 406 of the Treaty of Versailles and

the corresponding articles of the other Treaties of Peace, this ratification was registered by the Secretariat on 14 April 1936.

The text of the instrument of ratification of the Convention concerning the employment of women on underground work in mines of all kinds is as follows :

(Translation.)

We, JOSE A. BARNET Y VINAGERAS,

Provisional President of the Republic of Cuba,

To all who may see these presents, make known :

Whereas a draft Convention concerning the employment of women on underground work in mines of all kinds was adopted at the International Labour Conference held at Geneva (Switzerland) from 4 to 25 June 1935;

Whereas the above-named instrument was accepted by the representatives of the Republic of Cuba and approved by the Cabinet on 14 February of the present year;

Whereas the text of the said draft Convention as drafted in English and French and translated into Spanish is as follows :

(Here follows the text of the Convention in Spanish.)

For these reasons We declare that We ratify the foregoing Convention in all its parts, promising that it shall be applied and observed in all points.

In Faith whereof We issue these present letters signed by Our hand, sealed with the Great Seal of the Nation, and send them to the Acting Secretary for Foreign Affairs in order that they may be registered and deposited in the archives of the General Secretariat of the League of Nations, in accordance with the provisions of Article 4 of the Convention and Article 18 of the Covenant of the League of Nations.

Given at Havana at the Palace of the Presidency this twenty-second day of the month of February one thousand nine hundred and thirty six.

(Signed) J. A. BARNET,
President.

(Signed) J. L. ECHARTE,
*Secretary for Public Works and Acting
Secretary for Foreign Affairs.*

The instrument of ratification of the Convention limiting hours of work in coal mines (revised 1935) is in similar terms.

Great Britain.

Recommendation (No. 31) concerning the prevention of industrial accidents, and Recommendation (No. 32) concerning responsibility for the protection of power-driven machinery (1929).

By letter of 21 April 1936 the Secretary-General of the League of Nations communicated to the Office a copy of a letter in which His Majesty's Secretary of State for Foreign Affairs in Great Britain informed him, in accordance with paragraph 6 of Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, of the action taken by the British Government in respect of the above-named Recommendations.

The letter from the Secretary of State for Foreign Affairs is as follows :

London, 14 April 1936.

Sir,

In accordance with the sixth paragraph of Article 405 of the Treaty of Versailles regarding action to be taken in the case of Recommendations adopted by the International Labour Conference, I am directed by Mr. Secretary Eden to convey to you the information set out below with regard to certain Recommendations adopted at the Twelfth Session of the Conference in June 1929.

Recommendation concerning the prevention of industrial accidents.

The principles embodied in this Recommendation are to a large extent recognised and given effect to by the law and practice in Great Britain, more especially as regards factories and other premises coming within the scope of the Factory and Workshop Acts. They have been and are being developed in many respects since the date of the Recommendation and it is contemplated that they will be still further developed in the future.

Recommendation concerning responsibility for power-driven machinery.

The principle underlying the Recommendation is accepted by the Government. It is contemplated that legislation in the direction recommended will be introduced at a suitable opportunity.

I am, etc.

(Signed) H. J. SEYMOUR.

Formal ratification of the Convention (No. 42) concerning workmen's compensation for occupational diseases (revised 1934) and of the Convention (No. 44) ensuring benefit or allowances to the involuntarily unemployed (1934).

Denunciation of the Convention (No. 18) concerning workmen's compensation for occupational diseases (1925).

Recommendation (No. 44) concerning unemployment insurance and various forms of relief for the unemployed (1934).

By letters of 30 April 1936 the Secretary-General of the League of Nations informed the Office that by letters of 25 April 1936 His Majesty's Secretary of State for Foreign Affairs had communicated to him, in accordance with Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, the formal ratification in respect of Great Britain and Northern Ireland of the Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42), and of the Unemployment Provision Convention, 1934 (No. 44), and the denunciation by His Majesty's Government in the United Kingdom of the Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18), in accordance with Article 8 of that Convention.

In accordance with Article 406 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, these ratifications were registered with the Secretariat on 29 April 1936.

The denunciation of the Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18), was also registered with the Secretariat on 29 April 1936.

In his letter of 25 April 1936 communicating the formal ratification of the Unemployment Provision Convention, 1934 (No. 44),

the Secretary of State for Foreign Affairs also informed the Secretary-General, in accordance with paragraph 6 of Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, of the action taken by His Majesty's Government in the United Kingdom in respect of the Unemployment Provision Recommendation, 1934 (No. 44).

The letter from the Secretary of State for Foreign Affairs communicating the formal ratification of the Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934 (No. 42), and the denunciation of the Workmen's Compensation (Occupational Diseases) Convention, 1925, (No. 18), is as follows :

London, 25 April 1936.

Sir,

I am directed by Mr. Secretary Eden to transmit to you herewith, in accordance with the provisions of Article 405 of the Treaty of Versailles, a copy of an Order of Council formally confirming and approving the Convention concerning Workmen's Compensation for Occupational Diseases (revised 1934), adopted by the International Labour Conference at Geneva on the 21st June, 1934.

I am further to state that, in view of the ratification of this Convention, His Majesty's Government in the United Kingdom have decided to denounce the Convention on the same subject of 1925 in accordance with the provisions of Article 8 of that Convention. A copy of an Order of Council carrying this decision into effect is also enclosed herewith.

I am, Sir, etc.

(Signed) P. LEIGH-SMITH.

The instrument of ratification of the Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934, (No. 42), is as follows :

At the Council Chamber, Whitehall,
The 24th day of March, 1936.

BY THE LORDS OF HIS MAJESTY'S MOST HONOURABLE PRIVY COUNCIL.

WHEREAS on 12th September, 1934, the Secretary-General of the League of Nations communicated to His Majesty's Government a certified copy of a draft Convention concerning Workmen's Compensation for Occupational Diseases (revised 1934) which had been adopted by the International Labour Conference at Geneva on 21st June, 1934 :

AND WHEREAS it is provided in Article 405 of the Treaty of Versailles that in the case of a draft Convention so communicated each Member of the International Labour Organisation shall, if such draft Convention obtains the consent of the authority or authorities within whose competence the matter lies, communicate the formal ratification thereof to the Secretary-General of the League of Nations :

AND WHEREAS the said Draft Convention has in respect of Great Britain and Northern Ireland obtained the consent of the authority or authorities within whose competence the matter lies and such action as is necessary to make provisions of the said draft Convention effective therein has been taken :

NOW, THEREFORE, the Lords of the Council are pleased to order, and it is hereby ordered, that the said draft Convention be confirmed and approved.

AND IT IS FURTHER ORDERED that formal communication thereof be made to the Secretary-General of the League of Nations.

(Signed) M. P. A. HANKEY.

The instrument of denunciation of the Workmen's Compensation (Occupational Diseases) Convention, 1925, (No. 18), is as follows :

At the Council Chamber, Whitehall,
The 24th day of March, 1936.

BY THE LORDS OF HIS MAJESTY'S MOST HONOURABLE PRIVY COUNCIL.

WHEREAS by an Order of Council dated 17th September, 1926, a draft Convention concerning Workmen's Compensation for Occupational Diseases which had been adopted by the International Labour Conference at Geneva on 10th June, 1925, was confirmed and approved, and it was ordered that formal communication thereof be made to the Secretary-General of the League of Nations :

AND WHEREAS on 4th October, 1926, in pursuance of the said Order, the formal ratification by the United Kingdom of Great Britain and Northern Ireland of the said draft Convention was communicated to the Secretary-General of the League of Nations:

AND WHEREAS the said draft Convention first came into force on 1st April, 1927 :

AND WHEREAS by Article 8 of the said Convention it is provided that a Member which has ratified the said Convention may denounce it after the expiration of five years from the date on which the Convention first comes into force by an Act communicated to the Secretary-General of the League of Nations for registration :

AND WHEREAS in respect of the United Kingdom of Great Britain and Northern Ireland the authority or authorities within whose competence the matter lies are desirous of denouncing the said Convention :

NOW, THEREFORE, the Lords of the Council are pleased to order, and it is hereby ordered, that the said Convention be denounced accordingly and that formal communication thereof be made to the Secretary-General of the League of Nations.

(Signed) M. P. A. HANKEY.

The letter from the Secretary of State for Foreign Affairs communicating the formal ratification of the Unemployment Provision Convention, 1934, (No. 44), and informing the Secretary-General of the action taken upon the Unemployment Provision Recommendation, 1934 (No. 44), is as follows :

London, 25 April 1936.

Sir,

I am directed by Mr. Secretary Eden to transmit to you herewith, in accordance with the provisions of Article 405 of the Treaty of Versailles, a copy of an Order of Council formally confirming and approving the Convention ensuring benefit or allowances to the involuntarily unemployed, adopted by the International Labour Conference at Geneva on 23rd June, 1934.

I am further to state that His Majesty's Government in the United Kingdom have accepted the Recommendation concerning unemployment insurance and the various forms of relief for the unemployed adopted by the International Labour Conference at its Eighteenth Session, but that, under existing circumstances, they are bound to make reservations in respect of paragraphs 4 (*d*), 5, 10, 14 and 17.

I am, Sir, etc.

(Signed) P. LEIGH-SMITH.

The instrument of ratification of the Unemployment Provision Convention, 1934, (No. 44), is similar to the instrument of ratifi-

cation of the Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934, (No. 42).

Japan.

Formal ratification of the Convention (No. 42) concerning workmen's compensation for occupational diseases (revised 1934).

By letter of 10 June 1936 the Secretary-General of the League of Nations informed the Office that by letter of 13 April 1936 the Minister for Foreign Affairs of Japan had communicated to him, in accordance with Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, the formal ratification by the Japanese Government of the above-named Convention.

In accordance with Article 406 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, this ratification was registered with the Secretariat of the League of Nations on 6 June 1936.

The letter from the Minister for Foreign Affairs of Japan is as follows :

Tokyo, 13 April 1936.

Sir,

Pursuant to the provisions of Article 405, Paragraph 7, of the Treaty of Versailles and the corresponding articles of the other treaties of peace, I have the honour, on behalf of the Japanese Government, to inform you that the draft conventions, adopted at the 18th Session of the International Labour Conference, having been laid before the competent authority in accordance with the provisions of Article 405, Paragraph 5, of the Treaty of Versailles and the corresponding articles of the other treaties of peace, His Majesty the Emperor of Japan has now been pleased to ratify the Convention concerning Workmen's Compensation for Occupational Diseases (revised in 1934), and I beg to forward herewith a copy of the instrument of ratification together with an English translation thereof.

I desire to add that the Japanese Government intend to apply the above-mentioned Convention, in so far as mining industries are concerned, also to Taiwan and Karafuto.

I avail myself of this occasion to tender to you, Sir, the assurance of my highest consideration.

(Signed) HACHIRO ARITA,
Minister for Foreign Affairs.

The instrument of ratification is as follows :

(Translation.)

HIROHITO

By the Grace of Heaven, Emperor of Japan, seated on the Throne occupied by the same Dynasty changeless through ages eternal,

To all to whom these Presents shall come, Greeting!

Having perused and examined the Convention concerning Workmen's Compensation for Occupational Diseases (revised in 1934), which was adopted at the Eighteenth Session of the International Labour Conference held at Geneva in the ninth year of Showa, We approve, accept and ratify the same.

In faith whereof, We have signed this instrument and have caused the Great Seal of the Empire to be affixed thereunto at Our Palace in Tokyo, this

thirtieth day of the fourth month of the eleventh year of Showa, being the two thousand five hundred and ninety-sixth year from the Accession of the Emperor Jimmu.

Seal of the Empire

(Signed) HIROHITO.

(Countersigned) HACHIRO ARITA,
Minister for Foreign Affairs.

Rumania.

Recommendations (No. 31) concerning the prevention of industrial accidents (1929), (No. 41) concerning the age for admission of children to non-industrial employment (1932), and (No. 42) concerning employment agencies (1933).

By letter of 15 April 1936, the Secretary-General of the League of Nations forwarded to the Office a copy of the following letter which had been addressed to him by the Envoy Extraordinary and Minister Plenipotentiary of Rumania accredited to the League of Nations, in accordance with paragraph 6 of Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, informing him of the approval of the above-mentioned Recommendations by the Rumanian Government.

(Translation.)

Geneva, 9 April 1936.

Sir,

I have the honour to inform you that on 17 April 1935 the Rumanian Cabinet, on a report of the Minister of Labour, Health and Social Protection, approved the following Recommendations adopted by the International Labour Conference, namely :

Recommendation concerning the prevention of industrial accidents, adopted at the Twelfth Session of the Conference in 1929;

Recommendation concerning the age for admission of children to non-industrial employment, adopted at the Fourteenth Session of the Conference in 1932, and

Recommendation concerning employment agencies, adopted at the Seventeenth Session of the Conference in 1933.

The Official Cabinet Journal, No. 727, and Report No. 500 of the Minister of Labour were published in the Official Monitor No. 106 of 11 May 1935 (p. 3377).

I have the honour to be, etc.

(Signed) ANTONIADE.

Switzerland.

Formal ratification of the Convention (No. 41) concerning the night work of women (revised 1934).

On 8 June 1936 the Secretary-General of the League of Nations informed the Office that by letter of 2 June 1936 the Federal Councillor, Head of the Swiss Federal Political Department, had forwarded to him, in accordance with Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, the formal ratification by the Swiss Federal Council of the above-named Convention.

In accordance with Article 406 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, this ratification was registered by the Secretariat on 4 June 1936.

The letter of the Federal Councillor, Head of the Federal Political Department, communicating the ratification of this Convention to the Secretary-General of the League of Nations is as follows :

(Translation.)

Berne, 2 June 1936.

Sir,

We have the honour to forward herewith for registration the instrument of ratification by the Federal Council of the Convention concerning the night work of women (revised 1934), adopted by the general Conference of the International Labour Organisation at its Eighteenth Session in 1934.

You will also receive a letter under the same date informing you of the denunciation by the Federal Council of the Convention concerning the same subject adopted at the First Session of the International Labour Conference.

We have the honour to be, etc.

The Federal Political Department

(Signed) MOTTA.

The instrument of ratification of this Convention by the Swiss Federal Council is as follows :

(Translation.)

THE FEDERAL COUNCIL OF THE SWISS CONFEDERATION,

having seen and examined the Convention concerning the night work of women (revised) adopted by the General Conference of the International Labour Organisation of the League of Nations at its Eighteenth Session in 1934, which Convention was approved by the Federal Assembly of the Swiss Confederation on 24 September 1935, and the tenor of which is as follows :

(Here follows the text of the Convention in French.)

Declares that the above Convention is ratified and takes effect in accordance with the provisions of the Federal Act of 18 June 1914/27 June 1919 on work in factories and the Federal Act of 31 March 1922 on the employment of young persons and women in arts and crafts, promising in the name of the Swiss Confederation to ensure its strict and faithful observance so long as it shall remain applicable in Switzerland.

In Faith whereof the present ratification has been signed by the President and the Chancellor of the Confederation and sealed with the Federal Seal.

Done at Berne this nineteenth day of May, one thousand nine hundred and thirty-six (19 May 1936).

On behalf of the Swiss Federal Council,

(Signed) MEYER,

President of the Confederation.

(Signed) G. BOVET,

Chancellor of the Confederation.

Formal denunciation of the Convention (No. 4) concerning the night work of women (1919).

On 8 June 1936, the Secretary-General of the League of Nations informed the Office that, by letter of 2 June 1936, the Federal Councillor, Head of the Swiss Federal Political Department, had

forwarded to him the formal denunciation by the Swiss Government of the above-mentioned Convention.

This denunciation was registered by the Secretariat on 4 June 1936.

The letter of the Federal Councillor, Head of the Swiss Federal Political Department, is as follows :

(Translation.)

Berne, 2 June 1936.

Sir,

As we have had the honour to inform you by another letter under this date, the Federal Council decided on 19 May 1936 to ratify the Convention concerning the night work of women (revised 1934) adopted by the International Labour Conference at its Eighteenth Session in 1934.

Basing its action on the provisions of the Federal Regulation of 24 September 1935 relating to the International Convention concerning the night work of women (revised 1934), and on Article 13 of the Convention concerning the night work of women, adopted by the International Labour Conference at its First Session in 1919, the Federal Council decided at the same time to denounce the said Convention of 1919 which had been ratified by Switzerland on 9 October 1922.

We request that you may be so good as to cause this denunciation to be registered, and have the honour to be, etc.

The Federal Political Department.

(Signed) MOTTA.

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INTERNATIONAL LABOUR OFFICE

OFFICIAL BULLETIN

31 August 1936.

Vol. XXI. No. 3.

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INTERNATIONAL LABOUR OFFICE

OFFICIAL BULLETIN

31 August 1936.

Vol. XXI. No. 3.

Draft Conventions and Recommendations adopted by the Twentieth Session of the International Labour Conference

Draft Convention [No. 50] concerning the regulation of certain special systems of recruiting workers.

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twentieth Session on 4 June 1936, and

Having decided upon the adoption of certain proposals with regard to the regulation of certain special systems of recruiting workers, which is the first item on the Agenda of the Session, and

Having determined that these proposals shall take the form of a Draft International Convention,

adopts, this twentieth day of June of the year one thousand nine hundred and thirty-six, the following Draft Convention which may be cited as the Recruiting of Indigenous Workers Convention, 1936 :

Article 1.

Each Member of the International Labour Organisation which ratifies this Convention undertakes to regulate in accordance with the following provisions the recruiting of indigenous workers in each of its territories in which such recruiting exists or may hereafter exist.

Article 2.

For the purposes of this Convention :

- (a) the term "recruiting" includes all operations undertaken with the object of obtaining or supplying the labour of persons who do not spontaneously offer their services at the place of employment or at a public emigration or employment office or at an office conducted by an employers' organisation and supervised by the competent authority;]
- (b) the term "indigenous workers" includes workers belonging to or assimilated to the indigenous populations of the dependent territories of Members of the Organisation and workers belonging to or assimilated to the dependent indigenous populations of the home territories of Members of the Organisation.

Article 3.

Where the circumstances make the adoption of such a policy desirable, the following classes of recruiting operations may, except when undertaken by persons or associations engaged in professional recruiting, be exempted from the application of the Convention by the competent authority :

- (a) operations undertaken by or on behalf of employers who do not employ more than a prescribed limited number of workers;
- (b) operations undertaken within a prescribed limited radius from the place of employment; and
- (c) operations for the engagement of personal and domestic servants and of non-manual workers.

Article 4.

Before approving for any area any scheme of economic development which is likely to involve the recruiting of labour, the competent authority shall take such measures as may be practicable and necessary :

- (a) to avoid the risk of pressure being brought to bear on the populations concerned by or on behalf of the employers in order to obtain the labour required;
- (b) to ensure that, as far as possible, the political and social organisation of the populations concerned and their powers of adjustment to the changed economic conditions will not be endangered by the demand for labour; and
- (c) to deal with any other possible untoward effects of such development on the populations concerned.

Article 5.

1. Before granting permission to recruit labour in any area, the competent authority shall take into consideration the possible effects of the withdrawal of adult males on the social life of the population concerned, and in particular shall consider :

- (a) the density of the population, its tendency to increase or decrease, and the probable effect upon the birthrate of the withdrawal of adult males;
- (b) the possible effects of the withdrawal of adult males on the health, welfare and development of the population concerned, particularly in connection with the food supply;
- (c) the dangers to the family and morality arising from the withdrawal of adult males; and
- (d) the possible effects of the withdrawal of adult males on the social organisation of the population concerned.

2. Where the circumstances make the adoption of such a policy practicable and necessary, the competent authority shall, in order to safeguard the populations concerned against any untoward consequences of the withdrawal of adult males, fix the maximum number of adult males who may be recruited in any given social unit in such manner that the number of adult males remaining in the said unit does not fall below a prescribed percentage of the normal proportion of adult males to women and children.

Article 6.

Non-adult persons shall not be recruited : Provided that the competent authority may permit non-adults above a prescribed age to be recruited with the consent of their parents for employment upon light work subject to prescribed safeguards for their welfare.

Article 7.

1. The recruiting of the head of a family shall not be deemed to involve the recruiting of any member of his family.

2. Where the circumstances make the adoption of such a policy practicable and desirable, the competent authority shall encourage recruited workers to be accompanied by their families, more particularly in the case of workers recruited for agricultural or similar employment at a long distance from their homes and for periods exceeding a specified duration.

3. Except at the express request of the persons concerned, recruited workers shall not be separated from wives and minor children who have been authorised to accompany them to, and to remain with them at, the place of employment.

4. In default of agreement to the contrary before the departure of the worker from the place of recruiting, an authorisation to accompany a worker shall be deemed to be an authorisation to remain with him for the full duration of his term of service.

Article 8.

Where the circumstances make the adoption of such a policy practicable and desirable, the competent authority may make it a condition of permitting recruiting that the recruited workers shall be grouped at the place of employment under suitable ethnical conditions.

Article 9.

Public officers shall not recruit for private undertakings either directly or indirectly, except when the recruited workers are to be employed on works of public utility for the execution of which private undertakings are acting as contractors for a public authority.

Article 10.

Chiefs or other indigenous authorities shall not :

- (a) act as recruiting agents;
- (b) exercise pressure upon possible recruits; or
- (c) receive from any source whatsoever any special remuneration or other special inducement for assistance in recruiting.

Article 11.

No person or association shall engage in professional recruiting unless the said person or association has been licensed by the competent authority and is recruiting workers for a public department or for one or more specific employers or organisations of employers.

Article 12.

Employers, employers' agents, organisations of employers, organisations subsidised by employers, and the agents of organisations of employers and organisations subsidised by employers, shall only engage in recruiting if licensed by the competent authority.

Article 13.

1. Before issuing any licence for recruiting the competent authority shall :

- (a) satisfy itself that the applicant for a licence, if an individual, is a fit and proper person;

- (b) require the applicant for a licence, except when the said applicant is an employers' organisation or an organisation subsidised by employers, to furnish financial or other security for proper conduct as a licensee;
- (c) require the applicant for a licence, if an employer, to furnish financial or other security for the payment of wages due; and
- (d) satisfy itself that adequate provision has been made for safeguarding the health and welfare of the workers to be recruited.

2. Licensees shall keep, in such form as the competent authority may prescribe, records from which the regularity of every recruiting operation can be verified and every recruited worker can be identified.

3. A licensee who is the agent of another licensee shall wherever possible receive a fixed salary, and in any case in which he receives remuneration calculated at a rate per head of workers recruited such remuneration shall not exceed a maximum to be prescribed by the competent authority.

4. The validity of licences shall be limited to a fixed period not exceeding one year to be prescribed by the competent authority.

5. The renewal of licences shall be conditional upon the manner in which the licensee has respected the conditions subject to which the licence was issued.

6. The competent authority shall be entitled :

- (a) to withdraw any licence if the licensee has been guilty of any offence or misconduct unfitting him to conduct recruiting operations; and
- (b) to suspend any licence pending the result of any enquiry into the conduct of the licensee.

Article 14.

1. No person shall assist a licensee in a subordinate capacity in the actual recruiting operations unless he has been approved by a public officer and has been furnished with a permit by the licensee.

2. Licensees shall be responsible for the proper conduct of such assistants.

Article 15.

1. Where the circumstances make the adoption of such a policy necessary or desirable, the competent authority may

exempt from the obligation to hold a licence worker-recruiters who :

- (a) are employed as workers by the undertaking for which they recruit other workers;
- (b) are formally commissioned in writing by the employer to recruit other workers; and
- (c) do not receive any remuneration or other advantage for recruiting.

2. Worker-recruiters shall not make advances of wages to recruits.

3. Worker-recruiters may recruit only within an area to be prescribed by the competent authority.

4. The operations of worker-recruiters shall be supervised in a manner to be prescribed by the competent authority.

Article 16.

1. Recruited workers shall be brought before a public officer, who shall satisfy himself that the law and regulations concerning recruiting have been observed and, in particular, that the workers have not been subjected to illegal pressure or recruited by misrepresentation or mistake.

2. Recruited workers shall be brought before such an officer as near as may be convenient to the place of recruiting or, in the case of workers recruited in one territory for employment in a territory under a different administration, at latest at the place of departure from the territory of recruiting.

Article 17.

Where the circumstances make the adoption of such a provision practicable and necessary, the competent authority shall require the issue to each recruited worker who is not engaged at or near the place of recruiting of a document in writing such as a memorandum of information, a work book or a provisional contract containing such particulars as the authority may prescribe, as for example particulars of the identity of the workers, the prospective conditions of employment, and any advances of wages made to the workers.

Article 18.

1. Every recruited worker shall be medically examined.

2. Where the worker has been recruited for employment at a distance from the place of recruiting or has been recruited in

one territory for employment in a territory under a different administration the medical examination shall take place as near as may be convenient to the place of recruiting or, in the case of workers recruited in one territory for employment in a territory under a different administration, at latest at the place of departure from the territory of recruiting.

3. The competent authority may empower public officers before whom workers are brought in pursuance of Article 16 to authorise the departure prior to medical examination of workers in whose case they are satisfied :

- (a) that it was and is impossible for the medical examination to take place near to the place of recruiting or at the place of departure;
- (b) that the worker is fit for the journey and the prospective employment; and
- (c) that the worker will be medically examined on arrival at the place of employment or as soon as possible thereafter.

4. The competent authority may, particularly when the journey of the recruited workers is of such duration and takes place under such conditions that the health of the workers is likely to be affected, require recruited workers to be examined both before departure and after arrival at the place of employment.

5. The competent authority shall ensure that all necessary measures are taken for the acclimatisation and adaptation of recruited workers and for their immunisation against disease.

Article 19.

1. The recruiter or employer shall whenever possible provide transport to the place of employment for recruited workers.

2. The competent authority shall take all necessary measures to ensure :

- (a) that the vehicles or vessels used for the transport of workers are suitable for such transport, are in good sanitary condition and are not overcrowded;
- (b) that when it is necessary to break the journey for the night suitable accommodation is provided for the workers; and
- (c) that in the case of long journeys all necessary arrangements are made for medical assistance and for the welfare of the workers.

3. When recruited workers have to make long journeys on

foot to the place of employment, the competent authority shall take all necessary measures to ensure :

- (a) that the length of the daily journey is compatible with the maintenance of the health and strength of the workers; and
- (b) that, where the extent of the movement of labour makes this necessary, rest camps or rest houses are provided at suitable points on main routes and are kept in proper sanitary condition and have the necessary facilities for medical attention.

4. When recruited workers have to make long journeys in groups to the place of employment, they shall be conveyed by a responsible person.

Article 20.

1. The expenses of the journey of recruited workers to the place of employment, including all expenses incurred for their protection during the journey, shall be borne by the recruiter or employer.

2. The recruiter or employer shall furnish recruited workers with everything necessary for their welfare during the journey to the place of employment, including particularly, as local circumstances may require, adequate and suitable supplies of food, drinking water, fuel and cooking utensils, clothing and blankets.

3. This Article applies to workers recruited by worker-recruiters only to the extent to which its application is considered possible by the competent authority.

Article 21.

Any recruited worker who :

- (a) becomes incapacitated by sickness or accident during the journey to the place of employment;
- (b) is found on medical examination to be unfit for employment;
- (c) is not engaged after recruiting for a reason for which he is not responsible; or
- (d) is found by the competent authority to have been recruited by misrepresentation or mistake;

shall be repatriated at the expense of the recruiter or employer.

Article 22.

The competent authority shall limit the amount which may be paid to recruited workers in respect of advances of wages and shall regulate the conditions under which such advances may be made.

Article 23.

Where the families of recruited workers have been authorised to accompany the workers to the place of employment the competent authority shall take all necessary measures for safeguarding their health and welfare during the journey and more particularly :

- (a) Articles 19 and 20 of this Convention shall apply to such families;
- (b) in the event of the worker being repatriated in virtue of Article 21, his family shall also be repatriated; and
- (c) in the event of the death of the worker during the journey to the place of employment, his family shall be repatriated.

Article 24.

1. Before permitting the recruiting of workers for employment in a territory under a different administration, the competent authority of the territory of recruiting shall satisfy itself that all necessary measures have been taken for the protection of the recruited workers in accordance with the provisions of this Convention when the workers have travelled beyond its jurisdiction.

2. Where workers are recruited in one territory for employment in a territory under a different administration and the circumstances and amount of recruiting appear to the competent authorities concerned to necessitate such action, the said authorities shall enter into agreements defining the extent to which such recruiting is to be permitted and providing for co-operation between them in supervising the execution of the conditions of recruiting and employment.

3. The recruiting of workers in one territory for employment in a territory under a different administration shall be undertaken only under licence issued by the competent authority of the territory of recruiting : Provided that the said authority may accept as equivalent to a licence issued by it a licence issued by the competent authority of the territory of employment.

4. Where the circumstances and the amount of recruiting for employment in a territory under a different administration appear to the competent authority of the territory of recruiting to necessitate such action, the said authority shall provide that such recruiting may only be undertaken by organisations approved by it.

Article 25.

1. In respect of the territories referred to in Article 35 of the Constitution of the International Labour Organisation, each

Member of the Organisation which ratifies this Convention shall append to its ratification a declaration stating :

- (a) the territories to which it undertakes to apply the provisions of the Convention without modification;
- (b) the territories to which it undertakes to apply the provisions of the Convention subject to modifications, together with details of the said modifications;
- (c) the territories to which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;
- (d) the territories in respect of which it reserves its decision.

2. The undertakings referred to in sub-paragraphs (a) and (b) of paragraph 1 of this Article shall be deemed to be an integral part of the ratification and shall have the force of ratification.

3. Any Member may by a subsequent declaration cancel in whole or in part any reservations made in its original declaration in virtue of sub-paragraphs (b), (c) or (d) of paragraph 1 of this Article.

Article 26.

The formal ratifications of this Convention shall be communicated to the Secretary-General of the League of Nations for registration.

Article 27.

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Secretary-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Secretary-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 28.

As soon as the ratifications of two Members of the International Labour Organisation have been registered, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

Article 29.

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the

Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 30.

At the expiration of each period of ten years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the Agenda of the Conference the question of its revision in whole or in part.

Article 31.

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides,

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 29 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 32.

The French and English texts of this Convention shall both be authentic.

Recommendation [No. 46] concerning the progressive elimination of recruiting.

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body

of the International Labour Office, and having met in its Twentieth Session on 4 June 1936, and

Having decided upon the adoption of certain proposals with regard to the progressive elimination of recruiting, which is included in the first item on the Agenda of the Session, and

Having determined that these proposals shall take the form of a Recommendation,

adopts, this twentieth day of June of the year one thousand nine hundred and thirty-six, the following Recommendation which may be cited as the Elimination of Recruiting Recommendation, 1936 :

The Conference,

Having adopted a Draft Convention concerning the regulation of certain special systems of recruiting workers,

Considering that in addition to the regulation of recruiting of labour it should be a cardinal principle to be followed by the Members of the International Labour Organisation to direct their policy where necessary and desirable towards the progressive elimination of the recruiting of labour and the development of the spontaneous offer of labour,

Recommends that each Member of the International Labour Organisation should take steps to hasten such elimination by :

- (a) improvement of the conditions of labour;
 - (b) development of the means of transport;
 - (c) promotion of the settlement of workers and their families in the area of employment, where such settlement is the policy of the competent authority;
 - (d) facilitating the voluntary movement of labour under administrative supervision and control; and
 - (e) the educational development of indigenous peoples and the improvement of their standard of living.
-

Draft Convention [No. 51] concerning the reduction of hours of work on public works.

The General Conference of the International Labour Organisation,

Having met at Geneva in its Twentieth Session on 4 June 1936;

Considering that the question of the reduction of hours of work on public works undertaken or subsidised by Governments is the third item on the Agenda of the Session;

Confirming the principle laid down in the Forty-Hour Week Convention, 1935, including the maintenance of the standard of living;

Considering it to be desirable that this principle should be applied by international agreement to public works;

adopts this twenty-third day of June one thousand nine hundred and thirty-six the following Draft Convention which may be cited as the Reduction of Hours of Work (Public Works) Convention, 1936 :

Article 1.

1. This Convention applies to persons directly employed on building or civil engineering works financed or subsidised by central Governments.

2. For the purpose of this Convention the precise scope of the terms "building or civil engineering", "financed" and "subsidised" shall be delimited by the competent authority after consultation with the organisations of employers and workers concerned where such exist.

3. The competent authority may, after consultation with the organisations of employers and workers concerned where such exist, exempt from the application of this Convention :

- (a) persons employed in undertakings in which only members of the employer's family are employed;
- (b) persons occupying positions of management who do not ordinarily perform manual work.

Article 2.

1. The hours of work of persons to whom this Convention applies shall not exceed an average of forty per week.

2. In the case of persons who work in successive shifts on processes required by reason of the nature of the process to be carried on without a break at any time of the day, night or week, weekly hours of work may average forty-two.

3. The competent authority shall, after consultation with the organisations of employers and workers concerned where such exist, determine the processes to which paragraph 2 of this Article applies.

4. Where hours of work are calculated as an average the competent authority shall, after consultation with the organisations of employers and workers concerned where such exist, determine the number of weeks over which this average may be calculated and the maximum number of hours that may be worked in any week.

5. For the purpose of this Convention, the term "hours of work" means the time during which the persons employed are at the disposal of the employer and does not include rest periods during which they are not at his disposal.

Article 3.

1. The competent authority may, by regulations made after consultation with the organisations of employers and workers concerned where such exist, provide that the limits of hours prescribed in the preceding Article may be exceeded in the case of :

- (a) persons employed on preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working of the undertaking or branch thereof or of the shift; and
- (b) persons employed in occupations which by their nature involve long periods of inaction during which the said persons have to display neither physical activity nor sustained attention or remain at their posts only to reply to possible calls.

2. The regulations referred to in paragraph 1 shall determine the maximum number of hours which may be worked in virtue of this Article.

3. The competent authority may permit the limits of hours prescribed in the preceding Article to be exceeded to a prescribed extent in cases in which this is necessary, if serious hindrance to the execution of a particular public work is to be avoided, on account of abnormal circumstances such as the inaccessibility of the site or the impossibility of engaging sufficient qualified labour.

Article 4.

The limits of hours prescribed in the preceding Articles may be exceeded, but only so far as may be necessary to avoid serious interference with the ordinary working of the undertaking,

- (a) in case of accident, actual or threatened, or in case of urgent

work to be done to machinery or plant, or in case of *force majeure*; or

- (b) in order to make good the unforeseen absence of one or more members of a shift.

Article 5.

1. The limits of hours prescribed in Articles 2 and 3 may be exceeded in cases where the continued presence of particular persons is necessary for the completion of an operation which for technical reasons cannot be interrupted.

2. The competent authority shall, after consultation with the organisations of employers and workers concerned where such exist, determine the operations to which this Article applies and the maximum number of hours in excess of the prescribed limits which may be worked by the persons concerned.

3. Overtime worked in virtue of this Article shall be remunerated at not less than one-and-a-quarter times the normal rate.

Article 6.

1. The competent authority may grant an allowance of overtime for exceptional cases of pressure of work. Such an allowance shall only be granted under regulations made after consultation as to the necessity of such overtime and the number of hours to be worked with the organisations of employers and workers concerned where such exist, and no such allowance shall permit of any person being employed for more than one hundred hours of such overtime in any year.

2. Overtime worked in virtue of this Article shall be remunerated at not less than one-and-a-quarter times the normal rate.

Article 7.

In order to facilitate the effective enforcement of the provisions of this Convention, every employer shall be required :

- (a) to notify, by the posting of notices in conspicuous positions in the works or other suitable place or by such other method as may be approved by the competent authority,
- (i) the hours at which work begins and ends;
 - (ii) where work is carried on by shifts, the hours at which each shift begins and ends;
 - (iii) where a rotation system is applied, a description of the system, including a time-table for each person or group of persons;

- (iv) the arrangements made in cases where the average duration of the working week is calculated over a number of weeks; and
 - (v) rest periods in so far as these are not reckoned as part of the working hours;
- (b) to keep a record in the form prescribed by the competent authority of all additional hours worked in virtue of Articles 3 (paragraph 3), 5 and 6 and of the payments made in respect thereof.

Article 8.

The annual reports submitted by Members upon the application of this Convention shall include more particularly full information concerning :

- (a) the definitions adopted in virtue of Article 1, paragraph 2;
- (b) processes which the competent authority has recognised as necessarily continuous in character in virtue of Article 2, paragraph 2;
- (c) determinations made in virtue of Article 2, paragraph 4;
- (d) decisions taken in virtue of Article 3; and
- (e) allowances of overtime granted in virtue of Article 6.

Article 9.

Nothing in this Convention shall affect any law, award, custom or agreement between employers and workers which ensures more favourable conditions than those provided by this Convention.

Article 10.

The formal ratifications of this Convention shall be communicated to the Secretary-General of the League of Nations for registration.

Article 11.

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Secretary-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Secretary-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 12.

As soon as the ratifications of two Members of the International Labour Organisation have been registered, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

Article 13.

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 14.

At the expiration of each period of ten years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the Agenda of the Conference the question of its revision in whole or in part.

Article 15.

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides,

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 13 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 16.

The French and English texts of this Convention shall both be authentic.

Draft Convention [No. 52] concerning annual holidays with pay.

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twentieth Session on 4 June 1936, and

Having decided upon the adoption of certain proposals with regard to annual holidays with pay which is the second item on the Agenda of the Session, and

Having determined that these proposals shall take the form of a Draft International Convention,

adopts, this twenty-fourth day of June of the year one thousand nine hundred and thirty-six, the following Draft Convention which may be cited as the Holidays with Pay Convention, 1936 :

Article 1.

1. This Convention applies to all persons employed in any of the following undertakings or establishments, whether public or private :

- (a) undertakings in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed, including undertakings engaged in shipbuilding or in the generation, transformation or transmission of electricity or motive power of any kind;
- (b) undertakings engaged wholly or mainly in the construction, reconstruction, maintenance, repair, alteration or demolition of any one or more of the following :

- buildings,
- railways,
- tramways,
- airports,
- harbours,
- docks,
- piers,
- works of protection against floods or coast erosion,
- canals,
- works for the purpose of inland, maritime or aerial navigation,
- roads,
- tunnels,
- bridges,

viaducts,
sewers,
drains,
wells,
irrigation or drainage works,
telecommunication installations,
works for the production or distribution of electricity
or gas,
pipe-lines,
waterworks,

and undertakings engaged in other similar work or in the preparation for or laying the foundation of any such work or structure;

- (c) undertakings engaged in the transport of passengers or goods by road, rail, inland waterway or air, including the handling of goods at docks, quays, wharves, warehouses or airports;
- (d) mines, quarries and other works for the extraction of minerals from the earth;
- (e) commercial or trading establishments, including postal and telecommunication services;
- (f) establishments and administrative services in which the persons employed are mainly engaged in clerical work;
- (g) newspaper undertakings;
- (h) establishments for the treatment and care of the sick, infirm, destitute or mentally unfit;
- (i) hotels, restaurants, boarding-houses, clubs, cafés and other refreshment houses;
- (j) theatres and places of public amusement;
- (k) mixed commercial and industrial establishments not falling wholly within any of the foregoing categories.

2. The competent authority in each country shall, after consultation with the principal organisations of employers and workers concerned where such exist, define the line which separates the undertakings and establishments specified in the preceding paragraph from those to which this Convention does not apply.

3. The competent authority in each country may exempt from the application of this Convention :

- (a) persons employed in undertakings or establishments in which only members of the employer's family are employed;
- (b) persons employed in public services whose conditions of service entitle them to an annual holiday with pay at least equal in duration to that prescribed by this Convention.

Article 2.

1. Every person to whom this Convention applies shall be entitled after one year of continuous service to an annual holiday with pay of at least six working days.

2. Persons, including apprentices, under sixteen years of age shall be entitled after one year of continuous service to an annual holiday with pay of at least twelve working days.

3. The following shall not be included in the annual holiday with pay :

- (a) public and customary holidays;
- (b) interruptions of attendance at work due to sickness.

4. National laws or regulations may authorise in special circumstances the division into parts of any part of the annual holiday with pay which exceeds the minimum duration prescribed by this Article.

5. The duration of the annual holiday with pay shall increase with the length of service under conditions to be prescribed by national laws or regulations.

Article 3.

Every person taking a holiday in virtue of Article 2 of this Convention shall receive in respect of the full period of the holiday either :

- (a) his usual remuneration, calculated in a manner which shall be prescribed by national laws or regulations, including the cash equivalent of his remuneration in kind, if any; or
- (b) the remuneration determined by collective agreement.

Article 4.

Any agreement to relinquish the right to an annual holiday with pay, or to forgo such a holiday, shall be void.

Article 5.

National laws or regulations may provide that a person who engages in paid employment during the course of his annual holiday may be deprived of his right to payment in respect of the period of the holiday.

Article 6.

A person dismissed for a reason imputable to the employer before he has taken a holiday due to him shall receive in respect of every day of holiday due to him in virtue of this Convention the remuneration provided for in Article 3.

Article 7.

In order to facilitate the effective enforcement of the provisions of this Convention, every employer shall be required to keep, in a form approved by the competent authority, a record showing :

- (a) the date of entry into his service of each person employed by him and the duration of the annual holiday with pay to which each such person is entitled;
- (b) the dates at which the annual holiday with pay is taken by each person;
- (c) the remuneration received by each person in respect of the period of his annual holiday with pay.

Article 8.

Each Member which ratifies this Convention shall establish a system of sanctions to ensure the application of its provisions.

Article 9.

Nothing in this Convention shall affect any law, award, custom or agreement between employers and workers which ensures more favourable conditions than those provided by this Convention.

Article 10.

The formal ratifications of this Convention shall be communicated to the Secretary-General of the League of Nations for registration.

Article 11.

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Secretary-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Secretary-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 12.

As soon as the ratifications of two Members of the International Labour Organisation have been registered, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

Article 13.

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 14.

At the expiration of each period of ten years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the Agenda of the Conference the question of its revision in whole or in part.

Article 15.

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides,

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 13 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 16.

The French and English texts of this Convention shall both be authentic.

Recommendation [No. 47] concerning annual holidays with pay.

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twentieth Session on 4 June 1936, and

Having decided upon the adoption of certain proposals with regard to annual holidays with pay which is the second item on the Agenda of the Session, and

Having determined that these proposals shall take the form of a Recommendation,

adopts, this twenty-fourth day of June of the year one thousand nine hundred and thirty-six, the following Recommendation which may be cited as the Holidays with Pay Recommendation, 1936 :

The Conference,

Having adopted a Draft Convention concerning annual holidays with pay for employed persons,

Considering that the purpose of such holidays is to secure to employed persons opportunities for rest, recreation and the development of their faculties,

Considering that the conditions laid down by the Draft Convention constitute the minimum standard to which any system of holidays with pay should conform,

Considering that it is desirable to deal in greater detail with the methods of applying the system,

Recommends that each Member should take the following suggestions into consideration :

1. (1) The continuity of service required in order to become entitled to a holiday should not be affected by interruptions occasioned by sickness or accident, family events, military service, the exercise of civic rights, changes in the management of the undertaking in which the employed person is employed, or intermittent involuntary unemployment if the duration of the unemployment does not exceed a prescribed limit and if the person concerned resumes employment.

(2) In employments in which work is not carried on regularly throughout the year the condition of continuity of employment should be regarded as satisfied by the working of a prescribed number of days during a prescribed period.

(3) The holiday should be earned after one year's work, regardless whether this period has been spent in the employment of the same or of several employers. Each Government should

take effective steps to ensure that the cost arising from the granting of the holidays shall not fall entirely upon the last employer.

2. Although it may be desirable that provision should be made in special cases for holidays to be divided, care should be exercised to ensure that such special arrangements do not run counter to the purpose of the holiday, which is to enable the employed person to make good the loss of physical and mental forces during the course of the year. In other cases division of the holiday should be restricted save in quite exceptional circumstances, to division into not more than two parts, one of which should not be less than the prescribed minimum.

3. It would be desirable that the increase in the length of the holiday with the duration of service should begin to operate as soon as possible and should be effected by regular stages so that a prescribed minimum will be attained after a prescribed number of years, for example, twelve working days after seven years of service.

4. The fairest method of calculating the remuneration of a person paid in whole or in part on an output or piece-work basis would be to calculate the average earnings over a fairly long period so as to nullify as far as possible the effect of fluctuations in earnings.

5. It would be desirable that the Members should consider whether a more advantageous system should not be established for young persons and apprentices under 18 years of age in order to ease the transition from school to industrial life during a period of physical development.

Resolutions

adopted by the Twentieth Session of the International Labour Conference

Resolution concerning holidays with pay for domestic servants, submitted by the Committee on holidays with pay (second item on the agenda).

The Twentieth Session of the International Labour Conference,

Considering that the international Draft Convention on holidays with pay does not apply to domestic servants,

Considering that these wage-earners have a special need of holidays with pay in view of their particularly long hours of work,

Considering that it is the duty of the International Labour Organisation to extend the benefits of international protection to that category of workers,

Requests the Governing Body to inscribe the question of holidays with pay for domestic servants on the agenda of as early a future session of the Conference as possible and to consider at the same time whether other conditions of domestic servants' employment could form the subject of international regulation.

Resolutions concerning holidays with pay for hall porters, submitted by the Committee on holidays with pay (second item on the agenda).

The Twentieth Session of the International Labour Conference,

Considering that the international Draft Convention on holidays with pay applies only to the staff of industrial and commercial undertakings and to offices,

Considering that, as a consequence, only hall porters in those undertakings and offices will benefit from these regulations,

Considering that it is desirable that hall porters in other buildings, and in particular in private houses, should also benefit from an appropriate system of holidays with pay,

Requests the Governing Body of the International Labour Office to inscribe the question of holidays with pay for hall porters on the agenda of a future session of the Conference.

Resolution concerning holidays with pay for home workers, submitted by the Committee on holidays with pay (second item on the agenda).

The Twentieth Session of the International Labour Conference;

Whereas the Draft International Convention on annual holidays with pay does not apply to home workers;

Whereas having regard to the present lack of any regulation of the hours of work of these workers they should at least be given the benefit of a paid annual holiday without delay;

Whereas owing to the special character of the relations between employers and home workers provision concerning the paid holidays of such workers must provide for special arrangements;

Whereas it is the duty of the International Labour Organisation to extend the benefit of international protection to this class of worker;

Requests the Governing Body to place the question of paid holidays for home workers on the agenda of one of the next sessions of the Conference.

Resolution concerning holidays with pay for agricultural workers, submitted by the Committee on holidays with pay (second item on the agenda).

The Conference, recalling the resolution adopted by the Nineteenth Session concerning the insertion on the agenda of the question of paid holidays in agriculture;

Taking into account the considerations which have led the Governing Body to confine itself for the present to referring this matter to its Committee on Agricultural Work;

Judging that it should be possible to take advantage of the exhaustive study made by the Conference into the general principles relating to the problem of paid holidays, and hence to deal with the problem, in so far as its application to agriculture is concerned, in a single Conference discussion;

Urges the Governing Body to enter the question of paid holidays in agriculture upon the Conference agenda without delay.

Resolution concerning the calling of a tripartite technical conference on hours of work in the building and civil engineering industry, submitted by Mr. Justin Godart, French Government Delegate, and Mr. Winant, United States Government Delegate (fourth item on the agenda).

The Conference decides to request the Governing Body to consider the convening of a tripartite technical conference of Governments and of employers' and workpeople's representatives in the building and civil engineering industry with a view to reaching an understanding as to hours of work in this industry, account being taken of the Report of the Committee on hours of work in building and public works of the present session of the Conference.

Resolution concerning the calling of a tripartite technical conference on conditions of work in the iron and steel industry, submitted by Lieut.-Col. Muirhead, British Government Delegate (fifth item on the agenda).

The Conference decides to request the Governing Body to consider the convening of a tripartite technical conference of Governments and of employers' and workpeople's representatives in the iron and steel industry with a view to reaching an understanding as to equitable standards based on adequate information concerning wages, hours and working conditions in the industry throughout the world.

Resolution concerning the calling of a tripartite technical conference on hours of work in the coalmining industry, submitted by Mr. Justin Godart, French Government Delegate, and Mr. Winant, United States Government Delegate (sixth item on the agenda).

The Conference decides to request the Governing Body to consider the convening of a tripartite technical conference of Governments and of employers' and workpeople's representatives in the coal mining industry with a view to reaching an understanding as to hours of work in this industry, account being taken of the Report of the Committee on hours of work in coal mines of the present session of the Conference.

Resolution concerning the calling of a tripartite technical conference concerning conditions of work in the textile industry, submitted by Mr. Winant and Miss Miller, United States Government Delegates (seventh item on the agenda).

The Conference, taking into consideration :

(1) that there is a general desire for the improvement of the wages, hours and other working conditions of textile workers throughout the world;

(2) that, having regard to the varying standards of hours, wages and working conditions in different countries, such improvement requires the co-operation of the countries concerned, and that the International Labour Organisation provides the appropriate means of attaining agreement on equitable standards of hours, wages and working conditions;

(3) that the establishment of such equitable standards can only be achieved by discussion between the representatives of Governments, employers' and workers' organisations in the various countries :

decides to request the Governing Body to convene a tripartite conference which would include the necessary technical and expert assistance from textile-producing countries. It would be the purpose of this conference to consider how the work already undertaken by the International Labour Organisation in connection with the improvement of conditions in the textile industry can best be advanced and to take into account all those aspects of the textile industry, which, directly or indirectly, may have a bearing on the improvement of social conditions in that industry.

Resolution concerning migrant workers, submitted by the Committee on the migration of workers.

1. The Conference has noted with the greatest interest that the problem of the settlement of colonists and other independent workers in countries other than their own, more especially overseas, has been selected for discussion by the Migration Committee of the Governing Body. It welcomes the fact that this large and important problem is to be systematically studied, and expresses the hope that the work of the Migration Committee will lead as soon as possible to conclusions which can be laid before the Conference.

2. As regards the problems arising out of the movement of wage earners from the point of view of recruiting, placing and conditions of labour, with special reference to the problem of equality of treatment, the Conference, after taking note of the Green Report submitted to it at the present Session, expresses the hope that the Governing Body will take this subject into consideration with a view to placing it on the Agenda of the International Labour Conference as soon as possible, that is to say, in 1938, if possible.

Resolution concerning the improvement of conditions of work in Asiatic countries, submitted by Mr. Fulay, Indian Workers' Delegate and Mr. Kono, Japanese Workers' Delegate.

In view of the urgent necessity of bringing about a general improvement in the conditions of work in Asiatic countries, and having regard to the successful results of the Labour Conference of American States held in Santiago de Chile in January 1936,

The Conference requests the Governing Body to consider the advisability of giving effect as soon as possible to the resolution adopted in 1931 for the convocation of an advisory tripartite labour conference of Asiatic countries,

The Conference further requests the Governing Body to consider the advisability of establishing an Asiatic Committee within the framework of the International Labour Office, with a view to holding its meeting every other year in an Asiatic country.

Resolution concerning diseases due to dust, submitted by Mr. Winant and Miss Miller, Government Delegates of the United States of America.

Whereas the International Labour Office in 1930 convoked the first international conference of experts on silicosis, in conjunction with the Chamber of Mines, Johannesburg, and in other ways has sought to promote and stimulate research in several countries;

Whereas the International Labour Conference, by inscribing silicosis in the Workmen's Compensation (Occupational Diseases) Convention (Revised), 1934, has already recognised its importance;

Whereas there is need to draw up a plan of action for the protection of workers from silicosis and other respiratory diseases due to dust in numerous occupations in all countries;

Whereas the International Labour Conference is convinced of the expediency of submitting the various aspects of the question

to fresh investigation in the light of further knowledge acquired in the course of recent years in the medical as well as in the technical sphere;

Therefore, the International Labour Conference requests the Governing Body to consider the desirability of convoking a new international meeting of experts which should be asked, after examination of available data, to propose a programme of national and international action to achieve (a) early diagnosis of these diseases, (b) adequate compensation for injuries due to them, and (c) maximum prevention of dust risks in the industries involved.

**Resolution concerning labour inspection, submitted by
Mr. Jurkiewicz, Polish Government Delegate.**

Whereas Article 41 of the Constitution of the International Labour Organisation lays down that each State should make provision for a system of inspection;

Whereas the institution of a system of inspection is one of the most essential methods of ensuring the efficacy of national and international social legislation;

Whereas the experience gained by inspection services in the various countries and the application over more than ten years of the Recommendation concerning the general principles for the organisation of systems of inspection adopted at the Fifth Session of the International Labour Conference provide a series of points which could be embodied in the text of a Convention guaranteeing strict and effective application;

Whereas the hope that the Conference would adopt a Convention on labour inspection has frequently been expressed at the Conference, as well as by the meeting of the representatives of labour inspection services held at The Hague in October 1935 and whereas, in the same connection, a resolution was adopted by the Labour Conference of American States at Santiago in January 1936;

The Conference requests the Governing Body of the International Labour Office to consider the desirability of placing the question of labour inspection on the Agenda of the 1938 Session of the Conference.

**Resolution concerning freedom of association, submitted
by Mr. Winant and Miss Miller, Government Delegates
of the United States of America.**

Whereas the Constitution of the International Labour Organisation truly declares that "conditions of labour exist involving such injustice, hardship and privation to large numbers of people

as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required as, for example,... by the recognition of the principle of freedom of association ”; and

Whereas the Governing Body, pursuant to a resolution adopted by the Conference at its Nineteenth Session and to a report of the Committee of the Governing Body on Freedom of Association, has decided that it would be desirable to include in the agenda of a early Session of the Conference “ the question of safeguarding the right of association of individual workers ”; and

Whereas the Conference desires soon to enter upon the consideration of this subject with a view to taking some formal decision;

Therefore, the Conference requests the Governing Body to consider including in the agenda of an early Session of the Conference the item of the safeguarding of individual workers in the exercise of their freedom of association from pressure by private employers on account of their joint participation in labour activities which are lawful for individuals acting singly.

Resolution concerning opium smoking by workers, submitted by Mr. Jouhaux, French Workers' Delegate.

The Twentieth Session of the International Labour Conference :

Taking note of the report entitled “ Opium and Labour ” submitted by the International Labour Office;

Considering that it cannot remain indifferent to the conclusions of this report, in which it is stated that opium smoking is injurious to the workers, impedes their social and economic development, impairs their health and decreases their efficiency and, when it is practised continuously, shatters the health and increases the death-rate of the smokers, and tends to reduce the rate of economic and social progress in the districts affected;

Believing that these effects are due both to unsatisfactory conditions of labour and to the official authorisation of the sale of opium to workers :

Requests the Governing Body to recommend the Governments in whose territory the sale of opium for smoking is authorised to improve conditions of labour by the following methods;

- (1) reduction of hours of work in occupations where long hours are worked;
- (2) guarantee of an adequate living wage and improvements of conditions of labour in arduous occupations which are generally the worst paid;

- (3) establishment of facilities for medical treatment;
- (4) establishment and organisation of collective spare time activities;

Also requests the Governing Body to bring to the notice of the competent bodies and of the Governments the following suggestions, with a view to drawing up rules which would complete the measures mentioned above in countries in which the sale of opium for smoking is authorised;

- (1) the limitation of the sale of opium, either in the raw or the prepared form, to registered smokers;

- (2) the registration of all workers addicted to opium smoking;

- (a) the establishment of registers for the registration of workers who smoke opium, such registers to remain open for a period of twelve months, after which they should be closed and no further smokers registered;

- (b) the granting of licences for registered workers authorised to smoke opium, so as to allow of the identification of the licence-holder and the purchase by him of the quantity of opium mentioned in the licence;

- (c) notification to all registered smokers that the sale of opium will be discontinued at the end of five years;

- (3) reduction of the quantity of opium sold to licensed smokers by one-fifth each year;

- (4) establishment by the Government of curative centres where workers accustomed to smoke opium may obtain treatment to cure them of the habit;

- (5) drawing up and application of such laws and regulations, and adoption of such measures as are considered necessary to prevent licensed smokers from substituting for the use of opium that of opium derivatives, cocaine or any other drug covered by the existing conventions;

- (6) drawing up and application of such additional laws and regulations as Governments may consider necessary to bring about the cessation of the licensed use of opium for smoking within five years;

- (7) application of measures to prevent workers who smoke opium from obtaining and smoking smuggled opium.

Resolution concerning the calling of economic conferences, submitted by Mr. Jouhaux, French Workers' Delegate, and Mr. Kono, Japanese Workers' Delegate.

Whereas the economic depression, with its disastrous effect upon the workers to which the Conference has frequently called attention, unquestionably remains one of the chief causes of the

political instability of the world and of the threats to peace which result therefrom;

Whereas, as the Conference pointed out at its Eighteenth Session in 1934, the Monetary and Economic Conference arrived at no agreement on the measures proposed by the International Labour Conference in the resolution which it addressed to the said Monetary and Economic Conference, namely : the restoration of stable monetary conditions; the establishment of the system of international co-operation best calculated to prevent future disastrous fluctuations of the price level; the cessation of economic warfare between nations by the concerted elimination of restrictions on international exchanges; the increase in the purchasing power of the community; the restoration to circulation of the capital lying idle by all appropriate means, notably by the adoption of a public works policy;

Whereas certain local improvements have been obtained in some countries through Government and national initiative but without any co-ordination between them, and whereas, so long as that situation continues, there will be the risk that such national efforts will one day conflict and increase the dangers to which universal prosperity, harmony and peace are exposed instead of strengthening and consolidating them;

Whereas, since the last Session of the Assembly of the League of Nations in 1935, it has been suggested by persons in authority and subsequently in definite proposals put forward by Governments that the economic and demographic problems which threaten the peace of the world should be discussed internationally and an attempt to solve them made at international conferences;

The Conference expresses the hope :

1. That the Governing Body will consider what steps might appropriately be taken to facilitate, after adequate preparation, the convocation, under the auspices of the League of Nations and with the close collaboration of the International Labour Organisation, of one or several conferences in which the representatives of workers' organisations shall participate, to discuss all the problems concerning currency, production, trade, settlement of populations and colonisation, on which the peace and prosperity of the world depend;

2. That in the examination of all these problems and in the solutions which may be proposed for them, the interests of the workers both in the mother countries and in the colonies shall always be borne in mind;

3. That with that end in view arrangements should be made for qualified representatives to define and uphold those interests at the meetings advocated above.

Resolution concerning the nutrition of the workers, submitted by Mr. Schürch, Swiss Workers' Delegate.

The International Labour Conference having take note of :

The report on Workers' Nutrition and Social Policy submitted by the International Labour Office in accordance with the wish expressed in the resolution on the question of nutrition adopted at the last Session of the Conference;

And the two resolutions concerning popular nutrition adopted by the Labour Conference of American States which are Members of the International Labour Organisation, held at Santiago in January 1936;

Whereas dietetic science has now demonstrated the close ties existing between the nutritional requirement of the workers and their occupations, but whereas much detailed information on the subject is still lacking;

Whereas the available statistics show that only the workers in the best economic position enjoy the nutritional standard which is considered satisfactory by the Technical Commission of the Health Committee of the League of Nations, but whereas precise information as to the extent and gravity of undernourishment and malnourishment amongst the workers is still unavailable;

Whereas the potential output capacity of agriculture would enable the people to enjoy an adequate nutritional standard, but whereas maximum utilisation of this capacity under conditions which would also allow agricultural producers in their position as consumers to benefit by a general improvement in the standard of nutrition gives rise to social and economic problems both international and national, of the utmost importance;

Whereas social legislation touches at many points upon the problem of the standard of nutrition of the workers and even sometimes, directly or indirectly, aims at its improvement, but whereas the requirements of modern dietetic science have not yet been taken into systematic consideration in drawing up such legislation;

Whereas numerous institutions, both public and private, as well as co-operative organisations of producers of foodstuffs and of consumers, are playing a part which contributes, directly or indirectly, towards the improvement of the standard of nutrition, but whereas rational co-ordination and organised collaboration, in spite of the progress achieved, need to be further promoted;

Declares :

That the nutrition of the workers should be considered as one

of the most important problems which the International Labour Organisation has to solve;

And decides :

1. To request the Governing Body to take all the necessary steps to enable the International Labour Office to continue its studies of the problem of the nutrition of the workers, in collaboration with the Health Organisation and the Economic Organisation of the League of Nations, the International Institute of Agriculture, the International Committee of Inter-co-operative Relations and the other organisations which are in a position to collaborate in a solution, and to facilitate the relations of the Office with persons qualified to deal with the labour aspects of the problem and capable of assisting the Office in its researches and in its efforts to ensure the progress of dietetic science and to demonstrate the importance of that science in regard to social questions;

In regard to the work of the Office in this connection, the Conference considers it particularly desirable :

(a) To develop and co-ordinate the studies on the relation between nutritional requirements and the different occupations and on the practical means of ensuring that the underlying principles of nutritional hygiene shall be applied to all classes of workers;

(b) To initiate and co-ordinate enquiries into family budgets of rural and urban workers established on a uniform basis, with a view to obtaining comparable statistics concerning the present food consumption by working families, and to supplement these studies by collecting information on prices and available supplies of foodstuffs;

(c) To study the economic and social consequences of the different policies followed with a view to improving the standard of nutrition of the workers and their families;

(d) To study closely the principles upon which the regulation of wages, where such regulation exists, is based and the methods under which benefits under the system of social insurance or assistance are calculated;

(e) that the Office should collaborate with the appropriate organs of the League of Nations in studying the activities of institutions, both public and private, which deal with the problem of the nutrition of mothers and infants, school children, large families, unemployed and destitute persons, or which are endeavouring to find means of guaranteeing the constant and wholesome quality of foodstuffs placed at the disposal of consumers and are attempting to reduce the price-spread between production and consumption. The object of those studies should be to

determine to what extent certain measures might contribute towards an improvement in the standard of nutrition of the workers and their families.

2. To request the Governing Body to consider the possibility of placing on the agenda of the Conference certain questions relative to the aspects of the problem of nutrition to the solution of which the Conference might contribute in a constructive manner.

Resolution concerning calendar reform, submitted by Mr. Garcia Oldini and Mr. Gajardo, Chilean Government Delegates.

Considering that the Eleventh Session of the International Labour Conference, held in Geneva in June 1928, passed a resolution in favour of calendar reform, drawing attention to the interest which this question has for the workers on account of its relation with the rationalisation of work and labour statistics and the regularisation of public holidays;

Considering that the Secretariat of the League of Nations has asked the International Labour Office to communicate to it periodically any information which it can obtain concerning the attitude to this question of the workers;

Considering that it is a well-recognised fact that the present calendar is very unsatisfactory from economic, social and religious standpoints, and that recent studies, investigations, and reports have shown that there is a marked trend of opinion in favour of its revision;

Considering that the resolution concerning calendar reform adopted by the Labour Conference of American States which are Members of the International Labour Organisation, at its Session held at Santiago in January 1936, recommends the adoption of the perpetual calendar of twelve months and equal quarters;

The International Labour Conference at its Twentieth Session :

Requests the Governing Body of the International Labour Office to call the attention of the Council of the League of Nations to the question of calendar reform and to ask it to recommend the Committee on Communications and Transit of the League of Nations to continue to study the whole of this question very closely at its meeting in 1936; and

Requests that copies of this resolution should be communicated to the Secretary-General of the League of Nations and to the States Members and non-Members of the International Labour Organisation.

**Resolution concerning public works, submitted by
Mr. Mertens, Belgian Workers' Delegate.**

Whereas at its First Session, held in 1919, the International Labour Conference adopted a Recommendation paragraph IV of which requests the States Members of the International Labour Organisation to co-ordinate the execution of all work undertaken under public authority, with a view to reserving such work as far as practicable for periods of unemployment;

Whereas the International Labour Conference has adopted resolutions on this subject at previous Sessions, and in particular in 1926, 1933 and 1934;

Whereas during the present depression the action which might have been taken by developing public works, with the object of saving large numbers of workers from the hardships of unemployment and the community from the waste which such unemployment entails, has been delayed and rendered ineffective owing to a lack of sufficient information, organisation and agreement;

Whereas it is essential to remedy the situation with as little delay as possible, in order to ensure that the maximum effect may be obtained from public works;

The Conference :

1. Notes with satisfaction that the question of the planning of public works in relation to employment has been placed on the agenda of the 1937 Session of the International Labour Conference;

2. Desires that at that Session a Grey-Blue Report should be submitted to it so that it would be possible for it to reach final decisions in 1937.

**Resolution concerning German emigration, submitted by
Mr. Krier, Luxemburg Workers' Delegate.**

Whereas, for more than three years, thousands of persons have left Germany for political or racial reasons;

Whereas these events have had a serious effect, especially in the countries in which these emigrants have sought refuge, and particularly in the countries bordering on Germany where the economic depression is serious, and the position of the labour market has in consequence become more acute;

Whereas the solution of the manifold problems to which this intensive German emigration gives rise closely concerns the International Labour Organisation;

The Conference requests the Governing Body to instruct the International Labour Office to follow the situation with the

closest attention and expresses the earnest hope that the 1936 Session of the Assembly of the League of Nations will take all the necessary steps to arrive at satisfactory and final solutions of the problems to which the situation gives rise;

And decides to transmit this resolution to the Assembly of the League of Nations.

Resolution concerning unemployment, submitted by Mr. Winant and Miss Miller, Government Delegates of the United States of America.

Whereas the presence of a large body of unemployed workers throughout times of prosperity was recognised as a major social problem in many industrial countries even before the present depression;

Whereas in the economic recovery now proceeding in many countries reemployment appears to be lagging behind rising production, thus pointing toward a continuance of serious unemployment of a structural rather than a cyclical type;

Whereas many countries concerned about the extent and persistence of this type of unemployment and interested in taking measures to combat it are desirous of obtaining more knowledge of the character and causes of unemployment in general and of so-called " technological unemployment " in particular;

Therefore, the Conference requests the Governing Body to direct the International Labour Office, in proceeding with its systematic studies of unemployment, especially to enquire into the effects of technological progress upon employment, and to indicate the different measures used or proposed which might be worth undertaking nationally and internationally in order to assure the security of workers, and so to harmonise the economic and social structure and the progress of technology that the economic order shall be put on the sound basis of participation in its benefits by the whole of the working population.

Resolution concerning an enquiry into conditions of work in textile industries, submitted by Mr. Kono, Japanese Workers' Delegate.

The Conference requests the Governing Body to consider the advisability of taking the necessary action to give effect to the resolution adopted by the International Labour Conference in 1928, requesting an enquiry into the conditions of work of persons employed in textile industries.

Resolution concerning methods to promote the industrial development of the various countries, submitted by Mr. Fulay, Indian Workers' Delegate.

Whereas the placing of large quantities of the manufactured goods of one country in another, especially at very low prices, regardless of the effect thereof on the wages and employment of workers in countries receiving such goods, results in their standard of living being adversely affected;

The Twentieth Session of the International Labour Conference invites the Governing Body to investigate the problems concerned and to study the methods by which the normal industrial development of all countries may be promoted with a view to raising the the standards of living generally.



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INTERNATIONAL LABOUR OFFICE

OFFICIAL BULLETIN

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INTERNATIONAL LABOUR OFFICE

OFFICIAL BULLETIN

30 November 1936.

Vol. XXI. No. 4.

Twenty-first and Twenty-second Sessions of the International Labour Conference. (October 1936)

*The following letter has been addressed to the Governments of the
Members of the International Labour Organisation :*

Geneva, 14 July 1936.

I. *Twenty-second Session, Geneva, 22 October 1936.*

Sir,

I have the honour to confirm the telegram relating to the date and agenda of the Twenty-second Session of the International Labour Conference which I addressed to you on 22 June 1936 in the following terms :

“Reference my letter 28 May 1936 date of twenty-second session confirmed. Agenda partial revision Convention Number 7 on first raising minimum age from 14 to 15 years and any related revision of exceptions secondly revision standard articles five to twelve.”

2. Notice of the convocation of the Twenty-second Session of the Conference was given in Part II of my letter (D 621/000, 622/000) of 28 May 1936, subject to confirmation in accordance with the final decision on the subject to be taken by the Governing Body of the International Labour Office. The Governing Body on 22 June 1936, in the course of its Seventy-sixth session, confirmed its previous decision fixing 22 October 1936 as the date of opening of the Twenty-second Session of the Conference and decided, in accordance with Article 7a, paragraph 7, of its Standing

Orders to place on the agenda of that session the question of the partial revision of the Convention fixing the minimum age for the admission of children to employment at sea (No. 7), adopted by the Second (1920) Session of the Conference, in respect to the following points :

(i) The raising of the minimum age from 14 to 15 years and any related revision of the exceptions provided in the Convention;

(ii) The substitution for Articles 5 to 12 of the 1920 Convention of the standard articles included in the Draft Conventions submitted to the Conference at its Twenty-first Session.

3. The revision of the Convention will, in accordance with Article 6*a*, paragraph 1, of the Standing Orders of the Conference, be restricted to revision in respect of the questions placed on the agenda of the Session by the Governing Body.

4. In compliance with the same Article of the Standing Orders, the International Labour Office will submit to the Conference draft amendments to the Convention corresponding to the questions in respect of which the proposal for revision has been placed on the agenda. A report embodying these draft amendments will be despatched to Governments as soon as practicable.

II. *Twenty-first Session, Geneva, 6 October 1936.*

5. I take this opportunity of bringing to your notice a further decision taken by the Governing Body during its Seventy-sixth Session, which relates to the Joint Maritime Commission of the International Labour Office. The Governing Body agreed that the shipowners' and seamen's groups at the Twenty-first Session of the Conference should be requested to appoint the members of the respective groups to sit on the Joint Maritime Commission, taking account of the resolution adopted by the Governing Body at its Thirty-fifth Session concerning the inclusion of extra-European members in the Commission. This resolution was in the following terms :

"The Governing Body approves the proposal of the Joint Maritime Commission recommending that the number of its members be increased from ten to fourteen; and recommends that, in order that the Commission should be truly representative of maritime employers and workers in all parts of the world, at least four of the fourteen regular members shall, from the date of the next elections, be nationals of non-European countries."

I have the honour to be, etc.,

For the Director :
E. J. PHELAN,
Assistant Director.

Seventy-sixth Session of the Governing Body of the International Labour Office.

The Governing Body of the International Labour Office held its Seventy-sixth Session on 2 and 22 June 1936, under the Chairmanship of Mr. Riddell.

The agenda of the Session was as follows :

1. Approval of the minutes of the Seventy-fifth Session.
2. Report of the Committee on Freedom of Association.
3. Report of the Standing Orders Committee.
4. Method of appointing the shipowners' and seamen's members of the Joint Maritime Commission (Mr. Mertens' proposal).
5. The Director's Report.
6. Report of the Officers of the Advisory Committee on Professional Workers.
7. Record of the meeting of the Advisory Committee on Management.
8. Record of the meeting of the Sub-Committee on Automatic Coupling.
9. Report of the Finance Committee.
10. Date and place of the next session.
11. Report of the Committee on Agricultural Work.
12. Possibility of placing on the agenda of the Conference the revision of the Conventions concerning the minimum age of admission to industrial employment, non-industrial employment, employment in agriculture and employment at sea.

The composition of the Governing Body was as follows :

Government representatives :

Mr. RIDDELL (*Canada*), Chairman;
 Mr. RICE (*United States of America*);
 Mr. RUIZ GUIÑAZÚ (*Argentina*);
 Mr. MUNIZ (*Brazil*);
 Mr. LI PING-HENG (*China*);
 Mr. DE BUEN (*Spain*);
 Mr. MANNIO (*Finland*);
 Mr. DE MICHELIS (*Italy*);
 Mr. DELAUNEY (*France*);
 Mr. LEGGETT (*Great Britain*);
 Sir Bhupendra Nath MITRA (*India*);

MR. YOSHISAKA (*Japan*);
 MR. ESTRADA CAJIGAL (*Mexico*);
 MR. JURKIEWICZ (*Poland*);
 MR. NEČAS (*Czechoslovakia*);
 MR. MARKUS (*Union of Soviet Socialist Republics*).

Employers' representatives :

MR. ERULKAR (*India*);
 MR. FOLSOM (*United States of America*);
 MR. FORBES WATSON (*Great Britain*);
 MR. GILARDI (*Italy*);
 MR. OERSTED (*Denmark*);
 MR. TAKEUCHI (*Japan*);
 MR. TZAUT (*Switzerland*);
 MR. WALINE (*France*).

Workers' representatives :

MR. DRAPER (*Canada*);
 MR. FORSLUND (*Sweden*);
 MR. JENSEN (*Denmark*);
 MR. JOUHAUX (*France*);
 MR. KUPERS (*Netherlands*);
 MR. MERTENS (*Belgium*);
 MR. RIEVE (*United States of America*);
 MR. SCHÜRCH (*Switzerland*).

The following deputy members were also present :

Government deputy members :

MR. MAHAIM (*Belgium*);
 MR. BRAMNAES (*Denmark*);
 MR. SONIN (*Estonia*);
 MR. STORVOLD (*Norway*);
 MR. YEREMITCH (*Yugoslavia*).

Employers' deputy members :

MR. CAMUZZI (*Austria*);
 MR. CURČIN (*Yugoslavia*);
 MR. GÉRARD (*Belgium*);
 MR. JUNOY RABAT (*Spain*);
 MR. KNOB (*Hungary*);
 MR. MOLENAAR (*Netherlands*);
 MR. TURNER (*Union of South Africa*);
 MR. VANĚK (*Czechoslovakia*).

Workers' deputy members :

MR. BACKLUND (*Sweden*);
 MR. KREKITCH (*Yugoslavia*);
 MR. KRIER (*Luxemburg*);

Mr. NĚMEČEK (*Czechoslovakia*);
 Mr. PEYER (*Hungary*);
 Mr. SCHEVENELS (*Belgium*);
 Mr. SERRARENS (*Netherlands*).

Report of the Committee on Freedom of Association.

The Governing Body adopted the report of its Committee on Freedom of Association, which suggested that, in order to give effect to a resolution adopted by the International Labour Conference at its Nineteenth (1935) Session, the question of the protection of the right of association should be placed on the agenda of an early session of the Conference.

In accordance with the conclusions, of the report, the Governing Body decided to consider the question of safeguarding the right of association of individual workers with a view to its possible inclusion in the agenda of an early session of the Conference.

Report of the Standing Orders Committee.

After considering the report of its Standing Orders Committee, the Governing Body adopted various amendments to its Standing Orders relating to the election of the Chairman. Under the amended Standing Orders the Chairman of the Governing Body may be chosen from among any one of the three groups. He will not be re-eligible until three years after he ceases to hold office. The new rules will come into force at the session to be held in the autumn of 1936.

Method of appointing the shipowners' and seamen's members of the Joint Maritime Commission.

The Governing Body adjourned until its Seventy-seventh Session the discussion of the method by which the shipowners' and seamen's members of the Joint Maritime Commission should be appointed.

It was agreed that at the Maritime Session of the International Labour Conference to be held in the autumn of 1936 the shipowners' and seamen's groups should be requested to appoint the members of their respective groups to sit on the Joint Maritime Commission, taking account of the resolution previously adopted by the Governing Body concerning the proportion of extra-European members of the Commission.

The Director's Report.

Technical Committee on Glass Works.—The Governing Body decided that a meeting of the Technical Committee on Glass Works should take place in connection with the autumn session of the Governing Body.

Migration Committee.—The Governing Body noted that it had

authorised the Director to call a meeting of the Migration Committee before the end of 1936.

Committee on Agricultural Work.—The Governing Body decided that the Committee on Agricultural Work should meet in connection with the Seventy-seventh Session of the Governing Body to consider definite proposals to be submitted to the Governing Body regarding the exact composition of the Tripartite Agricultural Committee which it had been decided to set up.

Advisory Committee on Salaried Employees.—The Governing Body decided that a meeting of the Advisory Committee on Salaried Employees should be held before the end of 1936. The agenda would be as follows :

1. Termination of contracts of employment of salaried employees (period of notice and indemnity on discharge).
2. Statistical study of the number of salaried employees.
3. Use of office machines and its effect on the conditions of employment of the staff.
4. Regulation of health conditions in shops and offices.

Correspondence Committee on Industrial Hygiene.—The Governing Body authorised the Director to call a meeting of a certain number of experts belonging to the Correspondence Committee on Industrial Hygiene from 21 to 23 September 1936 in order to discuss the following points :

1. Miners' nystagmus.
2. Draft regulations for the prevention of ankylostomiasis.
3. Extension of the schedule of occupational diseases:
 - (a) Poisoning by chlorine and its compounds.
 - (b) Poisoning by nitrous vapours.
 - (c) Lesions of the mucous membranes.
4. Dangers of disinfestation in agriculture and horticulture.
5. Health standards for office work.
6. The system of "blanket coverage" in compensation for occupational diseases.
7. Miscellaneous questions.

Executive Committee of the Advisory Correspondence Committee on Workers' Spare Time.—The Governing Body decided that the Executive Committee of the Advisory Correspondence Committee on Workers' Spare Time should meet in connection with the Seventy-seventh Session of the Governing Body in order to make proposals to the Governing Body concerning the composition of the Advisory Correspondence Committee on Workers' Spare Time which the Governing Body had decided at its Seventy-fifth Session to set up.

Replacement of Mr. Ruiz Manent on the various Committees of which he was a member.—The Governing Body appointed Mr. de Buen, Spanish Government representative, to replace Mr. Ruiz Manent on the following Committees of which he was a member.

As a regular member :

Finance Committee;
 Committee on Conditions of Work in Coal Mines;
 Committee on Freedom of Association;
 Correspondence Committee on Accident Prevention;
 Committee on Automatic Coupling;
 Advisory Committee on Management.

As a substitute :

Standing Orders Committee;
 Committee on Conditions of Work in the Textile Industry;
 Advisory Committee on Professional Workers.

Appointment of substitutes for workers' members on various Committees.—The Governing Body appointed the following persons as substitutes for members of the workers' group on the various Committees :

Finance Committee : Mr. Němeček and Mr. Jensen.
 Preparatory Sub-Committee on Handicraftsmen : Mr. Kupers.
 Committee on Social Charges : Mr. Schürch.
 Committee on Cost of Living and Wages Statistics : Mr. Kupers.
 Committee on Freedom of Association : Mr. Serrarens.
 Joint Maritime Commission : Mr. Jouhaux to replace Mr. Yonekubo as substitute for Mr. Hayday, representative of the Governing Body on the Commission.
 Sub-Committee on Automatic Coupling : Mr. Forslund.

Executive Committee of the Correspondence Committee on Workers' Spare Time.—The Governing Body decided at its Seventy-fifth Session that the Advisory Correspondence Committee on Workers' Spare Time which it was to set up was to have an Executive Committee which would consist of six members of the Governing Body. The Governing Body appointed the following members to constitute the Executive Committee :

Government group :

Regular members : Mr. de Michelis; Mr. Yoshisaka.
 Substitute : Mr. Rice.

Employers' group :

Regular members : Mr. Olivetti; Mr. Tzaut.
 Substitutes : Mr. Camuzzi; Mr. Lecocq.

Workers' group :

Regular members : Mr. Jouhaux; Mr. Serrarens.
 Substitutes : Mr. Němeček; Mr. Schürch.

Representation of the Governing Body on the Committee of Experts on Native Labour.—The Governing Body decided at its Seventy-fifth Session that it would be represented by one member from each group on the Committee of Experts on Native Labour. At its Seventy-sixth Session it appointed the following persons to represent it on this Committee :

Government group :

Regular member : Mr. Bandeira de Mello.
Substitute : Mr. Estrada Cajigal.

Employers' group :

Regular members : Mr. Gemmill.
Substitute : Mr. Gérard.

Workers' group :

Regular member : Mr. Jouhaux.
Substitute : Mr. Kupers.

Representation of the Government group on the Correspondence Committee on Social Insurance.—The Governing Body decided at its Seventy-fourth Session (February 1936) that it would be represented on this Committee by three members, one from each group. The representatives of the employers' and workers' groups have already been appointed. At its Seventy-sixth Session the Governing Body appointed the following members of the Government group to represent it on the Correspondence Committee on Social Insurance :

Regular member : Mr. Nečas.
Substitute : Mr. Mannio.

Representation of the Governing Body at the Preparatory Technical Tripartite Meetings concerning the reduction of hours of work in the chemical industry and in printing and kindred trades.—The Governing Body decided at its Seventy-fifth Session that it would be represented by three members, one from each group, at the Preparatory Technical Tripartite Meetings which are to be held concerning the reduction of hours of work in the chemical industry and in printing and kindred trades.

At its Seventy-sixth Session the Governing Body appointed the following members to represent the Governing Body at these meetings :

Government group :

The Chairman of the Governing Body in office at the time of the two meetings, or, if the Chairman is not a member of the Government group, the Government Vice-Chairman.

Workers' group :

For the meeting concerning printing and kindred trades :
Regular member : Mr. Mertens; substitute : Mr. Němeček.
For the meeting concerning the chemical industry : Regular member : Mr. Kupers; substitute : Mr. Serrarens.

It was agreed that the representatives of the employers' group should be appointed at a subsequent session.

Correspondence Committee on Accident Prevention.—The Governing Body appointed Mr. Henry Grant Winbolt, Assistant Secretary, Industrial Section of the National Safety First Association (British), and Mr. James Hackett, of the New York State Department of Labor, as members of the Correspondence Committee on Accident Prevention.

Correspondence Committee on Industrial Hygiene.—The Governing Body appointed Mr. Desvaux, factory inspector, in charge of the study of industrial hygiene questions in the French Ministry of Labour, as a member of the Correspondence Committee on Industrial Hygiene.

Renewal of appointment of members of Committees.—The Governing Body appointed for a further period of three years the members of the following Committees :

Committee of Experts on Native Labour.

Mr. Nobumi Ito (Japanese).

Correspondence Committee on Social Insurance.

Mr. Jerram (New Zealand).

Preparatory Technical Tripartite Meeting on reduction of hours of work in printing and kindred trades.—The Governing Body decided that the States Members in which the number of wage-earners employed in printing and kindred trades exceeded 15,000 should be invited to the Preparatory Technical Tripartite Meeting concerning the reduction of hours of work in printing and kindred trades. It was further agreed that other States with a large printing industry might take part in the meeting if they so desired.

Meeting of the Preparatory Co-ordination Committee on Agricultural Education.—The Governing Body considered the report on the work of the Preparatory Co-ordination Committee on Agricultural Education which had met on 30 April and 1 May 1936. It approved the arrangement reached between the International Institute of Agriculture and the International Labour Office on the one hand, and the private agricultural organisations represented on the Preparatory Co-ordination Committee on the other hand, according to which international co-ordination with regard to agricultural education between private international organisations is to be entrusted to the International Institute of Agriculture, which will be informed of all the action taken by private organisations with regard to congresses, enquiries among Governments, etc., and which, in agreement with the International Labour Office, will take the necessary steps to realise practical co-ordination. The work of co-ordination will be

carried out either by the International Institute of Agriculture or by the Office according to their competence in the matter. In cases of doubt the question will be referred to the Mixed Advisory Agricultural Committee.

Meeting of Social Insurance Experts.—The Governing Body authorised the Director to call a meeting of social insurance experts in November 1936 to consider the following question: “Methods of estimating permanent incapacity for work in social insurance.”

Advisory Committee on Salaried Employees.—The Governing Body appointed Mr. J. Nauta, President of the Christian Union of Salaried Employees of the Netherlands, as a member of the Advisory Committee on Salaried Employees in place of Mr. Brost (German), who had resigned.

Report of the Officers of the Advisory Committee on Professional Workers.

The Governing Body approved the report of the Officers of the Advisory Committee on Professional Workers on its meeting held on 25 April 1936.

The Governing Body accordingly decided that the following questions might be placed on the agenda of the Advisory Committee on Professional Workers:

Protection of titles and professional organisation for chartered accountants;

Compensation for professional workers whose posts are abolished after long service, owing to the reorganisation of an undertaking;

Study of the application to professional workers of the protective measures laid down in the Conventions adopted by the International Labour Conference.

The Governing Body also decided to instruct the International Labour Office to undertake a preliminary study of the question of the moral right of professional workers in receipt of a salary over their creations in the sphere of applied arts. It will be decided subsequently whether this question should be placed on the agenda of the Advisory Committee on Professional Workers.

The Governing Body also instructed the International Labour Office to submit a report to the Governing Body at its Seventy-seventh Session on the basis of which the Governing Body could be asked to declare its intentions with regard to the question of the rights of performers as regards broadcasting and the mechanical reproduction of sounds and images.

Record of the Meeting of the Advisory Committee on Management.

The Governing Body adopted the report of the Advisory Committee on Management, which had met on 27 April 1936.

The report laid down the lines on which the International Labour Office should pursue its studies of questions relating to management.

Record of the Meeting of the Sub-Committee on Automatic Coupling

The Governing Body took note of the record of the meeting of the Sub-Committee on Automatic Coupling held on 28 April 1936. In accordance with the Sub-Committee's suggestion, it decided to send a questionnaire to the Governments of the European countries and also to the Governments of the extra-European countries principally concerned, with a view to obtaining more definite information concerning the various automatic coupling systems at present in use.

Report of the Finance Committee.

The Governing Body approved the report of its Finance Committee dealing with various questions relating to the financial administration of the Office.

Date and place of the next session.

The Governing Body decided that its Seventy-seventh Session should open on 12 November 1936 at Geneva.

Revision of the Minimum Age Conventions.

The Governing Body decided to place on the agenda of the 1937 Session of the Conference the question of the revision in whole or in part of the Minimum Age (Industry) Convention and the Minimum Age (Non-Industrial Employment) Convention. It adjourned until its Seventy-seventh Session its decision as regards the exact terms of the questions to be placed on the agenda of the Conference in this connection.

The Governing Body decided to place the following question on the agenda of the Twenty-second (Maritime) Session of the Conference which was to open on 22 October 1936 :

Partial revision of the Minimum Age (Sea) Convention, 1920, with reference to the following points :

(1) The raising of the minimum age from 14 to 15 years and any related revision of the exceptions provided in the Convention;

(2) Substitution for Articles 5 to 12 of the 1920 Convention of the standard articles included in the Draft Conventions submitted to the Conference at its Twenty-first Session.

The Governing Body decided to adjourn until its Seventy-seventh Session its decision concerning the revision of the Minimum Age (Agriculture) Convention.

Official Action on the Decisions of the International Labour Conference.

Australia.

Recommendation (No. 45) concerning unemployment among young persons (1935).

By letter of 13 October 1936 the Secretary-General of the League of Nations communicated to the Office a copy of a letter in which the Minister of External Affairs of the Commonwealth of Australia informed him, in accordance with paragraph 6 of Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, of the action taken by certain State Governments in respect of the above-named Recommendation.

The letter from the Minister of External Affairs is as follows :

Canberra, 3 September 1936.

Sir,

With reference to your C.L.135.1935.V, relative to the Draft Conventions and Recommendations adopted by the International Labour Conference at its 19th Session, I have the honour, by direction, to furnish herewith copies of communications from the following State Governments in the matter : New South Wales, 25th February, 1936 and 24th July, 1936, Western Australia, 27th March, 1936, and Tasmania, 13th January, 1936.

I have the honour to be, etc.

(Signed) W. R. HODGSON,
Secretary.

The communications from the State Governments, so far as they refer to Recommendation No. 45, are as follows :

I.

OBSERVATIONS BY THE GOVERNMENT OF NEW SOUTH WALES.

Unemployment among young persons.

Articles 1 to 15.

The matters dealt with by Articles 1 to 15 concern the Department of Education and a copy of the Recommendation has been forwarded to that Department for consideration with a request that any observations which it may be thought necessary should be made direct to the Premier's Department.

Articles 16 and 18.

The Government has established an organisation known as the Young Citizens Movement, the object of which is to provide services of the nature mentioned in the Recommendation. There are branches in the different

suburbs of Sydney and in other large towns of the State. The Government provides the salaries of Organisers and Instructors who are attached to each branch or group of branches. There are at present 15 organisers and 12 teachers employed in carrying out the purposes of the movement. In addition, voluntary services are given by a large number of public-spirited persons.

From the beginning of 1933 to the end of 1935, 4,823 young persons have been enrolled as members of the Association. Of this number 3,987 have been placed in employment through the instrumentality of the Association. The recreational side is looked after by the arrangement of competitions in cricket, football and other sports.

II.

Letter from the Acting Premier of New South Wales to the Prime Minister of the Commonwealth of Australia.

Sydney, 24 July 1936.

Dear Sir,

I refer to my communication of the 25th February last, following upon your circular letter of the 28th November, 1935, relative to the Draft Conventions and Recommendation adopted at the Nineteenth Session of the International Labour Conference.

I now forward herewith for the information of the International Labour Office a statement as to the position in regard to articles 1 to 15 of the Recommendation concerning unemployment among young persons. I regret that there has been some delay in furnishing this information.

As regards the question generally of raising the school leaving age to 15 years, I might mention that the matter is one to which the Government of New South Wales has given a good deal of consideration. It is obvious, however, that such a course of action would involve the State in very heavy additional expenditure and, in any case, it is thought that, in view of the desirability of uniform action, any further steps in the direction of raising the school leaving age should be the subject of discussion between the various States.

Yours faithfully,

(Signed) M. F. BRUXNER,
Acting Premier.

Observations by the Government of New South Wales.

(The figures represent the Section of the Recommendation.)

1. This matter is at present receiving the careful consideration of the Government. There are, however, many difficulties involved, particularly the fact that very heavy additional expenditure would be required. It would appear desirable also that any action taken should be uniform throughout the Commonwealth and that with this object in view the matter should first be discussed at a conference between the various States.

2. (1) Considered desirable, but consideration will need to be given to the additional expenditure involved.

2. (2) The definition appears to be quite satisfactory.

2. (3) The need for close co-operation between education and the placing of juveniles in employment is fully recognised. There is no scheme of unemployment insurance in operation in New South Wales.

3. Considered to be quite satisfactory.

4. See reply to Article 1 above. At the present time attendance at school is compulsory in this State to the age of 14 years.

5. The necessity for such a provision is recognised and this, by reason of the additional expense, constitutes one of the difficulties in immediately taking action to raise the school leaving age.

6. This recommendation commends itself to the Government.
7. (1) Steps to this end are already being taken.
7. (2) No fees are charged in New South Wales in connection with primary or secondary schools. The fees paid for technical education are very small and do not meet the cost of providing the education. Fees are remitted when the financial circumstances of the parents preclude their payment.
8. The desirability of this recommendation being adopted is appreciated, but the heavy additional expenditure involved prevents action being taken at present.
9. (1) The desirability of this recommendation being adopted is appreciated, but any action in the direction proposed is dependent upon funds being available to meet the additional expenditure involved.
9. (2) This is now being done wherever possible.
9. (3) Effect is being given to this recommendation in connection with any schemes in operation in New South Wales.
10. No action along these lines has been taken in New South Wales.
11. (1) and (2). The proposal contained in this recommendation is partly met in this State by the Organisation, which has been established by the Government, known as the Young Citizens' Movement, which provides educational, vocational and recreation facilities.
12. (1) The desirability of this recommendation is recognised.
12. (2) The terms of this recommendation will be kept in view in connection with any additional appointments.
13. This recommendation will be kept in view, but the additional expenditure involved precludes its adoption at the present time.
14. The terms of this recommendation are noted and will be kept in view. The difficulties in the way of its adoption in its entirety are, however, very great.
15. The desirability of this recommendation is recognized and it will receive consideration in the light of available funds.

OBSERVATIONS BY THE GOVERNMENT OF TASMANIA.

Hobart, 13 January 1936.

Dear Sir,

I beg to inform you that attention has been given to your circular letter of the 28th November, in which you ask for information as to the extent of the provisions of the Draft Conventions and Recommendation adopted at the Nineteenth Session of the International Labour Conference held at Geneva this year, are covered by existing legislation in this State.

This matter was referred to the Departments concerned, and I now desire to submit the following replies to the questionnaire :

Recommendation (No. 45) concerning Unemployment among Young Persons.

Everything possible is done to induce youths above the leaving age to attend secondary schools.

The Education Department favours the leaving age being increased from 14 to 15 years, but no action has yet been taken by the Government in this matter.

During the worst of the depression the Department instituted unemployed youths' occupational classes, which were well attended. The majority of the youths who attended the classes are now employed, and the classes have been discontinued.

There is no legislation in this State making attendance at Continuation Courses compulsory. Technical schools provide such courses, but the attendance is voluntary.

Yours faithfully,

(Signed) A. G. OGILVIE,
Premier.

OBSERVATIONS BY THE GOVERNMENT OF WESTERN AUSTRALIA.

Perth, 27 March 1936.

Dear Sir,

With reference to your letter of the 28th November last, forwarding texts of the Draft Conventions and Recommendation adopted at the Nineteenth Session of the International Labour Conference held at Geneva last year, I now have to advise you as under :

Information on the question of the minimum age for leaving school, etc., was forwarded to the Prime Minister under cover of letter dated 11th February, 1936, in connection with the Resolutions adopted by the Advisory Committee of the International Labour Office.

(Note : See letter from Department of External Affairs to the International Labour Office dated 18th February, 1936).¹

Yours faithfully,

(Signed) P. COLLIER,
Premier.

Recommendation (No. 44) concerning unemployment insurance and various forms of relief for the unemployed (1934).

By letter of 26 October 1936 the Secretary-General of the League of Nations communicated to the Office a copy of a letter in which the Minister for External Affairs of the Commonwealth of Australia informed him, in accordance with paragraph 6 of Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, of the action taken by the Government of Queensland in respect of the above-named Recommendation.

The letter from the Minister for External Affairs, so far as it concerns the Recommendation, is as follows :

Canberra, 17 September 1936.

Sir,

In continuation of previous correspondence relative to action taken in respect of the Conventions and Recommendations adopted at the Eighteenth Session of the International Labour Conference, I have the honour, by direction, to furnish the further information hereunder, which has been received from the Queensland Government.

Recommendation No. 44 concerning unemployment insurance and various forms of relief for unemployed.

Compulsory insurance against unemployment is already operative in the State of Queensland.

I have the honour to be, etc.,

(Signed) W. R. HODGSON,
Secretary.

¹ This letter referred to the conditions of employment of salaried employees.

Austria.*Formal Ratification of the Convention (No. 17) concerning workmen's compensation for accidents (1925).*

By letter of 21 August 1936, the Secretary-General of the League of Nations informed the Office that the Envoy Extraordinary and Minister Plenipotentiary, Permanent Representative of Austria accredited to the League of Nations, had deposited with the Secretariat of the League of Nations, in accordance with Article 350 of the Treaty of St. Germain and the corresponding articles of the other Treaties of Peace, the formal ratification of the above-mentioned Convention by the Federal Government of Austria.

In accordance with Article 351 of the Treaty of St. Germain and the corresponding articles of the other Treaties of Peace, this ratification was registered by the Secretariat of the League of Nations on 21 August 1936.

The instrument of ratification of the Convention by the Federal Government of Austria is as follows :

(Translation.)

The Federal President of Austria declares that the Convention concerning workmen's compensation for accidents, adopted in Geneva on 10 June 1925, which is in the following terms

(Here follows the text of the Convention)

is ratified, and promises on behalf of Austria that it will be faithfully carried out.

In Faith whereof, the present ratification has been signed by the Federal President, countersigned by the Federal Chancellor and the Federal Minister of Social Administration, and sealed with the Seal of State of the Austrian Confederation.

Done at Vienna, 24 July 1936.

(Signed) MIKLAS,
Federal President.

(Signed) SCHUSCHNIGG,
Federal Chancellor.

(Signed) Dr. RESCH,
Federal Minister of Social Administration.

Brazil.

Formal ratification of the Conventions (No. 7) fixing the minimum age for admission of children to employment at sea, 1920, (No. 16) concerning the compulsory medical examination of children and young persons employed at sea, 1921, (No. 41) concerning the employment of women during the night (revised 1934), and (No. 42) concerning workmen's compensation for occupational diseases (revised 1934).

By letter of 11 June 1936 the Secretary-General of the League of Nations informed the Office that the Envoy Extraordinary and Minister Plenipotentiary of the United States of Brazil at Berne had communicated to him, in accordance with Article 405 of the Treaty of Versailles and the corresponding articles of the

other Treaties of Peace, the formal ratification by his Government of the above-mentioned Conventions.

In accordance with Article 406 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, this ratification was registered by the Secretariat on 8 June 1936.

The letter by which the Envoy Extraordinary and Minister Plenipotentiary of the United States of Brazil at Berne communicated the formal ratification of these Conventions to the Secretary-General of the League of Nations is as follows :

(Translation.)

Berne, 6 June 1936.

Sir,

I have the honour to transmit to your Excellency, for preservation at the General Secretariat of the League of Nations, the four instruments of ratification of the following Conventions approved by the General Conference of the Labour Organisation at its meetings at Genoa in 1920 and at Geneva in 1921 and 1934, the texts of which have been approved by the Legislative Power of Brazil :

(a) Convention (No. 7) fixing the minimum age for the admission of children to employment at sea;

(b) Convention (No. 16) concerning the compulsory medical examination of children and young persons employed at sea;

(c) Convention (No. 41) concerning the employment of women during the night (revised 1934);

(d) Convention (No. 42) concerning workmen's compensation for occupational diseases (revised 1934).

I should be grateful if you would be good enough to give instructions for a copy of the certificate of deposition of these documents to be sent to me for transmission to my Government.

Thanking you in advance,

I have the honour to be, etc.

(Signed) NABUCO DE GOUVÊA.

The instrument of ratification of the Convention fixing the minimum age for admission of children to employment at sea, 1920, is as follows :

(Translation.)

GETULIO DORNELLES VARGAS,

President of the Republic of the United States of Brazil,

Make known to all who shall see the present letter of ratification that the General Conference of the International Labour Organisation, having met at Genoa on 15 June 1920, and having adopted various Draft Conventions, Brazil has decided to adopt the following :

(Here follows the text of the Convention in Portuguese and in French.)

And declaring that the Convention, the text of which is reproduced above, is approved, We ratify it as, by the present letter, We declare it in force and valid in order that it may take full effect and be faithfully observed.

In faith whereof We have issued the present letter signed by Our Hand, sealed with the Seal of the Arms of the Republic, and countersigned by the Minister of State for External Relations.

Given at the Palace of the Presidency at Rio de Janeiro D.F. this tenth day of the month of March, One thousand nine hundred and thirty six, the 115th of independence and 48th of the Republic.

(Signed) GETULIO VARGAS.

(Signed) JOSÉ CARLOS DE MACEDO SOARES.

The instrument of ratification of the Conventions concerning the compulsory medical examination of children and young persons employed at sea, employment of women during the night (revised) and workmen's compensation for occupational diseases (revised) are in similar terms.

Cuba.

Formal ratification of the Convention (No. 42) concerning workmen's compensation for occupational diseases (revised 1934).

By letter of 23 October 1936 the Secretary-General of the League of Nations informed the Office that by letter of 21 October 1936 the Permanent Delegate of the Republic of Cuba accredited to the League of Nations had communicated to him, in accordance with Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, the formal ratification by the Government of the Republic of Cuba of the above-named Convention.

In accordance with Article 406 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, this ratification was registered by the Secretariat on 22 October 1936.

The letter from the Permanent Delegate of the Republic of Cuba to the Secretary-General of the League of Nations is as follows :

(Translation.)

Geneva, 21 October 1936.

Sir,

I have the honour to communicate to you, for deposit and registration, the instrument of ratification of the Convention concerning workmen's compensation for occupational diseases (revised 1934), adopted by the International Labour Conference at its Eighteenth Session, held at Geneva in June 1934.

I have the honour to be, etc.

(Signed) G. DE BLANCK.

The instrument of ratification is as follows :

(Translation.)

JOSÉ A. BARNET Y VINAGERAS,

Provisional President of the Republic of Cuba,

To all who may see these presents, make known :

Whereas a Draft Convention concerning workmen's compensation for occupational diseases (revised 1934) was adopted by the International Labour Conference held at Geneva (Switzerland) from 4 to 23 June 1934;

Whereas the above-named instrument was accepted by the representatives of the Republic of Cuba and approved by the Council of Ministers on 31 March of the present year;

Whereas the text of the said Draft Convention as drafted in English and French and translated into Spanish is as follows :

(Here follows the text of the Convention in Spanish.)

For these reasons We declare that We ratify the foregoing Convention in all its parts, promising that it shall be applied and observed in all points.

In faith whereof We issue these present letters signed by Our hand, sealed with the Great Seal of the Nation and countersigned by the acting

Secretary of State, in order that they may be registered and deposited in the archives of the General Secretariat of the League of Nations, in accordance with the provisions of Article 3 of the Convention and Article 18 of the Covenant of the League of Nations.

Given at Havana at the Palace of the Presidency this second day of the month of May one thousand nine hundred and thirty-six.

(Signed) J. A. BARNET,
President.

(Signed) ECHARTE,
Secretary for Public Works,
Acting Secretary of State.

Great Britain.

Recommendation (No. 43) concerning the general principles of invalidity, old-age and widows' and orphans' insurance (1933).

By letter of 30 June 1936 the Secretary-General of the League of Nations communicated to the Office a copy of a letter in which His Majesty's Secretary of State for Foreign Affairs in Great Britain informed him, in accordance with paragraph 6 of Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, of the action taken by His Majesty's Government in the United Kingdom in respect of the above-named Recommendation.

The letter from His Majesty's Secretary of State for Foreign Affairs in Great Britain is as follows :

London, 23 June 1936.

Sir,

With reference to your letter No. C.L. 135. 1935. V of the 21st September, 1935 enclosing a certified copy of the draft Conventions and Recommendation adopted by the International Labour Conference at its Nineteenth Session, I am directed by Mr. Secretary Eden to inform you that His Majesty's Government in the United Kingdom have decided not to ratify the draft Convention concerning the establishment of an International Scheme for the Maintenance of Rights under Invalidity, Old-Age and Widows' and Orphans' Insurances, adopted at this Session of the Conference.

2. Copies of Command Paper No. 5141 which sets out the decision of His Majesty's Government in respect of this Recommendation are enclosed herein.

I am, Sir, etc.

(Signed) P. LEIGH-SMITH.

The passage in Command Paper No. 5141 referring to the Recommendation is as follows :

Recommendation concerning the general principles of invalidity, old-age and widows' and orphans' insurance.

The above recommendation was adopted by the International Labour Conference at its Seventeenth Session in 1933 and the English and French texts were submitted to Parliament in Command 4429. It sets forth certain general principles on which invalidity, old-age and widows' and orphans' insurance should be organised.

His Majesty's Government are not prepared at the present time to accept this recommendation, which, if carried out in this country, would require changes in the contributory pensions scheme involving heavy expenditure.

Formal ratification of the Conventions (No. 35) concerning compulsory old-age insurance for persons employed in industrial or commercial undertakings, in the liberal professions, and for outworkers and domestic servants, (No. 36) concerning compulsory old-age insurance for persons employed in agricultural undertakings, (No. 37) concerning compulsory invalidity insurance for persons employed in industrial or commercial undertakings, in the liberal professions, and for outworkers and domestic servants, (No. 38) concerning compulsory invalidity insurance for persons employed in agricultural undertakings, (No. 39) concerning compulsory widows' and orphans' insurance for persons employed in industrial or commercial undertakings, in the liberal professions, and for outworkers and domestic servants and (No. 40) concerning compulsory widows' and orphans' insurance for persons employed in agricultural undertakings.

By letter of 21 July 1936 the Secretary-General of the League of Nations informed the Office that by letter of 14 July 1936 His Majesty's Secretary of State for Foreign Affairs in Great Britain had communicated to him, in accordance with Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, the formal ratification by His Majesty's Government in the United Kingdom of the above-named Conventions.

In accordance with Article 406 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, these ratifications were registered by the Secretariat on 18 July 1936.

In the same letter the Secretary of State for Foreign Affairs informed the Secretary-General of the League of Nations, in accordance with paragraph 6 of Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, of the action taken by His Majesty's Government in the United Kingdom in respect of the above-named Recommendation.

The letter from the Secretary of State for Foreign Affairs to the Secretary-General of the League of Nations is as follows :

Sir,

London, 14 July 1936.

I am directed by the Secretary of State for Foreign Affairs to transmit to you herewith, in accordance with the provisions of Article 405 of the Treaty of Versailles, copies of Orders of Council formally confirming and approving the Conventions concerning old-age, invalidity and widows' and orphans' insurance in industry and agriculture, adopted by the International Labour Conference at its 17th Session in June 1933.

2. With reference to the Recommendation concerning the general principles of old-age, invalidity and widows' and orphans' insurance, adopted by the International Labour Conference at its 17th Session in June, 1933, I am to inform you that His Majesty's Government in the United Kingdom are not prepared at the present time to accept this Recommendation. Copies of Command Paper 5141, in which this decision is set out, are enclosed for your information.¹

I am, etc.

(Signed) H. J. SEYMOUR.

¹ Command Paper 5141 had already been communicated to the Secretary-General of the League of Nations by the Secretary of State for Foreign Affairs by letter of 23 June 1936 : see p. 169.

The instrument of ratification of the Convention (No. 35) concerning compulsory old-age insurance for persons employed in industrial or commercial undertakings, in the liberal professions, and for outworkers and domestic servants is as follows :

At the Council Chamber, Whitehall, The 28th day of May, 1936.

BY THE LORDS OF HIS MAJESTY'S MOST HONOURABLE
PRIVY COUNCIL

Whereas on 9th September, 1933, the Secretary-General of the League of Nations communicated to His Majesty's Government a certified copy of a draft Convention (No. 35) concerning compulsory old-age insurance for persons employed in industrial or commercial undertakings, in the liberal professions, and for out-workers and domestic servants, which had been adopted by the International Labour Conference at Geneva on 29th June, 1933 :

And whereas it is provided in Article 405 of the Treaty of Versailles that in the case of a draft Convention so communicated each Member of the International Labour Organisation shall, if such draft Convention obtains the consent of the authority or authorities within whose competence the matter lies, communicate the formal ratification thereof to the Secretary-General of the League of Nations :

And whereas the said draft Convention has in respect of Great Britain and Northern Ireland obtained the consent of the authority or authorities within whose competence the matter lies and such action as is necessary to make the provisions of the said draft Convention effective therein has been taken :

Now, therefore, the Lords of the Council are pleased to order, and it is hereby ordered, that the said draft Convention be confirmed and approved.

And it is further ordered that formal communication thereof be made to the Secretary-General of the League of Nations.

M. P. A. HANKEY.

The instruments of ratification of the Old-Age Insurance (Agriculture) Convention, 1933 (No. 36), the Invalidity Insurance (Industry, etc.) Convention, 1933 (No. 37), the Invalidity Insurance (Agriculture) Convention, 1933 (No. 38), the Survivors' Insurance (Industry, etc.) Convention, 1933 (No. 39), and the Survivors' Insurance (Agriculture) Convention, 1933 (No. 40), are in similar terms.

Formal ratification of the Convention (No. 45) concerning the employment of women on underground work in mines of all kinds (1935).

By letter of 21 July 1936 the Secretary-General of the League of Nations informed the Office that by letter of 15 July 1936 His Majesty's Secretary of State for Foreign Affairs in Great Britain had communicated to him, in accordance with Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, the formal ratification by His Majesty's Government in the United Kingdom of the above-named Convention.

In accordance with Article 406 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, this ratification was registered by the Secretariat on 18 July 1936.

The letter from the Secretary of State for Foreign Affairs to the Secretary-General of the League of Nations is as follows :

London, 15 July 1936.

Sir,

I am directed by the Secretary of State for Foreign Affairs to transmit to you herewith, in accordance with the provisions of Article 405 of the Treaty of Versailles, a copy of an Order of Council formally confirming and approving the Convention concerning the employment of women in underground work in mines, adopted by the International Labour Conference at its 19th Session in June, 1935.

I am, etc.

(Signed) P. LEIGH-SMITH.

The instrument of ratification is in similar terms to the instrument of ratification of the Old-Age Insurance (Industry, etc.) Convention, 1933 (No. 35).

Greece.

Formal ratification of the Conventions (No. 19) concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents (1925), (No. 27) concerning the marking of the weight on heavy packages transported by vessels (1929), (No. 41) concerning employment of women during the night (revised 1934) and (No. 45) concerning the employment of women on underground work in mines of all kinds (1935).

By letter of 2 June 1936, the Secretary-General of the League of Nations informed the Office that the Permanent Delegate of Greece accredited to the League of Nations had deposited with the Secretariat of the League of Nations, in execution of Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, the formal ratification by the Hellenic Government of the above-mentioned Conventions.

In accordance with Article 406 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, this ratification was registered by the Secretariat on 30 May 1936.

The letter from the Permanent Delegate of Greece accredited to the League of Nations communicating the ratification of these Conventions to the Secretary-General of the League of Nations is as follows :

(Translation.)

Geneva, 25 May 1936.

Sir,

I have the honour to forward herewith the instruments of ratification of the four following Conventions, and to request you to give instructions for their registration :

(a) Convention concerning the employment of women on underground work in mines of all kinds;

(b) Convention concerning employment of women during the night;

(c) Convention concerning the marking of the weight on heavy packages transported by vessels;

(d) Convention concerning equality of treatment of national and foreign workers as regards workmen's compensation for accidents.

I have the honour to be, etc.

(Signed) **RAOUL BIBICA-ROSETTI**,
Permanent Delegate.

The instrument of ratification of the Convention concerning equality of national and foreign workers as regards workmen's compensation for accidents is as follows :

(*Translation.*)

WE, GEORGE II

KING OF THE HELLENES,

Having seen and examined the international Convention on equality of treatment for national and foreign workers as regards workmen's compensation for accidents, concluded at Geneva on 5 June 1935, the text of which is as follows :

(*Here follows the text of the Convention.*)

Declare that We approve and ratify this Convention in all its clauses; binding Ourselves to observe it faithfully, not to infringe it and not to permit it to be infringed by anyone.

In Faith Whereof, We have signed this ratification and ordered that it should be sealed with the Great Seal of State.

Done at Athens, this twenty-fourth day of the month of April in the year one thousand nine hundred and thirty-six.

(Signed) **GEORGES II.**

(Signed) **J. METAXAS.**

The instrument of ratification of the Conventions concerning the marking of the weight on heavy packages transported by vessels, employment of women during the night (revised) and employment of women on underground work in mines of all kinds are in similar terms.

Formal denunciation of the Convention (No. 4), Employment of women during the night (1919).

On 6 July 1936, the Secretary-General of the League of Nations informed the Office that, by letter of 6 June 1936, the President of the Council, the Minister for Foreign Affairs of Greece, had forwarded to him, in accordance with Article 13 of the above-mentioned Convention, the formal denunciation of that Convention by his Government, in view of the ratification by the latter of the Convention concerning employment of women during the night (revised 1934).

This denunciation was registered at the Secretariat on 30 June 1936.

Irish Free State.

Formal ratification of the Convention (No. 45) concerning the employment of women on underground work in mines of all kinds (1935).

By letter of 20 August 1936 the Secretary-General of the League of Nations informed the Office that by letter of 19 August 1936 the Permanent Delegate of the Irish Free State accredited to the League of Nations had communicated to him, in accordance with Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, the formal ratification by the Government of the Irish Free State of the above-named Convention.

In accordance with Article 406 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, this ratification was registered with the Secretariat of the League of Nations on 20 August 1936.

The letter from the Permanent Delegate of the Irish Free State, which constitutes the instrument of ratification, is as follows :

Geneva, 19 August 1936.

Sir,

In conformity with Article 4 of the International Convention concerning the employment of women on underground work in mines of all kinds, adopted by the International Labour Conference at its Nineteenth Session (Geneva 1935), and acting on the special instructions of my Government, I have the honour hereby to notify to you the definitive ratification by the Irish Free State of the said International Labour Convention.

I am to add that, for the purposes of Article 5 of the Convention, this letter is to be considered as the instrument of ratification of the Irish Free State.

I have the honour to be, etc.,

(Signed) FRANCIS T. CREMINS,
Permanent Delegate accredited to
the League of Nations.

Norway.

Formal ratification of the Conventions (No. 8) concerning unemployment indemnity in case of loss or foundering of the ship (1920) and (No. 49) concerning the reduction of hours of work in glass-bottle works (1935).

By letter of 22 July 1936 the Secretary-General of the League of Nations informed the Office that by letter of 17 July 1936 the Norwegian Minister for Foreign Affairs had communicated to him, in accordance with Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, the formal ratification by the Royal Norwegian Government of the above-named Conventions.

In accordance with Article 406 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, this ratification was registered by the Secretariat on 21 July 1936.

The letter from the Norwegian Minister for Foreign Affairs to the Secretary-General of the League of Nations is as follows :

(Translation.)

Oslo, 17 July 1936.

Sir,

I have the honour to communicate to you herewith, for registration with the Secretariat of the League of Nations, the instruments of ratification by His Majesty the King of Norway of the following Conventions :

Convention concerning unemployment indemnity in case of loss or foundering of the ship, adopted as a Draft Convention by the International Labour Conference at its Second Session, on 9 July 1920;

Convention concerning the reduction of hours of work in glass-bottle works, adopted as a Draft Convention by the International Labour Conference at its Nineteenth Session, on 25 June 1935.

I have the honour to be, etc.

(Signed) HALVDAN KOHT.

The instrument of ratification of the Unemployment Indemnity (Shipwreck) Convention, 1920 (No. 8) is as follows :

(Translation.)

We, HAAKON

KING OF NORWAY,

Hereby make known that :

Having seen and examined the Convention concerning unemployment indemnity in case of loss or foundering of the ship, adopted as a Draft Convention by the International Labour Conference at its Second Session, on 9 July 1920, We have resolved to adhere by these presents to the said Convention and promise to cause it to be observed in accordance with its form and tenor.

In faith whereof We have signed this letter of adherence and have caused it to be sealed with the Seal of the Kingdom. Given at the Royal Palace at Oslo, 25 June 1936.

(Signed) HAAKON R.

(Signed) HALVDAN KOHT.

The instrument of ratification of the Reduction of Hours of Work (Glass-Bottle Works) Convention, 1935 (No. 49) is in similar terms.

Sweden.

Formal ratification of the Convention (No. 45) concerning the employment of women on underground work in mines of all kinds (1935).

By letter of 14 July 1936 the Secretary-General of the League of Nations informed the Office that the Swedish Envoy Extraordinary and Minister Plenipotentiary at Berne, Permanent Delegate of Sweden accredited to the League of Nations, had communicated to him, in accordance with Article 405 of the Treaty of Versailles and the corresponding articles of the other Treaties of

Peace, the formal ratification by the Royal Swedish Government of the above-named Convention.

In accordance with Article 406 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, this ratification was registered by the Secretariat of the League of Nations on 11 July 1936.

The letter from the Minister Plenipotentiary of Sweden to the Secretary-General is as follows :

(Translation.)

Berne, 9 July 1936.

Sir,

The Government of the King having decided to ratify the Convention concerning the employment of women on underground work in mines of all kinds, adopted by the Conference of the International Labour Organisation at Geneva in 1935, I have the honour to communicate to you herewith for registration the instrument of ratification of that Convention.

I have the honour to be, etc.

(Signed) K. I. WESTMAN,
Minister of Sweden,
Permanent Delegate accredited to
the League of Nations.

The instrument of ratification of the Convention by the Royal Swedish Government is as follows :

(Translation.)

WE, GUSTAF,

BY THE GRACE OF GOD KING OF THE SWEDES, THE GOTHS AND THE WENDS,

Hereby make known that :

The Resolutions adopted by the Conference of the International Labour Organisation at Geneva in 1935 having been, in accordance with the provisions of Part XIII of the Treaty of Versailles, Article 405, submitted to the Swedish Riksdag, which approved the Draft Convention (No. 45) concerning the employment of women on underground work in mines of all kinds, adopted by the Conference :

To this end and purpose it is Our pleasure hereby to ratify, approve and accept the said Convention with all its articles, points and clauses. In faith whereof, We have signed the present deed with Our own hand and have caused Our Royal Seal to be affixed thereto.

Given at the Castle of Stockholm, 18 June 1936.

(M. R.) GUSTAF R.
L. S.

(c.s.) RICKARD SANDLER.

Union of South Africa.

Formal ratification of the Convention (No. 45) concerning the employment of women on underground work in mines of all kinds (1935).

By letter of 30 June 1936 the Secretary-General of the League of Nations informed the Office that by letter of 25 June 1936 the Acting Accredited Representative of the Union of South Africa to the League of Nations had communicated to him, in accordance with Article 405 of the Treaty of Versailles and the corresponding

articles of the other Treaties of Peace, the formal ratification by the Union of South Africa of the above-named Convention.

In accordance with Article 406 of the Treaty of Versailles and the corresponding articles of the other Treaties of Peace, this ratification was registered by the Secretariat on 25 June 1936.

The letter from the Acting Accredited Representative of the Union of South Africa to the Secretary-General of the League of Nations is as follows :

Geneva, 25 June 1936.

Sir,

I have to inform you that the Government of the Union of South Africa have duly ratified the Draft Convention (No. 45) concerning the Employment of Women on Underground Work in Mines of all kinds, which was adopted at the Nineteenth Session of the International Labour Conference held at Geneva from the fourth to the twenty-fifth day of June 1935, and I accordingly have the honour to deposit herewith the relevant instrument of ratification in respect of this Convention.

I should be glad if you will be so good as to inform the Members of the International Labour Organisation and other States interested, as well as the Director of the International Labour Office, of this ratification.

I have the honour to be, etc.

(Signed) H. T. ANDREWS,
*Acting Accredited Representative
of the Union of South Africa to
the League of Nations.*

The instrument of ratification is as follows :

ACT OF RATIFICATION

WHEREAS at the Nineteenth Session of the International Labour Conference held at Geneva from the fourth day to the twenty-fifth day of the month of June, 1935, a DRAFT CONVENTION (NO. 45) CONCERNING THE EMPLOYMENT OF WOMEN ON UNDERGROUND WORK IN MINES OF ALL KINDS was adopted;

AND WHEREAS the Secretary-General of the League of Nations has duly communicated to the Government of the Union of South Africa a certified copy of the said Draft Convention;

AND WHEREAS by Article 405 of the Treaty of Versailles it is provided that in the case of a draft convention so communicated to members of the International Labour Organisation, each Member shall, if such draft Convention obtains the consent of the authority or authorities within whose competence the matter lies, communicate the formal ratification thereof to the Secretary-General of the League of Nations;

AND WHEREAS such draft convention has, in respect of the Union of South Africa, obtained the consent of the authorities within whose competence the matter lies;

NOW, THEREFORE, I, JAMES BARRY MUNNIK HERTZOG, Prime Minister and Minister of External Affairs of the Union of South Africa, duly authorised thereto, hereby confirm and approve of the said Draft Convention, the provisions of which the Government of the Union of South Africa undertake to perform and carry out faithfully.

For the greater testimony and validity of all which I have signed these Presents at Capetown on this the twenty-ninth day of May in the Year of Our Lord One Thousand Nine Hundred and Thirty-six.

(Signed) J. B. M. HERTZOG.

ERRATUM : Vol. XXI, No. 1, p. 57, last line but one :
for " Acktody " read " Aykroyd ".

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H. Johnston

INTERNATIONAL LABOUR OFFICE

OFFICIAL BULLETIN

31 December 1936.

Vol. XXI. No. 5.

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INTERNATIONAL LABOUR OFFICE

OFFICIAL BULLETIN

31 December 1936.

Vol. XXI. No. 5.

Draft Conventions and Recommendations adopted by the Twenty-first Session of the International Labour Conference.

Draft Convention [No. 53] concerning the minimum requirement of professional capacity for masters and officers on Board merchant ships.

The General Conference of the International Organisation,
Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-first Session on 6 October 1936, and

Having decided upon the adoption of certain proposals with regard to the establishment by each maritime country of a minimum requirement of professional capacity in the case of captain, navigating and engineer officers in charge of watches on board merchant ships, which is the fourth item on the Agenda of the Session, and

Having determined that these proposals shall take the form of a Draft International Convention,

adopts, this twenty-fourth day of October of the year one thousand nine hundred and thirty-six, the following Draft Convention, which may be cited as the Officers' Competency Certificates Convention, 1936 :

Article 1.

1. This Convention applies to all vessels registered in a territory for which this Convention is in force and engaged in maritime navigation with the exception of—

- (a) ships of war;
- (b) Government vessels, or vessels in the service of a public authority, which are not engaged in trade;
- (c) wooden ships of primitive build such as dhows and junks.

2. National laws or regulations may grant exceptions or exceptions in respect of vessels of less than 200 tons gross registered tonnage.

Article 2.

For the purpose of this Convention the following expressions have the meanings hereby assigned to them :

- (a) " master or skipper " means any person having command or charge of a vessel;
- (b) " navigating officer in charge of a watch " means any person, other than a pilot, who is for the time being actually in charge of the navigation or manœuvring of a vessel;
- (c) " chief engineer " means any person permanently responsible for the mechanical propulsion of a vessel;
- (d) " engineer officer in charge of a watch " means any person who is for the time being actually in charge of the running of a vessel's engines.

Article 3.

1. No person shall be engaged to perform or shall perform on board any vessel to which this Convention applies the duties of master or skipper, navigating officer in charge of a watch, chief engineer, or engineer officer in charge of a watch, unless he holds a certificate of competency to perform such duties, issued or approved by the public authority of the territory where the vessel is registered.

2. Exceptions to the provisions of this Article may be made only in cases of *force majeure*.

Article 4.

1. No person shall be granted a certificate of competency unless—

- (a) he has reached the minimum age prescribed for the issue of the certificate in question;
- (b) his professional experience has been of the minimum duration prescribed for the issue of the certificate in question; and
- (c) he has passed the examinations organised and supervised by the competent authority for the purpose of testing whether he possesses the qualifications necessary for performing the duties corresponding to the certificate for which he is a candidate.

2. National laws or regulations shall—

- (a) prescribe a minimum age to have been attained by and a minimum period of professional experience to have been completed by candidates for each grade of competency certificate;

- (b) provide for the organisation and supervision by the competent authority of one or more examinations for the purpose of testing whether candidates for competency certificates possess the qualifications necessary for performing the duties corresponding to the certificates for which they are candidates.

3. Any Member of the Organisation may, during a period of three years from the date of its ratification, issue competency certificates to persons who have not passed the examinations organised in virtue of paragraph 2 (b) of this Article who—

- (a) have in fact had sufficient practical experience of the duties corresponding to the certificate in question; and
 (b) have no record of any serious technical error against them.

Article 5.

1. Each Member which ratifies this Convention shall ensure its due enforcement by an efficient system of inspection.

2. National laws or regulations shall provide for the cases in which the authorities of a Member may detain vessels registered in its territory on account of a breach of the provisions of this Convention.

3. Where the authorities of a Member which has ratified this Convention find a breach of its provisions on a vessel registered in the territory of another Member which has also ratified the Convention, the said authorities shall communicate with the consul of the Member in the territory of which the vessel is registered.

Article 6.

1. National laws or regulations shall prescribe penalties or disciplinary measures for cases in which the provisions of this Convention are not respected.

2. In particular, such penalties or disciplinary measures shall be prescribed for cases in which—

- (a) a shipowner, shipowner's agent, master or skipper has engaged a person not certificated as required by this Convention;
 (b) a master or skipper has allowed any of the duties defined in Article 2 of this Convention to be performed by a person not holding the corresponding or a superior certificate;
 (c) a person has obtained by fraud or forged documents an engagement to perform any of the duties defined in the said Article 2 without holding the requisite certificate.

Article 7.

1. In respect of the territories referred to in Article 35 of the Constitution of the International Labour Organisation, each

Member of the Organisation which ratifies this Convention shall append to its ratification a declaration stating :

- (a) the territories in respect of which it undertakes to apply the provisions of the Convention without modification;
- (b) the territories in respect of which it undertakes to apply the provisions of the Convention subject to modifications, together with details of the said modifications;
- (c) the territories in respect of which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;
- (d) the territories in respect of which it reserves its decision.

2. The undertakings referred to in sub-paragraphs (a) and (b) of paragraph 1 of this Article shall be deemed to be an integral part of the ratification and shall have the force of ratification.

3. Any Member may by a subsequent declaration cancel in whole or in part any reservations made in its original declaration in virtue of sub-paragraphs (b), (c) or (d) of paragraph 1 of this Article.

Article 8.

The formal ratifications of this Convention shall be communicated to the Secretary-General of the League of Nations for registration.

Article 9.

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Secretary-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Secretary-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 10.

As soon as the ratifications of two Members of the International Labour Organisation have been registered, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

Article 11.

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 12.

At the expiration of each period of ten years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the Agenda of the Conference the question of its revision in whole or in part.

Article 13.

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides,

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 11 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 14.

The French and English texts of this Convention shall both be authentic.

Draft Convention [No. 54] concerning annual holidays with pay for seamen.

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-first Session on 6 October 1936, and

Having decided upon the adoption of certain proposals with regard to holidays with pay for seamen, which is the fifth item on the Agenda of the Session, and

Having determined that these proposals shall take the form of a Draft International Convention.

adopts, this twenty-fourth day of October of the year one thousand nine hundred and thirty-six, the following Draft Convention which may be cited as the Holidays with Pay (Sea) Convention, 1936 :

Article 1.

1. This Convention applies to the master, officers and members of the crew, including wireless operators in the service of a wireless telegraphy company, of all sea-going vessels, whether publicly or privately owned, which are registered in a territory for which the Convention is in force and are engaged in the transport of cargo or passengers for the purpose of trade.

2. National laws or regulations shall determine when vessels are to be regarded as sea-going vessels for the purpose of this Convention.

3. This Convention does not apply to :

- (a) persons employed in vessels engaged in fishing, whaling or similar pursuits or in operations directly connected therewith;
- (b) persons employed in any vessel the crew of which consists entirely of members of the owner's family as defined by national laws or regulations;
- (c) persons not remunerated for their services, or remunerated only by a nominal salary or wage, or remunerated exclusively by a share of profits;
- (d) persons working exclusively or mainly on their own account;
- (e) persons employed in wooden ships of primitive build such as dhows and junks;
- (f) persons whose duties are connected solely with the cargo carried on board and who are not in fact in the employment either of the owner or of the master;
- (g) travelling dockers.

Article 2.

1. Every person to whom this Convention applies shall be entitled after one year of continuous service with the same undertaking to an annual holiday with pay the duration of which shall be :

- (a) in the case of masters, officers, and wireless operators, not less than twelve working days;
- (b) in the case of other members of the crew, not less than nine working days.

2. For the purpose of calculating when a holiday is due :

- (a) service off articles shall be included in the reckoning of continuous service;
- (b) short interruptions of service not due to the act or fault of the employee and not exceeding a total of six weeks shall not be deemed to break the continuity of the periods of service which precede and follow them;

- (c) continuity of service shall not be deemed to be interrupted by any change in the management or ownership of the vessels in which the person concerned has served.

3. The following shall not be included in the annual holiday with pay :

- (a) public and customary holidays;
- (b) interruptions of service due to sickness;
- (c) any time off allowed in compensation for weekly rest days and public holidays worked at sea.

4. There may be defined by national laws or regulations or by collective agreement special circumstances in which, subject to conditions prescribed by such laws or regulations or fixed by such agreement,

- (a) an annual holiday with pay due in virtue of this Convention may be divided into parts or be accumulated with a subsequent holiday;
- (b) there may be substituted for such a holiday, when in exceptional circumstances the service so requires, a cash payment at least equivalent to the remuneration provided for in Article 4.

Article 3.

1. The annual holiday shall be given in the territory in which the vessel is registered at one of the following ports :

- (a) the port from which the vessel trades;
- (b) the port at which the person entitled to the holiday was engaged; or
- (c) the port of the vessel's final destination.

2. Provided that the holiday may be given at any other port by mutual consent.

3. When an annual holiday is due it shall be given by mutual agreement at the first opportunity as the requirements of the service allow.

Article 4.

1. Every person taking a holiday in virtue of Article 2 of this Convention shall receive in respect of the full period of the holiday his usual remuneration.

2. The usual remuneration payable in virtue of the preceding paragraph shall include a suitable subsistence allowance and shall be calculated in a manner which shall be prescribed by national laws or regulations or fixed by collective agreement.

Article 5.

Any agreement to relinquish the right to an annual holiday with pay, or to forgo such a holiday, shall be void.

Article 6.

National laws or regulations may provide that a person who engages in paid employment during the course of his annual holiday may be deprived of his right to payment in respect of the period of the holiday.

Article 7.

A person who leaves or is discharged from the service of his employer before he has taken a holiday due to him shall receive in respect of every day of holiday due to him in virtue of this Convention the remuneration provided for in Article 4.

Article 8.

Each Member which ratifies this Convention shall require employers to keep records for the purpose of facilitating its effective enforcement.

Article 9.

Each Member which ratifies this Convention shall establish a system of penalties to ensure the application of its provisions.

Article 10.

Nothing in this Convention shall affect any law, award, custom or agreement between shipowners and seamen which ensures more favourable conditions than those provided by this Convention.

Article 11.

1. In respect of the territories referred to in Article 35 of the Constitution of the International Labour Organisation, each Member of the Organisation which ratifies this Convention shall append to its ratification a declaration stating :

- (a) the territories in respect of which it undertakes to apply the provisions of the Convention without modification;
- (b) the territories in respect of which it undertakes to apply the provisions of the Convention subject to modifications, together with details of the said modifications;
- (c) the territories in respect of which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;
- (d) the territories in respect of which it reserves its decision.

2. The undertakings referred to in sub-paragraphs (a) and (b) of paragraph 1 of this Article shall be deemed to be an integral part of the ratification and shall have the force of ratification.

3. Any Member may by a subsequent declaration cancel in whole or in part any reservations, made in its original declaration in virtue of sub-paragraphs (b), (c) or (d) of paragraph 1 of this Article.

Article 12.

The formal ratifications of this Convention shall be communicated to the Secretary-General of the League of Nations for registration.

Article 13.

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Secretary-General.

2. It shall come into force six months after the date on which there have been registered by the Secretary-General of the League of Nations the ratifications of five Members of the Organisation each of which has more than one million tons gross of sea-going merchant shipping.

3. Thereafter, this Convention shall come into force for any Member six months after the date on which its ratification has been registered.

Article 14.

As soon as the ratifications of five of the Members mentioned in the second paragraph of Article 13 have been registered, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

Article 15.

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 16.

At the expiration of each period of ten years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the Agenda of the Conference the question of its revision in whole or in part.

Article 17.

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides,

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 15 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 18.

The French and English texts of this Convention shall both be authentic.

Draft Convention [No. 55] concerning the liability of the shipowner in case of sickness, injury or death of seamen.

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-first Session on 6 October 1936, and

Having decided upon the adoption of certain proposals with regard to the liability of the shipowner in case of sickness, injury or death of seamen, which is included in the second item on the Agenda of the Session, and

Having determined that these proposals shall take the form of a Draft International Convention,

adopts, this twenty-fourth day of October of the year one thousand nine hundred and thirty-six, the following Draft Convention which may be cited as the Shipowners' Liability (Sick and Injured Seamen) Convention, 1936 :

Article 1.

1. This Convention applies to all persons employed on board any vessel, other than a ship of war, registered in a territory for which this Convention is in force and ordinarily engaged in maritime navigation.

2. Provided that any Member of the International Labour Organisation may in its national laws or regulations make such exceptions as it deems necessary in respect of :

- (a) persons employed on board,

- (i) vessels of public authorities when such vessels are not engaged in trade;
 - (ii) coastwise fishing boats;
 - (iii) boats of less than twenty-five tons gross tonnage;
 - (iv) wooden ships of primitive build such as dhows and junks;
- (b) persons employed on board by an employer other than the shipowner;
 - (c) persons employed solely in ports in repairing, cleaning, loading or unloading vessels;
 - (d) members of the shipowner's family;
 - (e) pilots.

Article 2.

1. The shipowner shall be liable in respect of :

- (a) sickness and injury occurring between the date specified in the articles of agreement for reporting for duty and the termination of the engagement;
- (b) death resulting from such sickness or injury.

2. Provided that national laws or regulations may make exceptions in respect of :

- (a) injury incurred otherwise than in the service of the ship;
- (b) injury or sickness due to the wilful act, default or misbehaviour of the sick, injured or deceased person;
- (c) sickness or infirmity intentionally concealed when the engagement is entered into.

3. National laws or regulations may provide that the shipowner shall not be liable in respect of sickness, or death directly attributable to sickness, if at the time of the engagement the person employed refused to be medically examined.

Article 3.

For the purpose of this Convention, medical care and maintenance at the expense of the shipowner comprises :

- (a) medical treatment and the supply of proper and sufficient medicines and therapeutical appliances; and
- (b) board and lodging.

Article 4.

1. The shipowner shall be liable to defray the expense of medical care and maintenance until the sick or injured person has been cured, or until the sickness or incapacity has been declared of a permanent character.

2. Provided that national laws or regulations may limit the liability of the shipowner to defray the expense of medical care and maintenance to a period which shall not be less than sixteen weeks from the day of the injury or the commencement of the sickness.

3. Provided also that, if there is in force in the territory in which the vessel is registered a scheme applying to seamen of compulsory sickness insurance, compulsory accident insurance or workmen's compensation for accidents, national laws or regulations may provide :

- (a) that a shipowner shall cease to be liable in respect of a sick or injured person from the time at which that person becomes entitled to medical benefits under the insurance or compensation scheme;
- (b) that the shipowner shall cease to be liable from the time prescribed by law for the grant of medical benefits under the insurance or compensation scheme to the beneficiaries of such schemes, even when the sick or injured person is not covered by the scheme in question, unless he is excluded from the scheme by reason of any restriction which affects particularly foreign workers or workers not resident in the territory in which the vessel is registered.

Article 5.

1. Where the sickness or injury results in incapacity for work the shipowner shall be liable :

- (a) to pay full wages as long as the sick or injured person remains on board;
- (b) if the sick or injured person has dependants, to pay wages in whole or in part as prescribed by national laws or regulations from the time when he is landed until he has been cured or the sickness or incapacity has been declared of a permanent character.

2. Provided that national laws or regulations may limit the liability of the shipowner to pay wages in whole or in part in respect of a person no longer on board to a period which shall not be less than sixteen weeks from the day of the injury or the commencement of the sickness.

3. Provided also that, if there is in force in the territory in which the vessel is registered a scheme applying to seamen of compulsory sickness insurance, compulsory accident insurance or workmen's compensation for accidents, national laws or regulations may provide :

- (a) that a shipowner shall cease to be liable in respect of a sick or injured person from the time at which that person becomes entitled to cash benefits under the insurance or compensation scheme;
- (b) that the shipowner shall cease to be liable from the time prescribed by law for the grant of cash benefits under the insurance or compensation scheme to the beneficiaries of such schemes, even when the sick or injured person is not covered by the scheme in question, unless he is excluded from the scheme by reason of any restriction which affects particularly foreign workers or workers not resident in the territory in which the vessel is registered.

Article 6.

1. The shipowner shall be liable to defray the expense of repatriating every sick or injured person who is landed during the voyage in consequence of sickness or injury.

2. The port to which the sick or injured person is to be returned shall be :

- (a) the port at which he was engaged; or
- (b) the port at which the voyage commenced; or
- (c) a port in his own country or the country to which he belongs; or
- (d) another port agreed upon by him and the master or shipowner, with the approval of the competent authority.

3. The expense of repatriation shall include all charges for the transportation, accommodation and food of the sick or injured person during the journey and his maintenance up to the time fixed for this departure.

4. If the sick or injured person is capable of work, the shipowner may discharge his liability to repatriate him by providing him with suitable employment on board a vessel proceeding to one of the destinations mentioned in paragraph 2 of this Article.

Article 7.

1. The shipowner shall be liable to defray burial expenses in case of death occurring on board, or in case of death occurring on shore if at the time of his death the deceased person was entitled to medical care and maintenance at the shipowners' expense.

2. National laws or regulations may provide that burial expenses paid by the shipowner shall be reimbursed by an insurance institution in cases in which funeral benefit is payable in respect of the deceased person under laws or regulations relating to social insurance or workmen's compensation.

Article 8.

National laws or regulations shall require the shipowner or his representative to take measures for safeguarding property left on board by sick, injured or deceased persons to whom this Convention applies.

Article 9.

National laws or regulations shall make provision for securing the rapid and inexpensive settlement of disputes concerning the liability of the shipowner under this Convention.

Article 10.

The shipowner may be exempted from liability under Articles 4, 6 and 7 of this Convention in so far as such liability is assumed by the public authorities.

Article 11.

This Convention and national laws or regulations relating to benefits under this Convention shall be so interpreted and enforced as to ensure equality of treatment to all seamen irrespective of nationality, domicile or race.

Article 12.

Nothing in this Convention shall affect any law, award, custom or agreement between shipowners and seamen which ensures more favourable conditions than those provided by this Convention.

Article 13.

1. In respect of the territories referred to in Article 35 of the Constitution of the International Labour Organisation, each Member of the Organisation which ratifies this Convention shall append to its ratification a declaration stating :

- (a) the territories in respect of which it undertakes to apply the provisions of the Convention without modification;
- (b) the territories in respect of which it undertakes to apply the provisions of the Convention subject to modifications, together with details of the said modifications;
- (c) the territories in respect of which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;
- (d) the territories in respect of which it reserves its decision.

2. The undertakings referred to in sub-paragraphs (a) and (b) of paragraph 1 of this Article shall be deemed to be an integral part of the ratification and shall have the force of ratification.

3. Any Member may by a subsequent declaration cancel in whole or in part any reservations made in its original declaration in virtue of sub-paragraphs (b), (c) or (d) of paragraph 1 of this Article.

Article 14.

The formal ratifications of this Convention shall be communicated to the Secretary-General of the League of Nations for registration.

Article 15.

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Secretary-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Secretary-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 16.

As soon as the ratifications of two Members of the International Labour Organisation have been registered, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

Article 17.

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 18.

At the expiration of each period of ten years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the Agenda of the Conference the question of its revision in whole or in part.

Article 19.

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides,

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 17 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 20.

The French and English texts of this Convention shall both be authentic.

Draft Convention [No. 56] concerning sickness insurance for seamen.

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-first Session on 6 October 1936, and

Having decided upon the adoption of certain proposals with regard to sickness insurance for seamen, which is included in the second item on the Agenda of the Session, and

Having determined that these proposals shall take the form of a Draft International Convention,

adopts this twenty-fourth day of October of the year one thousand nine hundred and thirty-six, the following Draft Convention which may be cited as the Sickness Insurance (Sea) Convention, 1936 :

Article 1.

1. Every person employed as master or member of the crew or otherwise in the service of the ship, on board any vessel, other than a ship of war, registered in a territory for which this Convention is in force and engaged in maritime navigation or sea-fishing, shall be insured under a compulsory sickness insurance scheme.

2. Provided that any Member of the International Labour Organisation may in its national laws or regulations make such exceptions as it deems necessary in respect of :

- (a) persons employed on board vessels of public authorities when such vessels are not engaged in trade;
- (b) persons whose wages or income exceed a prescribed amount;
- (c) persons who are not paid a money wage;
- (d) persons not resident in the territory of the Member;
- (e) persons below or above prescribed age-limits;
- (f) members of the employer's family;
- (g) pilots.

Article 2.

1. An insured person who is rendered incapable of work and deprived of his wages by reason of sickness shall be entitled to a cash benefit for at least the first twenty-six weeks or one hundred and eighty days of incapacity from and including the first day for which benefit is payable.

2. The right to benefit may be made conditional upon the completion of a qualifying period and of a waiting period of a few days to be counted from the beginning of the incapacity.

3. The cash benefit granted to the insured person shall never be fixed at a rate lower than that fixed by the general scheme of compulsory sickness insurance, where such a scheme exists but does not apply to seamen.

4. Cash benefit may be withheld :

- (a) while the insured person is on board or abroad;
- (b) while the insured person is maintained by the insurance institution or from public funds : Provided that in such case it shall only partially be withheld when the insured person has family responsibilities;
- (c) while in respect of the same illness the insured person receives compensation from another source to which he is entitled by law, so however that in such case benefit shall only be wholly or partially withheld if and so far as such compensation is equal to or less than the amount of the benefit payable under the sickness insurance scheme.

5. Cash benefit may be reduced or refused in the case of sickness caused by the insured person's wilful misconduct.

Article 3.

1. The insured person shall be entitled free of charge, as from the commencement of his illness and at least until the period prescribed for the grant of sickness benefit expires, to medical treatment by a fully qualified medical practitioner and to the supply of proper and sufficient medicines and appliances.

2. Provided that the insured person may be required to pay such part of the cost of medical benefit as may be prescribed by national laws or regulations.

3. Medical benefit may be withheld while the insured person is on board or abroad.

4. Whenever the circumstances so require, the insurance institution may provide for the treatment of the sick person in hospital and in such case shall grant him full maintenance together with the necessary medical attention and care.

Article 4.

1. When the insured person is abroad and by reason of sickness has lost his right to wages, whether previously payable in whole or in part, the cash benefit to which he would have been entitled had he not been abroad shall be paid in whole or in part to his family until his return to the territory of the Member.

2. National laws or regulations may prescribe or authorise the provision of the following benefits :

- (a) when the insured person has family responsibilities, a cash benefit additional to that provided for in Article 2;
- (b) in case of the sickness of members of the insured person's family living in his home and dependent on him, aid in kind or in cash.

Article 5.

1. National laws or regulations shall prescribe the conditions under which an insured woman, while in the territory of the Member, shall be entitled to maternity benefit.

2. National laws or regulations may prescribe the conditions under which the wife of an insured man, while in the territory of the Member, shall be entitled to maternity benefit.

Article 6.

1. On the death of the insured person, a cash benefit of an amount prescribed by national laws or regulations shall be paid to the members of the family of the deceased or be applied for defraying the funeral expenses.

2. Where there is in force a pension scheme for the survivors of deceased seamen, the grant of the cash benefit provided for in the preceding paragraph shall not be compulsory.

Article 7.

The right to insurance benefit shall continue even in respect of sickness occurring during a definite period after the termination of the last engagement, which period shall be fixed by national laws or regulations in such a way as to cover the normal interval between successive engagements.

Article 8.

1. The insured persons and their employers shall share in providing the financial resources of the sickness insurance scheme.

2. National laws or regulations may provide for a financial contribution by the public authorities.

Article 9.

1. Sickness insurance shall be administered by self-governing institutions, which shall be under the administrative and financial supervision of the public authorities and shall not be carried on with a view to profit.

2. Insured persons, and in the case of insurance institutions set up specially for seamen under laws or regulations the employers also, shall participate in the management of the institutions under such conditions as may be prescribed by national laws or regulations, which may also provide for the participation of other persons concerned.

3. Provided that the administration of sickness insurance may be undertaken directly by the State where and so long as its administration by self-governing institutions is rendered difficult or impossible by reason of national conditions.

Article 10.

1. The insured person shall have a right of appeal in case of dispute concerning his right to benefit.

2. The procedure for dealing with disputes shall be rendered rapid and inexpensive for the insured person by means of special courts or any other method deemed appropriate under national laws or regulations.

Article 11.

Nothing in this Convention shall affect any law, award, custom or agreement between shipowners and seamen which ensures more favourable conditions than those provided by this Convention.

Article 12.

1. In respect of the territories referred to in Article 35 of the Constitution of the International Labour Organisation, each Member of the Organisation which ratifies this Convention shall append to its ratification a declaration stating :

- (a) the territories in respect of which it undertakes to apply the provisions of the Convention without modification;
- (b) the territories in respect of which it undertakes to apply the provisions of the Convention subject to modifications, together with details of the said modifications;
- (c) the territories in respect of which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;
- (d) the territories in respect of which it reserves its decision.

2. The undertakings referred to in sub-paragraphs (a) and (b) of paragraph 1 of this Article shall be deemed to be an integral part of the ratification and shall have the force of ratification.

3. Any Member may by a subsequent declaration cancel in whole or in part any reservations made in its original declaration in virtue of sub-paragraphs (b), (c) or (d) of paragraph 1 of this Article.

Article 13.

The formal ratifications of this Convention shall be communicated to the Secretary-General of the League of Nations for registration.

Article 14.

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Secretary-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Secretary-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 15.

As soon as the ratifications of two Members of the International Labour Organisation have been registered, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

Article 16.

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 17.

At the expiration of each period of ten years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the Agenda of the Conference the question of its revision in whole or in part.

Article 18.

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides,

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 16 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 19.

The French and English texts of this Convention shall both be authentic.

Draft Convention [No. 57] concerning hours of work on board ship and manning.

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-first Session on 6 October 1936, and

Having decided upon the adoption of certain proposals with regard to the regulation of hours of work on board ship and manning in conjunction with hours of work on board ship, which is the first item on the Agenda of the Session, and

Having determined that these proposals shall take the form of a Draft International Convention,

adopts, this twenty-fourth day of October of the year one thousand nine hundred and thirty-six, the following Draft Convention which may be cited as the Hours of Work and Manning (Sea) Convention, 1936 :

PART I.—SCOPE AND DEFINITIONS.

Article 1.

1. This Convention applies to every sea-going mechanically-propelled vessel, whether publicly or privately owned, which :

- (a) is registered in a territory for which the Convention is in force;
- (b) is employed in the transport of cargo or passengers for the purpose of trade; and
- (c) is engaged on an international voyage, by which is meant any voyage from a port of one country to a port outside such country, every colony, overseas territory, protectorate or territory under suzerainty or mandate being regarded as a separate country.

2. This Convention does not apply to :

- (a) sailing vessels with auxiliary engines; or
- (b) vessels engaged in fishing, whaling or similar pursuits, or in operations directly connected therewith.

3. Any Member may exempt vessels registered in its territory from the application of this Convention while such vessels are exclusively engaged in voyages upon which they do not proceed further from the country from which they trade than the nearby ports of neighbouring countries within geographical limits which :

- (a) are clearly specified by national laws or regulations;
- (b) are uniform in respect of the application of all the provisions of this Convention;
- (c) have been notified by the Member when registering its ratification by a declaration annexed thereto; and
- (d) have been fixed after consultation with the other Members concerned.

Article 2.

For the purpose of this Convention the following expressions have the meanings hereby assigned to them :

- (a) " tons " means gross registered tons;
- (b) " officer " means a person other than a master ranked as an officer by national laws or regulations, collective agreement or custom;
- (c) " rating " means a member of the crew other than an officer;
- (d) " hours of work " means time during which a member of the crew is required by the orders of a superior to do any work on account of the vessel or the owner, or to be at the disposal of a superior outside the crew's quarters.

PART II.—HOURS OF WORK.

Article 3.

This Part of this Convention does not apply to :

- (a) officers in charge of departments who do not keep watch;
- (b) wireless operators and telephonists;
- (c) pilots;
- (d) doctors;
- (e) nursing staff exclusively engaged on nursing duties or hospital staff;
- (f) persons working exclusively on their own account;
- (g) persons remunerated exclusively by a share of profits;
- (h) persons whose duties are connected solely with the cargo carried on board and who are not in fact in the employment either of the owner or of the master;
- (i) travelling dockers;
- (j) crews consisting entirely of members of the family, as defined by national laws or regulations, of the owner of the vessel.

Article 4.

1. In vessels of over 2,000 tons the hours of work at sea and on arrival and sailing days of deck ratings whose time is divided into watches shall not exceed eight in the day nor shall they exceed fifty-six in the week.

2. In vessels of over 700 tons the hours of work at sea and on arrival and sailing days of deck ratings employed as day workers shall not exceed eight in the day nor shall they exceed forty-eight in the week.

3. Hours in excess of the limits prescribed in paragraphs 1 and 2 may be worked on arrival and sailing days. Whether or not such hours are to be worked and where such hours are allowed the conditions under which they may be worked shall be determined by national laws or regulations or collective agreements.

Article 5.

1. In vessels of over 700 tons the hours of work at sea and on arrival and sailing days of engine-room and stokehold ratings whose time is divided into watches shall not exceed eight in the day nor shall they exceed fifty-six in the week; Provided that extra time may be worked for the normal relieving of watches and the hoisting and dumping of ashes.

2. In vessels of over 700 tons the hours of work at sea and on arrival and sailing days of engine-room and stokehold ratings employed as day workers shall not exceed eight in the day nor shall they exceed forty-eight in the week.

3. Hours in excess of the limits prescribed in paragraphs 1 and 2 may be worked on arrival and sailing days. Whether or not such hours are to be worked and where such hours are allowed the conditions under which they may be worked shall be determined by national laws or regulations or collective agreements.

Article 6.

1. In vessels of over 2,000 tons the hours of work at sea and on arrival and sailing days of deck officers shall not exceed eight in the day nor shall they exceed fifty-six in the week.

2. Provided that one additional hour per day may be worked at sea and on arrival and sailing days for navigational or clerical purposes.

3. Provided also that additional hours may be worked occasionally when the master deems it necessary to order two officers to keep watch simultaneously, so however that in no case shall any officer be required in virtue of this paragraph to work more than twelve hours in any day.

4. In vessels of over 700 tons the hours of work at sea and on arrival and sailing days of deck officers employed as day workers shall not exceed eight in the day nor shall they exceed forty-eight in the week.

5. Hours in excess of the limits prescribed in paragraphs 1 and 4 may be worked on arrival and sailing days. Whether or not such hours are to be worked and where such hours are allowed the conditions under which they may be worked shall be determined by national laws or regulations or collective agreements.

6. The provisions of this Article apply to apprentices and cadets in the deck department.

Article 7.

1. In vessels required under Article 16 to carry three or more engineer officers the hours of work of such officers at sea and on arrival and sailing days shall not exceed eight in the day nor shall they exceed fifty-six in the week.

2. In vessels of over 700 tons the hours of work at sea of engineer officers employed as day workers shall not exceed eight in the day nor shall they exceed forty-eight in the week.

3. The provisions of this Article apply to apprentices and cadets in the engine-room department.

Article 8.

1. In vessels to which this Convention applies the following provisions shall apply to deck, engine-room and stokehold ratings and to deck and engineer officers, including apprentices and cadets in the deck and engine-room departments, whenever sea watches are suspended in any port :

- (a) hours of work shall not exceed eight in the day nor shall they exceed forty-eight in the week;
- (b) the weekly rest day shall be observed and on that day no work shall be required except as overtime or for the purpose of ordinary routine and sanitary duties, any work required for the purpose of such duties to be included in the weekly limit of forty-eight hours;
- (c) exceptions to these provisions may be made in accordance with national laws or regulations or collective agreement in the case of ratings required for the safety of the vessel or persons on board or for the preservation of the cargo.

2. Sea watches shall normally be suspended if the vessel is expected to stay in the port for more than twenty-four hours following its arrival, unless in the judgment of the master the safety of the vessel would be prejudiced thereby.

3. If sea watches are maintained in port, all time worked in excess of the limits of hours prescribed by or permitted under paragraph 1 of this Article shall, except in the case of :

- (a) watches maintained for the safety of the vessel; and
- (b) watches worked within twelve hours after arrival or within twelve hours before sailing.

be regarded as overtime for which the rating or officer shall be entitled to be compensated.

Article 9.

1. In all vessels to which this Convention applies in respect of which there is in force :

- (a) a safety certificate issued in accordance with the provisions of the International Convention for the Safety of Life at Sea for the time being in force; or
- (b) a passenger certificate,

the hours of work at sea of ratings in the catering and clerical departments shall be so arranged as to ensure to each such rating not less than twelve hours' rest during any period of twenty-four hours, including a rest period of at least eight consecutive hours.

2. In all vessels to which this Convention applies, other than vessels in respect of which there is in force one of the certificates referred to in the preceding paragraph, the hours of work at sea and on arrival and sailing days of ratings in the catering and clerical departments shall not exceed ten in the day.

3. In all vessels to which this Convention applies the hours of work in port of ratings in the catering and clerical departments shall not exceed eight in the day, subject to such exceptions as may be permitted by national laws or regulations.

Article 10.

1. Ratings and deck and engineer officers including apprentices and cadets may be required to work in excess of the limits of hours prescribed by or permitted under the preceding Articles of this Part of this Convention, subject to the conditions that :

- (a) all such time worked shall be regarded as overtime for which they shall be entitled to be compensated; and
- (b) there shall be no consistent working of overtime.

2. The manner or rate or rates of such compensation shall be prescribed by national laws or regulations or be fixed by collective agreement.

Article 11.

1. No rating under the age of 16 years shall work at night.

2. For the purpose of this Article the expression "night" means a period of at least nine consecutive hours between times before and after midnight to be prescribed by national laws or regulations.

Article 12.

The provisions of this Part of this Convention do not apply to :

- (a) work which the master deems to be necessary and urgent for the safety of the vessel, cargo, or persons on board;
- (b) work required by the master for the purpose of giving assistance to other vessels or persons;
- (c) musters, fire, lifeboat and similar drills of the kind prescribed by the International Convention for the Safety of Life at Sea for the time being in force;
- (d) extra work resulting from the sickness of or from injury to any officer or rating or from any unforeseeable reduction in the number of officers or ratings in the course of the voyage;
- (e) extra work for the purpose of customs, quarantine or other health formalities;
- (f) work by officers for the determination of the position of the vessel at noon.

PART III.—MANNING.

Article 13.

Every vessel of over 700 tons shall be sufficiently and efficiently manned for the purposes of :

- (a) safety of life at sea; and
- (b) making possible the application of the rules relating to hours set forth in Part II of this Convention,

and more particularly every such vessel shall comply with the minimum requirements as to manning set forth in this Part of this Convention.

Article 14.

1. In vessels of over 700 but not exceeding 2,000 tons there shall be carried at least two certificated deck officers in addition to the master.

2. In vessels of over 2,000 tons there shall be carried at least three certificated deck officers in addition to the master.

Article 15.

1. In vessels of over 700 tons the number of deck ratings carried shall be sufficient to allow of three ratings being available for each navigational watch.

2. In particular, the following minimum numbers of ratings shall be carried :

- (a) in vessels of over 700 but not exceeding 2,000 tons : 6;
- (b) in vessels of over 2,000 tons : 9 or such larger number as may be prescribed by national laws or regulations or fixed by collective agreement.

3. The following minimum numbers of the ratings required to be carried by paragraph 2 shall comply with the conditions as to physical capacity and efficiency stated in paragraph 4 :

- (a) in vessels of over 700 but not exceeding 2,000 tons : 4;
- (b) in vessels of over 2,000 tons : 5 or such larger number as may be prescribed by national laws or regulations or fixed by collective agreement.

4. The conditions as to physical capacity and efficiency to be fulfilled by certain ratings in accordance with paragraph 3 are that each such rating :

- (a) is 18 years of age; and
- (b) either has had at least three years' sea service on deck or holds a certificate, issued by the competent authority, that his standard of efficiency is equal to that of the average rating who has had three years' sea service on deck.

5. National laws or regulations or collective agreement shall limit the number of ratings with less than one year's sea service on

deck who may be counted as deck ratings for the purpose of satisfying the requirements of this Article.

6. No rating signed on in a dual capacity whose services may be required in any department other than the deck department shall be counted as a deck rating for the purpose of satisfying the requirements of this Article.

7. Whether or not a wireless operator or telephonist is to be considered as belonging to the deck department for the purpose of the preceding paragraph shall be determined by national laws or regulations or collective agreement.

Article 16.

1. In vessels to which this Article applies at least three certificated engineer officers shall be carried.

2. This Article applies either :

(a) to vessels of over 700 tons; or

(b) to vessels with engines exceeding 800 indicated horse-power,

according as a tonnage or horse-power criterion is prescribed by national laws or regulations.

3. Provided that any Member may postpone the application of this Article for a period not exceeding five years from the coming into force of this Convention in the case of existing vessels not exceeding 1,500 tons or with engines not exceeding 1,000 indicated horse-power according as the Member applies the tonnage or horse-power criterion.

Article 17.

If in the course of a voyage as a result of death, accident or any other cause a vessel ceases to have available the number of officers or ratings required by the preceding Articles the master shall make up the deficiency at the first reasonable opportunity.

PART IV.—GENERAL PROVISIONS.

Article 18.

The shipowners', officers' and seamen's organisations concerned shall, so far as is reasonable and practicable, be taken into consultation in the framing of all laws or regulations for giving effect to the provisions of this Convention.

Article 19.

1. Each Member which ratifies this Convention shall be responsible for the application of its provisions to vessels registered in its territory and shall maintain in force national laws or regulations which :

(a) determine the respective responsibilities of the shipowner and the master for ensuring compliance therewith;

- (b) prescribe adequate penalties for any violation thereof;
- (c) provide for adequate public supervision of compliance with Part III before a vessel leaves a home port on an international voyage;
- (d) require the keeping of records of all overtime worked in pursuance of Article 10 and of the compensation granted in respect thereof; and
- (e) ensure to seamen the same remedies for recovering extra payments in respect of overtime as they have for recovering other arrears of wages.

2. In any case in which it comes to the knowledge of the competent authority of a port that a vessel registered in a territory for which this Convention is in force in virtue of ratification by another Member is not carrying the number of officers and ratings required by Part III of this Convention the said authority shall so notify the consul of the said Member.

Article 20.

Nothing in this Convention shall affect any law, award, custom or agreement between shipowners and seamen which ensures more favourable conditions than those provided by this Convention.

Article 21.

1. Vessels existing at the date of the coming into force of this Convention in respect of which the competent authority of the territory of registration is satisfied, after consulting the organisations interested, that the circumstances are such that the provision of fresh accommodation for other permanent equipment necessary for an increased crew is not reasonably possible may be exempted from the application of the Convention.

2. Such exemption shall be granted by the issue of an exemption certificate, which shall be carried on the vessel, exempting the said vessel from such of the requirements of this Convention as are specified in the said certificate.

3. Exemption certificates shall not be issued for a period exceeding four years at a time.

4. Every Member taking advantage of the provisions of this Article shall communicate to the International Labour Office in its annual report upon the application of this Convention :

- (a) the texts of all laws and regulations relating to the grant of exemption under this Article;
- (b) particulars as to the number of vessels and total tonnage in respect of which exemption certificates are for the time being in force; and
- (c) any observations as to the grant of exemption made by the shipowners', officers' and seamen's organisations concerned.

PART V.—FINAL PROVISIONS.

Article 22.

1. In respect of the territories referred to in Article 35 of the Constitution of the International Labour Organisation, each Member of the Organisation which ratifies this Convention shall append to its ratification a declaration stating :

- (a) the territories in respect of which it undertakes to apply the provisions of the Convention without modification;
- (b) the territories in respect of which it undertakes to apply the provisions of the Convention subject to modifications, together with details of the said modifications;
- (c) the territories in respect of which the Convention is inapplicable and in such cases the grounds on which it is inapplicable;
- (d) the territories in respect of which it reserves its decision.

2. The undertakings referred to in sub-paragraphs (a) and (b) of paragraph 1 of this Article shall be deemed to be an integral part of the ratification and shall have the force of ratification.

3. Any Member may by a subsequent declaration cancel in whole or in part any reservations made in its original declaration in virtue of sub-paragraphs (b), (c) or (d) of paragraph 1 of this Article.

Article 23.

The formal ratifications of this Convention shall be communicated to the Secretary-General of the League of Nations for registration.

Article 24.

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Secretary-General.

2. It shall come into force six months after the date on which there have been registered by the Secretary-General of the League of Nations the ratifications of five Members of the Organisation each of which has a mercantile marine tonnage of not less than one million tons.

3. Thereafter, this Convention shall come into force for any Member six months after the date on which its ratification has been registered.

Article 25.

As soon as the ratifications of five of the Members mentioned in the second paragraph of Article 24 have been registered, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation. He shall

likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

Article 26.

1. A Member which has ratified this Convention may denounce it after the expiration of five years from the date on which the Convention first comes into force by an act communicated to the Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of five years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of five years and, thereafter, may denounce this Convention at the expiration of each period of five years under the terms provided for in this Article.

Article 27.

At the expiration of each period of five years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the Agenda of the Conference the question of its revision in whole or in part.

Article 28.

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides,

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 26 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 29.

The French and English texts of this Convention shall both be authentic.

Recommendation [No. 49] concerning hours of work on board ship and manning.

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-first Session on 6 October 1936, and

Having decided upon the adoption of certain proposals with regard to the regulation of hours of work on board ship and manning in conjunction with hours of work on board ship, which is the first item on the Agenda of the Session, and

Having determined that these proposals shall take the form of a Recommendation,

adopts, this twenty-fourth day of October of the year one thousand nine hundred and thirty-six, the following Recommendation which may be cited as the Hours of Work and Manning (Sea) Recommendation, 1936 :

Having regard to the fact that the Hours of Work and Manning (Sea) Convention, 1936, does not regulate hours of work or manning in vessels engaged only in national coasting trade;

That it allows each Member to except from the application of its provisions the vessels referred to in Article 1, paragraph 3, of the said Convention, and

That some of its provisions do not apply to vessels below a certain tonnage;

The Conference recommends that each Member which has not already regulated hours of work and manning in these different classes of vessels should investigate the conditions obtaining in them in the light of the rules laid down in the said Convention; and

Further recommends that each such Member should take all necessary measures to prevent overwork and insufficient manning in such vessels.

Recommendation [No. 48] concerning the promotion of seamen's welfare in ports.

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-first Session on 6 October 1936, and

Having decided upon the adoption of certain proposals with regard to the promotion of seamen's welfare in ports, which is the third item on the Agenda of the Session, and

Having determined that these proposals shall take the form of a Recommendation,

adopts, this twenty-fourth day of October of the year one thousand nine hundred and thirty-six, the following Recommendation which may be cited as the Seamen's Welfare in Ports Recommendation, 1936 :

Whereas by the nature of their calling seamen are frequently deprived for long periods of the advantages of family life and may be exposed while in ports, particularly in foreign countries, to special dangers and difficulties and whereas it is not always possible for them to have the benefit of arrangements made to organise the spare time, promote the welfare and safeguard the health of the general body of workers;

Whereas certain Governments and different private associations have successfully taken various measures for the special help and protection of seamen in ports and whereas such protection should be extended to as large a number of seamen as possible; and

Whereas it is important, notwithstanding differences which may exist in national and local needs and customs, to develop and co-ordinate nationally and internationally the principal forms of action, in a manner which draws no distinction of race between seamen;

The Conference recommends that each Member of the International Labour Organisation should take the following principles and methods into consideration for the promotion of the welfare of both national and foreign seamen in ports.

PART I.—GENERAL ORGANISATION.

1. It is desirable to create in every important port an official or officially recognised body, which might comprise representatives of shipowners, seamen, national and local authorities and the chief associations concerned, for the purposes of :

- (a) collecting, as far as possible in conjunction with the different authorities or organisations concerned, including the consular authorities of maritime States, all useful information and suggestions on the conditions for seamen in the port;
- (b) advising the competent departments, authorities and associations as to the adoption, adaptation and co-ordination of measures for the improvement of such conditions; and
- (c) collaborating if required with other competent bodies in carrying out such measures.

2. It is desirable, in order to enable the International Labour Office to inform the Governments of the maritime States and to assist them to co-ordinate their action, that each of them should keep in touch with the Office and furnish it every three years with all useful information on the experience acquired in the promotion of seamen's welfare in ports and on the progress made in this field.

PART II.—REGULATION.

3. There should be laws or regulations to protect seamen, by measures including the following, from the dangers to which they are exposed in certain establishments or in the docks as such :

- (a) the regulation of the sale of intoxicating liquor;
- (b) the prohibition of the employment in public houses of young persons of either sex under a certain age;
- (c) the application of the provisions of international agreements limiting the sale and use of narcotics to all seamen without distinction of nationality;
- (d) the prohibition of the entry into the docks and harbour area generally of undesirable persons;
- (e) the fencing off of dock areas and the protection of the edges of wharves and quays and other dangerous parts of docks by fixed or movable barriers, wherever such measures are practicable;
- (f) the provision of sufficient lighting and, where necessary, of signposts for docks and approaches.

4. In order to ensure the strict enforcement of the measures indicated above and to increase their efficacy, there should be arrangements for supervision, including :

- (a) supervision of establishments where intoxicating liquors are sold and, where necessary and practicable, of hotels, cafés, lodging houses and other similar establishments in the harbour area;
- (b) supervision, which might be carried out jointly by masters and the public authorities, of persons visiting ships, including boatmen plying between ships and the shore, with a view to preventing intoxicating liquor or narcotics being wrongfully brought on board or the fulfilment of any other illicit purpose;
- (c) the maintenance in the harbour area of adequate police forces, specially trained and equipped, which should keep in touch with the other supervising bodies.

5. For the better protection of foreign seamen, measures should be taken to facilitate :

- (a) their relations with their consuls; and
- (b) effective co-operation between consuls and the local or national authorities.

PART III.—HEALTH.

6. Soliciting and enticing, whether directly or indirectly, in the neighbourhood of the harbour and in districts frequented by seamen should be energetically repressed.

7. All suitable measures should be taken to make known to seamen entering the port, irrespective of their nationality :

- (a) the dangers and means of preventing diseases to which they are exposed, including more particularly tuberculosis and tropical and venereal diseases;
- (b) the necessity for persons suffering from disease to undergo treatment and the facilities available for such treatment; and
- (c) the dangers arising from the habit of using narcotics.

8. The treatment of seamen suffering from disease should be facilitated by suitable measures including :

- (a) as wide extension as possible, especially in the dock area, of free and continued treatment for venereal diseases, as provided, for example, by the Agreement concerning Facilities to be given to Merchant Seamen for the Treatment of Venereal Diseases, signed at Brussels, 1 December 1924;
- (b) the admission of seamen to clinics and hospitals in ports, without difficulty and irrespective of nationality or religious belief;
- (c) as wide application as possible to foreign seamen of the provision made for the protection of nationals against tuberculosis;
- (d) the provision, whenever possible, of arrangements designed to ensure, when necessary, continuation of treatment with a view to supplementing the medical facilities available to seamen.

PART IV.—ACCOMMODATION AND RECREATION.

9. Arrangements should be made, at least in the larger ports, for the material and general assistance of seamen while in the port and such arrangements should more particularly include :

- (a) the institution or development of seamen's hostels of a satisfactory character and furnishing suitable board and lodging at reasonable prices;
- (b) the institution or development of institutes—which might be distinct from the seamen's hostels, but should keep as far as possible in touch with them—providing meeting and recreation rooms (canteens, rooms for games, libraries, etc.);
- (c) the organisation, where possible in co-operation with ships' sports clubs, of healthy recreations, such as sports, excursions, etc.;
- (d) the promotion, by every possible means, of the family life of seamen.

PART V.—SAVINGS AND REMITTANCE OF WAGES.

10. In order to help seamen to save and to transmit their savings to their families :

- (a) there should be adopted a simple, rapid and safe system, operating with the assistance of consuls, masters, ship-owners' agents or reliable private institutions, for enabling seamen, and more especially those who are in a foreign country, to deposit or remit the whole or part of their wages;
- (b) a system for enabling seamen, at the time of their signing on or during the voyage, to allot, if they so desire, a proportion of their wages for remittance at regular intervals to their families should be instituted or made of more general application.

PART VI.—INFORMATION FOR SEAMEN.

11. In view of the fact that the success of most of the measures recommended above must depend to a large extent on suitable publicity among seamen, such publicity should be organised and undertaken by the public authorities, the bodies referred to in Part I of this Recommendation, and the competent associations, assisted as far as possible by the ship's officers and doctor and by ships' sports clubs.

12. Such publicity might include :

- (a) the distribution on shore and, subject to the consent of the master, on board ship, of pamphlets in the most appropriate languages giving clear information as to the facilities available for seamen in the port of call or in the next ports for which the ship is bound;
- (b) the creation in the larger ports of information offices, either at shipping offices or elsewhere, easily accessible to seamen and staffed by persons capable of giving directly such explanations or guidance as may be useful;
- (c) the inclusion of some useful information for the physical well-being and general protection of seamen in seamen's books, discharge books or other documents habitually carried by seamen, or in notices posted in a conspicuous place in the crew's quarters;
- (d) the frequent publication of articles of general and educational interest to seamen in periodicals read by seamen, both of specialised and general interest, and also the use of the cinema for this purpose;
- (e) the distribution of information concerning the tariffs of local transport and of local places of interest and entertainment.

PART VII.—EQUALITY OF TREATMENT.

13. Governments, authorities and organisations which may have to administer funds for the welfare of seamen are specially urged not to concern themselves solely with seamen of a particular nationality, but to act as generously as possible in the spirit of international solidarity.

Resolutions

adopted by the Twenty-first Session of the International Labour Conference.

Resolution concerning compensation for accidents and unemployment insurance submitted by Mr. Horiuchi, Japanese Workers' Delegate.

Whereas the General Conference of the International Labour Organisation at previous sessions has adopted a series of Conventions for the protection of workers in industry, commerce and agriculture against the risks of accidents, sickness, old age, invalidity, death and unemployment;

Whereas seamen were excluded from the scope of these Conventions on the understanding that special Conventions adapted to their living and working conditions would be prepared for their protection;

Whereas the agenda of the present session of the Conference includes an item embracing two questions, namely, the individual liability of the shipowner towards sick or injured seamen and sickness insurance for seamen, with a view to the adoption of international regulations;

Whereas it is urgently necessary to prepare international Conventions for the protection of seamen against other risks;

The Conference invites the Governing Body to consider the desirability of placing on the agenda of the next maritime Session of the Conference the following questions :

- (1) The provision of compensation for accidents to seamen;
- (2) The provision of benefit or allowances for seamen involuntarily unemployed.

Resolution concerning the calling of economic conferences submitted by Mr. Horiuchi, Japanese Workers' Delegate.

Whereas the existence of trade restrictions in their various forms is preventing economic recovery and constitutes a special handicap to the shipping industry, with consequential adverse effects on the employment of seamen; and

Whereas the International Labour Conference at its Twentieth

Session adopted a resolution proposing to convene an economic conference or conferences for the purpose as far as possible of removing these restrictions ;¹

The present session of the International Labour Conference, dealing specially with maritime labour questions, wishes to express its support of the above resolution, and accordingly invites the Governing Body of the International Labour Office to use its best endeavours to facilitate the desired economic conference or conferences under the auspices of the League of Nations.

Resolution concerning equality of treatment for national and foreign seaman submitted by Mr. Chao Pan-Fu, Chinese Workers' Delegate.

Whereas the Twentieth Session of the International Labour Conference has by resolution agreed that the question of recruiting and placing of migrant workers shall be placed on the agenda of an early session of the International Labour Conference, if possible, in 1938;

Whereas in the discussions on the said question, the Report of the International Labour Conference has laid special emphasis on the equal treatment of foreign and national workers in the interests of humanity and social justice;

Whereas, since the work of seamen is bound up with the security of life and property, is closely concerned with public interests, entails greater hardships than that of ordinary workers and makes no distinction between either nationality or race, it has been the earnest hope of all seamen for the last sixteen years that equality of treatment should be regulated by an international Convention;

Whereas, from the economic point of view, the absence of an international Convention regulating equality of treatment allows employers in countries where a higher standard of treatment exists to resort to employing workers from countries where a lower standard of treatment exists in order thereby to derive benefit from international competition;

Whereas the International Labour Conference at its Thirteenth Session has by a resolution expressed the hope that the question of equality of treatment of Asiatic seamen should be placed on the agenda in the near future and that the International Labour Office should be requested to make a study of the matter;

The Conference requests the Governing Body to consider the desirability of placing the question of equality of treatment for national and foreign seamen on the agenda of the next maritime session of the Conference with a view to the adoption of a Draft Convention on the subject.

¹ See *Official Bulletin*, Vol. XXI, No. 3, p. 142.

Resolution concerning the "Contractor System" submitted by Mr. Chao Pan-Fu, Chinese Workers' Delegate.

Whereas the "Contractor System" of employment is the most inhuman device whereby the workers' interests are imperilled;

Whereas the Conference at its Second and Ninth Sessions in 1920 and 1926 adopted the Draft Convention concerning the placing of seamen and the Draft Convention concerning seamen's articles of agreement, the object of which was to protect the interests of seamen during their employment and to ensure that they should not be the victims of profit-making or be exposed to undue influence by employment agencies or other organisations whether private or otherwise;

Whereas in spite of the strict measures enforced by the Chinese Government in prohibiting the "Contractor System", the greatest difficulty has been experienced with regard to the foreign shipping companies—especially those in China—which persist in employing Chinese seamen through contractors under very inhuman conditions of employment, giving the employed seamen no voice whatever in the choice of ships and other conditions of employment, while the illegal contractor receives special remuneration from the employer besides exacting heavy fees from the employed;

Whereas by means of the "Contractor System" the employers can easily obtain workers whom they can by indirect methods force to reimburse the fees paid to the contractors and whereas the workers, in fear of unemployment, have to submit to this dual oppression, which reduces them to a level at which they can barely exist and leads to frequent cases of suicide, which is a disgrace to humanity and social justice and must cause serious regret to the Conference;

Whereas under the "Contractor System" the Chinese seamen in the employment of the foreign shipping companies are required to pay a heavy "deposit of employment" to the company, which the distressed seamen have to raise by means of loans at a high rate of interest to be paid out of their meagre wages;

The Conference requests the Governing Body to consider the desirability of investigating and reporting to the Conference on the matter at the earliest date with a view to the abolition of the "Contractor System" of employment.

Resolution concerning accommodation of crews on board cargo vessels submitted by Mr. Spence, British Workers' Delegate.

The Conference,

Having regard to the fact that the International Convention for the Safety of Life at Sea does not apply to cargo vessels so far as the provisions regarding construction and life-saving appliances are concerned,

Considering that such provisions as well as legal stipulations concerning the accommodation of the crew on board ship are items of paramount importance to the life and the health of the seamen,

Requests the Governing Body of the International Labour Office to consider the advisability of

- (a) undertaking a study of the accommodation of the crews on board;
- (b) examining whether international regulations can be introduced and reciprocal agreements concluded between the different countries;
- (c) inviting the Joint Maritime Commission to deal with these questions at a forthcoming session.

Resolution concerning seamen's wages submitted by the Government Delegates of the United States of America.

Whereas the preservation of equitable competitive conditions in international shipping requires comprehensive current information on wages paid to seamen on vessels engaged in international trade; and

Whereas, the International Labour Office has made an excellent beginning in the collection and publication of such information, notably in the Maritime Statistical Handbook, printed for the use of this Conference;

Therefore, the Conference requests the Governing Body to consider the advisability of directing the International Labour Office to continue and to extend its work in this direction by the periodic collection and compilation of information on the wages of seamen currently employed on sea-going merchant vessels of the principal maritime countries of the world, and all other matters relating to competitive conditions.

Draft Convention adopted by the Twenty-second Session of the International Labour Conference.

Draft Convention [No. 58] fixing the minimum age for the admission of children to employment at sea (revised 1936).

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Twenty-second Session on 22 October 1936, and

Having decided upon the adoption of certain proposals with regard to the partial revision of the Convention fixing the minimum age for admission of children to employment at sea adopted by the Conference at its Second Session, the question forming the Agenda of the present Session, and

Considering that these proposals must take the form of a Draft International Convention,

adopts, this twenty-fourth day of October of the year one thousand nine hundred and thirty-six, the following Draft Convention which may be cited as the Minimum Age (Sea) Convention (Revised), 1936 :

Article 1.

For the purpose of this Convention, the term "vessel" includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned; it excludes ships of war.

Article 2.

1. Children under the age of fifteen years shall not be employed or work on vessels, other than vessels upon which only members of the same family are employed.

2. Provided that national laws or regulations may provide for the issue in respect of children of not less than fourteen years of age of certificates permitting them to be employed in cases in which an educational or other appropriate authority designated by such laws or regulations is satisfied, after having due regard to the health and physical condition of the child and to the prospective as well as to the immediate benefit to the child of the employment proposed, that such employment will be beneficial to the child.

Article 3.

The provisions of Article 2 shall not apply to work done by children on school-ships or training-ships, provided that such work is approved and supervised by public authority.

Article 4.

In order to facilitate the enforcement of the provisions of this Convention, every shipmaster shall be required to keep a register of all persons under the age of sixteen years employed on board his vessel, or a list of them in the articles of agreement, and of the dates of their births.

Article 5.

This Convention shall not come into force until after the adoption by the International Labour Conference of a Draft Convention revising the Convention fixing the minimum age for admission of children to industrial employment, 1919, and a Draft Convention revising the Convention concerning the age for admission of children to non-industrial employment, 1932.

Article 6.

The formal ratifications of this Convention shall be communicated to the Secretary-General of the League of Nations for registration.

Article 7.

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Secretary-General.

2. Subject to the provisions of Article 5 above it shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Secretary-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 8.

As soon as the ratifications of two Members of the International Labour Organisation have been registered, the Secretary-General of the League of Nations shall so notify all the Members of the International Labour Organisation. He shall likewise notify them of the registration of ratifications which may be communicated subsequently by other Members of the Organisation.

Article 9.

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the

Secretary-General of the League of Nations for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 10.

At the expiration of each period of ten years after the coming into force of this Convention, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall consider the desirability of placing on the Agenda of the Conference the question of its revision in whole or in part.

Article 11.

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides,

- (a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 9 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 12.

The French and English texts of this Convention shall both be authentic.



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